

Development Imperatives for the Bangsamoro



2014

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DEVELOPMENT IMPERATIVES FOR MUSLIM MINDANAO: THE REAL SCORE

The current political and economic landscape of Muslim Mindanao has been shaped by decades of conflict and neglect which started with the imposition of Martial Law in 1972, the consequent war between the Philippine armed forces and the Muslim secessionist movements, and the continued dominance of national government in local affairs. Those who have no recollection or knowledge of the pre-Martial law Muslim communities view the situation as hopeless. Few policy makers have a picture of the vibrant, prosperous, self-made Muslim communities that existed prior to 1972.

This ignorance has resulted in the attitude that it is impossible to introduce development into the Muslim communities. This premise is not only mistaken, it is also a dangerous one because this reframes the development issue of Muslim Mindanao as something unattainable -- that peace and progress for the area is impossible, as if it had never existed before.

The years of armed conflict have largely been responsible for the debilitating conditions existing in Muslim Mindanao today. This is irrefutable. Poverty has long been recognized as a consequence of armed conflict. Whether it lasts only for a year, or persists for decades, conflict exacts its toll on the people. Aside from the most obvious impact of the loss of lives, the displacement of the population, and the destruction of property, the instability that accompanies periods of conflict stifles economic activity. Often, conflict results in the destruction of vital infrastructure and disrupts the delivery of basic social services.

But poverty and lack of economic development can just as likely cause conflict as result from it, particularly when it reinforces social inequities. Where a section of the population exists that feels marginalized, where a community feels excluded from benefiting from the gains of social and economic development, the seeds of armed struggle are sown. When a community feels that it is being excluded from national development because it does not belong to the culture of the majority, then poverty provides the spark that ignites violent conflict. This relationship between poverty and conflict makes it therefore imperative for the needs of the Muslim areas be prioritized.

This paper will present a political-economic analysis of the Muslim communities in Mindanao. It begins by presenting a historical profile of Muslim Mindanao, prior to the declaration of Martial Law in 1972. A discussion of the socio-economic indicators that point towards the key result areas that need to be addressed then follows. These indicators include poverty, economic growth, income inequality, education indicators, as well as budgetary allocations and expenditure patterns.

A SNAPSHOT OF PRE-MARTIAL LAW MINDANAO

Since the early years of Spanish rule, indigenous peoples (Muslim and non-Muslim) have co-inhabited Mindanao. In 1918, the Muslims have been the dominant group comprising 49% of the Mindanao population while the non-Muslim (commonly called “Lumad”) accounted for 29%¹.

However, the policies of the American colonial government and succeeding “Filipino” governments have created a dramatic transformation of the Mindanao population profile within a mere 50 years – something which more than 300 years of Spanish rule could not induce. These colonial policies² supported the rapid expansion of Christian settlements in Mindanao and their share of the population skyrocketed at an average of 72% p.a., rising from a minority share of 22% in 1918 to 68% in 1970.

This “homesteading” policy has encouraged migration into Mindanao as a major strategy aimed at providing “land to the landless”. This has resulted in a thriving migrant population comprised mainly of Christians from Luzon and Visayas. The unfortunate indigenous peoples, who had no knowledge of land titling procedures, lost their ancestral lands. The ethnic conflicts in Mindanao have erupted in no small part due to “land-grabbing”.

Data on economic activities in the Muslim provinces for the 60s and 70s are not easily obtained. However, certain indicators may be used to point to the level of economic development during that time. In this paper, these proxy indicators of development are access to piped water and electricity, as it is argued that the quality of life of a community and its rate of development are positively influenced by the existence of basic necessities such as water and electricity.

In terms of access of households to piped water, out of a total of 67 provinces in 1970, the Muslim provinces have been in the middle rungs. Manila, of course, has topped the list with 95% of its households connected to a water system. Lanao del Sur ranks 28th with 19.6% access, while Sulu ranks 19th with 15.5% of households having piped water. Interestingly, Lanao del Sur and Sulu are ahead of the provinces of Pampanga, Nueva Ecija, Pangasinan, and Tarlac.³

By 1990, the Muslim areas are already at the bottom of the ladder. Tawi-Tawi has occupied the bottom rung. While Agusan del Sur has improved its share from 0.5% to 5.0%, Sulu’s share has fallen from 15% to 11%. Maguindanao, Sulu and Lanao del Sur rank 51st, 52nd and 53rd, respectively.

In terms of number of households with electricity in 1970, Sulu province has ranked 38th out of 67 provinces. Sulu has ranked 11th among 18 Mindanao provinces ahead of North Cotabato, Davao Oriental, Surigao del Sur, Bukidnon, Zamboanga del Norte and Camiguin. Twenty years

¹ Samuel K. Tan, “The Socio-Economic Dimension of Moro Secessionism”, Mindanao Studies Reports 1995/No.1

² Pres. Manuel Quezon referred to the “colonization” of Mindanao during his June 16, 1936 speech to the First national Assembly of the Philippine Commonwealth.

³ Data from “Road to Peace and Reconciliation: Muslim perspectives on the Mindanao Conflict”

hence, the Muslim provinces are the least electrified in Mindanao. Tawi-Tawi and Sulu have ranked 72nd and 73rd out of 75 provinces.

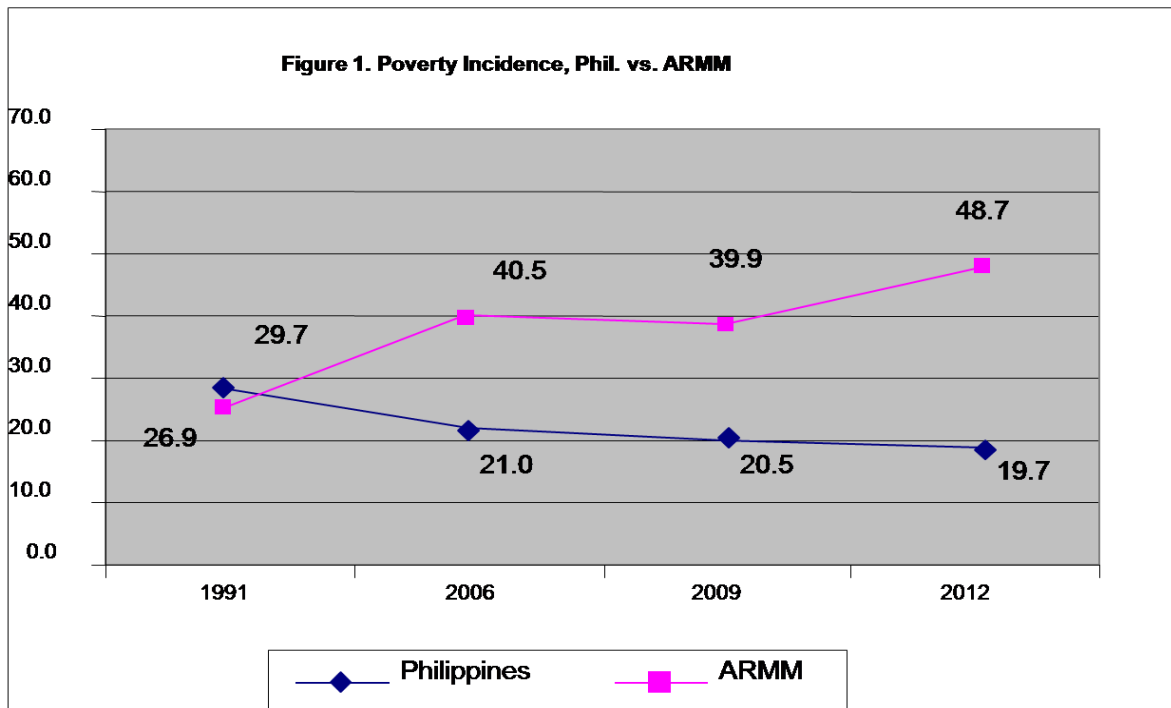
The destruction of physical infrastructure of the Muslim provinces following the armed hostilities between the government and the Moro groups explains how the other provinces have caught up in the abovementioned indicators, and how the Muslim provinces have slowly slipped. No other variable can account for this deterioration. And the continued state of conflict means that these facilities cannot be replaced, or only at a very slow pace.

MUSLIM MINDANAO'S DEVELOPMENT INDICATORS TODAY

So how is Muslim Mindanao faring, after three decades of conflict?

Poverty Incidence. Government has proclaimed that the country has enjoyed a steady decline in overall poverty incidence (defined as the proportion of the population living on incomes less than what is deemed adequate to fulfill basic needs). From 29.7% in 1991, the share of people in poverty fell to 19.7% in 2012, which translates into a total decline of 10% from 1991 to 2012 (see Figure 1 below).

But poverty incidence has increased in the ARMM region. From 1991, the share of the poor has escalated from 26.9% to 48.7% in 2012. In 2012, ARMM had a poverty level of 48.7% compared to the national level of 19.7% -- this is 29% higher compared to the national average.



