

[REPUBLIC ACT NO. 9054, March 31, 2001]

**AN ACT TO STRENGTHEN AND EXPAND THE ORGANIC ACT FOR
THE AUTONOMOUS REGION IN MUSLIM MINDANAO, AMENDING
FOR THE PURPOSE REPUBLIC ACT NO. 6734, ENTITLED "AN ACT
PROVIDING FOR THE AUTONOMOUS REGION IN MUSLIM
MINDANAO," AS AMENDED**

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

PREAMBLE

The people of the Autonomous Region in Muslim Mindanao, imploring the aid of Almighty God, in order to develop a just and humane society and establish a Regional Autonomous Government that is truly reflective of their ideals and aspirations within the framework of the Constitution and national sovereignty, as well as the territorial integrity of the Republic of the Philippines, and to secure to themselves and their posterity the blessings of autonomy, democracy, peace, justice and equality, do ordain and promulgate this Organic Act through the Congress of the Philippines.

ARTICLE I

NAME AND PURPOSE

SECTION 1. The name of the Autonomous Region shall be the Autonomous Region in Muslim Mindanao unless provided otherwise by the Regional Assembly.

The Autonomous Region in Muslim Mindanao shall be governed by the Regional Government.

ARTICLE II

THE AUTONOMOUS REGION

AREA AND SEAT OF GOVERNMENT

SECTION 1. *Expanded Autonomous Region.* -

1. The Autonomous Region in Muslim Mindanao which, under the provisions of Republic Act No. 6734, the Organic Act for the Autonomous Region in Muslim Mindanao, is composed of the four provinces of Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi, is hereby expanded to include the provinces and cities, enumerated hereunder, which vote favorably to be included in the expanded

area of the autonomous region and for other purposes, in a plebiscite called for that purpose in accordance with Section 18, Article X of the Constitution.

The new area of autonomy shall then be determined by the provinces and cities that will vote/choose to join the said autonomy. It is understood that Congress may by law which shall be consistent with the Constitution and in accordance with the provisions of Republic Act No. 7160, the Local Government Code of 1991, provide that clusters of contiguous-Muslim-dominated municipalities voting in favor of autonomy be merged and constituted into a new province(s) which shall become part of the new Autonomous Region.

2. *Plebiscite Coverage.* The plebiscite shall be conducted in the provinces of Basilan, Cotabato, Davao del Sur, Lanao del Norte, Lanao del Sur, Maguindanao, Palawan, Sarangani, South Cotabato, Sultan Kudarat, Sulu, Tawi-Tawi, Zamboanga del Norte, Zamboanga del Sur and the newly created Province of Zamboanga Sibugay, and (b) in the cities of Cotabato, Dapitan, Dipolog, General Santos, Iligan, Kidapawan, Marawi, Pagadian, Puerto Princesa, Digos, Koronadal, Tacurong and Zamboanga.

a. PLEBISCITE QUESTION FOR VOTERS OF THE FOUR ORIGINAL PROVINCES OF THE AUTONOMOUS REGION. For the voters of the provinces of Maguindanao, Lanao del Sur, Sulu and Tawi-Tawi which are already members of the autonomous region under the provisions of Republic Act No. 6734, the Organic Act for the Autonomous Region in Muslim Mindanao, the question to be asked in the plebiscite of the voters therein shall be as follows: Do you vote in favor of the amendments to Republic Act No. 6734, the Organic Act for the Autonomous Region in Muslim Mindanao, as proposed under this Organic Act, which includes, among other things, the expansion of the area of the autonomous region?

b. PLEBISCITE QUESTION FOR THE VOTERS OF THE PROVINCES AND CITIES PROPOSED FOR INCLUSION IN THE EXPANDED AUTONOMOUS REGION. For the voters of the provinces of Basilan, Cotabato, Davao del Sur, Lanao del Norte, Palawan, Sarangani, South Cotabato, Sultan Kudarat, Zamboanga del Norte, Zamboanga del Sur, and the newly created Province of Zamboanga Sibugay, and the cities of Cotabato, Dapitan, Dipolog, Digos, Koronadal, Tacurong, General Santos, Iligan, Kidapawan, Marawi, Pagadian, Puerto Princesa, and Zamboanga, which compose the provinces and cities that are proposed for inclusion in the expanded area of the autonomous region, the question to be asked in the plebiscite of the voters therein shall be as follows: Do you vote in favor of the inclusion of your province or city in the Autonomous Region in Muslim Mindanao?

