

**TERMS OF REFERENCE
OF THE NATIONAL GOVERNMENT – BANGSAMORO GOVERNMENT
INTERGOVERNMENTAL RELATIONS BODY (IGRB)**

ARTICLE I

COMPOSITION

Section 1. Intergovernmental Relations Body. The National Government – Bangsamoro Government Intergovernmental Relations Body (IGRB) shall be composed of representatives from the National Government and the Bangsamoro Government.

Member-agencies shall designate alternate members to serve in the absence of their designated representatives. The concerned agencies and offices shall provide appropriate authority for the participation of their representatives in the IGRB.

Section 2. Composition. Based on the Memorandum from the Executive Secretary dated 14 October 2019 and Bangsamoro Government Executive Order No. 005, the National Government Secretary of Finance and the Bangsamoro Government Minister of Basic, Higher, and Technical Education shall serve as co-chairs of the IGRB, and with the following as members:

a. From the National Government:

- i. Secretary of the Interior and Local Government
- ii. Secretary of National Defense
- iii. Secretary of Public Works and Highways
- iv. Cabinet Secretary
- v. Secretary of Energy
- vi. Secretary of Agriculture
- vii. Secretary of Transportation
- viii. Secretary of Socioeconomic Planning
- ix. Presidential Adviser on Peace, Reconciliation, and Unity

b. From the Bangsamoro Government:

- i. Speaker of the Bangsamoro Parliament
- ii. Executive Secretary
- iii. Cabinet Secretary
- iv. Minister of the Interior and Local Government
- v. Minister of Public Works
- vi. Minister of Environment, Natural Resources, and Energy



- vii. Minister of Social Services and Development
- viii. Minister of Agriculture, Fisheries, and Agrarian Reform
- ix. Minister of Transportation and Communications

Changes to the composition of the IGRB may be made with corresponding designation by the President and the Chief Minister for representatives from the National Government and the Bangsamoro Government, respectively.

Section 3. Technical-level Committees. The IGRB may create technical-level committees, composed of technical staff of member-agencies, in cases where certain issues require technical-level discussions before these are elevated to the IGRB.

ARTICLE II

GUIDING PRINCIPLES AND MANDATE

Section 1. Guiding Principles. Intergovernmental relations shall govern the relationship between the National Government and the Bangsamoro Government. The President shall exercise general supervision over the Bangsamoro Government to ensure that laws are faithfully executed.

Section 2. Mandate. The IGRB is mandated to coordinate and resolve issues on intergovernmental relations through regular consultation and continuing negotiation in a non-adversarial manner. It shall exhaust all means to resolve issues brought before it. Unresolved issues shall be elevated to the President, through the Chief Minister of the Bangsamoro Government. The IGRB shall jointly and cooperatively endeavor to accomplish the following:

- a. Coordinate and resolve issues relating to or arising out of the delineation, devolution, demarcation, and sharing powers, jurisdiction, and competencies of the National Government and the Bangsamoro Government, and their departments, ministries, agencies, and instrumentalities;
- b. Coordinate and resolve issues relating to or arising out of the implementation of national programs and projects of the National Government in the BARMM;
- c. Coordinate and resolve territorial issues involving the National Government, the Bangsamoro Government, and its adjacent local government units;
- d. Coordinate and resolve all other issues not covered by the other intergovernmental relations mechanisms on intergovernmental relations between the National Government and the Bangsamoro Government;
- e. Operationalize the other intergovernmental relations mechanisms enumerated under the BOL;



- f. Resolve issues involving intergovernmental relations mechanisms; and
- g. Perform such other functions mandated by Republic Act No. 11054 or the Bangsamoro Organic Law (BOL) as mutually agreed upon by the National Government and the Bangsamoro Government to ensure the smooth and effective resolution of issues on intergovernmental relations.

ARTICLE III

MEETINGS

Section 1. Agenda for the Meetings. The agenda for the meetings of the IGRB shall be prepared by the Joint Secretariat and shall be agreed upon by the IGRB. The Co-Chairs shall exchange working papers on the agenda of the meetings within a reasonable time, as mutually agreed by the Co-Chairs, before such agenda shall be discussed.

Section 2. Venue and Schedule of the Meetings. The IGRB shall henceforth regularly hold its meetings, once every ninety (90) days, in Metro Manila and Cotabato City, alternately, or in any other location in the Philippines as agreed by the IGRB.

In case there are actions and issues that require immediate attention and discussion of the IGRB, special meetings may be conducted.


In both cases, the members of the IGRB shall mutually agree on the schedule and venue of meetings.

Section 3. Attendance. The officially designated members of the National Government and Bangsamoro Government IGRB shall be the regular attendees during meetings.