Source: National Statistical Coordination Board (NSCB)

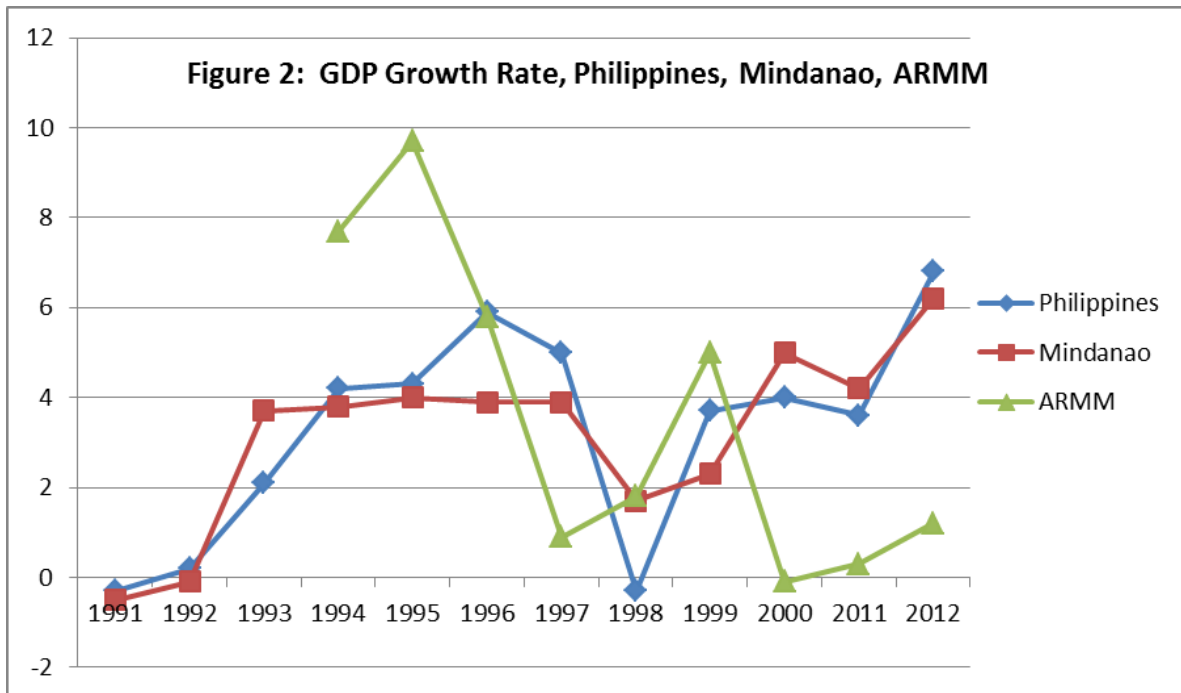
The table below shows the regional rankings in terms of poverty incidence for 1997, 2000 and 2012 (where 1 indicates the highest poverty incidence and 10 the lowest). Beginning 1997, ARMM has registered first in the rank with highest poverty head count in the country of 50%. This number increases to 57% on 2000 maintaining its rank. In 2012, ARMM remains the poorest region with highest poverty incidence of 46.9%.

Table 1. Regional Ranking According to Poverty Incidence

Rank	Region	1997	2000	2012
1	ARMM	50	57	46.9
2	REGION V	46.9	49	34.1
3	REGION XII	45.3	48.4	37.5
4	CARAGA	44.7	42.9	34.1
5	REGION IX	31.9	38.3	36.9
6	REGION VI	37.2	37.8	24.7
7	REGION VIII	39.9	37.8	37.2
8	REGION X	37.8	32.9	35.6
9	REGION VII	29.8	32.3	28.8
10	REGION XI	31.1	31.5	28.6

Source: National Statistical Coordination Board (NSCB)

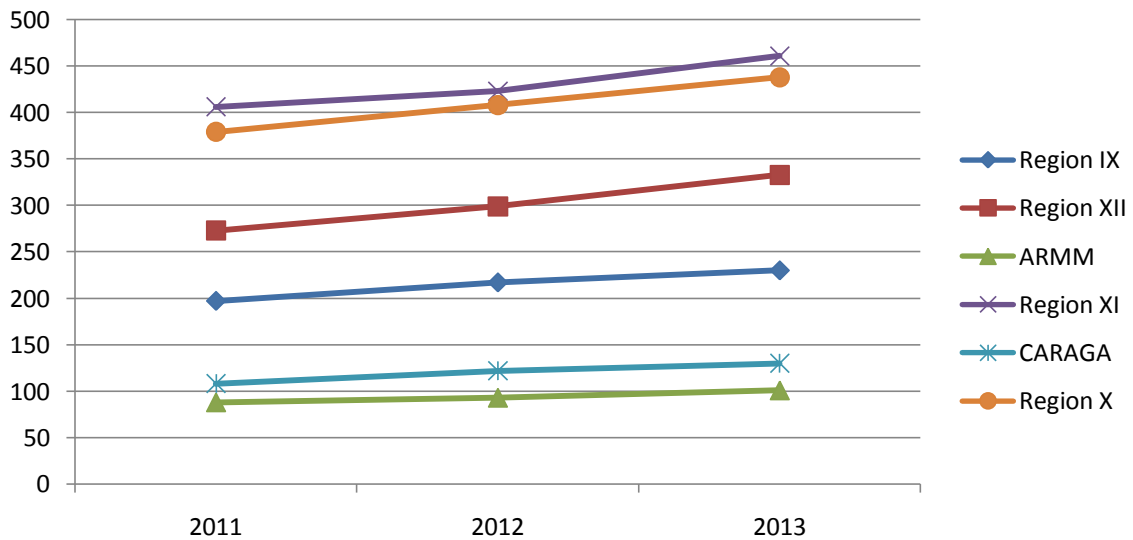
Economic Growth. ARMM's economic growth since its creation in the last decade has followed a boom-bust cycle – a pattern that also characterized the growth path of the other regions in the country in this period (*see Figure 2*). During its expansionary years, ARMM's GDP has grown by as much as 9.5%. The region, however, has been unable to sustain such growth. In 1997, ARMM's GDP registers zero growth, an experience that has been repeated in 2000. From its registered zero growth, ARMM's GDP has increased to 0.3% in 2011 and 1.2% in 2012.



Source: National Statistical Coordination Board (NSCB)

ARMM registers the lowest GDP among the six regions in Mindanao from 2011 to 2013 (see Figure 3). During this period, ARMM's domestic product ranges from Php88-million to Php101-million.

**Figure 3. Regional GDP (in M Pesos)
(at current prices)**



Source: National Statistical Coordination Board (NSCB)

Income Inequality. Total income in ARMM has increased. By 1997, the Family Income Expenditure Survey estimates that total family income in the region amounted to Php26.7-million. Most of the increase, however, is enjoyed by families belonging to the upper income decile as evidenced by the increase in the GINI coefficient⁴ from .3198 in 1991 to .3406 in 1997.

Interestingly, ARMM registers the lowest GINI coefficient in the country during that period. This means that while income distribution may have deteriorated over time in ARMM, the disparity between the lower and higher income deciles is not as wide as in the other regions⁵. However, the per capita income in ARMM remains the lowest not only in Mindanao but in the country. According to the 1998 Annual Poverty Indicators Survey (APIS), per capita income in the region for that year stood at Php9, 476 – lower than the 1991 estimate of Php10,780. Thus, there is no wide income disparity, because most of the population is poor.

Education Indicators. In terms of literacy, there has been a marked increase in national rates over the last twenty years. The proportion of the population 10 years old and over able to read and write registered at 93.5% in 1990, an improvement of about 10%age points over 1980 estimates. By 1994, based on the results of the Functional Literacy, Education and Mass Media Survey (FLEMMS), this proportion stands at 93.9%. Additionally, the FLEMMS has reported an increase in functional literacy rates among those aged 10 to 64 years (which measures numeracy skills along with reading and writing ability) from 75.6% to 83.79%.

This improvement in literacy rates is largely attributed to increasing access to education. In the country, primary and secondary education is compulsory and, as constitutionally mandated, offered free in public schools. In 1988, Republic Act 6655 is enacted, thereby strengthening the constitutional provision on free secondary education. Though still less than universal, overall participation rates have been improving over time, particularly at the primary level.

At the regional level however, the indicators for the Muslim areas are dismal. While some regions have achieved high levels, the predominantly Muslim areas have been unable to keep up – and the gap between them can often be quite glaring.

In 1994, simple literacy rates in the country ranges from a high of 99.5% in the National Capital Region (NCR) to a low of 73.82% in ARMM while functional literacy rates ranges from 92.41% in NCR to just 61.12% in ARMM. In 2008 FLEMMS, ARMM remains the lowest among regions in terms of functional literacy rate (71.6%).