SEC. 2. *Results of the Plebiscite.* - (a) In the four provinces. If the majority of the voters of the four provinces of Lanao del Sur, Maguindanao, Sulu, and Tawi-Tawi vote in favor of the above-mentioned proposed amendments, the amendments are deemed ratified. Otherwise, the amendments are deemed rejected except as regards the inclusion of the provinces and cities that vote for their inclusion in the autonomous region as provided in this Organic Act, in which case, the said provinces and cities shall become members of the autonomous region.

(b) In the provinces or cities proposed for inclusion in the expanded area of the autonomous region. A majority of the votes cast in the plebiscite in every province or city in favor of the inclusion of the province or city as members of the expanded area of the autonomous region as provided in this Organic Act shall effect their membership in the autonomous region.

SEC. 3. *Seat of Autonomous Government.* - The regional legislative assembly, hereinafter referred to as the Regional Assembly, shall by law, fix the permanent seat of government of the regional government in any province or city that is a member of the autonomous region, taking into consideration accessibility and efficiency in which its mandate may be carried out under this Organic Act.

Until the seat of the regional government is transferred as provided above, its provisional seat shall be in Cotabato City. The Regional Assembly elected after the plebiscite mentioned in this Organic Act, shall, within its term, identify the site of the permanent seat of the regional government. The central government which shall also mean the national government shall appropriate funds for the transfer of the provisional seat to its permanent site as determined by the Regional Assembly.

ARTICLE III

GUIDING PRINCIPLES AND POLICIES

SECTION 1. *Integral Part of the Republic.* - The Autonomous Region in Muslim Mindanao shall remain an integral and inseparable part of the national territory of the Republic as defined by the Constitution and existing laws.

The autonomous region shall be governed and administered in accordance with the laws enacted by the Regional Assembly and by this Organic Act.

SEC. 2. *Peaceful Settlement of Conflicts.* - The Regional Autonomous Government shall adopt the policy of settlement of conflicts by peaceful means, and renounce any form of lawless violence as an instrument of redress.

SEC. 3. *Devolution of Powers.* - The regional government shall adopt a policy on local autonomy whereby regional powers shall be devolved to local government units particularly in areas of education, health, human resource, science and technology and people empowerment. Until a law implementing this provision is enacted by the Regional Assembly, Republic Act No. 7160, the Local Government Code of 1991, shall continue to apply to all the provinces, cities, municipalities, and barangay within the autonomous region.

The Regional Assembly may not pass any law to diminish, lessen, or reduce the powers, functions, and shares in the internal revenue taxes of the said local government units as provided by Republic Act No. 7160, the Local Government Code of 1991.

SEC. 4. *Charters Govern Cities.* -All chartered cities within the autonomous region shall continue to be governed by their charters. Nothing in this Organic Act shall be construed as to diminish the powers and functions already enjoyed by these cities.

SEC. 5. *Customs, Traditions, Religious Freedom Guaranteed.* - The beliefs, customs, and traditions of the people in the autonomous region and the free exercise of their religions as Muslims, Christians, Jews, Buddhists, or any other religious denomination in the said region are hereby recognized, protected and guaranteed.

The Regional Assembly shall adopt measures to ensure mutual respect for and protection of the distinct beliefs, customs, and traditions and the respective religions of the inhabitants thereof, be they Muslims, Christians, Jews, Buddhists, or any other religious denomination. The Regional Assembly, in consultation with the Supreme Court and consistent with the Constitution, may formulate a Shari'ah legal system including the criminal cases, which shall be applicable in the region, only to Muslims or those who profess the Islamic faith. The representation of the regional government in the various central government or national government bodies as provided for by Article V, Section 5 shall be effected upon approval of the measures herein provided.

The Shari'ah courts shall have jurisdiction over cases involving personal, family and property relations, and commercial transactions, in addition to their jurisdiction over criminal cases involving Muslims.

