This action is funded by the European Union

ANNEX

of the Commission Implementing Decision on the financing of the Annual Action Programme in favour of the Philippines for 2019 part 2

**Action Document for the**
**Support to Bangsamoro Transition (SUBATRA)**

**ANNUAL PROGRAMME**

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation and action programme/measure in the sense of Articles 2 and 3 of Regulation N 236/2014.

<table>
<thead>
<tr>
<th>1. Title/basic act/CRIS number</th>
<th>Support to Bangsamoro Transition (SUBATRA) ACA/2019/041-779 financed under the Development Cooperation Instrument</th>
</tr>
</thead>
</table>
| 2. Zone benefiting from the action/location | Asia, Republic of the Philippines  
The action shall be carried out at the following location: Bangsamoro Autonomous Region in Muslim Mindanao, Philippines |
| 3. Programming document | Addendum to the Multiannual Indicative Programme between the European Union and the Republic of the Philippines for the period 2014 – 2020¹ |
| 4. SDGs | SDG 16: Achieve peaceful and inclusive societies, rule of law, effective and capable institutions;  
SDG 5: gender;  
SDG 10: non-discrimination |
| 5. Sector of intervention/thematic area | Rule of Law (EUR 20 000 000)  
Peace Building in Mindanao (EUR 5 000 000)  
DEV. Aid: YES |
| 6. Amounts concerned | Total estimated cost: Indicatively EUR 26 000 000  
Total amount of EU budget contribution: EUR 25 000 000  
This action is co-financed in joint co-financing by:  
Spanish Agency for International Development Cooperation (AECID) for an amount of EUR 1 000 000. |
| 7. Aid modality(ies) and implementation modality(ies) | Project Modality  
**Direct management** through:  
- Procurement |

**Indirect management** with United Nations Office for Project Services (UNOPS) and Spanish Agency for International Development Cooperation (AECID)

### 8 a) DAC code(s)

**Main DAC code:**
- 151 - Government & Civil Society-general
- 152 - Conflict, Peace & Security

**Sub-codes:**
- 15110 - Public sector policy and administrative management
- 15130 - Legal and judicial development
- 15152 - Legislatures and political parties
- 15220 - Civilian peace-building, conflict prevention and resolution

### b) Main Delivery Channel

- 41000 - UN Agency or fund
- 13000 - Delegated cooperation
- 60000 - Private sector institution

### 9. Markers (from CRIS DAC form)

<table>
<thead>
<tr>
<th>General policy objective</th>
<th>Not targeted</th>
<th>Significant objective</th>
<th>Main objective</th>
</tr>
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<tbody>
<tr>
<td>Participation development/good governance</td>
<td></td>
<td></td>
<td>☑</td>
</tr>
<tr>
<td>Aid to environment</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gender equality (including Women In Development)</td>
<td></td>
<td>☑</td>
<td></td>
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<tr>
<td>Trade Development</td>
<td>✔</td>
<td></td>
<td></td>
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<tr>
<td>Reproductive, Maternal, New born and child health</td>
<td>✔</td>
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### RIO Convention markers

| Biological diversity                                         | ✔            |                      |                |
| Combat desertification                                      | ✔            |                      |                |
| Climate change mitigation                                   | ✔            |                      |                |
| Climate change adaptation                                   | ✔            |                      |                |

### 10. Global Public Goods and Challenges (GPGC) thematic flagships

n.a.

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**SUMMARY**

The ratification in January 2019 of the ‘Organic Law for the Bangsamoro Autonomous Region’ (BOL), considered by the Moro Islamic Liberation Front (MILF) as ‘80 to 90 percent compliant to the 2014 Comprehensive Agreement on the Bangsamoro’, constitutes a major step for the Peace Process in Mindanao, providing a political and legal basis to the move towards Bangsamoro’s self-rule, which is deemed to end decades-long insurgency in Southern Philippines. Other non-moro indigenous peoples (IP) groups also support the BOL because together with other civil society organisations, they have actively campaigned for the passage of the BOL as well as its ratification during the plebiscite.

As per BOL, this process shall be initiated by a 3 year transition period to start immediately after the plebiscite with the establishment of a Bangsamoro Transition Authority (BTA)
interim Government vested with legislative and executive powers. The organisation and schedule of the transition shall be subject to a ‘Transition Plan’ to be submitted by the Interim Chief Minister to the BTA within the 60 days of the transition period and to be implemented within 15 days from its approval.

The capacity of the BTA to efficiently implement the transition according to BOL’s provisions is the most critical issue for peace consolidation in Mindanao. This is considered the cornerstone of the core Bangsamoro self-reliance and self-determination for effective autonomy during the transition.

The challenge is enormous. Foremost of which are the sovereign establishment of a completely new governance system consisting of a new and well-functioning Assembly reflective of the diversity of the Bangsamoro, a new form of Government with its own public administration along with an ‘independent, strictly merit-based civil service system’, as well as a restructured multifaceted judicial system combining Sharia, State and customary justices. Among the other key issues are the redefinition and management of new relationships with the State and local entities, as well as the development of an enabling environment for a flourishing civil society and private sector.

The action is to contribute to a smooth and timely undertaking of the transition through capacity building of the three branches of the Bangsamoro Government to promote an enabling good governance environment and ensure the efficient implementation of policies set up by the transition plan, with a focus on capacities that are critical for a sound functioning of interim institutions. These include: capacity of the BTA’s executive branch superstructure to drive and coordinate key transitional policies, capacity of the Parliament to exercise its law making and oversight functions, capacity of the Justice System to adjudicate litigations and improve access to justice, and capacity of the civil society to contribute to a peaceful transition to the Bangsamoro Autonomous Region for Muslim Mindanao (BARMM).

The action will support institutional components of the peace process set out by the Framework Agreement on the Bangsamoro (FAB), Comprehensive Agreement on the Bangsamoro (CAB) and their implementing arrangements as well as BOL’s art. XVI provisions on the transition through an integrated approach combining institution building and capacity building of core Bangsamoro democratic governance institutions to efficiently undertake the transition including post transition.

The integrated and strategic intervention should foster the political buy in of the Government as well as foster good coordination among development partners, the private sector and civil society, while ensuring high visibility for the EU. A mix of the implementation modalities combining direct management (service contract) and indirect management with an EU Member State agency and an international organisation will allow for coherent and effective support to the emerging needs of the transition, through a rapid and flexible aid delivery, while promoting good coordination with other funding flows. The proposed action has a duration of 5 years with an indicative start date of 2020 (transition period is to last until 2022 when the new elections for the new Bangsamoro Government is held at the same time as the national elections). Thus, the EU action will be implemented not only during the transition but during post transition as well, ensuring a seamless cross over to the elected Bangsamoro Government. On account of this and based on initial scanning of other development partners' ongoing and proposed interventions for the Bangsamoro, only the EU is able to offer through this action, a comprehensive, strategic and sustainable intervention.
1 CONTEXT ANALYSIS

1.1 Context Description

The ratification on the 21st of January 2019 of the ‘Organic Law for the Bangsamoro Autonomous Region’ (BOL\(^2\)), considered by the Moro Islamic Liberation Front (MILF) as ‘80 to 90 percent compliant to the 2014 Comprehensive Agreement on the Bangsamoro’, constitutes a major step for the peace process in Mindanao, providing a political and legal basis to the move towards Bangsamoro’s self-rule, which is deemed to end decades-long insurgency in southern Philippines. Other non-Moro IP groups also support the BOL because together with other civil society organisations, they have actively campaigned for the passage of the BOL as well as its ratification during the plebiscite.

As per BOL, art. XVI, the 3 year transition period has been initiated immediately after the plebiscite with the establishment of the Bangsamoro Transition Authority (BTA) which shall be the interim Government of the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) during the transition. Under the parliamentarian form of government set out by the BOL, legislative and executive powers shall be vested in the BTA. Practically, legislative power shall be exercised by the BTA acting as an interim Parliament while executive power shall be exercised by an interim Chief Minister (ICM) seconded by 2 deputy interim chief ministers (IDCM) and a cabinet of 15 ministers.

The establishment of the BARMM political institutions is almost achieved. The 80 members\(^3\) of the BTA as well as ICM (M.Al-Haj Murad Ebrahim, MILF Chairman) have been appointed by the President of Philippines on the 22nd February 2019 while the 2 Deputy Chief Ministers and most of 15 Primary Ministers were appointed by the Interim Chief Minister on the 27th of February. The appointed members of the BTA from both the MILF and Government were generally acceptable to the public and involved no major controversies, although there were only 2 Indigenous Peoples' (IPs) representatives and therefore lacked representation from other diverse groups and geographic spread. The BTA shall be officially installed during an inaugurating ceremony to be held on the 21st of March. The establishment of the BTA’s institutional framework is also underway. The new ministers are presently submitting to ICM their tentative organisational charts and '100 days transition plans' that will be reviewed by the Parliament as well as the drafting of a comprehensive code of parliamentary procedures and practices of the Bangsamoro Parliament. Key priority codes such as Administration code and Revenue Code are also being drafted by the Coordination Team for the Transition for the Bangsamoro\(^4\) (CT4T) and will serve as a starting point for further parliamentary legal development. These preliminary activities are supported.

The organization and schedule of the transition shall be subject to a ‘Transition Plan’ to be submitted by the Interim Chief Minister to the BTA within the 60 days of the transition period and to be implemented within 15 days from its approval. The preparatory works on the Transition Plan are also backstopped by CT4T that has been tasked to merge and update previous MILF’s, MNLF’s and ARMM’s development plans. There are no major


\(^3\) 41 nominated by the MILF and 39 nominated by the government of Philippines, mostly from Moro Islamic Liberation Front along with Moro National Liberation Front (MNLF), non-Moro indigenous, youth, women, traditional leaders representatives

\(^4\) CT4T, established in 2014 by Peace Panels, is primary mechanism for coordination between Parties and concerned agencies to ensure that the necessary steps are undertaken in preparation for the transition leading to the installation of the BTA. The CT4T is composed of five government representatives from the Office of the Presidential Adviser on the Peace Process (OPAPP) and the regional government of the Autonomous Region of Muslim Mindanao (ARMM), and five representatives from the MILF.
inconsistencies foreseen in the various development plans but there is a need to harmonise and put them all together in one comprehensive plan which is duly supported by all stakeholders.