The differences among the regions are particularly marked in terms of participation rates, especially at the secondary level. On average, between school year 1996/97 and school year 1999/00, the participation rate of the lowest ranked region (often ARMM) is only one-third that of the highest ranked region (typically NCR).

The low participation rates in Mindanao are compounded by high dropout rates during this period. On average, roughly one-fifth of secondary students in ARMM leave school before

⁴ This pattern could stem from the very low GDP levels of ARMM to begin with.

⁵ A GINI value close to 1 indicates a higher degree of inequality; conversely, a value close to 0 indicates a high degree of equality.

finishing the level – this is double the national average and five times higher than the average rate in NCR. The emerging picture is that of a growing number of families who are either not sending their children, to school or taking them out of school.

This of course is conditioned by poverty. Despite the free compulsory basic and secondary education, the peripheral expenses such as school supplies, uniforms, even the fare to and from school, need to be provided by the parents. As a result, an increasing number of high-school age children are sent early into the workforce to augment family income. Moreover, continuing armed conflicts prevent Muslim children from attending school. Schools are usually converted to evacuation areas for those displaced by the armed clashes.

Government Allocations and Expenditures. An Asian Development Bank (2002) report notes that while more than three-fourths of the budget of ARMM go to personnel cost, “this expenditure does not translate into service delivery owing to inefficiencies in systems and procedures for human resource management, insufficient focus on performance, and a tendency for appointments to be politically influenced.” This of course, can be argued to be true for the entire Philippine bureaucracy and not just for Muslim Mindanao. But the imperatives for making sure the regional government is functioning well is greater because there is so much catching up that needs to be done.

Appropriations for ARMM increased annually from 1996 to 2014. The 2001 budget of PhP14.9 B is almost triple that of 1996 (Table 2). However, the appropriations decreases for 2002 to 2004. The 2004 ARMM appropriation of PhP10.50 B is actually less as compared to the 2002 allocation of PhP11.1 B. Even though the amount is still less than the 2001 budget, the amount goes up to P14.5 B in 2005, and continue to increase from PhP24.01 B in 2010 to PhP44.57 B in 2014.

Table 2. Comparative Regional Share in Government's Expenditure (PhPBillions)

	1996	1997	1998	1999	2000	2001	2002	2004	2005	2010	2014
NCR	23.50	23.35	30.11	33.60	40.37	47.20	42.00	35.50	36.30	52.36	275.92
I	11.40	19.29	15.55	15.70	17.61	22.00	21.30	19.80	22.70	53.24	55.73
II	6.60	8.19	10.33	11.70	14.24	16.70	15.70	14.90	15.90	27.39	48.07
III	12.50	15.49	18.70	22.60	24.21	29.10	30.90	28.00	30.50	53.07	94.88
IV	18.80	24.04	29.09	31.40	37.31	42.10	43.40	39.60	44.40	73.10	145.92
V	9.80	12.50	15.32	16.50	19.33	22.20	21.70	20.60	22.40	35.46	73.26
VI	12.70	15.50	19.84	22.20	25.96	30.80	30.40	27.50	30.90	47.25	85.29
VII	10.70	12.44	15.98	17.00	19.63	23.90	22.90	20.40	22.70	36.53	71.57
VIII	9.20	11.64	14.10	17.90	18.30	22.10	21.60	18.40	21.50	33.19	67.78
IX	7.20	8.68	11.77	11.80	14.39	17.50	16.70	15.00	15.20	22.21	50.23
X	9.80	12.06	10.32	10.70	12.88	15.50	14.30	14.70	17.40	30.62	59.65
XI	10.10	11.57	15.62	16.90	21.39	23.20	22.50	16.10	16.10	25.74	53.13
XII	5.70	7.20	8.40	8.90	12.04	14.10	14.30	14.60	15.20	24.29	50.79
CARA GA	---	0.25	6.12	8.60	10.10	15.50	14.10	10.90	14.90	21.21	42.60
CAR	4.70	6.33	8.06	8.60	10.16	14.20	11.40	10.00	10.90	16.92	32.24
ARM M	5.60	6.06	7.90	9.20	9.72	14.90	11.10	10.50	14.50	24.01	44.57
TOTA L	158.30	194.6	237.2	263.3	307.6	371.0	354.3	316.5	351.5	1541	2268

Source of 1996-2005: Congressional Planning and Budget Department, House of Representatives

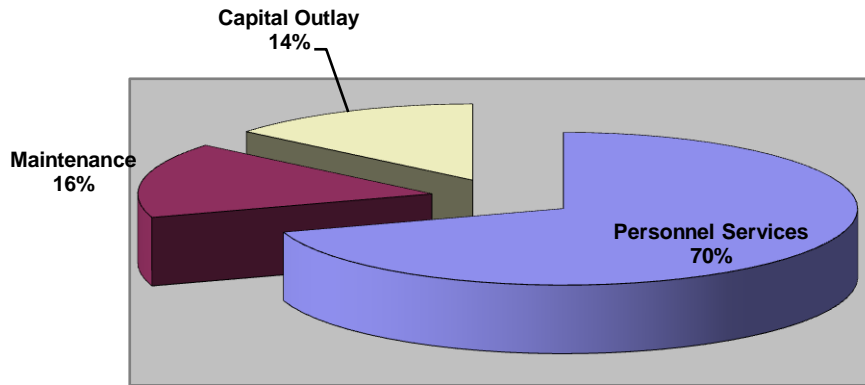
Source of 2010-2014: Department of Budget and Management

When compared with other regions, ARMM does not fare well. The analysis of the 2002 Budget prepared by the Congressional Planning and Budget Department of the House of Representative notes that ARMM has received comparatively less in terms of regional allocation from 1992 to 2002. The figures for 2002, in fact, show that it received the lowest allocation receiving only 3.13% of the total regional allocation.

It is also important to note that a newly-created region, CARAGA, even overtook ARMM in terms of allocation four years after the former's creation. CARAGA, which has three contiguous provinces, is not a conflict-ridden area. Neither does it figure prominently in media as the priority of government or the international donor community. However, very quietly, it has received more than the much-ballyhooed ARMM.

The budgetary allocations from the national government has been mostly used on salaries and operating costs for ARMM officials and personnel, with very little left for development purposes. From 1997 to 2006, the total appropriation for ARMM amounted to P49 billion. (*see Figure 4*). The distribution by object of expenditure is as follows: a massive 70% was allocated for personal services, 16% for maintenance and other operating expenses, and only 14% for capital outlay (See Table 3 for details).

Figure 4: ARMM Appropriation by Object of Expenditure, 1997-2006



Legislative Budget and Research Management Office, Senate

In 1998, the national government has allocated PhP1.5 billion worth of development projects for ARMM. This comprises 30.36% of the total appropriations for the year, the only instance in the ten year period since the peace agreement that the budget for locally funded project reached that high. These are mostly infrastructure projects, coursed through the ARMM government for regional impact projects, provincial impact projects and the ARMM Regional Assembly’s “District Impact Projects” (the so-called “goat barrel”). In 1999, locally funded projects have dropped to just PhP.37 billion and have plummeted further in the succeeding year to an all time low of PhP.14 billion. Locally funded projects increase in 2002 to PhP650 million, maintaining this level to the present.

Foreign assisted projects counterpart fund, however, amount to a total of PhP41 billion or less than 1% (a mere 0.8%) of the budget for the last ten years. It would be useful to look into the actual deployment of the resources and evaluate the impact of these projects.

CONCLUSION

Hindsight, they say, is always 20/20 vision. Ten years after the signing of the peace agreement between the government and the Moro National Liberation Front, we can now come to a reasonable consensus that development – in all its dimensions -- has yet to happen in Muslim Mindanao: peace and order has deteriorated, human rights violations continue, economic underdevelopment persist and social injustice abound.

More importantly, the rhetoric does not match reality. Looking at the data, it is not a surprise why most Muslims feel they are marginalized and discriminated against. Across all indicators, it is clear that Muslim Mindanao suffers from dismal levels of poverty, economic growth, education, and allocations from national government. There can be no arguing with the data at hand. Considering that there is a need to infuse much-needed funding to replace or restore infrastructure and services destroyed by conflict, the sums available for the ARMM government seem even paltrier in comparison.

Political settlements require the artful reconfiguration of traditional thinking, and that while norms of sovereignty are prized and contested they are also surprisingly flexible⁶. Hence creative solutions to disputes over state sovereignty are possible, if the parties are willing. Unless government is willing to pursue such flexible directions towards peace it might just find itself irrelevant. It is this shift in governmental philosophy, in the way government views and exercises its sovereignty that should underpin any attempt to change the form and structures of government. But this is simply one step in a process that is a long and arduous road.

Meanwhile, the challenges to development continue. We have to start to address the chronic deficiencies in ARMM if we even want to begin to make a dent on poverty, and consequently, the conflict. The status quo will only result in a continuation of marginalization and the neglect that has clearly been happening the past decades.

