

## REFRAMING THE DISCOURSE ON THE CALL TO EXTEND THE BARMM TRANSITION

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The [Rapid Midterm Review on the Bangsamoro Transition Period](#) released by the Mindanao Peoples Caucus (MPC) in October 2020 created a flurry of heated discussions on social media on the report's top recommendation to extend the period of transition for another three years.

After the release of the report, the Moro Islamic Liberation Front (MILF) leadership publicly expressed its support for the recommendation in order to provide the Bangsamoro Transition Authority (BTA) sufficient time to fully accomplish its priority tasks and duties. Other prominent Bangsamoro leaders have likewise expressed their full support to extend the transition period.

On November 23, after a meeting between President Duterte and the MILF, Presidential Adviser on the Peace Process Carlito Galvez and Palace spokesperson Harry Roque confirmed that the President supported the call for extension but "BARMM [Bangsamoro Autonomous Region in Muslim Mindanao] residents need to coordinate with the House and the Senate."

Not everyone, however, is supporting this call for extension of transition. A [manifesto](#) passed on November 17 by the Sulu Provincial Board said that the BTA had not delivered even the most basic of government services. The manifesto argued that to allow the extension of the transition period "would be tantamount to escape judgment by the constituents of the BARMM on the performance of the latter vis-a-vis its capability to administer a region."

The Timuay Justice and Governance organization, a group of indigenous people, issued a [manifesto](#) stating that the extension "will prolong the agony of historical and contemporary injustices succumbed by the Non-Moro Indigenous peoples" and that "the composition of the present BTA is the stumbling block for the BARMM to achieve inclusive peace, development and progress."

Social media got noisy from those supporting and opposing the call for the extension of the transition. The debates were at times heated, with some calling those who opposed the call for extension as "anti-peace," while those who argued against the extension accused the BTA of simply wanting to stay in power. Some fear that the issue has become divisive especially among Bangsamoro peace advocates.

### **Reframing the discourse: extending the transition for what purpose?**

Thus far, the framing of the call for the extension of the transition period of BARMM has taken on a "zero-sum" game, where either one supports the extension or not. Given the heated arguments between those supporting and opposing the extension especially among Bangsamoro constituents, there is a need to reframe the discourse and focus more on what purpose the extension will serve and for whom it is for.

Broadening the discourse can help address the different concerns of those who have a common interest

and concern for the success of the Bangsamoro peace process, manage the opposition of those who currently are against the proposal, and bring into the discourse other voices that need to be heard.

What is important is to clarify what are the parameters should there be an extension of the transition period of BARMM.

A top priority should be the creation of a roadmap for the period of extension specifying what should be delivered by whom and when. Developing this roadmap can be an opportunity for a broad set of Bangsamoro stakeholders to come together and agree on what should happen during the extended transition period. It can also be an instrument to establish accountabilities not just from national government and the MILF, but from civil society organizations, peace advocates, and other parties who have an interest to ensure the success of the peace process.

Proponents of the roadmap should also define the structures and mechanisms to guarantee that the parties involved in delivering the milestones will be able to do so. These mechanisms should draw lessons from what has happened over the past years, particularly on why some deliverables were not completed. This will require the parties to the peace agreement, as well as the various Bangsamoro stakeholders, to take stock on how they can do better during the extension and increase the likelihood that the milestones will be completed. There can also be a broad-based Bangsamoro monitoring system that will track the progress of the milestones and hold parties to the peace agreement to greater accountability in case such milestones are not delivered.

Moreover, a set of qualification criteria for those who will be appointed to the BTA should also be established and strictly applied. The past two years provide sufficient lessons on the responsibilities of the BTA and the competences that a member should possess.

There might also be a need to review the composition of the BTA to broaden representation across the various ethnic groups of the Bangsamoro. Another suggestion is to explore the idea of establishing a “hybrid” BTA where several seats will be opened for election. This will address the position of those opposing the extension based on the lack of democratic exercise in the formation of the BTA. Opening some seats to electoral contestation can also allow the Bangsamoro to pilot test a parliamentary election in BARMM.

Lastly, a provision banning further extension should be inserted in the amendment to the Bangsamoro Organic Law (BOL) to guarantee that there would be an unqualified end to the transition period.

### **Legal and political challenges**

The question of the transition extension however is not a simple one both legally and politically.

For one, any extension will require an act of Congress, with both the House of Representatives and the Senate concurring on amending the BOL to allow such extension. A vocal opposition coming from some Bangsamoro stakeholders might make members of Congress take a second look at supporting the extension. As the MILF and its supporters will continue to lobby Malacañang and Congress to extend the transition, it should be expected that those opposing the exercise will do the same thing.

The Office of the President will also have to extend its political weight to guarantee that there are enough votes in both chambers to pass the amendment. While the President has expressed his support for said extension, such support needs to be sustained in order to ensure that the amendment is passed.

Furthermore, time is of the essence. Those calling for the extension will have to make sure that Congress makes time for deliberations to pass the amendment given the many other bills up for consideration. Some political observers say that it would be best if the BOL is amended before the State of the Nation (SONA) Address in July 2021.

One legal question that has surfaced is whether an amendment of the BOL will require a plebiscite in the Bangsamoro. Some have argued that as the BOL had been ratified through a plebiscite, there should be a similar political process for any amendment to the law. Arguments for or against this requirement will most likely be elevated to the court, which could delay the resolution of the matter.

Absent any amendment, the BTA and the national government will have to prepare for the Bangsamoro parliamentary election in 2022. This will mean that the BTA will have to pass the Bangsamoro Election Code. The budget for the Bangsamoro parliamentary elections will have to be reflected in the 2022 budget of the Commission on Elections (COMELEC). Party-building in the Bangsamoro will have to be done. All these preparations can be affected if there is no clear and early resolution on the question of extension.

### **Transition and the broader Bangsamoro struggle**

In the end, the decision to extend the transition or not must be made to serve the interests of the Bangsamoro people who, given the limited time that the two-year transition period has provided, are still in the process of reclaiming their cohesive identity and learning the ropes of self-government for the benefit of the region.

Beyond the tasks laid out in the Comprehensive Agreement on the Bangsamoro and the BOL, the transition period can be used to strengthen the social fabric that will bring the diverse peoples of the region into a cohesive citizenry, bound by shared aspirations, recognizing the lessons of the past, celebrating the historic narrative of the Bangsamoro struggle, and prepare future generations for the challenges of the coming years.

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