The installation of the BTA will trigger the massive decommissioning of 30,000 to 40,000 MILF combatants. A 1st phase shall target the decommissioning in 2019 of about 12,000 combatants and their weapons, coming along with implementation of socio-economic programs for the decommissioned, which satisfactory implementation shall be critical for the implementation of the whole Peace Agreement. MILF Chairman reiterated to this extent, on 29th July 2018, the ‘readiness of MILF members to decommission once the Bangsamoro government is in place’.

The transition shall end on 30th June 2022 with the election, along with national election, of the 1st Bangsamoro Parliament, qualification of a Chief Minister and the dissolution of the BTA, to be replaced by a Bangsamoro Government that shall exercise its functions under the general supervision of the President of the Philippines.

The capacity of the BTA to set up the transitional institutional frameworks provided by the BOL and to efficiently undertake Transition Plan policies, notably governance and socio-economic recovery policies, is the most critical issue for peace consolidation in Mindanao. This is the cornerstone of the core Bangsamoro self-reliance and self-determination for effective autonomy during the transition.

The challenge is enormous. Foremost of which are the sovereign establishment of a completely new governance system consisting of a new and well-functioning Assembly reflective of the diversity of the Bangsamoro, a new form of Government with its own public administration along with an ‘independent, strictly merit-based civil service system’5, as well as a restructured multifaceted judicial system combining Sharia, State and customary justices. Among the other key issues are the redefinition and management of new relationships with the State and local entities, as well as the development of an enabling environment for a flourishing civil society and private sector.

1.2 Policy Framework (Global, EU)

Based on the EU Council Conclusions on Integrated Approach to Conflict and Crises, January 2018, local ownership, inclusiveness, resilience and sustainability of supported actions by engaging with national and local authorities, communities and civil society are of paramount importance. SUBATRA, which aims to support the Philippine Government through the Office of the Presidential Adviser on the Peace Process (OPAPP) at the national level, and the Bangsamoro Transition Authority (BTA) at the local level, in the successful implementation of the Bangsamoro Organic Law (BOL) have both been extensively consulted in the formulation of the action. The BOL that has been passed after decades-long conflict in the region is a result of a long process of peace talks and negotiations between the two parties as it promoted inclusivity among all concerned stakeholders (MILF, MNLF, indigenous peoples, Christian settlers, etc. among others). SUBATRA which will support all three branches of the BTA (executive, legislative and judicial) and including civil society will support a broad based approach to resilience encompassing all individuals and the whole of society that will build democracy, trust in institutions and sustainable development and the capacity to reform (Joint Communication to the European Parliament and the Council, A Strategic Approach to

5 BOL, art XVI, section 10, point c
By ensuring that rights of indigenous peoples in the region are respected and promoted, SUBATRA is supporting the EU Council Conclusions on Indigenous Peoples, May 2017.

SUBATRA promotes the important role of women's engagement in sustainable peace, security, human rights, justice and development with its targeted support to the Regional Commission on Women and the Committee on Women Affairs of the BTA Parliament. Women's empowerment is fully integrated in the support to the Sharia justice and civil society organisations. All of these are intrinsic components of human rights and sustainable development as embodied in EU Strategic Approach on Women, Peace and Security (WPS). The Integrated Approach to Conflict and Crises is also reflected in the new European Consensus for Development which will prevent, manage and help resolve conflicts and crises, avert humanitarian needs and build lasting peace and good governance within established mandates of the BTA. Most of the direct beneficiaries of SUBATRA having been victims of conflict, operationalises the humanitarian-development nexus and promotes linkages between sustainable development, humanitarian action, conflict-prevention and peace-building.

The national policy is related to the 2030 Agenda for Sustainable Development (in particular SDG 16 on peace, justice and strong institutions, SDG 5 on gender equality and SDG 10 on reduced inequalities) while being consistent with the EU Global Strategy and the New European Consensus for Development, which calls for an integrated approach to conflicts and aims at supporting state and societal resilience, as well as the EU Integrated Approach to Conflicts and Crises, The Joint Resilience Communication of 2017, the EU WPS Comprehensive Approach and EU Council Conclusions on Indigenous Peoples 2017 and reference to the Free, Prior and Informed Consent (FPIC) for Indigenous Peoples. It is also in line with priority sectors 2 and 3 of the revised MIP 2014-2020: Rule of Law entails ‘a specific assistance to be provided to the new political entity of the Bangsamoro’ with a focus on the new Regional Assembly, Bangsamoro Government institutions and legal frameworks while Peacebuilding in Mindanao aims the improvement of the ‘ability of government institutions to fulfil the social contract through inclusive, transparent and conflict-sensitive delivery of services and governance, especially at the local government level’. The EU's Multi-Annual Indicative Programme also provides that poverty alleviation will remain an important objective of the bilateral relationship between the EU and the Philippines as clearly outlined in the Philippine Development Plan 2017-2022 (PDP).

1.3 Public Policy Analysis of the partner country/region

The action will support the implementation of the political and institutional components of the peace process set out by the October 2012 Framework Agreement on the Bangsamoro (FAB) and March 2014 Comprehensive Agreement on the Bangsamoro (CAB) along with their implementing instruments, that broadly set out the peace consolidation national policy for the transition and focus on the establishment of the Bangsamoro Transition Authority, which executive, legislative and judiciary branches shall be empowered by the programme to efficiently undertake their mandates during the transition, as per BOL and peace agreements’ provisions.

The national policy is consistent with the National Action Plan (NAP) on Women, Peace and Security 2017-2022 which adopts a broader framing of addressing the situation of women in armed conflict and recognising their contributions to peace building. For instance, the BOL upholds that the Bangsamoro government shall:

- provide representation of women in the BTA (Art.XVI, section 2);
- recognize the role of women in governance and ensure their fundamental equality before the law and guarantee that women shall benefit equally in development programs and projects (Art.XIII, Sec 5); and
- allocate 5% of total budget appropriations of its ministries, offices and constituent local government units for gender-responsive programmes in accordance with gender-development plans and set aside 5 to 30% of Official Development Assistance received by Bangsamoro Government to complement the gender and development budget allocation.

1.4 Stakeholder analysis

Duty bearers

The targeted stakeholders will be the organs of the new Bangsamoro Transition Authority that are critical for a successful implementation of the transition, among which:

- Executive branch superstructure (Interim Chief Minister, Deputy Interim Chief Ministers, Cabinet Ministers),
- Line ministries and offices supporting governance,
- Parliament members and Staff,
- Sharia court system, Tribal Justice System, which legal and organisational frameworks are yet to be defined and operationalized as well as regular courts and ADR mechanisms, and
- Umbrella organizations of CSOs involved in democratic governance areas.

Right holders:

The main stakeholders are the impoverished, vulnerable and conflict-affected populations in the Bangsamoro, especially indigenous peoples, women, youth and children. Now that the interim Bangsamoro Government has been established, majority of the population expect quick and tangible peace dividends to be delivered. This can only be done if there is well-functioning interim Bangsamoro Government. The population in these conflict-affected areas have suffered years of social strife and economic hardship. These communities are trapped in poverty resulting from the vicious cycle of violence and displacements. Women are particularly exposed and vulnerable as they are mostly the ones left behind by combatants to manage their families and children. They face high mortality rate during childbirth, abuse and violence, early marriage, exploitation and trafficking, lack of economic opportunities and girls are deprived of opportunities such as education. Traditionally, women are recognised as arbiters in non-official community debates and dispute resolution in Moro and other indigenous cultures but they suffer from political exclusion mainly at local level. With regard to dispute resolution, women play key role in alternative dispute resolution. However, based on community consultations with women's groups during the formulation of the action, there is a strong desire for women's groups to improve their capacities in negotiation and mediation, as facilitators and documenters in 'rido' and peace covenants, especially in matters involving
inter-family conflicts and to be better active participants in the IP Council of Elders that arbitrate conflicts in communities. In addition, they would like to improve their participation in local government bodies as well as in quick response teams especially in community matters involving social issues. The genuine participation of women as early as during the political transition is particularly crucial as it will institutionalise the role of women in governance and decision making bodies and ensure that agencies adopt a gender sensitive approach. Their participation must lead to real changes in policies and laws. The out of school youth are vulnerable to criminal activities and extremism. Details on these groups are provided in Annex 1. The BOL provides for numerous provisions for the rights of indigenous peoples in relation to the right to Free and Prior Informed Consent in the formulation and approval of development plans, programmes and exploitation of natural resources. Through SUBATRA, these provisions of the BOL will be the entry points for the technical assistance.

1.5 Problem analysis/priority areas for support

1.5.1 Problem analysis

The capacity of the BTA to efficiently implement the transition and exert its powers granted under art. XVI of the BOL is the most critical issue for peace consolidation in Mindanao. It can however be anticipated that BTA’s new institutions will lack the capacity to fully undertake their tasks without technical assistance.

Main institutional problems to be faced by the BTA can be summarized as follows:

- **BTA’s Executive Branch**

  Short term establishment of a simple but well-functioning transitional bureaucracy inspired by best practices of good governance, reflecting Bangsamoro values and able to deliver basic social services to the population and, more importantly in a peace consolidation perspective during the transition, is crucial for exiting the crisis. It is a consensus shared by MILF that BTA should, during the transition capitalize on ARMM’s administrative structure, which is composed of 17 Departments and 1,750 personnel, which should however be revamped to fit with the transitional Bangsamoro Government mandate and staffed by retained competent ARMM agents as well as newcomers from MILF and other sources. In order to ensure that women's needs and priorities are considered at the executive level, women have to be given the opportunity to be represented in executive positions. Currently, there are two women cabinet ministers, namely the Minister for Social Services (Raissa Jajurie) and Minister for Science and Technology (Aida Silongan). The Regional Commission on Bangsamoro Women has also been appointed (Banon Kairon).