This is not to say that the national government or the international community is not doing anything to help resolve the problems. But oftentimes, we only hear of self-congratulatory pronouncements on the programs have been implemented for Muslim Mindanao. For example, if we are to believe government, all the provisions of the peace agreement with the MNLF have been implemented.

If this is true, why then are all development indicators slowly declining? Poverty, illiteracy, economic stagnation, and the low budgetary allocations are all indicative of the true state of Muslim Mindanao, and just how much of a priority it is. The pudding has been eaten, and it doesn't taste good.

⁶ Stephen Krasner (2001) for example, argued that a playful rethinking and disaggregating of sovereignty may enable political actors to create entities that are semiautonomous, semi-independent, and/or semi-legal in order to solve specific problems stemming from competing claims to authority. Sovereignty, he asserted, must not be understood as a set of established rules that constrain the capacities of states; rather it should allow the state to increase its capacity to deal with the complicated problems of a changing world.

FROM MARGINALIZATION TO DEVELOPMENT

Inclusive growth and poverty alleviation have thus remained issues of critical concern in the Bangsamoro region. Decades of conflict have stymied the development of the region. The private sector's increasing anxiety and unabated apprehensions have resulted in limited investments, scant job and income-earning opportunities, and the general deterioration of human and physical capital. These notwithstanding, the signing of the Framework Agreement of the Bangsamoro by the National Government and the Moro Islamic Liberation Front (MILF) have ushered general optimism that the conflict-poverty causal relationship can finally be arrested. This reversal of the region's economic torpor will, however, require deliberate concerted effort, to be sustained through an expanded period. Furthermore, the Bangsamoro authorities will have to create an environment conducive to the development of a robust private sector and rational investment, reflective of the safety and security, law and order, and religious and cultural aspirations of the Bangsamoro.

To support the transition process, the Philippine Center for Islam and Democracy (PCID) sees the need to provide an assessment of the economic conditions, business and investment climate in the Bangsamoro region. With the Foundation of Economic Freedom, Inc. (FEF) and the Institute of Development and Econometric Analysis, Inc. (IDEA), PCID seeks to organize a series of workshops that would examine critical issues affecting Bangsamoro and identify strategic options for enhancing its business and investment climate for rapid, inclusive and sustainable development in the region.



*Moro Islamic Liberation Front Chair Al Haj Murad Ebrahim
with PCID President Amina Rasul
and NCMF Commissioner Moner Bajunaid*

As an initial step, representatives from the PCID and FEF have met with Al Haj Murad Ebrahim, Chairperson of the Moro Islamic Liberation Front (MILF) on 25 May 2013 to discuss the proposed workshop series, designed to support the development of a peaceful and progressive Bangsamoro. Chair Murad has manifested keen interest in the proposal, and referring to the workshops as timely, useful and consistent with the objectives of the peace process. In his estimation, the workshops would provide useful insights for the Bangsamoro Development Authority (BDA) and the development partners in the design of policy and investment projects.

The proposed workshops afford the Bangsamoro authorities, through an inclusive and consultative process, a much-needed venue for ascertaining the key strategic issues affecting the climate for business and investment in the Bangsamoro region, and for methodically exploring the policy and institutional options that would help lay the foundations for the growth of a

vibrant and productive private sector, and for the emergence of a favorable climate for rapid, inclusive and sustainable Bangsamoro development.

Moreover, the forum presents an opportunity to gather various stakeholders, decision makers and experts, and affords a dynamic space for the differing viewpoints to be ventilated and debated, and for solutions to be explored that reflect the unique characteristics of the Bangsamoro. Each workshop outcome includes a development policy brief summarizing the extensive discussions and highlighting the policy options that could facilitate future action by the Bangsamoro decision makers.

As a prelude to the planned workshops on the Bangsamoro, PCID has arranged an initial meeting of the MILF Peace Panel, BDA and Bangsamoro Transition Commission (BTC) with key members of the FEF representing business and investment sectors in the country. The dialogue's aim is to have senior leaders in business and finance exchange perspectives with the MILF leadership, particularly on economic growth in the region.



PM Cesar Virata with Senator Santanina Rasul, Amina Rasul, MILF Vice-Chair Mohagher Iqbal, members of the MILF negotiation panel and BTCs, former Secretaries Roberto de Ocampo, Gary Teves, Ernest Leung, and the FEF team.

On August 29, 2013, MILF Vice-Chair Mohagher Iqbal, with members of the MILF negotiating panel and Bangsamoro Transition Commission, meets with former Prime Minister Cesar Virata, former Finance Secretaries Roberto de Ocampo, Gary Teves and Ernest Leung. Joining the discussions are PCID Adviser and former Senator Santanina Rasul, Convenors led by PCID President Amina, and members of the FEF.

This is the first time a meeting has been set between leaders of the MILF and BTC and senior leaders of finance. The ensuing discussions focus on issues of fiscal autonomy and desired expansion of the economic base of the ARMM/Bangsamoro.

At the meeting, the dismal level of business activity and investment in ARMM is seen as a critical barrier to development. The region contributes less than 1 % of the country's GDP, with the region's poverty incidence unabatedly worsening through the years. Meanwhile, the region's

rich natural resources remain undeveloped due to armed conflict and lawlessness, the dearth of educated and skilled manpower, and inadequate infrastructure.

During the discussions, a wide range of policy options have been suggested, with offers of assistance from senior leaders in both private and public finance.

Even at the initiative's conceptualization, PCID has sought and secured the support of the Office of the Presidential Adviser on the Peace Process (OPAPP). Further, MILF Chair Murad views the workshop series as an integral part of the ongoing peace process – a perspective shared by Secretary Teresita Quintos Deles, the Presidential Adviser on the Peace Process. The rationale is to facilitate coordination and ensure that all the key activities in support of the peace process move in the same direction and that their outputs would be timely and actually used by the stakeholders for development in the Bangsamoro.



Secretary Teresita Quintos-Deles, Presidential Adviser on the Peace Process exchanges perspectives with PCID President Amina Bernardo and PCID Convenor Atty. Nasser Marohomsalic.

With peace and stability in the ARMM, PCID sees the region's growth potentials as catalysts to the development of Mindanao and the rest of the country. Even with its current challenges, ARMM has contributed to GDP. ARMM has the highest contribution to national fish production, accounting for 17.5% in volume but only 6.5% of value (BFAR, 2010). Seaweeds, an acknowledged export market winner is largely cultured in Mindanao, accounting for 56% of national output from 2003 to 2008, growing at over 12% within the same period. It is important to note that ARMM accounts for 70% of the Mindanao production. As for Philippine banana exports, all from Mindanao, ARMM contributes more than CARAGA or Region IX: Region XI contributed about 41% of the Philippine production, followed by Region XII (11.2%), Region X (10.1%), ARMM (6.8%), CARAGA (3.6%) and Region IX (3.2%).

The region has the biggest areas of untapped natural resources: rich fishing grounds and fertile lands; closest cultural and historical links with Brunei, Indonesia and Malaysia which can allow

the region to access new capital thru Islamic financing as well as new export market in the still growing halal industry. Further, the barter trade between Sulu and Malaysia is an economic tie that is centuries old and can be revived with the Brunei Darussalam-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA).

With these considerations, any development planning for Mindanao should necessarily include ARMM. Cognizant of the vital role of the Mindanao Development Authority (MinDA) in creating the integrated and cohesive development plan for Mindanao, PCID engages MinDA and secures its support for the planned workshop series. The discussions and recommendations from the workshops would provide valuable inputs to the development plan of the region.



Mr. Thomas Allen (FEF) and Ms. Amina Rasul-Bernardo(PCID) briefs Mindanao Development Authority (MinDA) Chairperson Luwalhati Antonino on the initiative

With the ARMM’s capability of crafting regional legislation such as providing incentives to potential investors, the region will have more powers to support business and development. PCID fully recognizes the growth potentials of Mindanao and the rest of the country with peace and stability in the ARMM, soon to be the Bangsamoro. This observation is shared by development planners, including MinDA.

Encouraged by the full support of OPAPP, MinDA , BDA, BTC, and the Australian government, PCID and FEF proceed to organize the workshop series, appropriately titled “Strengthening the Business and Investment Climate in the Bangsamoro.

The Workshop Series covers the following themes:

- **Overview of the Business and Investment Climate in the Bangsamoro**

November 26-27, 2013

Waterfront Davao Insular Hotel Davao City

- **Banking and Finance in the Bangsamoro**

March 11-12, 2014

Bangko Sentral ng Pilipinas, Manila

- **Land and Property Rights in the Bangsamoro**

June 4-5, 2014

UP College of Law, Diliman, Quezon City

- **Business and Labor Regulations in the Bangsamoro**

September 24-25, 2014

Asian Institute of Management (AIM), Makati City

OVERVIEW OF THE BUSINESS AND INVESTMENT CLIMATE IN THE BANGSAMORO



Bangsamoro Transition Commission Chair Mohagher Iqbal addresses the participants of the inaugural workshop in Davao

The series' inaugural conference in Davao City last November 26-27, 2013, provides an overview of the business and investment climate in the Bangsamoro. With one hundred twenty leaders from key sectors and stakeholders in the region converging in Davao City, the conference establishes the foundation for a more engaged private sector, a requisite for a truly sustainable economic development in the region. Mr. Mohagher Iqbal, Chairman of the Bangsamoro Transition Commission (BTC), opens the workshop with Bangsamoro Development Authority (BDA) Chair Dr. Safrullah Dipatuan presenting the framework for the Bangsamoro Development Plan. Secretary Luwalhati Antonino, chair of the Mindanao Development Authority (MinDA), provides a comprehensive overview of national government priorities for the entire Mindanao.

