

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

Country/ entity	Philippines Rebolusyonaryong Partido ng Manggagawa-Pilipineas (RPMP/RPA/ABB)
Region	Asia and Pacific Asia and Pacific
Agreement name	Rules and Procedures to Implement the Intent and Provisions of the Peace Agreement between the Republic of the Philippines and the Rebolusyonaryong Partido NG Manggagawa – Pilipinas/Revolutionary Proletarian Army/Alex Boncayao Brigade
Date	14 Oct 2002
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Philippine Insurgencies (1968 -))
Stage	Implementation/renegotiation
Conflict nature	Government
Peace process	Philippines: RAM process
Parties	SEC. TERESITA QUNITOS-DELES, NAPAC Leader Convenor and IEMC Chair person BISHOP HILARIO M. GOMEZ, JR, UCCP Bishop Emeritus and JEMC Vice-Chairperson USEC. VICTOR A. MAYO, NSC Deputy Dir.-Gem. and JEMC Member MR. STEPHEN PADUANO, RPMP/P/RPA/ABB Peace Panel and JEMC Member MR. VERONIC TABARA, RPM/P/RPA/ABB Peace Panel and JEMC Member
Third parties	-
Description	The Agreement sets out the rules and procedures to implement the intent and provisions of the Peace Agreement between the Government of the Republic of Philippines and the RPM-P/RPA/ABB. Pursuant to this, the Agreement establishes the Joint Enforcement and Monitoring Committee (JEMC) to supervise the implementation of the Peace Agreement. Moreover, the JEMC shall be assisted by four local level Technical Working Groups (N-TWG), including the N-TWG on the Cessation of Hosilities, Civil and Political Rights, Reintegration and Development. Moreover the Implementation groups shall ensure community consultation in this process.

Groups

Children/ youth	Groups→Children/youth→Substantive Page 8, IV. Implementation Guidelines, ... F. Release of Alleged Political Offenders Alleged Political Offenders (APOs)/ Political Prisoners ... 2. On humanitarian grounds, priority in the dropping of charges and/or release of APOs/Political Prisoners shall be given to minors, women, the aged, and the sick in evaluating the release of APOs. In general, however, the process of release should be done on case to case basis following the timetable to be established by the N-TWG on Civil and Political Rights, and adopted by the JEMC.
Disabled persons	Groups→Disabled persons→Substantive Page 8, IV. Implementation Guidelines, ... F. Release of Alleged Political Offenders Alleged Political Offenders (APOs)/ Political Prisoners ... 2. On humanitarian grounds, priority in the dropping of charges and/or release of APOs/Political Prisoners shall be given to minors, women, the aged, and the sick in evaluating the release of APOs. In general, however, the process of release should be done on case to case basis following the timetable to be established by the N-TWG on Civil and Political Rights, and adopted by the JEMC.
Elderly/age	Groups→Elderly/age→Substantive Page 8, IV. Implementation Guidelines ... F. Release of Alleged Political Offenders Alleged Political Offenders (APOs)/ Political Prisoners ... 2. On humanitarian grounds, priority in the dropping of charges and/or release of APOs/Political Prisoners shall be given to minors, women, the aged, and the sick in evaluating the release of APOs. In general, however, the process of release should be done on case to case basis following the timetable to be established by the N-TWG on Civil and Political Rights, and adopted by the JEMC.

Migrant workers	No specific mention.
Racial/ethnic/national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender	<p>Page 8, F. Release of Alleged Political Offenders Alleged Political Offenders (APOs)/Political Prisoners</p> <p>...</p> <p>2. On humanitarian grounds, priority in the dropping of charges and/or release of APOs/Political Prisoners shall be given to minors, women, the aged, and the sick in evaluating the release of APOs. In general, however, the process of release should be done on case to case basis following the timetable to be established by the N-TWG on Civil and Political Rights, and adopted by the JEMC.</p>
Men and boys	No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society Page 3, THE JOINING ENFORCEMENT AND MONITORING COMMITTEE (JEMC)

C. JEMC Functions and Responsibilities

...

9. Invite concerned heads of government agencies and instrumentalities and representatives of civil society to participate in its activities as needed;

10. Conduct free honest ground-level consultations with affected communities on issues and concerns arising from the implementation of the provisions of the Peace Agreement;

Page 3, D. The JEMC Technical Working Group (TWG)

...