  The shift from ARMM to Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) bureaucracy, to be undertaken from the 1st year of the transition, represents a huge and highly sensitive process with the following key consecutive steps: capacity building of the ICM and DICM offices to implement, monitor and coordinate the Transition Plan, establishment and organization of the 15 new Bangsamoro ministries (mandates, missions, organizational charts, job descriptions, working procedures), human resource audit and placement process for hiring or transferring personnel in the new ministries’ positions, capacity building of the retained personnel, formulation and implementation of priority plans for improving service delivery to the population and decommissioned combatants. Gender mainstreaming of the Transition
Plan and the recruitment process and proper implementation of the National Action Plan on Women, Peace and Security will ensure that gender responsive agenda and policies are pushed forward. In addition, since there is no specific budget for the implementation of the National Action Plan for Women, Peace and Security (2017-2022), its provisions are supposed to be integrated in the annual budget for Gender and Development (GAD) that each national and regional agencies and local government units receive. The annual GAD budget aims to ensure gender equality and gender responsiveness. The key government ministries of the Bangsamoro executive branch will be provided with technical support to prepare, formulate and implement their GAD budget.

- **BTA’s Legislative Branch**

The capacity of the future Bangsamoro Government to effectively exercise its representation, law making and oversight functions during the transition is the most critical issue for consolidation of peace in Mindanao. As per BOL’s provisions for transition and upon ratification by the 21 January 2019 and 06 February 2019 plebiscite, legislative power shall be vested in a BTA whose legislative branch shall be composed of 80 members appointed by the President of Philippines as well as civil society representatives and, up to the 30 June 2019, the 24 elected officials of the ARMM. Among Parliament priorities during the transition are the enactment of the key legislations such as the Bangsamoro’s Administrative Code, Civil Service Code, Local Government Code, Electoral Code and Law on IP’s fundamental rights as well as the approval of the Transition Plan prepared by the interim Chief Minister. The BOL (Art.IX Section 11) also foresees the enactment of laws on protection of the fundamental rights of women (right to engage in lawful employment, protection from exploitation, abuse or discrimination as embodied in the CEDAW) as well as the creation of a commission on Women.

The Bangsamoro has already a long history of legislative processes with a Regional Legislative Assembly existing since 1990, composed of 24 members, of which 4 are women, elected from 8 districts, and which promulgated over 600 resolutions and 300 acts during its 9 three-year term sessions. However, this experience was obtained from a totally different context under a presidential form of government. The role of a Parliament as well as parliamentary procedures also continues to be alien to most Bangsamoro people. A lot remains therefore to be done to provide the new Bangsamoro Government with sound and well recognized legislative machinery.

There is a consensus among key stakeholders that the key challenge shall be the insufficient legislative capacity of the members of the Parliament, who are mostly former revolutionaries with no experience in engaging in democratic institutions and processes. The capacity of the Parliament to deliver its mandate will also be hampered by the lack of support staff and guidelines governing the Parliamentary work as well as inadequate physical infrastructure to host over a hundred of MPs and lack of equipment and ICT tools. Islamic beliefs do not impede women to occupy political positions. Often women are not aware of their ability, are not willing to become part of political bodies or lack opportunities to be represented in political positions. Hence, women should be educated on political participation and women empowerment and create a collective awareness about the need to have more women

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7 41 of whom are anticipated from the United Bangsamoro Justice Party of the MILF that is to ‘‘lead the BTA without prejudice to the participation of the MNLF’’ (BOL, Art XVI, section 2)
8 Non-Moro indigenous communities, youth, women, settler communities, traditional leaders, and other sectors
represented in political decision making bodies to ensure that a gender sensitive perspective is adopted in the legislative corpus.

- **Bangsamoro judicial branch**

Access to formal/central state justice, sharia and recognition of indigenous justice system are far from being effective in Bangsamoro. SUBATRA is to pave the way for the establishment of the multifaceted Bangsamoro justice system foreseen by the BOL and to be established in 2022. The multifaceted justice system will harmonise and strengthen the 3 strands of justice systems, namely the central/state justice, sharia and tribal justice. Both the Sharia and Traditional Tribal Justice Systems will be implemented in accordance with international human rights standards.

Under the Philippine Local Government Code of 1991, barangays were given the mandate to enforce peace and order and provide support for the effective enforcement of human rights and justice including amicable settlement of family and community disputes. Decentralisation has facilitated the recognition of the **Katarungang Pambarangay** or Barangay Justice System as an alternative venue for resolution of disputes. The challenge facing local governments now is to maximize and harness the katarungang pambarangay as one of the most valuable mechanisms available in administering justice, advancing human rights protection and resolving and/or mediating conflict at the barangay level through non-adversarial means. Local committees of citizens called Pacification Committees (**Lupon Tagapamayapa**) have been organized to effect extrajudicial settlement of minor cases between barangay residents. In each **lupon** (committee) there is a Conciliation Body (**Pangkat Tagapagkasundo**), the main function of which is to bring opposing parties together and effect amicable settlement of differences. The committee cannot impose punishment, but otherwise its decisions are binding.

Central state justice in Bangsamoro is not regarded as appropriate to the Muslim population who favour Sharia courts. The state sharia system has been practiced since Islamic justice was made part of the Philippine judicial system in 1977 and Sharia courts established through a presidential decree issued by the late president Ferdinand Marcos. The sharia justice system applied in Mindanao under this Presidential Decree is limited in scope and covered only minor violations and mostly applicable only for personal and family relations. However, the sharia courts are not presently able to efficiently adjudicate disputes all over the region, as only half of the Government district and circuit Sharia courts have been established while its appeals court in Manila was never constituted. The Sharia justice is de facto applied at the community level through non state justice mechanisms and through separate judiciaries run by the MILF, which includes all aspects of the law, including commercial transactions and criminal justice. The MILF Sharia system is composed of district and circuit Sharia courts served by +/- 400 Sharia ‘practitioners’ as well as a High Court established in MILF compound, granted with appellate powers. The Government and non-government Sharia systems are both hampered by the limited legal knowledge of their respective agents. State Sharia judges are constrained by limited preparation in Muslim Law, while MILF judges have not been trained in civil law and civil proceedings.

The Bangsamoro **Sharia justice system** is presently dual with GPH and MILF Sharia courts operating side by side. The Code of Muslim Personal Laws covers personal status, marriage and divorce, matrimonial and family relations, succession and inheritance and property. According to a 2011 study, most cases in the Sharia courts are filed by women but only 2 of
As per BOL, there will be an unified Sharia Justice System in Bangsamoro under the supervision of the Philippine Supreme Court, composed of circuit, district courts as well as a High Court which jurisdiction, composition, personnel qualification are outlined. BOL also provides creation by Parliament of new offices critical to access to Justice and capacity building of Justice personnel with a Sharia Public Assistance Office and a Sharia Academy. Establishing and institutionalising this unified system by 2022 will require that the ground work be undertaken during the transition, including preliminary studies for drafting by the Parliament of the necessary laws provided by the BOL, capacity building of Sharia judges to comply with qualification requirement set up by section 8 of the organic law. It should be noted that sharia justice system in the bangsamoro is limited in scope and application and as specified in the Code of Muslim Personal Laws, cover only Muslim customary laws, personal and family relations, misdemeanours of arresto menor and exclude criminal law. All other cases are dealt by the regular courts and Sharia courts remain to be under the administrative supervision of the Supreme Court of the Philippines. Funding for this set-up will come from the BOL provision for BARMM power to create sources of revenues that are outlined in Art. XII, Sec. 6. Particular to development programs and projects (Sec 23), the national government shall ‘provide for additional funds that will subsidize expenditures for development projects and infrastructure in the Bangsamoro Autonomous Region ….’

The indigenous justice system presently exists and functions rather well among the members of the groups but its overall efficiency is hampered by poor governance and lack of codification. The strengthening of tribal justice system is not a priority during the transition but there is the need for establishing the Office for Traditional Tribal justice System (BOL, Art. 10, sect. 18), that will oversee the study, preservation, development, and training with full participation of IPs in a system in accord with national and international standards and norms for administration of justice. Among IPs (particularly the Tedurays), tribal governance and justice is generally perceived as respecting the rights of men, women, elders, youth and children.

Despite the existence of these three strands of justice systems, there is also a dire need for improving access of the Muslim population to the present Bangsamoro Justice system through legal awareness and empowerment of communities as well as provision of legal service to the poor and vulnerable. Some CSOs consortia and their members like WOMB, CDORM, LBO, TLWI or UnYPhil also undertook limited grassroots gender mainstreaming, legal empowerment, and promotion of rights of women among IPs. Research will be carried out regarding the various indigenous justice systems that exist, while being mindful of the rights of the indigenous peoples on free and prior informed consent.

Access to Justice is also hampered by delays in the implementation of Transitional Justice and Reconciliation Commission’s recommendations submitted in 2016 (largely because of the
glaring lack of capacities and skills among national and regional agencies proposed to implement these recommendations, especially in understanding and operationalizing Transitional Justice concepts and processes) as well as delays in the establishment of the new Bangsamoro Human Rights Commission that is to replace the 2 co-existing Human Rights Institutions⁹. The new Office for Women that is to replace the ARMM Regional Commission on Bangsamoro women is not yet fully established and will lack human and technical capacities to protect and advance women’s rights through strengthened services and justice delivery systems.

The very limited access to justice in Bangasmoro, as well as the specificities of a conflict area, implies the support to all institutions dealing with conflicts while the regular courts are reinforced.