The Davao Conference aims to provide the Bangsamoro authorities, through an inclusive and consultative process, a forum for determining the critical and strategic issues affecting the climate for business and investment in the Bangsamoro. It also provides a much-needed venue for systematically exploring the policy and institutional options that would help lay the

foundations for the growth of a robust and productive private sector, and for the emergence of a favorable climate for rapid, inclusive and sustainable Bangsamoro development. Discussions are expected to yield common approaches to achieving, among others, fiscal autonomy by strengthening the foundation for business and investment in the region.



The Business and Investment Climate in the Bangsamoro Conference

Participants from the private and public sectors would engage members of the BTC, as well as the entire board of the BDA and officials from the current ARMM regional government. The strong presence of the private sector and international development partners, including heads of different foreign chambers and local, regional and national business clubs, makes the inaugural workshop the first major engagement between the MILF and the private sector. Former NEDA Secretary Cayetano Paderanga, Jr., the conference chairman, cites the vital role of the private sector in bridging the ARMM from the challenges it faces to opportunities available in agri-business, power, mining and natural resource development, tourism and trade. An energized private sector could only bolster efforts in establishing fiscal autonomy in the region.

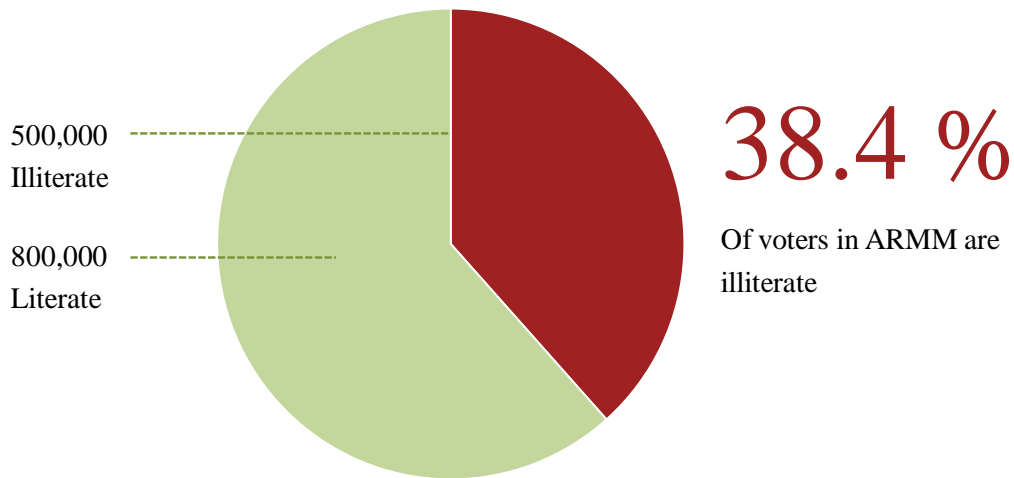
Surfacing as core issues are human resource development, citing the very high level of adult illiteracy, and poor education indicators of Muslim communities as well as the equally critical problems of governance and infrastructure. (See *Figures 1 and 2*)

The Bangsamoro region is sui generis – a class in itself, marked by decades of conflict, high incidence of poverty and lowest level of performance in education.

Accordingly, the development of the region's social infrastructure should be anchored on realities on the ground, and not on government agencies' theoretical assumptions or models patterned after other regions' programs.

Inclusive growth and development in the Bangsamoro is dependent on the ability of the regional government to harness both its human and natural resources.

Figure 1: Illiteracy in ARMM, 18 years and above

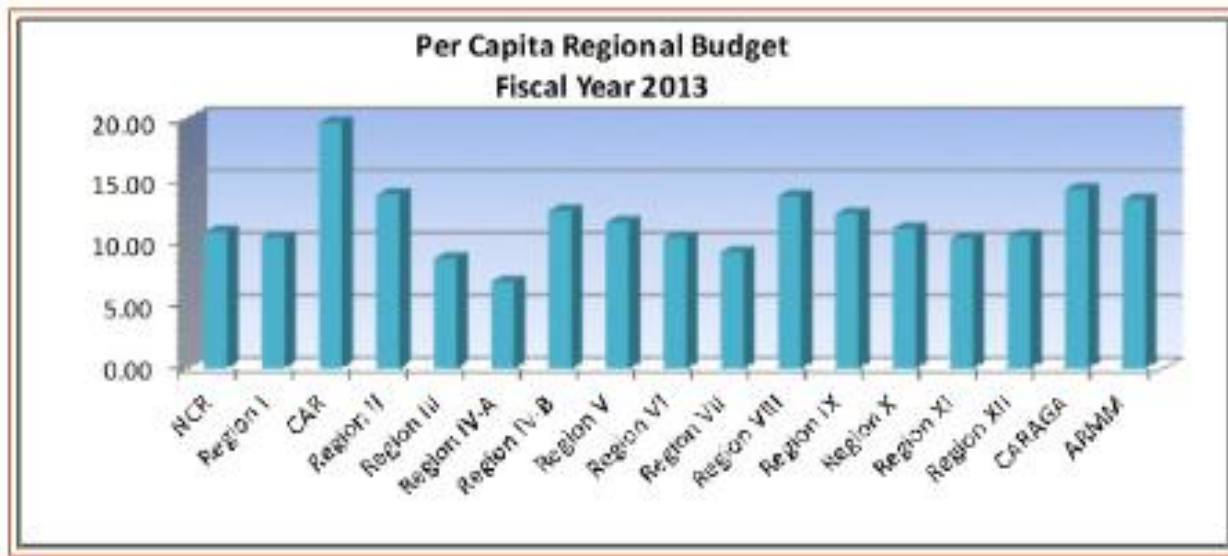


Source: 2008 FLEMMS Literacy Rate

The alarming level of adult illiteracy is widely acknowledged as a major stumbling block to development initiatives of the area (see Figure 1 above). With more than half a million adult illiterates potentially excluded from any investment-driven economic opportunities, the urgency in immediately addressing this issue should be manifested

Meanwhile, much-needed improvement of basic education in the region requires a diverse strategy that harmonizes culture, language, and values with competitive competencies such as Science, Math, and English, as well as ensuring increased access to quality, competitive, and relevant basic education provided by public schools, madaris, and non-formal educations. For the madrasah, this involves reviewing accreditation standards and alignment of curriculum with the national K-12 standard. Reformation of the current policies necessarily includes expansion of alternative learning systems (ALS) which are contextually appropriate for the learners.

Figure 2: Corruption and Misgovernance in ARMM



Source: Legislative Budget Research and Monitoring Office, 2013

With its abject poverty, ARMM could be presumed to be among the least supported regions in terms of allocation of resources. Ironically, ARMM is rated among the highest in terms of Per Capita Regional budget.

To bolster the region's economic development, a rational physical infrastructure plan must be in place, providing the required connectivity for enterprises and industries.

A comprehensive review of existing assets and current projects would set the parameters for the formulation of sustainable policies realistically based on the region's infrastructure requirements. The lack of disaggregated data, porous geo-political delineation, and general inaccessibility are factors that hamper planning and policy formulation. Constrained by insufficient funds and limited institutional capacity, the gradual build up of vital infrastructure is warranted.

Moreover, infrastructure should be associated with accountability. Part of the responsible policy is the identification of the types of infrastructure open to private sector, and those exclusively within the public sector's jurisdiction.

Certain issues and concerns require a more thorough discussion, and would be topics for the succeeding workshops. These comprise banking and finance, particularly Islamic financial systems; land and property rights; business and labor regulations; and fiscal management and autonomy.

Among the outcomes of the Davao conference are the following recommended special measures:

- The Bangsamoro authorities will have to take early special actions to help reintegrate displaced persons and ex-combatants and to “kick-start” the development process. Many of these will return to subsistence or small-scale farming and fishing, and will require immediately shelter, planting materials, tools and other basic needs.
- The Bangsamoro authorities will have to take special actions in the coming months to encourage the early establishment of some – perhaps two or three - large agro-based plantations. These could include the significant expansion of existing plantations for current or new crops.
- The National Government and the Bangsamoro/ARMM Government should be ready to move on the physical and social infrastructure required to service and support these plantations, with donor support if necessary.
- The Bangsamoro authorities should also move quickly on encouraging Tawi-Tawi as a tourist destination. It is one of the high priority areas in the National Tourism Plan, and already the appropriate National Government agencies are gearing up for the support infrastructures.
- Possibilities for public-private partnerships in infrastructure projects need to be explored. Innovative approaches will be required in some sectors, particularly where it involves Islamic financing and/or interacts with critical private sector projects, such as those in mining and large plantations.
- A baseline survey of mining resources should also be undertaken.