In the event that the officially designated member will not be able to attend the meeting, the officially designated alternate member may attend on his/her behalf; provided, finally, that prior official notice of such designation shall be given to the IGRB Joint Secretariat.

Section 4. Quorum. A majority of the members or their duly officially designated alternate of each of the National Government IGRB and the Bangsamoro Government IGRB is required to be present at every meeting in order to constitute a quorum.

In case the quorum is not constituted for the meeting, the Co-Chairs shall decide on whether the meeting will push through as scheduled or will be postponed to a later date. In the event that the meeting pushes through, no resolution, action, or decision that requires the vote of the members of the IGRB shall be made.



Section 5. Presiding Officers. The Co-Chairs from the National Government and the Bangsamoro Government shall act as co-presiding officers in the meetings of the IGRB.

Section 6. Presence of Other Agencies and Individuals at Meetings. Other than the members of the IGRB, only the Joint Secretariat shall be allowed in the meeting room. Resource persons may be invited as necessary, and as mutually agreed upon by the Co-Chairs.

Only persons on the list of attendees provided by the Joint Secretariat three (3) days prior to the meeting may be allowed in the meeting room. Changes may later be done as long as mutually agreed upon by the Co-Chairs.

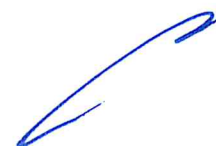
Section 7. Procedure of Meetings:

- a. The Co-Chairs shall agree on the allocation of time for each agenda item, including presentations therefor, as recommended by the Joint Secretariat.
- b. The National Government and the Bangsamoro Government shall have equal opportunity to fully present each of their side in meetings, orally and/or in writing, to propound questions, and to respond to each other regarding any agreed agenda item.
- c. When no agreement has been reached on an agenda item within a reasonable time, such item may be deferred for further deliberation or referred to the Joint Secretariat for further study. Thereafter, the IGRB shall proceed to the next agenda item.

Section 8. Resolution of Issues. The IGRB shall exhaust all means to resolve the matter/issue brought before it. Unresolved matters/issues shall be elevated to the President, through the Chief Minister of the Bangsamoro Government.

The IGRB may refer a matter to any intergovernmental relations board/body/agency/committee for resolution. In such case, the IGRB shall be furnished a copy of the resolution. If unresolved, such shall be elevated to the IGRB for deliberation.

Section 9. Conduct of Meetings. The Co-Chairs shall speak on behalf of the National Government and the Bangsamoro Government, while other members of the IGRB may speak when recognized by either Co-Chair, encouraging a constructive dialogue with due courtesy to each other. Resource persons may be invited to speak with the concurrence of both Co-Chairs.



Section 10. Meeting Flow. The flow of the meeting shall be as follows:

- a. Determination of quorum from the members of the IGRB from the National Government and the Bangsamoro Government reported by the Joint Secretariat;
- b. Approval of agenda for the meeting;
- c. Adoption of minutes of the previous meeting;
- d. Discussion of unfinished business;
- e. Discussion of agenda items;
- f. Adoption of consensus points;
- g. Adoption of proposed agenda, schedule, and venue of the next meeting;
- h. Adoption of reports to the President, as mutually agreed by the Co-Chairs; and
- i. Adoption of statement or press release, if necessary.

ARTICLE IV

MEDIA COVERAGE

Section 1. Joint Press Conference. The holding of joint press conferences and/or the issuance of joint press statements shall be mutually agreed upon by the Co-Chairs.

Section 2. Official Spokespersons. The respective Co-Chairs of the IGRB, or in their absence, a duly designated member from the National Government and the Bangsamoro Government, shall act as the official spokesperson for each, as the case may be.

Section 3. Messaging. To ensure effective communication, the IGRB shall agree on common messaging that shall be used for public information relative to its work. This shall be based on the joint communications plan agreed upon by the IGRB.

ARTICLE V

GENERAL PROVISIONS

Section 1. Confidentiality.

- a. The Co-Chairs may mutually agree on the confidentiality of sensitive issues taken up during the meetings.



- b. Limitations on access to or release of official records of the deliberations and minutes of the meetings shall be mutually agreed upon by the IGRB.


Section 2. Funding. All expenses for the conduct of meetings and other activities of the IGRB shall be shouldered by the Office of the Presidential Adviser on the Peace Process (OPAPP).

Section 3. Amendments. The IGRB may mutually agree to amend, modify, or supplement the provisions of this Terms of Reference as necessary.


Section 4. Effectivity. This Terms of Reference shall take effect upon the signing of the Co-Chairs.

Done this 16th day of December 2019 in Davao City.

For the National Government


SEC. CARLOS G. DOMINGUEZ
Co-Chair, Secretary of Finance

For the Bangsamoro Government


MIN. MOHAGHER M. IQBAL
Co-Chair, Minister of Basic, Higher, and
Technical Education