- **Bangsamoro Civil Society**

Civil society organizations are numerous and engaged in various sectors in Bangsamoro but most are heavily dependent on external assistance and therefore cannot be considered as sustainable. And although presently registered with appropriate government agencies, most often these do not have the human and financial resources to function on a voluntary basis. As a consequence, a significant number of CSOs are regarded as "fly by night".

The need for shared objectives as well as for a unified and multidisciplinary approach to peace and development progressively motivated the creation of several umbrella organizations of CSOs. Among these, five can be considered as sustainable as their affiliates are willing and able to undertake small scale studies, advocacy campaigns, and conflict resolution management without any national or international support. In addition, these consortia have wide outreach outside the BARMM and inclusive of Indigenous Peoples, women, and youth in their activities. These are (i) The Consortium of Bangsamoro Civil Society Inc (CBCS) which is the oldest having been organized in 2002, (ii) the League of Bangsamoro Civil Society Organizations (LBCSO), (iii) the United Voices for Peace Network (UVPN), (iv) the Union of Muslim Youth Organization (UMYO) and (v) the Women Organization of Movement for Bangsamoro (WOMB). The MILF women have its own Social Welfare Committee (SWC). However, all are constrained with lack of human resources, proper facilities and equipment, and cannot fully undertake their critical mandate to promote a unified society of Bangsamoro and fulfil the 1987 Constitution mandate on people's participation in governance as well as BOL’s recognition of the right of the people to 'freely participate in political processes’ (Art. IV, sec. 3). SUBATRA shall support empowerment of IP communities and women through inter alia capacity building of the new IP ministry and Office for Women as well as legal awareness campaigns targeting these two vulnerable groups.

Transition in Bangsamoro will require a strong involvement of the civil society along with regional and local governments in creating political democratic spaces through dialogues, consultations, information, education and communication. Capacities of the CSOs to engage in lobbying for the passing of key legislations and their implementation will also be critical for the transition at the different levels of power. These will mostly require the enhancement

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⁹the National Human Rights Institution which is the Commission on Human Rights established by the 1987 Constitution of the Republic of the Philippines and which regional office is situated in Cotabato City and the Regional Human Rights Commission (RHCR) foreseen by the 1989 Act establishing the ARMM
of capacities of these consortia to develop and mainstream among their affiliates, coherent approaches that are responsive to the needs of various claimholders and vulnerable groups, including women. An adequate and flexible mechanism for funding the activities of the affiliated CSOs shall also be required. Empowerment of IP communities and women in peace-building and development through CSO organisations are fundamental to the SUBATRA program.

1.5.2 Priority areas for support

The action is to contribute to a smooth and timely undertaking of the transition through capacity building of the 3 branches of the Bangsamoro Government and of the civil society to promote an enabling good governance environment and efficiently implement governance policies set up by the transition plan, with a focus placed on capacities that are critical for a sound functioning of the Bangsamoro institutions during the transition:

- Capacity of the BTA’s executive branch superstructure to drive and coordinate key transitional policies, capacity of the administrative machinery to implement policies and deliver basic services and sustainable management of natural resources;
- Capacity building of the Parliament to exercise its law making and oversight functions;
- Capacity building of the multifaceted Bangsamoro Justice System to adjudicate litigations and improve access to justice and to be aligned with International Human Rights standards, including the rights of women (WPS pillars included) and of Indigenous Peoples (including FPIC);
- Capacity building of the Civil society to promote a culture for peace; advocacy for the implementation of the WPS provision on women’s participation; the rights of indigenous people; the rights of non-Muslim communities; the rights of IDP communities.

These areas of support will be gender mainstreamed, considering gender equality in all the activities.

The main areas of support provided by the programme to above mentioned beneficiary can be summarized as follows:

**Policy making:** Technical assistance for data collection, assessments and formulation of key programming documents such as line ministries’ sectoral policies, Parliament development plan, Public administration reform, CSOs platforms outreach plans, support to planning units

**Institution building:** Technical assistance for proper structuring, management and staffing of executive and Parliament administrative organs

**Capacity building and empowerment:** Technical assistance and equipment for provision of IT tools, databases, study tours for members of committees critical for democratic governance which will provide comparative knowledge of
parliamentary work in sub-regional legislative assemblies, trainings

**Legal Development:** Technical assistance for drafting key codes, law and implementing regulations

**Public awareness:** Technical and financial assistance for outreach campaigns (information, education and advocacy) for a successful transition and beyond

**Infrastructure:** Construction of key facilities such as civil service training centre, Sharia law academy, regional annexes of the interim chief minister office, Parliament, etc., details of which are described in Section 4.2

## 2 RISKS AND ASSUMPTIONS

<table>
<thead>
<tr>
<th>Risks</th>
<th>Risk level (H/M/L)</th>
<th>Mitigating measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Political impasses that derail dialogue and significantly alter the momentum of the peace process / breakdowns in ceasefire agreements</td>
<td>H</td>
<td>ICsP’s continued support to peace building and conflict mitigation by assisting CAB monitoring mechanisms and committees (e.g. Third Party Monitoring Team, International Monitoring Team, etc.)</td>
</tr>
<tr>
<td>Security environment in the Bangsamoro is no longer conducive to project implementation</td>
<td>H</td>
<td>Envisaging relocation of the technical assistance to Davao, with part-time missions to Bangsamoro</td>
</tr>
<tr>
<td>MILF and other concerned actors and BTA are not receptive of technical assistance from international actors</td>
<td>M</td>
<td>Engaging in demand driven support</td>
</tr>
<tr>
<td>Lack of appropriate sectoral planning hampers the implementation of the transition plan</td>
<td>M</td>
<td>SUBATRA’s support to the formulation of sectoral policies for ministries being critical for governance</td>
</tr>
<tr>
<td>Suspension of the FA by the government for political reasons</td>
<td>M</td>
<td>In the current political context in the Philippines, there is an elevated risk for all programmes, especially the new ones. This risk needs to be balanced against the cost of non-intervention, and the Commission considers that this risk is justified. The Commission hopes that with the</td>
</tr>
</tbody>
</table>
launch of the two big programmes for Mindanao, a positive momentum will be created and endeavour to dissociate political differences from development programmes.

| ‘Red-tagging’ of CSOs by elements within the PH Government | L | Whereas red-tagging is not something that happens in BARMM area, any grants that may be provided by SUBATRA to CSO's will be very closely monitored by the Delegation, and, as usual apply due diligence when the beneficiaries are selected, ensuring that all legal requirements are met, including the legal registration. OPAPP and BTA may be given observer status in evaluations. |
| Weak aid coordination affects development partners harmonisation and mobilisation during the transition | M | SUBATRA’s support to the establishment and functioning of the Bangsamoro Economic and Development Council, which shall serve as ‘the planning, monitoring and coordinating agency for all development plans’’ BOL Art.13, section 4'; note that donor coordination at BTA level is almost non-existent |
| Climate change risks | M | Small scale infrastructure will reduce risks as well as good value chain practices. Project activities will be climate change resilient |
| Weak capacity of local groups including Government, civil society organisations, women groups, indigenous peoples groups and poor sustainability of cooperatives | M | Careful selection of implementing partners and flexibility in funding modalities. Building the capacities of the communities, national and local institutions focussing on women groups, youth and indigenous peoples including on sustainability aspects. |
| Weak implementation of the National Action Plan on Women, Peace and Security 2017-2022 and weak understanding of genuine women participation and gender mainstreaming of the transition process | M | Trainings and awareness raising of executive, legislative and judiciary bodies on the National Action Plan on Women, Peace and Security 2017-2022 and on gender mainstreaming and gender equality and women empowerment |
| Sharia Law system | H | The Regional Commission on Human Rights exists in the |
leading to human rights violation towards women and non-Muslim communities

| Poor implementation of provisions in BOL in relation to indigenous peoples/FPIC | M | There exists the Indigenous Peoples' Rights Act of 1997 which can be invoked in case there will be violations in the BARMM |
| Re-emergence or resurgence of violence and conflict including social conflict on land and natural resources | M | The national government through the Office of the Presidential Adviser on the Peace Process (OPAPP) and other established mechanisms for local peace resolution will intervene |

**Assumptions**
- GPH and MILF remain committed to the implementation of the BOL and CAB and all its annexes
- Political environment and security situation in Mindanao and Bangsamoro remain conducive for conducting the activities during the transition period
- Human rights of women, indigenous peoples and non-Muslim communities are respected and progressed upon

### 3 LESSONS LEARNT AND COMPLEMENTARITY

#### 3.1 Lessons learnt

1. Flexibility is important: donors and implementing agencies alike must ensure that projects can be easily adapted to changing political circumstances and situations on the ground as the security environment is extremely volatile. They must be able to respond quickly at key political moments to fill spaces while other structures are negotiated and to revise objectives and methodologies as the situation evolve.

2. Investments and support to conflict affected areas where the presence of the Government is not fully accepted or is weak, should be increased to have more impact: International experience suggests that breaking cycles of violence in areas affected by conflict requires legitimate institutions that can deliver life-saving assistance and security for citizens, justice and jobs. Achieving this will take a massive investment over an extended period to help conflict-affected and underdeveloped areas bridge the development gap and catch-up with the rest of the country.

3. IPs are often not properly considered in the development process as their way of understanding and reaction are different. Their wishes are often being neglected. The project will particularly consider the priority of the GPH to address the IPs’ rights (including FPIC) and needs in the development process. Being weak and isolated subjects them to continuing deprivation of basic services and displacement from their ancestral land.
4. A non-functional Government that is not able to deliver services to the population promotes insecurity and radicalisation and should be quickly addressed.

5. The gender perspective is key and the programme will seek to build complementarities with the partner organisations. Women's rights in the Sharia Law system should be closely monitored, as well as rights of non-Muslim communities.