MILF Chair Iqbal and BDA Chair Dipatuan with Conference Chair Paderanga, the resource persons and conference organizing team

BANKING AND FINANCE IN THE BANGSAMORO



Former Prime Minister and Finance Secretary Cesar EA Virata, BDA Chairman Dr. Saffrullah Dipatuan and PCID President Amina Bernardo listen attentively to Bangko Sentral ng Pilipinas Governor Amado Tetangco at the Banking and Finance Workshop

The overview workshop in Davao has surfaced critical thematic areas as priority for the Bangsamoro. The second forum in the Bangsamoro workshop series appropriately concentrates on banking and finance, an area that has largely been overlooked. In this initiative, the region has strong support from Bangko Sentral ng Pilipinas (BSP), prompting key stakeholders to converge at the Executive Business Center for the two-day forum. From March 11-12, 2014, specialists and practitioners pinpoint the different critical issues and challenges faced by the banking and finance sectors in the region, while offering possible mechanisms for its development. The more than seventy (70) participants include leaders from major Philippine banks, government regulatory agencies and their counterparts from the Bangsamoro, comprising of members of the BDA, BTC, ARMM regional government, and the region's private sector.

At the workshop, Mindanao State University Professor Acram Latiph cites the bleak profile of the region, characterized by extremely low levels of investment and domestic trade, lowest number of private firms, commercial floor area, banks and other financial institutions. The region's economy is markedly dominated by the informal sector, with informal lending as a major source of financial intermediation. Prof. Latiph notes that the region is "disconnected" from the rest of the country in terms of economic linkages.

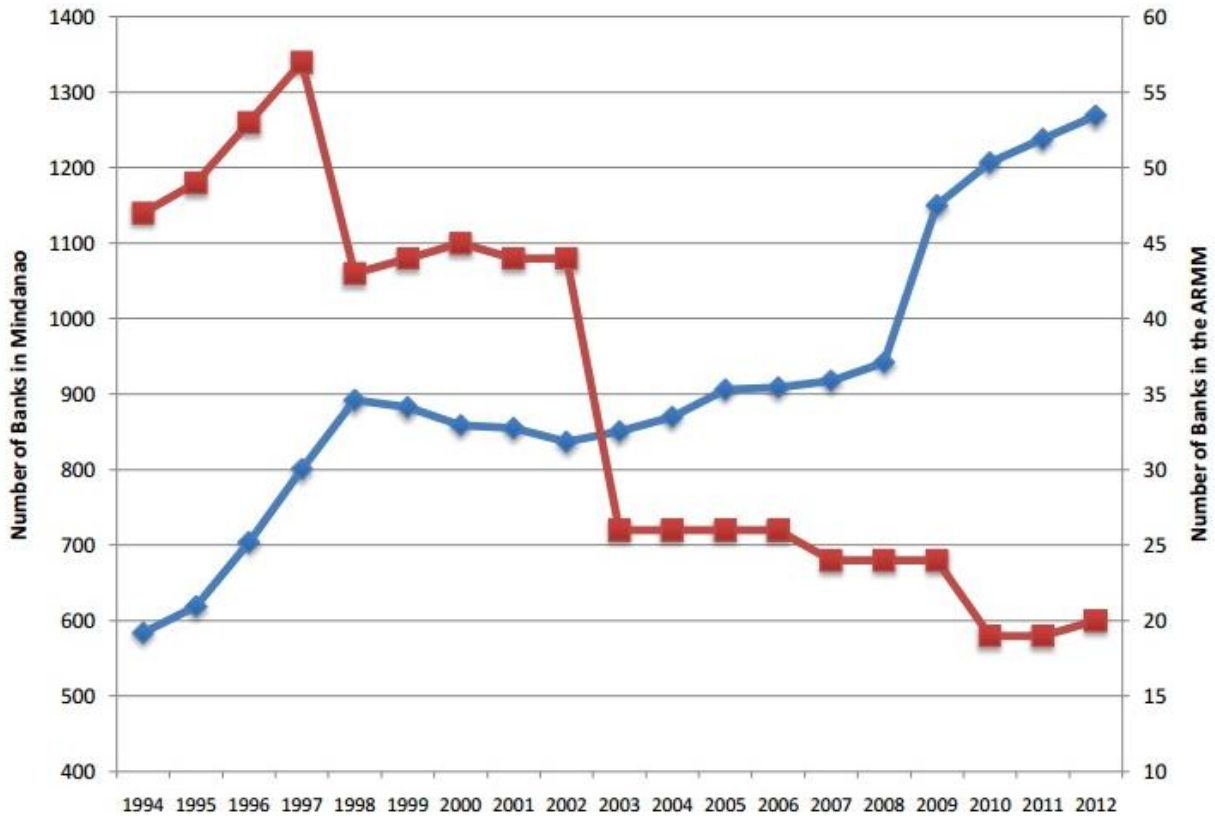
Figure 3: Commercial Activities in Mindanao

Region	Domestic Trade (millions of pesos)	Commercial Firms	Commercial Floor Area (square meters)	Number of bank branches	Total Bank Deposits (millions pesos)
PHILIPPINES	501,360	820,225	22,144,087	26,057	5,376,445
Zamboanga Peninsula	3,782	24,288	49,663	140	36,916
Davao Region	44,163	36,828	1,165,003	316	84,453
SOCCSKSARGEN	6,832	24,980	262,586	185	40,970
CARAGA	20,550	12,300	112,695	172	22,288
Northern Mindanao	53,571	28,553	240,967	277	53,006
ARMM	1,429	7,991	7,371	21	3,283

Sources: NSO, Census of Philippine Business and Industry, Bangko Sentral ng Pilipinas, Department of Trade and Industry

Interestingly, as revealed in a 2011 Japan International Cooperation Agency (JICA) study, only 32% of ARMM residents keep their cash in banks. Whether this is a matter of choice or force of circumstance has yet to be determined, considering the fact that the Bangsamoro is the least banked region in the country. (See Figures 3 and 4). This is a symptom of more fundamental, interconnected issues challenging the region, such as the low level of household income and lack of opportunities for wealth creation, the dominance of informal activities in the business base of the economy, unclear property rights, the presence of risk and instabilities caused by political conflict and clan wars, and the inhibiting persistence of backward institutions. The legal and regulatory infrastructures that would enable— given the right conditions - the flourishing of Islamic banking and Shari’a compliant microfinance and other financial institutions in the region are glaringly absent.

Figure 4: Number of Banks in Mindanao and ARMM



The workshop has been structured not just to address the region’s lack of access to banking and finance services and products, but also to gather support for developing a regulatory framework that would allow for Islamic banking and finance.



Photo of the session with key officials from Maybank and CIMB

Senior officials from Philippine Banks (Bank of the Philippine Islands, Philippine National Bank, Development Bank of the Philippines, Rizal Commercial Banking Corporation, Land Bank of the Philippines, Banco De Oro, Al Amanah) have been shown the growth and profitability of Islamic banking by CEOs of the Islamic bank groups of Malaysia’s top two banks. Muzzafah Hisham of Maybank and Badisyah Abdul Ghani of CIMB reveal possible options on how the Philippines can develop its own Islamic banking and finance sector.

After extensive exchanges on the challenges to the region’s banking and finance sector, the workshop participants offer these range of measures:

- To amend existing banking regulations to allow the entry of Islamic systems. The BSP will need to provide the basic legal framework for Islamic banking. This requires testing the appropriate regulatory framework for the licensing and supervision of Islamic banking in the Philippines, including the Bangsamoro.
- For the Bangsamoro Government to set up its own fully-fledged Islamic bank, which could also serve as a depository for regional and local government funds.
- To provide for both Islamic banking windows in conventional banks and other fully fledged Islamic banks outside the region, allowing the “market” - appropriately guided and monitored by the BSP - determine the most suitable form of delivery mechanism for Islamic banking products.

- Donors should be encouraged to expand their programs involving financial support to the communities, such as microfinance and micro-insurance, based on Islamic principles.
- A communications strategy should be prepared to educate the public on the Islamic banking and finance principles, and the products available to them. This should reach across all stakeholders, Muslim and non-Muslim, and be based on careful socio-economic research.
- A program for developing the necessary skills will have to be formulated and partnerships and twinning arrangements with, and /or technical support from, Malaysian and Indonesian (or other Muslim countries) universities and training institutions should be considered.
- Establish Shari'a advisory boards in both the banking and finance regulatory agencies.