Community participation in the implementation of the provisions of the Peace Agreement shall be encouraged in consonance with its defined goal of building a just and human society to be enjoyed by all.

Page 4,

N-TWG on Civil and Political Rights- this body shall be composed of representatives from the Department of Justice (DOJ), the Commission on Human Rights (CHR), the Presidential Committee on the Grant of Bail, Release on recognizance and Pardons (PCBRP), and the RPMP/RPA/ABB and a mutually agreed community member.

Page 5

3. N-TWG on Reintegration- this body shall initially be composed of representatives from the National Program of Unification and Development Unit (OPAPP-NPUDU), the Cooperative Development Authority (TESDA), the Technical Livelihood and Resource Center (TLRC), the RPMP/RPA/ABB, and a mutually-agreed community member. The JEMC may expand the composition of this body as the need arises

Page 5, Local Monitoring Teams (LMTs)

The JEMC shall establish Local Monitoring Teams (LMTs) in identified areas in order to provide assistance in ensuring compliance with the provisions on the Cessation of Hostilities under Article II of the Peace Agreement and in areas indicated in Annex "D" of the Peace Agreement. Each LMT shall be comprised of a representative from the LGU nominated by the local Development Council, one (1) representative designated by the GRP, one (1) representative designated by the RPMP/RPA/ABB, and a community member of established integrity and impartiality mutually acceptable to both the GRP and the RPMP/RPA/ABB.

This shall be without prejudice to the establishment of LMTs by concerned civil society groups who may form their own local monitoring bodies in fulfilling its functions.

The LMTs established by the JEMC shall likewise function as the local JEMC

Traditional/
religious
leaders No specific mention.

Public
administration No specific mention.

Constitution No specific mention.

Power sharing

Political
power
sharing No specific mention.

Territorial
power
sharing No specific mention.

Economic
power
sharing No specific mention.

Military
power
sharing No specific mention.

Human rights and equality

Human
rights/RoL
general PAGE 1, TERMS OF REFERENCE
The implementation of the Peace Agreement signed between the Government of the Republic of the Philippines (GRP) and the Rebolusyonaryong Partido ng MANGGAGAWA-Pilipinas/ Revolutionary Proletarian Army/ Alex Boncayao Brigade (RPMP/RPA/ABB) on 06 December 2000 shall be governed by the General Principles underlying the agreed Common Statements in Article I of the said Agreement and the Comprehensive Peace Process in order to establish a genuinely democratic society characterized by justice, equity, tolerance harmonious pluralism, and full respect of human rights.

Bill of rights/
similar

No specific mention.

Treaty
incorporation

No specific mention.

Civil and political
rights

Human rights and equality→Civil and political rights→Other
Page 8, F. Release of Alleged Political Offenders Alleged Political Offenders (APOs)/Political Prisoners

...

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...

4. The JEMC shall be shall be tasked to coordinate with the N-TWG on Civil and Political Rights the processing and evaluation of the cases of all APOs indicated in Annexes "A", "B", and "C" of the Peace Agreement, and to monitor the same.

Socio-economic
rights

No specific mention.

Rights related issues

Citizenship

No specific mention.

Democracy PAGE 1, I. TERMS OF REFERENCE
The implementation of the Peace Agreement signed between the Government of the Republic of the Philippines (GRP) and the Rebolusyonyong Partido ng maNGGAGAWA-Pilipinas/ Revolutionary Proletarian Army/ Alex Boncayao Brigade (RPMP/RPA/ABB) on 06 December 2000 shall be governed by the General Principles underlying the agreed Common Statements in Article I of the said Agreement and the Comprehensive Peace Process in order to establish a genuinely democratic society characterized by justice, equity, tolerance harmonious pluralism, and full respect of human rights.

Page 1, II. DEFINITION OF TERMS

C. Hostilities - acts of aggression and/or antagonism between parties. It is also expanded to include actions that are violative of people's basic rights, and/or which endanger the safety and security of the people and their properties, and contribute to the deterioration of peace and order in any given area.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/ access No specific mention.

Protection measures Rights related issues→Protection measures→Protection of groups
Page 9-10, H. Development Projects

The process of peace-building as upheld by the Peace Agreement should result to poverty reduction and sustained development for the involved communities. Therefore, development projects shall be planed, implemented and evaluated for improved access to productive resources, human development services, economic and livelihood opportunities, and social protection of the communities.