6. Finally, there is a need to increase the visibility of the EU by adopting a comprehensive and coordinated approach to Bangsamoro and maximising opportunities for jointly working with EU Member States and other donors.

Recommendations drawn from the Civil Society Dialogue Network held at the beginning of the year where CSOs perspectives were discussed regarding their visions during transition on local governance and dialogue will be considered.

3.2 Complementarity, synergy and donor coordination

<table>
<thead>
<tr>
<th>Programme</th>
<th>Budget EUR</th>
<th>Periode</th>
<th>Areas of support</th>
<th>SUBATRA anticipated synergies</th>
</tr>
</thead>
<tbody>
<tr>
<td>ICsP</td>
<td>7,1 M</td>
<td>2018-2020</td>
<td>• Peace building and conflict mitigation through support to CAB mechanisms</td>
<td>• CSOs component strategy shall be harmonised or be inspired with NGO Centre for Humanitarian Dialogue’s approach and tools to de-escalate tensions and prevent violence</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Promotion of inclusivity and opening of democratic spaces through support to MILF and MNLF transition from guerrilla movements to political parties</td>
<td>• Activities undertaken in 2019 by Institute for Autonomy and Governance and Initiatives for International Dialogue, promoting equal participation, peaceful dialogues and political pluralism, with a focus placed on sensitization of Parliamentarians shall be reproduced and amplified by SUBATRA in 2020</td>
</tr>
<tr>
<td>Governance in Justice</td>
<td>EU 16</td>
<td>2016-</td>
<td>• Support to the development and</td>
<td>• Justice reform activities of a nation-wide scope</td>
</tr>
</tbody>
</table>

17
<p>| (GOJUST) | M Spain 2 M | 2020 | implementation of a credible sector-wide long term justice reform strategy in the Philippines&lt;br&gt;• Support to the implementation of BOL provisions on IPs&lt;br&gt;• Support to oversight actors&lt;br&gt;• Support to the Bangsamoro Human Rights commission | undertaken through GO JUST shall be translated in Bangsamoro through SUBATRA support to the development of the new multifaceted Bangsamoro justice system focusing on Sharia Law, Tribal justice system and ADR in line with International Human Rights Standard&lt;br&gt;• SUBATRA’s delegated agreement with AECID, in charge of implementing some GO-JUST components, will foster coherence between national and regional reforms |
| --- | --- | --- | --- |
| Mindanao Peace and Development Programme (MINPAD) | 55 M | 2019-2022 | Support the inclusive growth and strengthen the peace process in Mindanao including sustainable and equitable management of land and natural resources and FPIC for IPs | MINPAD focuses on Mindanao as a whole through a support to the implementation of GPH roadmap to peace for Mindanao while SUBATRA focuses only on Bangsamoro’s political transition as per BOL’s provisions |
| Accompanying the MILF in Transition Centre for Peace and conflict studies (CPCS) | 0,2 M | 2018-2019 | Improve conditions to enable smooth and stable transition to the BARMM and overall implementation of the CAB through (i) initial strengthening of MILF’s governance and administrative capacity and (ii) strategic support to MILF implementing panels | The initial trainings and crash courses provided by CPCS (public policy, legislative process, public administration, conflict transformation) shall be reproduced and amplified by SUBATRA’s public administration and Parliament components |
| Public Empowerment and Community Engagement for Good | 0,5 M | 2018-2020 | To develop a strong and vibrant civil society that promotes peaceful communities and responsive local | SUBATRA will engage the civil society organisations supported under this project to continue advocacy and |</p>
<table>
<thead>
<tr>
<th>Governance (PEaCE for Good Governance)</th>
<th>governance</th>
<th>engagement with the BTA.</th>
</tr>
</thead>
</table>
| REACH: Response to the Unmet Humanitarian Needs of the Most Vulnerable Conflict-Affected Populations in Mindanao (ECHO) | 1,0 M 01/03/2019 - 21/12/2019 | • Food assistance  
• Health & Nutrition  
• Water Sanitation & Hygiene  
• Protection  
• SUBATRA will engage the civil society organisations supported under this project to continue advocacy and engagement with the BTA with regards to the basic services to the Bangsamoro communities. |
| ReACh 2 TEACH: Reaching the most Affected Children and Youth to Transform the Delivery of Education in Emergencies and Access the underserved Conflict Affected and High-Risk Areas in Mindanao (EC HO) | 1,0 M 01/03/2019-31/08/2019 | • Education in emergencies  
• SUBATRA will engage the civil society organisations supported under this project to continue advocacy and engagement with the BTA with regards to the education assistance for the Bangsamoro communities. |
| Comprehensive and Integrated Response to the Forgotten Crisis in Mindanao (ECHO) | 1,5 M 01/08/2018-31/07/2019 | • Shelter repair  
• Water Sanitation & Hygiene  
• Food  
• Protection  
• SUBATRA will engage the civil society organisations supported under this project to continue advocacy and engagement with the BTA with regards to the basic services to the Bangsamoro communities. |
| Integrated Life-Saving Support in Education in Emergency. | 0,5 M 15/10/2018 - 14/10/ | • Education in Emergencies  
• Water Sanitation &  
• SUBATRA will engage the civil society organisations supported under this project to |
NON EU PROGRAMMES

Mindanao and Bangsamoro is a priority area for numerous donors and development actors, although none of them has presently formulated a comprehensive strategy and programme supporting the transition in Bangsamoro. The wide range of projects/programmes presently implemented by other development partners with which synergies shall be sought includes the following:

**JICA** is since July 2013 supporting Governance in Bangsamoro through its Comprehensive Capacity Development Project (CCDP) with a special focus placed on ARMM administrative governance. Among key CCDP achievements were ARMM institutional assessment (2014), ARMM top officials development training (2014), Human resource information system / HR mapping (2015), support to drafting of Bangsamoro administrative, election and local codes (2015), ARMM governance assessment (2016) and ARMM ADR mechanisms assessment (2017). Phase 1 of the CCDP is to terminate in July 2019 but the principle of a phase 2 of the programme, to start late 2019, has already been approved by Tokyo and is deemed to support community development, economic enhancement and governance. JICA is fielding a scoping mission from 14th to 18th of March to prepare a proposal for a phase 2. JICA representatives, consulted several times during the SUBATRA formulation phase, are not considering support to legislative and justice sectors, CCDP 2 focusing more on BTA’s executive branch particularly on agriculture ministry and technical and vocational trainings. Synergies between CCDP 2 and SUBATRA shall have to be sought, especially in which concerns capacity building of the ICM that could be an entry point for the Japanese cooperation.

**DFAT** is to establish an ‘Institute for Governance, Peace and Democracy’ within the BLMI (raising democratic values among BTA executives or something like that). This IGPD could be hosted in the premises of the civil service training centre proposed to be built under SUBATRA. DFAT is currently doing action related to transitional justice through The Asia Foundation which was requested by CT4T for the drafting of civil service codes (AUS 4M). DFAT is implementing STARTPEACE project implemented by UNDP implemented through the (3 years program ending in March 2022, AUS $ 5M); which involves training of ex-combatants to become bureaucrats and form a social movement; support to independent decommissioning (AUS $ 0.5 M); platform for sustained donor coordination under the ICM; visioning exercises for the BTA. Under its Australian Partnership Programme, funds have been earmarked for AUS $ 10-12 M for possible support to BNTF which will be given in tranches; including some funds for Marawi multi-donor trust fund when it is set up.

The UN system strategy for support to governance is presently being formulated. The UN resident coordinator undertook since December 2018 a scoping of UN agencies’ governance supports provided to Bangsamoro, in order to assess priorities for further UN support.

4 DESCRIPTION OF THE ACTION
4.1 Overall objective, specific objective, expected outputs and indicative activities

The overall objective of the action is to contribute to a peaceful, cohesive, secure and inclusively developed Bangsamoro.

The specific objective is the establishment of an enabling democratic governance environment for a smooth implementation of the transition in Bangsamoro Autonomous Region in Muslim Mindanao (BARMM).

The expected outputs are:

Output 1: the capacity of the BTA’s executive branch to formulate and implement transitional policies is enhanced

Output 2: the capacity of the Parliament to exercise its legislative, oversight and representation functions during the transition is enhanced

Output 3: the capacity of the multifaceted Bangsamoro Justice System to adjudicate legislation is enhanced and aligned with international human rights standards

Output 4: the capacity of the civil society to contribute to a peaceful transition to BARMM is enhanced

Main Activities

The indicative activities are:

Output 1: the capacity of the BTA’s executive branch to formulate and implement transitional policies is enhanced

The programme is to follow a two-pronged approach targeting (i) capacity building of the government’s superstructure (Interim Chief Minister, Deputy Interim Chief Ministers and Cabinet Ministers’ offices) to efficiently plan and coordinate the transition, (ii) capacity building of the new bureaucracy to implement the transition and deliver basic services to the communities.

- Capacity building of the government’s superstructure to plan and monitor the transition

The support shall entail:

- Technical assistance to refine the structuring and organisation of the ICM, DICM and Ministers Offices in keeping with the best standards of Prime Minister’s offices in Parliamentarian political regimes;

- Technical assistance to improve the efficiency of governmental work (refined Government working procedures and operations manuals with a gender sensitive perspective, Government Intranet);

- Support to the decentralization of the Government (provision of facilities and equipment for three ICM’s satellite annexes in south western Mindanao, north
central Mindanao, and south central Mindanao, that will also host local branches of ‘super ministries’);

- Development of management skills for executive officers of the DCM, DICM and line ministries (study tours, trainings in result based management, policy making, PFM, project design and monitoring) based on a gender equality approach;

- Improvement of data collection and interpretation (capacity building of ICM IT unit, provision of IT tools, databases and document managing systems, study tours and trainings), including gender and ethnicity disaggregated data;

- Full equipment of key ICM and DCIM offices;

- Technical and financial assistance for information / sensitization grassroots campaigns on the implementation of the transition.