The restoration of peace and order to the Bangsamoro will provide a new and more conducive environment to the growth of the banking and financial system. But securing peace and order will not be enough.



BSP Governor Tetangco with RCBC Chair Cesar Virata, BDA Chair Dipatuan and PCID President Amina Rasul



Group photo of guests and participants with BSP Governor Amando M. Tetangco, Jr.

LAND AND PROPERTY RIGHTS IN THE BANGSAMORO

Land has always been intrinsically linked to the Bangsamoro struggle for independence. From the Spanish colonization of *Las Islas Filipinas* to the creation of the Republic of the Philippines by the United States Congress, the Muslim South has bled for the independence and sovereignty of its domain. Following independence, the Philippine government welfare policies include offering Mindanao's "public lands" for the resettlement of the landless from Luzon and the Visayas. Unfortunately, this ill-advised initiative encroached on the ancestral domains of the Bangsamoro and the *lumad*. The loss of their homelands lie at the very heart of the Bangsamoro call for independence. This clamor has subsequently been reduced to demand for genuine autonomy when the liberation fronts agreed to peace talks with the government.

For an objective and critical assessment on land and property rights, and the attendant complex issue of ancestral domain, the University of the Philippines Law Center (UPLC) would be the partner *non pareil* for the third forum in the workshop series. The two-day workshop has benefitted from the support of UPLC, with Dean Danilo Concepcion tapping the Institute for the Administration of Justice headed by Prof. Patricia Daway, the Institute for Government and Law Reform headed by Atty. Nicolas Ty and the faculty and staff of the UP College of Law, headed by Associate Dean Concepcion Jardeleza.



Participants listen to presentations of resource persons at the workshop

From June 4-5, 2014, some sixty (60) representatives from different government agencies, private sector and institutions have converged at the Malcolm Hall of the UP College of Law to articulate their opinions on vital issues relating to land property rights in the Bangsamoro. The deliberations also considered current problems, rules, regulations and institutional arrangements on land ownership/tenure in the Philippines which can be viewed differently in the Bangsamoro.

The BDA, led by Chairman Dr. Saffrullah Dipatuan, and members of the BTC, join ARMM officials and Bangsamoro private sector representatives in tackling contentious issues with national and international experts. ARMM Local Government Secretary Anwar Malang, Regional Legislative Assemblyman Sulay Halipa and Atty. Ishak Mastura of the regional Board of Investments impart insightful interventions on the various presentations of experts, thus balancing the discourse with Bangsamoro realities and expectations.

The country's present land administration situation is plagued with many problems, including multiple agencies, with duplicating and overlapping functions and complex processes; multiple laws, leading to inconsistencies, especially on agency functions and mandate; multiple land titling process, with the emphasis on a judicial mode of titling; multiple forms of ownership; and multiple standards for land valuation, and multiple agencies undertaking valuation. (See Figure 5)

These problems are compounded by inefficient land record management due to lack of resources, facilities, and trained personnel; failure to archive or preserve documents; and faulty information systems.

Figure 5: Land Administration in the Philippines

Economy	Rank	Procedures (number)	Time (days)	Cost (% of property value)	Ranks	
					Property	Overall
East Asia & Pacific	..	5	81	4.5	..	
Europe & Central Asia	..	6	26.5	2.8	..	
Latin America & Caribbean	..	7	65	6	..	
Middle East & North Africa	..	6	33	5.9	..	
OECD high income	..	5	24.1	4.4	..	
South Asia	..	6	99.4	7.2	..	
Sub-Saharan Africa		6	58.9	9	..	
New Zealand	Presentation Template	2	1	0.1	2	3
Singapore	28	5	5.5	2.9	28	1
Thailand	29	2	2	6.3	29	18
Malaysia	35	5	14	3.3	35	6
Australia	40	5	4.5	5	40	11
China	48	4	29	3.6	48	96
Vietnam	51	4	57	0.6	51	99
Japan	66	6	13	5.8	66	27
Lao PDR	76	5	98	1.1	76	159
Papua New Guinea	87	4	72	5.1	87	113
India	92	5	44	7	92	134
Indonesia	101	6	22	10.9	101	120
Cambodia	118	7	56	4.4	118	137
Philippines	121	8	39	4.8	121	108
Myanmar	154	6	113	7.2	154	182

www.doingbusiness.org accessed 25 May 2014

Given the new form of government (parliamentary) and more autonomy anticipated with the passage of the Bangsamoro Basic Law (BBL), the participants concur that the Bangsamoro can establish its own system more relevant to the region. Another workshop focus is the current status of exploitation of resources and the applicable national laws and regulations, relevant international obligation and best practices in dealing with issues presented.

On the sensitive and weighty issue of coastal waters, resource persons led by Atty. Rodolfo Quicho, clarify the legal geography of Bangsamoro waters, while Atty. Johaira Wahab and Mindanao State University (MSU) Chancellor Atty. Lorenz Reyes share Bangsamoro perspectives.

BDA Chair Dipatuan points to the impact of natural resource development to the region, while reiterating the need to address the grievances of the Bangsamoro and the lumad on their respective ancestral domains.

The discussions yield the following courses of action:

- Undertaking a full inventory of the laws and regulations relating to land and property rights in the Bangsamoro
- An assessment of the capacity of the formal judicial and informal/traditional dispute mechanisms in key locations
- Conduct of an intentions survey among displaced persons and combatants
- Documentation of potential areas for commercial plantations
- Conduct of a resource potential assessment, to include forestry and minerals.
- Formulation of a land policy for the Bangsamoro, taking cognizance of the relevant national laws and regulations, the outcomes of assessments and surveys indicated above, and the flexibility that the Bangsamoro Government will have in devising its own laws and regulations.
- Anchoring such land policy on a realistic assessment of alternative tenurial rights appropriate for the Bangsamoro.
- Studying the possibility of establishing a single land administration agency with simplified procedures in the Bangsamoro.
- The design and implementation of robust community programs aimed at trust building and the reinforcement of local government through improved basic service delivery could have considerable value.
- On completion of the resource mapping, consultation with the LGUs and other stakeholders with the aim of building consensus around a policy direction for sustainable forest management and responsible mining development.



Dean Danilo L. Concepcion welcomes participants, resource speakers and workshop organizers to Malcolm Hall, UP College of Law

BUSINESS AND LABOR REGULATIONS IN THE BANGSAMORO

The Bangsamoro region has enormous potentials and opportunities. Its rich natural resources can present an important source of revenue, thus underscoring the need for appropriate policies and institutions to utilize such resources and ensure that benefits are shared equitably among the region's population. A two-pronged strategy may be adopted in establishing the environment for the growth of a vibrant and resilient private sector, specifically: focus on public expenditures, laws, policies and institutional measures and focus on quick actions to trigger the development process.

This approach necessitates a careful scrutiny of existing legal frameworks and processes covering economic activity. For such an activity, the Asian Institute of Management Policy Center (AIM) would be the logical partner for PCID and FEF.

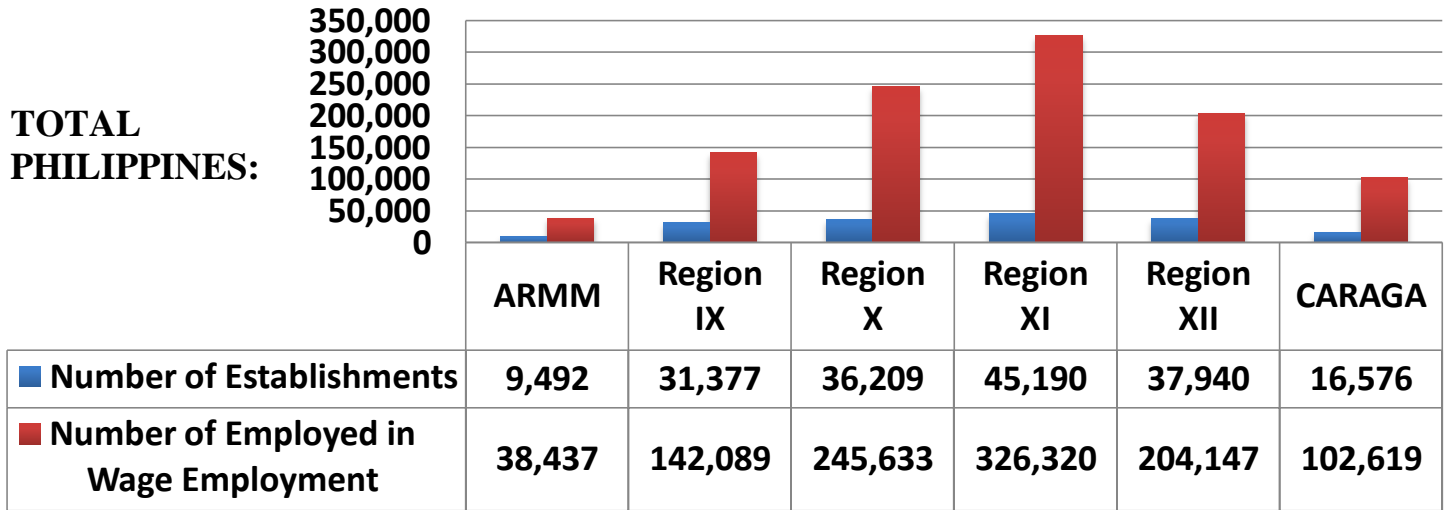


AIM Policy Center – Ronald Mendoza welcomes participants to the workshop

From September 24 to 25, 2014, representatives from regulatory agencies and the private sector join members of the BDA, representatives of ARMM agencies, and the business sector in an intensive discussion on existing regulatory frameworks and processes. Current national laws, regulations, and institutional arrangements pertaining to business operations and labor are subjected to thorough review, paying attention to how these could be made more relevant to the Bangsamoro region.