The Regional Assembly shall, in consultation with the Supreme Court, determine the number and specify the details of the jurisdiction of these courts.

No person in the autonomous region shall be subjected to any form of discrimination on account of creed, religion, ethnic origin, parentage or sex.

The regional government shall ensure the development, protection, and well-being of all indigenous tribal communities. Priority legislation in this regard shall be enacted for the benefit of those tribes that are in danger of extinction as determined by the Southern Philippines Cultural Commission.

SEC. 6. *Filipino and Islamic Values In Educational Policies.* - The regional government shall adopt educational policies that shall perpetuate Filipino and Islamic values and ideals and the just aspirations of the Bangsa Moro with due respect to the beliefs, customs, traditions, and religions of the other non-Muslim inhabitants of the region be they Christians, Jews, Buddhists, or of any other religious denomination.

SEC. 7. *Improving Status of the Marginalized.* - The regional government shall devote its resources to the improvement of the well-being of all its constituents, particularly the marginalized, deprived, disadvantaged, underprivileged, disabled, and the elderly.

SEC. 8. *Regional Government Authority Over Natural Resources.* - Subject to the provisions of the Constitution and this Organic Act, the Regional Government shall have the authority, power, and right to explore, develop and utilize the natural resources, including surface and sub-surface rights, in-land and coastal waters, and renewable and non-renewable resources in the autonomous region. Muslims and the other indigenous cultural communities shall, however, have priority rights to explore, develop and utilize the said resources in the areas designated as parts of their respective ancestral domains.

SEC. 9. *Preferential Rights of Inhabitants and Their Safeguards.* - The autonomous region shall provide manpower training programs, create livelihood and job opportunities, allocate equitable preferential rights to its inhabitants, and adopt laws that will safeguard the rights of workers.

SEC. 10. *Protection of Women and Children.* - The Regional Government shall uphold and protect the fundamental rights of women and children including the right of women to engage in lawful employment. Women and children, especially orphans of tender age, shall be protected from exploitation, abuse or discrimination.

SEC. 11. *Enhancement of Quality of Life.* - The Regional Government shall provide, maintain, and ensure the delivery of, among other things, basic and responsive health programs, quality education, appropriate services, livelihood opportunities, affordable and progressive housing projects, and water resource development.

It shall maintain appropriate disaster-preparedness units for immediate and effective relief services to victims of natural and man-made calamities. It shall also ensure the rehabilitation of calamity areas and victims of calamities.

SEC. 12. *Progressive Tax System.* -The Regional Assembly shall adopt an efficient and progressive system of taxation which, among other things, shall provide incentives for the prompt payment of taxes and penalize tax evasion and delinquency.

SEC. 13. *Equitable Share In National Budget and Development Assistance.* - The central government or national government shall provide the autonomous region a proportionate and equitable share in the annual national budget and foreign assisted projects in addition to other financial assistance, support, and subsidies to accelerate its development. Whenever the Commission on Audit finds that the internal controls set up in the region are inadequate, it may require pre-audit and shall likewise conduct seminars in the communities concerned explaining the benefits and proper use of internal revenue allotments.

SEC. 14. *Rights to Initiatives, Consultations, Referenda and Plebiscites.* - Without prejudice to other rights guaranteed by the Constitution, the rights of the people of the autonomous region to initiate measures for the passage, amendment or repeal of regional or local legislation; to be consulted on matters that affect their environment; to call for a referendum on important issues affecting their lives; and, to recall regional or local officials as provided by Republic Act No. 7160, the Local Government Code of 1991, are hereby recognized.

The Regional Assembly shall enact priority legislation to define such rights. Until such priority legislation is enacted, existing laws shall govern the exercise of the rights mentioned above.

SEC. 15. *Fundamental Rights and Duties of People.* - The fundamental rights and duties of the people in the autonomous region are those defined in the Constitution and this Organic Act, the Geneva Convention, the United Nations Charter, the United Nations Declaration on the Rights of Indigenous Communities, the International Declaration on Human Rights, as well as those prescribed in all the laws, practices, and principles binding upon members of the community of nations.