- Capacity building of the administrative machinery to deliver basic services and promote governance

The support shall entail:

- Technical assistance to the formulation and implementation by the ICM of a comprehensive strategy for the establishment of a professional, neutral and merit-based Bangsamoro Administrative Machinery (data collection, institutional assessments, human resource assessments, 3 years operational plan for the establishment of the new Bangsamoro Administrative Machinery, guidelines and handbooks for the restructuring, phasing out and staffing of line ministries);

- Capacity building of ministries that are critical for establishing an enabling governance environment during the transition: Public Order and Safety, Interior and Local Government, Finance and Budget and Management, Trade, Investment and Tourism (technical assistance for refining ministries’ interim mandates- organisational charts and jobs descriptions and staffing plans, development of working guidelines and operations manuals, provision of IT tools and databases, as well as study tours, training and equipment), based on a gender equality approach and considering the National Action Plan on Women, Peace and Security 2017-2022;

- Professionalization of Bangsamoro civil servants through scale up trainings in legal matters, public finance, gender mainstreaming, gender equality and women empowerment, indigenous peoples’ rights as per BOL provisions, conflict resolution and general management; civil service ethics giving equal opportunities to women and men (technical assistance in the establishment within the BLMI of a Civil Service Training Institute, training needs assessments, development of curricula, training of trainers, support, construction and equipment of the training facility, provision of a public administration library, technical and financial support to the training programmes between 2020 and 2022.

Output 2: the capacity of the Parliament to exercise its legislative and oversight functions during the transition is enhanced
The programme is to follow a three-pronged approach targeting the (i) improvement of the new parliament’s organization and facilities, (ii) strengthening its law-making and oversight capacities (iii) strengthening its representation capacities. The action will support genuine representation of the basic sectoral groups of the disadvantaged, vulnerable population, such as the small farmers, landless and tenants, Lumad, women with protection issues, etc.

- Improvement of the new Parliament’s organization and facilities

  The support shall entail:

  o Support to the formulation of a parliamentary development plan during the transition (technical assistance to the creation and functioning of a multi-party board of legislators in charge of drafting/implementing the plan, study tours in countries with replicable parliamentary organisation, support to the drafting and implementation of the parliamentary development plan’s activities);

  o Full equipment of the new Parliament’s Assembly session hall, conference rooms, lounges, lobbies and rooms including a car pool for member of Parliament visits to grassroots constituents;

  o Provision of IT tools for support to Parliamentary work (inter alia, automated Filipino, Arabic and English languages translating system which have been proposed by the President of the Sharia High Court and could be expanded, system for closed-circuit and public broadcasting of floor proceedings, document management systems, databases).

- Strengthening of law-making and oversight capacities since under a parliamentary form of Government, the Parliament shall take the lead in making legislations and because of this, there is no Ministry Justice created during the transition period.

  The support shall entail:

  o Capacity building (study tours, trainings in legislative procedures and oversight techniques, technical assistance for data collection, provision of IT tools) of members of the committees being critical for governance, such as:

    ▪ Finance and Budget and Management
    ▪ Accounts and Audit
    ▪ Indigenous Peoples’ Affairs
    ▪ Local Government
    ▪ Public Order and Safety
    ▪ Rules
    ▪ Human Rights, Transitional Justice and Reconciliation
    ▪ Women and Family Relations
    ▪ Amendments, Revision, and Codification of Laws

• Support to information / sensitization on the Parliament’s role and achievements

The support shall entail:

- Capacity building of the Committee on Public Information (study tours, training in communication and outreach techniques);

- Technical and financial assistance to the production and dissemination of information to the general public through all forms of mass communications and media such as print, broadcast, cable and satellite television, video, internet and computers, mobile cellular phones and movies with a particular attention to the most vulnerable groups.

Output 3: the capacity of the multifaceted Bangsamoro Justice System to adjudicate litigation is enhanced

Access to formal/central state justice, sharia and recognition of indigenous justice system are far from being effective in Bangsamoro. SUBATRA is to pave the way for the establishment of the multifaceted Bangsamoro justice system foreseen by the BOL and to be established in 2022. The multifaceted justice system will harmonise and strengthen the three strands of justice systems, namely the central/state justice, sharia and tribal justice. Both the Sharia and Traditional Tribal Justice Systems will be implemented in accordance with international human rights standards.

The programme is to assist the progressive establishment of the new Bangsamoro Justice system with a focus placed on the setting up of the core legal and institutional frameworks of the Sharia and tribal justice systems, deemed to be the dominant parts of the future multifaceted Bangsamoro justice system to be established in 2022, while also improving access to justice during the transition through capacity building of Bangsamoro regular courts, transitional justice and Regional Human Rights Commission. A particular attention will be put on women's rights.

• Modernisation and reform of the application of Sharia, in line with the provisions of the BOL, to support its integration within the Philippine Judicial System

The support shall entail:

- Technical assistance for the drafting of the expanded Sharia law (preliminary studies and researches, study tours for Sharia High Court judges and concerned Parliament members, for legal drafting, consensus building and outreach campaigns on the future expanded law); note that the sharia system would apply only to Muslims as had been practiced since Islamic justice was adopted and made part of the Philippine judicial system in 1977. The envisaged expanded Sharia law should be nurtured by Islamic tradition principles derived from religious precepts of Islam (Qur'an and Hadith) while ensuring alignment with international human rights standards.

- Scale-up training by the Sharia Academy’ of the 500 Sharia practitioners, including on international human rights standards, to match minimum qualifications set up by section 8 of the BOL (provision of a facility and
equipment of the Academy, technical assistance for the development of curricula, training of trainers and support to conduct of trainings during the transition period);

- Capacity building of the Sharia High Court, including on international human rights standards, to exercise its appellate jurisdiction (study tours, equipment, legal library); the legal library will provide the High Court with legal comparative knowledge (substantive and procedure law).

- Support to the establishment of Tribal Justice system, as referred to in Section 18 of the BOL

The support shall entail:

- General capacity building of the Ministry of Indigenous Peoples' Office, including support to the decentralization of the ministry (provision of a facility, equipment and training for the Maguindanao provincial office); capacity building on specific BOL provisions for IPs, including FPIC;

- Specific capacity building of the Ministry’s office for Customary and Traditional Justice System including on international human rights standards;

- Data collection and researches on IP customs, traditions and governance;

- Raising awareness of right holders and tribal justice practitioners towards Tribal justice through the establishment in Maguindanao of a ‘‘School of living traditions’’; the school of living traditions, considered a priority by the new IP minister, shall have for its purpose to train IP arbitrators and disseminate IP customs. SUBATRA will finance the construction and equipment of a small training facility.

- Improvement of access to justice during the transition

To improve access to justice, legal empowerment of the poor and vulnerable shall be undertaken through a comprehensive support to key judicial or non-judicial institutions being critical for legal awareness, dispute resolution, promotion and protection of human rights as well as recognition of the dignity of individuals, the redress and acknowledgment of violations. Targeted institutions are the Transitional Justice and Reconciliation Commission, Bangsamoro Regional Human Rights Commission, the Regional Commission for Women, alternative dispute resolution mechanisms, and regular courts of Bangsamoro. A special focus will be placed in pursuing the promotion of access to justice of the most vulnerable group, including the women, who have suffered from different types of violence, discrimination and inequity with absence of resources for claiming their rights. An increase in the access and recourse to the Katarungang Pambarangay or Barangay Justice System as an alternative venue for resolution of disputes will also be promoted.

Under transitional justice, the Transitional Justice and Reconciliation Commission (TJRC) that was established as part of the Normalisation Annex of the Framework Agreement on the
Bangsamoro came out with several recommendations to address transitional justice issues\(^\text{10}\). These recommendations will be reviewed and revisited to see which can be implemented and supported by the project. The Regional Commission for Women which is responsible for ensuring gender responsiveness of development plans and for coordinating the preparation, assessment and updating of the National Plan for Women under the Magna Carta for Women in the Philippines will be supported.

Apart from the courts, there are three main entry points that the country is working on: Transitional Justice, Human Rights and women's access to justice. The targeted institutions proposed respond to those entry points. The approach will be institutional support to each of them following previous projects and accumulated knowhow but, most importantly, following the results of participatory process with each institution and main stakeholders to adapt to the priorities at the time of the implementation.

**Output 4: The capacity of the civil society to contribute to a peaceful transition to BARMM is enhanced**

Capacity building of the civil society to generate a critical mass for demand for peace shall be undertaken through a support to selected CSOs consortia to develop and monitor coherent multi-stakeholders strategies for advocacy and awareness which would include.

The support shall entail:

- Empowerment of concerned CSOs platforms (technical assistance to rationalize the organization of the consortia, develop operational plan, institute knowledge management tools and train their affiliated CSOs, networking and advocacy, facilitating the dialogue between local population, ethnic groups, local religious and traditional leaders for peace advocacy) – which is a broad support to the institutional core and strategy of the CSOs;

- Specific capacity building of major CSOs platforms, which are inclusive of all diverse groups and women to formulate innovative ways to support the implementation of the transition and promote a culture of peace and dialogue during the transition (technical and financial assistance to the organization of a CSO forum and subsequent definition of a CSOs strategy and agenda for supporting a smooth and peaceful implementation of the transition) in order to complement the broader strategy mentioned above;

- Technical and financial assistance to the implementation of the strategy’s activities.