The Bangsamoro region has the lowest labor force participation rate in the country and has the lowest labor productivity and household income. Labor force is male-dominated, more than any other region. Almost half of the employed and unemployed are young and about 70% of the employed reached or completed elementary or high school education. The region has also the least developed formal/wage sector employment among other regions in Mindanao. (See Figure 6)

Figure 6: Number of Establishments and Persons in Wage Employment in the Mindanao Regions: 2012



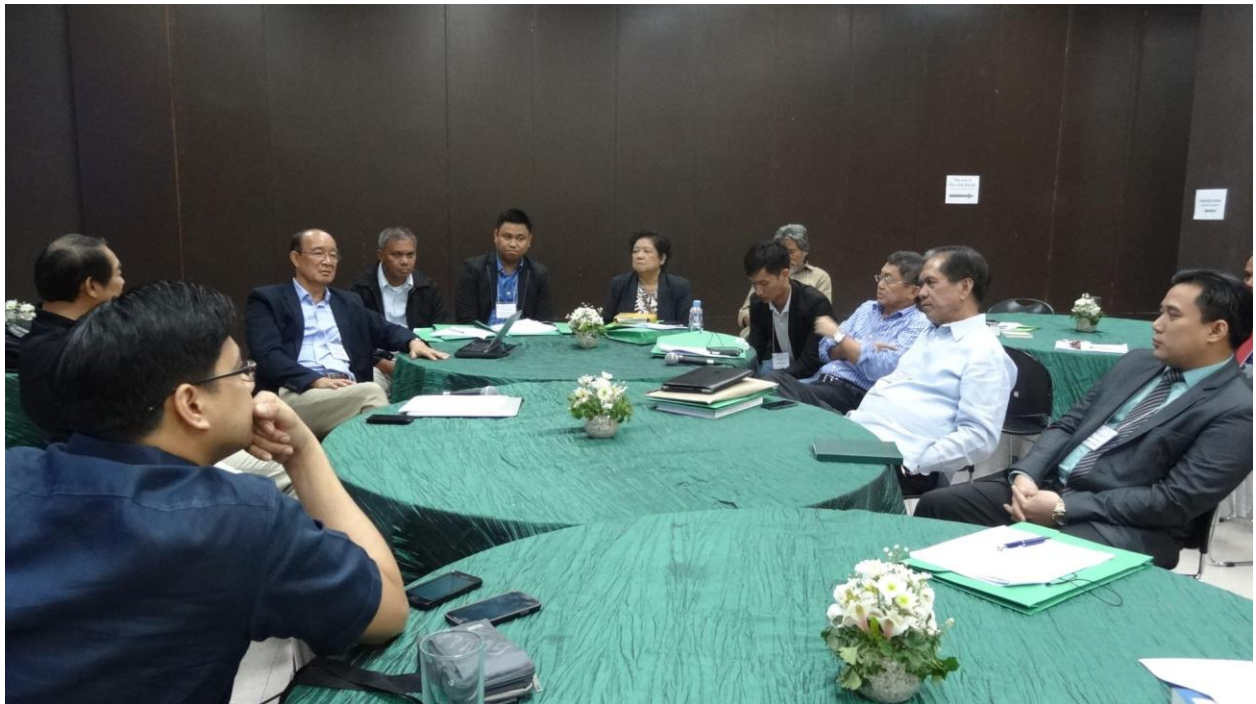
The workshop provides the context for reviewing the business and labor regulations in the Philippines, indicating how these fit in to the wider policy agenda for industrial and private sector development. It also delineates the development challenges facing the Bangsamoro.



Participants listen to presentations at of the workshop presentations

The recommendations include:

- Examination of the pertinent legal provisions of the draft BBL. Set a clear delineation between national authority and Bangsamoro power; otherwise the problem of instability of process will recur
- Labor policy agenda should be consistent with overall regional development agenda. Take into primary consideration the dominance of the informal sector. Appropriate to promote fundamental equality between women and men, greater participation of women, and protection of children.
- Specify the minerals within the authority of Bangsamoro and those minerals under the joint jurisdiction of the region and the national government.
- Continue the development of agricultural production.
- Set definitive policies on power generation and development of sources of renewable energy.
- Bangsamoro should be included in integrated Mindanao-wide development roadmaps
- No amount of incentives will be enough to attract investors if security problem in the region is not resolved



Workshop Session



*Former Prime Minister Cesar Virata and BDA Chair Dr. Saffrula Dipatuan
with forum organizers and resource persons*

FUTURE INITIATIVES

Political autonomy without fiscal autonomy is meaningless. This has been underscored by MILF Vice-Chair Mohagher Iqbal, in his keynote address at the workshop series' inaugural forum in Davao.

PCID echoes this viewpoint, citing the weak fiscal autonomy as the inherent flaw in the ARMM. Any region that is completely dependent on national government funding, can not be considered as autonomous.

The flawed fiscal autonomy in the ARMM could partly be attributed to the lack of engagement of the private sector, a crucial source of revenues for the budgetary requirements of the region's governance structure and programs. Ensuring a strong economic base for the region is the best way to provide for genuine autonomy. If the Bangsamoro cannot stand on its own, but must constantly rely on grants from national government, then it is nothing more than a "paper autonomy".

Appropriately, the last thematic issue for the workshop series is fiscal mobilization and management. PCID and its partner, FEF, have scheduled the forum on January 2015. The project leader is former Finance Secretary Gary Teves and the workshop coordinator is former Finance Undersecretary Cecilia Soriano. A particular concern is the appropriate fiscal management systems that can be established in a parliamentary setting, pursuant to transparency and accountability. Another area to explore is the expansion of the revenue base for the Bangsamoro.

As has been repeatedly articulated, peace in the ARMM can level up Mindanao's contribution to the national GDP. Mindanao teems with natural resources hitherto untapped, rich fishing grounds and fertile tracts of land, closest cultural and historical links with Brunei, Indonesia and Malaysia which can allow the region to access new capital through Islamic financing as well as new market in the still growing *halal* industry. Further, the centuries-old barter trade between Sulu and Malaysia is an economic tie that could be revived.

However, impediments to the development of ARMM and Mindanao, must necessarily be addressed. For the Bangsamoro, it cannot be "business as usual". The Bangsamoro must avoid past mistakes and have a development plan that addresses its unique situation.

Autonomy equips the Bangsamoro with the legal foundation to set its own strategy, a power it has not availed of in the past. A truly autonomous Bangsamoro will contribute to the growth and well being of the entire nation. A dysfunctional Bangsamoro, as seen in the ARMM today, will continue to be a millstone that will drag the Philippine down.

Moreover, there can be no real peace if the region remains impoverished, its resources undeveloped and the economic rewards inequitably distributed. The national government and its development partners have a mandate to promote the well-being of its citizens. With the peace agreement between the government and the MILF signed and the crafting of the enabling basic law for congressional deliberation and approval, obstacles to the entry of the private sector for the development of the region's resources will hopefully be removed. Time is of the essence. The golden opportunity for growth in the region lies before us.



About Philippine Center for Islam and Democracy (PCID)

PCID is a non-partisan, non-profit organization dedicated to the study of Islamic and democratic political thought and the search for peace, democracy, and development in Muslim communities.

First established as a Council in 2002, PCID was formed amid global and domestic challenges confronting Islam and Muslims. The PCID seeks to articulate the voice of the Bangsamoro and Muslims in the Philippines, enabling their meaningful participation in both the global discourse on Islam and democracy and the struggle for self-determination and development.

Through the years, PCID has become an important platform for the articulation of the Moro voices through its various publications and forums, focusing on the issues of peace and development, Islam and democracy, human rights, genuine autonomy, among others.

PCID has been working with Muslim religious leaders since 2004 on peaceful resolution of conflict and human rights advocacy. Currently, PCID is working on community based ideas to counter violent extremism. It is piloting the Action for Madrasah-based Advocacies and Learnings (AMAL) project, which seeks to enable the madrasah to act as a center for community outreach for peacebuilding, democracy and human rights promotion, and other advocacies.

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