Other Page 4,

N-TWG on Civil and Political Rights- this body shall be composed of representatives from the Department of Justice (DOJ), the Commission on Human Rights (CHR), the Presidential Committee on the Grant of Bail, Release on recognizance and Pardons (PCBReP), and the RPMP/RPA/ABB and a mutually agreed community member.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 7, Identification of Areas

...

2. The JEMC shall be responsible in identifying, verifying and finalizing the specific areas to be serviced by development projects, consistent with the provisions of the guidelines in Annex “D” of the Peace Agreement. The JEMC shall consider the criteria and standards to be employed in delineating specific areas based on the principle of equity and the genuine needs and development imperatives of the identified areas/beneficiary community.

Page 9-10, H. Development Projects

The process of peace-building as upheld by the Peace Agreement should result to poverty reduction and sustained development for the involved communities. Therefore, development projects shall be planned, implemented and evaluated for improved access to productive resources, human development services, economic and livelihood opportunities, and social protection of the communities.

The amount of P 500M for the implementation of these development projects as stipulated in Article V of the Peace Agreement (to include the initial 35% of said total project cost for the first year of implementation) may be acquired through various modes from national and local government budgets, as well as from externally acquired funds. Furthermore, the said amount may be released through a combination of direct funding, or in the form of services and projects implemented by national and local government agencies, NGOs and the private sector.

The following implementation track shall be followed:

1. The JEMC shall identify the specific areas to be serviced by development projects based on Item 2, Section B, Art IV hereof. Such projects shall support the community development and poverty alleviation needs in identified areas.

2. General development project planning for specific areas shall be formulated jointly by the NAPC and the RPMP Foundation. On the other hand, the resource mobilization plan for these areas shall be formulated by the NAPC. To this end, the following peace and development parameters shall be employed:

a. The development project should be focused on community needs and validated through a participatory community process.

b. Community empowerment is a development principle that underpins all development projects. Therefore, each project should establish and/or recognize local community-based groups representing various stakeholders for their participation in these projects.

National economic plan	No specific mention.
Natural resources	<p>Page 7, C. Assistance in the maintenance of Peace and Order</p> <p>...</p> <p>3. The RPMP/RPA/ABB elements tapped by LGUs and appropriate agencies to provide assistance in the protection of forest and marine resources in the areas shall be subject to full concurrence b the JEMC towards ensuring that said function shall follow existing rules and regulations, including the duly-adopted Guidelines indicated above.</p>
International funds	<p>Page 9, H. Development Projects</p> <p>...</p> <p>The amount of P 500M for the implementation of these development projects as stipulated in Article V of the Peace Agreement (to include the initial 35% of said total project cost for the first year of implementation) may be acquired through various modes from national and local government budges, as well as from externally acquired funds. Furthermore, the said amount amy be released through a combination of direct funding, or in the form of services and projects implemented by national and local government agencies, NGOs and the private sector.</p> <p>...</p> <p>3. Under the JEMC supervision, the N-TWG on Development, together with the L-TWGs, shall undertake the detailed planning on the implementation of projects. It may identify financial and other resources that can be mobilized within and outside national governments and local governments, at each provincial level of implementation.</p>
Business	No specific mention.
Taxation	No specific mention.
Banks	No specific mention.

Land, property and environment

Land reform/
rights No specific mention.

Pastoralist/
nomadism
rights No specific mention.

Cultural
heritage No specific mention.

Environment No specific mention.

Water or
riparian
rights or
access No specific mention.

Security sector

Security Guarantees Page 8, D. Special Licenses and Permits to Carry Firearms

1. The granting of special licenses and permits to carry firearms for certain officers and members of the RPMP/RPA/ABB not exceeding one hundred (100) shall solely be for the purpose of self-defense.

...

Ceasefire Security sector→Ceasefire→Ceasefire provision
Page 5, Local Monitoring Teams (LMTs)

The JEMC shall establish Local Monitoring Teams (LMTs) in identified areas in order to provide assistance in ensuring compliance with the provisions on the Cessation of Hostilities under Article II of the Peace Agreement and in areas indicated in Annex “D” of the Peace Agreement. Each LMT shall be comprised of a representative from the LGU nominated by the local Development Council, one (1) representative designated by the GRP, one (1) representative designated by the RPMP/RPA/ABB, and a community member of established integrity and impartiality mutually acceptable to both the GRP and the RPMP/RPA/ABB.