**4.2 Intervention Logic**

In the long-term, the Action will contribute to a peaceful, cohesive, secure and inclusively developed Bangsamoro through the establishment of enabling democratic governance for a smooth implementation of the transition in the Bangsamoro. The action will support institutional orientations of the peace process set out by the Framework Agreement on the Bangsamoro, Comprehensive Agreement on the Bangsamoro and their implementing

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\(^{10}\) Report of the Transitional Justice and Reconciliation Commission, 2016
see: http://www2.unwomen.org/-/media/field%20office%20eseasia/docs/publications/2016/10/jrc%20report.pdf?la=en&vs=4426
agreements as well as BOL’s art. XVI provisions on the transition through an integrated approach combining support to institution building, policy making, capacity building and legal development of the core Bangsamoro governance framework. This integrated and strategic intervention should foster the political buy in of the Government as well as foster good coordination among development partners, the private sector and civil society, while ensuring high visibility for the EU. A mix of implementation modalities (indirect management with international organisations an EU Member State’s agencies) will allow for coherent and effective aid to the emerging needs of the peace process plus rapid and flexible delivery, while promoting good coordination with other funding flows.

4.3 Mainstreaming

The action, being a capacity and institution-building intervention during and post-transition in the Bangsamoro will ensure that conflict-sensitivity, gender, indigenous peoples and youth concerns are mainstreamed in the executive, parliamentary and judicial branches of the government, as follows:

- Technical assistance on structuring of ministers’ offices and ICM local offices shall advocate for the appointment, as per BOL provisions of at least 1 woman to the Cabinet;
- Ensure representation of women in decision-making and policy-making and other oversight bodies and processes and women representation;
- Appointment of representation of traditional leaders and non-Moro indigenous communities.

The Governmental work guidelines and subsequent training for executives will promote human rights based approaches, gender equality and women empowerment in policy-making, and in the justice systems inclusive and culture-sensitive approaches. Government policies and evaluation tools will incorporate verifiable gender performance indicators and collection of gender-disaggregated data. Gender responsive tools and training shall be provided during budget preparation, implementation and reporting.

At the executive branch, the action will support the establishment and capacity-building of the new Office of Women and the Ministry of IP Affairs. The establishment and staffing of the new bureaucracy shall consider ethnic and gender balance in hiring, placement and capacity-building. The sectoral plans of the ministries will take into consideration gender and IP issues and rights (FPIC). Facilities, equipment, knowledge and information management shall be accessible to men and women while information, education and communication shall foster gender sensitive and women empowerment approach. Trainings to be undertaken by the Civil Service Training Institute shall incorporate the Conflict-Sensitive and Peace Promoting (CSPP) Practice, gender equality and women empowerment modules.

At the parliamentary branch, parliamentary guidelines, operations manuals and IT tools will embed modules dealing with gender, social inclusion, culture sensitivity and IP issues. Women will be trained in political participation and women empowerment. Support to the drafting of priority legislations shall cover the creation of the Committee on Women in cognizance of the role of women in nation-building and regional development, protection of Women's Rights which are consistent with the Convention on the Elimination of All Forms of Discrimination Against Women, the UN Security Council Resolutions 1325 and 1820 and other relevant resolutions on Women, Peace and Security Agenda. The same will be done to support to drafting of priority legislation covering IP rights (e.g. FPIC), customary rights and traditions; creation of Ministry for IPs, a Tribal University System, an Office for Tribal Justice System and the equitable share in revenues from exploration, development and
utilisation of natural resources in IPs' ancestral domains. There will be technical and financial assistance for public relations, information and dissemination that will enable women, youth and IP representatives with direct and full access to participate in governance, consultations and dialogues. Support to the establishment of the legal framework, development of training curricula, trainers' training and actual trainings will adopt a culture-sensitive and gender-sensitive lens.

At the judicial branch, support will be provided to the establishment of the legal framework, development of training curricula, trainers' training and conduct of trainings which shall adopt a conflict, culture and gender-sensitive lens and peace-promoting approach to the design and conduct of activities. The action will support codification of the traditional justice system with the participation of women, IPs and youth. Legal awareness, public and community information and education campaign (IEC) on the IP justice system, women's rights and empowerment, training on international human rights standard and conflict prevention mechanisms.

With regard to capacity-building of CSOs, the action will support networking and linkages of women, IPs, youth and other vulnerable groups for socio-economic development. Information, education and communication will be conducted to strengthen political and economic voice of women, IPs, youth and other marginalised groups.

4.4 Contribution to SDGs

SUBATRA being an institution and capacity-building project within the context of the implementation of the Bangsamoro Organic Law will contribute to the achievement of SDG 16 (achieve peaceful and inclusive societies, rule of law, effective institutions); SDG 5 (gender) for its targeted support to the Regional Commission on Women and women's committee in the parliament and CSOs involving women's groups, as well as integrated support to the executive branch of government; and SDG 10 (non-discrimination) for its targeted support to the Ministry of Indigenous Peoples' and integrated support to IPs in all actions including FPIC.

5 IMPLEMENTATION

5.1 Financing agreement

In order to implement this action, it is foreseen to conclude a Financing Agreement with the partner country.

5.2 Indicative implementation period

The indicative operational implementation period of this action, during which the activities described in section 4 will be carried out and the corresponding contracts and agreements implemented, is 60 months from the date of entry into force of the financing agreement.

Extensions of the implementation period may be agreed by the Commission’s responsible authorising officer by amending this Decision and the relevant contracts and agreements.

5.3 Implementation modalities
The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures.\(^{11}\)

The project approach is deemed to be the most appropriate implementation modality, the BTA being a transitional subnational arm of the national Government in the Bangsamoro region. The EU plans to directly manage a technical assistance service contract for the long and short-term technical assistance requirements of the BTA, which will contribute to strengthening the policy dialogue among the EU, Philippine Government and the BTA as well as ensuring EU visibility. UNOPS will handle the construction, logistics and organisation of seminars, trainings and study tours. AECID will implement the actions related to multifaceted Bangsamoro justice system and strengthening of civil society organisations.

5.3.1 **Procurement (direct management)**

Outputs 1 and 2:
- *Capacity building of the BTA’s executive branch* to formulate and implement transitional policies
- *Capacity building of the Parliament* to exercise its legislative, oversight and representation functions during the transition

The call for tender has been launched\(^{12}\) on 5 August 2019 under a suspensive clause prior to the adoption of this decision. This is justified because it is important that project activities start as soon as possible after the signature of the Financing Agreement in order to have an impact on the initial implementation phase of the BTA (2019-2022).

<table>
<thead>
<tr>
<th>Subject in generic terms, if possible</th>
<th>Type (works, supplies, services)</th>
<th>Indicative number of contracts</th>
<th>Indicative trimester of launch of the procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Procurement of long and short-term technical assistance for the first two expected outputs of the programme implemented by the Commission as the Contracting Authority</td>
<td>Services</td>
<td>1</td>
<td>3rd quarter of 2019</td>
</tr>
</tbody>
</table>

5.3.2 **Indirect management with an international organisation**

A part of this action may be implemented in indirect management with the United Nations Office for Project Services (UNOPS) which has produced Conflict-Sensitivity Guidelines and which shall form part of its agreement with the EU.

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\(^{11}\) [www.sanctionsmap.eu](http://www.sanctionsmap.eu) Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

\(^{12}\) A Prior Information Notice was published on 31 May 2019. The launch (publication of the Contract Notice) took place on 5 August 2019, based on an authorisation granted by DEVCO HQ on 22 July 2019.
This implementation entails building infrastructures (e.g., training facilities for Civil Service Training Centre and Sharia Academy, local annexes of the Office of the Interim Chief Minister) – all linked to Outputs 1, 2, 3 and 4. It shall also entail the organisations of activities (i.e., trainings, workshops, seminars, study tours, etc.) and the foreseen procurement of equipment under all four expected outputs of the programme as well as all its communication and visibility activities. Appropriate provisions will be included in the contribution agreement. UNOPS will coordinate and receive policy directions from the EU (which will manage directly the TA service contract) and AECID (which will be responsible for implementing the technical assistance for the judicial branch and the CSOs) as to the different types of trainings, workshops, seminars and study tours.

The envisaged entity has been selected using the following criteria:

- To have a non-political mandate;
- To have a proven record of providing procurement support to similar projects; to have long-standing and established procurement policies, procedures and practices; a proven record of transparency;
- To have long-term agreements with various suppliers, with leveraging effect on its market position, allowing to take advantage of size, procurement volume and geographical presence in support of obtaining the best value for money.

In case the envisaged entity would need to be replaced, the Commission’s services may select another replacement entity using the same criteria. If the entity is replaced the decision to replace it needs to be justified.

5.3.3 Indirect management with an EU Member State Organisation

A part of this action may be implemented in indirect management with the Spanish Agency for International Development Cooperation (AECID). This implementation entails support to the achievement of outputs 3 and 4 of the action. In particular, this will involve assisting the BTA in preliminary activities for the further establishment of the new Sharia and Tribal justice systems through legal studies, legal drafting and training for existing Sharia or tribal justice practitioners. It shall also entail improving access to justice through capacity building of the regular courts established in BARMM as well as ADR and transitional justice mechanisms. The action will also strengthen capacities of the civil society to generate a critical mass for demand for peace through support to selected CSO consortia to develop and monitor coherent multi-stakeholders strategies for advocacy and awareness.

The envisaged entity has been selected using the following criteria:

- proven involvement in peace and development;
- proven expertise in the fields of Justice, Human Rights, Indigenous and civil society issues; and
- previous experience with the EU in the Philippines.

In case the envisaged entity would need to be replaced, the Commission’s services may select another replacement entity using the same criteria. If the entity is replaced the decision to replace it needs to be justified.
If negotiations with the above-mentioned entrusted entity fail, that part of this action may be implemented in direct management in accordance with the implementation modalities identified in section 5.3.1.

5.4 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply subject to the following provisions.

The Commission’s authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

5.5 Indicative budget

<table>
<thead>
<tr>
<th>Outputs 1 and 2 composed of</th>
<th>EU contribution (amount in EUR)</th>
<th>Indicative third party contribution, in currency identified (EUR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Procurement (direct management) – cf. section 5.3.1</td>
<td>6 140 000</td>
<td>N.A.</td>
</tr>
<tr>
<td>Outputs 1, 2, 3 and 4 (partial inputs mainly for infrastructure development, supplies, etc.) composed of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indirect management with UNOPS – cf. section 5.3.2</td>
<td>11 000 000</td>
<td>N.A.</td>
</tr>
<tr>
<td>Outputs 3 and 4 composed of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indirect Management with AECID – cf. section 5.3.3</td>
<td>5 000 000</td>
<td>1 000 000</td>
</tr>
<tr>
<td>Evaluation, (cf. section 5.8), Audit (cf. section 5.9)</td>
<td>500 000</td>
<td>N.A.</td>
</tr>
<tr>
<td>Communication and visibility – cf. section 5.10 and 5.3.2</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>Contingencies\textsuperscript{13}</td>
<td>2 360 000</td>
<td>N.A.</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>25 000 000</strong></td>
<td><strong>26 000 000</strong></td>
</tr>
</tbody>
</table>

5.6 Organisational set-up and responsibilities

The project shall be located within the ICM Office premises and headed by a project director appointed by the office of the Interim Chief Minister.

\textsuperscript{13} 10 % contingencies are set aside to keep flexibility between the budget line allocations and allow for unforeseen events in the difficult context of Bangsamoro
A Project Steering Committee (PSC), headed jointly by the BTA’s Interim Chief Minister and the Presidential Adviser on the Peace Process, where the EU will be a full member, shall be set up to oversee and validate the direction and policy of the project.

The PSC shall be composed of key officials from SUBATRA stakeholders: Parliament, supported governance ministries or offices, justice or access to justice institutions. Other non-governmental stakeholders such as CSOs may also attend meetings as observers. The meetings shall be at least on a bi-annual basis, and special meetings may be called from time to time as may be necessary. The PSC shall meet twice a year at a minimum.

5.7 Performance and Results monitoring and reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner’s responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its outputs and direct outcomes as measured by corresponding indicators, using as reference the Logframe matrix.

SDGs indicators and, if applicable, any jointly agreed indicators as for instance per Joint Programming document should be taken into account.

The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

5.8 Evaluation

Having regard to the nature of the action, mid-term and final evaluations will be carried out for this action or its components via independent consultants contracted by the Commission.

A mid-term evaluation will be carried out for problem solving, learning purposes, in particular with respect to launching a second phase of the programme.

A final evaluation will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that the action is responding to a comprehensive framework for Mindanao peace and development.

The Commission shall inform the implementing partner at least two months in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and
recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Evaluation services may be contracted under a Framework Contract.

5.9 Audit

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

It is foreseen that audit services may be contracted under a framework contract.

5.10 Communication and visibility

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and contribution agreements.

The Communication and Visibility Requirements for European Union External Action (or any succeeding document) shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.
## APPENDIX - INDICATIVE LOG FRAME MATRIX (AS OF 16 MAY 2019)

<table>
<thead>
<tr>
<th>Output Chain</th>
<th>Indicators</th>
<th>Sources and means of verification</th>
<th>Assumptions &amp; risks</th>
</tr>
</thead>
</table>
| To contribute to a peaceful, cohesive, secure and inclusively developed Bangsamoro | 1. Number of violent incidents involving insurgent armed groups (disaggregated by the extent to which they affect minority groups or women)  
2. Number of land disputes and occurrences of *Rido* (disaggregated by the extent to which they affect minority groups or women)  
3. Number of Violence against women and children perpetrated  
4. % of women Members of Parliament | PSA Conflict Alert (NGO)  
PNP reports  
Office for women reports  
PNP reports  
Parliamentary records | National Government and BTA remain committed to the implementation of the Bangsamoro Organic Law, Comprehensive Agreement on the Bangsamoro and all its annexes  
Political environment and |
| To establish an enabling democratic governance environment for a smooth implementation of the transition in Bangsamoro | 1. Number of targeted BOL governance institutions established and effectively functioning  
2. Share of people who seek | Annual performance assessments to be conducted by the Action  
Baseline and endline surveys | }
## Output 1

<table>
<thead>
<tr>
<th>Output Chain</th>
<th>Indicators</th>
<th>Sources and means of verification</th>
<th>Assumptions &amp; risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 The capacity of the BTA’s executive branch to formulate and implement transitional policies is enhanced</td>
<td>1.1.1 Number of government procedures and sectorial plans revised with support of the Action</td>
<td>to be conducted by the Action</td>
<td>security situation in Mindanao and the Bangsamoro remain conducive effective implementation of transition activities</td>
</tr>
<tr>
<td></td>
<td>1.1.2 Number of ICM, DICM and line ministry representatives with increased knowledge on results-based management, policy-making, PFM, project design and monitoring (disaggregated by sex)</td>
<td></td>
<td>The elected BTA Government in 2022 has high level priority for democratic governance</td>
</tr>
<tr>
<td></td>
<td>1.1.3 Number of IT systems, equipment, databases and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1.1 Line ministries annual reports; project progress reports</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1.2 Pre- and post-training tests</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1.3 ICM, DICM reports; project reports</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The administration and civil service codes have been adopted by the Parliament</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The executive and parliamentary branches of BTA Government have a harmonious working relationship</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Output 2</td>
<td>2.1 The capacity of the Parliament to exercise its legislative, oversight and representation functions during the transition is enhanced</td>
<td>2.1.1 Parliament Assembly building and offices fully equipped with computers, office furniture, software and databases</td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td>2.1.2 Number of members of key committees of the Parliament and executive staff from the secretariat trained in policy-making, legislative procedures and committee processes, legal drafting, gender equality and women empowerment, and oversight techniques (sex disaggregated)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2.1.3 Technical studies formulated in support of draft legislations</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2.1.1 Parliament reports; project reports</td>
<td>2.1.2 Project reports</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2.1.3 Project reports and statistics</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All members of the Parliament are effectively functioning and not disrupting its operations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Output 3</td>
<td>2.1.4 Number of women trained in political participation and women empowerment</td>
<td>2.1.4 Project reports</td>
<td>3.1 The capacity of the multifaceted Bangsamoro Justice System to adjudicate litigation is enhanced</td>
</tr>
<tr>
<td>----------</td>
<td>--------------------------------------------------------------------------------</td>
<td>---------------------</td>
<td>----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>3.1.1 Number of Shari’ah practioners trained by the Shari’ah Academy (disaggregated by sex)</td>
<td>3.1.1 High Court reports; Shari’ah Academy report; project reports</td>
<td>3.1.2 Number of gender sensitive preliminary studies conducted for Sharia Law potential negative impact on gender equality and human rights and for codification of tribal customs on governance and justice</td>
</tr>
<tr>
<td></td>
<td>3.1.2 Number of gender sensitive preliminary studies conducted for Sharia Law potential negative impact on gender equality and human rights and for codification of tribal customs on governance and justice</td>
<td>3.1.2 Project reports</td>
<td>3.1.3 Number of people reached through legal awareness, public and community information and education campaign, including the IP, Sharia and regular justice system, women' rights and empowerment</td>
</tr>
<tr>
<td></td>
<td>3.1.3 Number of people reached through legal awareness, public and community information and education campaign, including the IP, Sharia and regular justice system, women' rights and empowerment</td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Number of people reached through legal awareness, public and community information and education campaign, including the IP, Sharia and regular justice system, women' rights and empowerment</td>
</tr>
<tr>
<td></td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Number of people reached through legal awareness, public and community information and education campaign, including the IP, Sharia and regular justice system, women' rights and empowerment</td>
</tr>
<tr>
<td></td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Number of people reached through legal awareness, public and community information and education campaign, including the IP, Sharia and regular justice system, women' rights and empowerment</td>
</tr>
<tr>
<td></td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Number of people reached through legal awareness, public and community information and education campaign, including the IP, Sharia and regular justice system, women' rights and empowerment</td>
</tr>
<tr>
<td></td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Number of people reached through legal awareness, public and community information and education campaign, including the IP, Sharia and regular justice system, women' rights and empowerment</td>
</tr>
<tr>
<td></td>
<td>3.1.3 Project reports</td>
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</tr>
<tr>
<td></td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Number of people reached through legal awareness, public and community information and education campaign, including the IP, Sharia and regular justice system, women' rights and empowerment</td>
</tr>
<tr>
<td></td>
<td>3.1.3 Project reports</td>
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<td>3.1.3 Number of people reached through legal awareness, public and community information and education campaign, including the IP, Sharia and regular justice system, women' rights and empowerment</td>
</tr>
<tr>
<td></td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Project reports</td>
<td>3.1.3 Number of people reached through legal awareness, public and community information and education campaign, including the IP, Sharia and regular justice system, women' rights and empowerment</td>
</tr>
</tbody>
</table>

Transitional Justice and Reconciliation Commission, Bangsamoro Regional Human Rights Commission and Office for Women fully operational, allowing access to justice for the most vulnerable
<table>
<thead>
<tr>
<th>Output 4</th>
<th>4.1 The capacity of the civil society to contribute to a peaceful transition to BARMM is enhanced</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1.1 Number of people from CSOs, consortia and platforms with increased capacity to promote a culture of peace, dialogue, effective governance and peace consolidation (sex disaggregated)</td>
<td></td>
</tr>
<tr>
<td>4.1.2 Number of CSOs consortia that platforms for political and economic voice of IPs and women and establish working relations with government on women and IP rights</td>
<td></td>
</tr>
<tr>
<td>4.1.3 Number of CSOs consortia participating in Parliament and LGUs policy and budget processes on women and IPs agendas</td>
<td></td>
</tr>
<tr>
<td>4.1.1 Project reports; CSOs report</td>
<td></td>
</tr>
<tr>
<td>4.1.2 Project reports</td>
<td></td>
</tr>
<tr>
<td>4.1.3 Project reports</td>
<td></td>
</tr>
<tr>
<td>Parliament and LGUs are compliant with BOL on participation of CSOs in policy, planning and budget processes</td>
<td></td>
</tr>
</tbody>
</table>