This shall be without prejudice to the establishment of LMTs by concerned civil society groups who may form their own local monitoring bodies in fulfilling its functions.

The LMTs established by the JEMC shall likewise function as the local JEMC monitoring office and communication centers for the community-level implementation of the Peace Agreement.

Page 6-7, IMPLEMENTATION GUIDELINES

The JEMC shall carry out its tasks and responsibilities in accordance with the following general implementing guidelines:

A. Cessation of Hostilities

1. The cessation of the hostilities between the GRP and the RPMP/RPA/ABB shall be pursued in full observance of the terms and conditions stipulated in the provisions of the Peace Agreement and Item 1, Section II of the Clarificatory Document said Agreement. The JEMC shall formulate the implementing guidelines containing appropriate coordinative mechanisms to observe the provision on the cessation of hostilities.
2. The conduct of investigations/validation of report violations to the provision on the Cessation of Hostilities shall be in accordance with a prescribed Reporting Flowchart to be drawn up by the JEMC.
3. The JEMC shall further establish or evolve the definition and parameters of the terms “hostilities”.

Police Page 7, Assistance in the maintenance of Peace and Order

In accordance with Item 2, Article I of the Clarificatory Document to the GRP-RPMP/RPA/ABB Peace Agreement, the nature and extent of RPMP/RPA/ABB assistance in the maintenance of peace and order as stipulated in Item 2, Article II of the Peace Agreement, shall not be interpreted as a diminution of the police and law enforcement powers exercised and performed by duly-elected and/or appointed authorities under the provisions of the Local Government Code.

Armed forces No specific mention.

DDR Security sector→DDR→DDR programmes

Page 3-4

3. N-TWG on Reintegration- this body shall initially be composed of representatives from the National Program of Unification and Development Unit (OPAPP-NPUDU), the Cooperative Development Authority (TESDA), the Technical Livelihood and Resource Center (TLRC), the RPMP/RPA/ABB, and a mutually-agreed community member. The JEMC may expand the composition of this body as the need arises

This body shall:

- Assist the JEMC in drawing up the guidelines on the utilization and implementation of the P 10M Reintegration Fund pursuant to Item 4, Section IV of the Peace Agreement.
- Provide appropriate support in monitoring and evaluating the implementation of the P 10M Reintegration Fund based on the JEMC-adopted Work and Financial Plan (WFP), and
- Ensure the successful reintegration into mainstream of RPMP/RPA/ABB members and political prisoners who will be released from imprisonment in accordance with the Peace Agreement.

Page 8, E. Disposition of Forces and Arms

Within a reasonable period of time, the JEMC shall draw up the schedule, and formulate a comprehensive program for the final disposition of forces and arms by the RPMP/RPA/ABB upon the mutual recommendation of the GRP and the RPMP/RPA/ABB Panels.

Page 8-9, G. Reintegration Fund

1. The JEMC shall be responsible in formulating the mechanics on the release and utilization of the Reintegration fund...

Intelligence services No specific mention.

Parastatal/
rebel and
opposition
group
forces No specific mention.

Withdrawal
of foreign
forces No specific mention.

Corruption No specific mention.

Crime/
organised
crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional
justice
general No specific mention.

Amnesty/
pardon

Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 4,

N-TWG on Civil and Political Rights- this body shall be composed of representatives from the Department of Justice (DOJ), the Commission on Human Rights (CHR), the Presidential Committee on the Grant of Bail, Release on recognizance and Pardons (PCBReP), and the RPMP/RPA/ABB and a mutually agreed community member.

This body shall:

- Process the list of APO and political prisoners indicated in Annexes “A” and “B” of the Peace Agreement; the list of RPMP/RPA/ABB panelists and consultants indicated in Annex “C” of the same; and other officers and members of the RPMP/RPA/ABB who are not included in Annex “C” and who are currently subject to prosecution pursuant to Section IV of the Peace Agreement, in accordance with existing laws, rules and procedures;
- Monitor the status of the released APOs/ political prisoners and/or the dropping/dismissal of criminal charges against them.

Page 8, F. Release of Alleged Political Offenders Alleged Political Offenders (APOs)/Political Prisoners

1. The dropping of charges filed against RPMP/RPA/ABB Panelists and Consultants pursuant to Section III of the Peace Agreement, and the release of two hundred thirty five (235) Alleged Political Offenders (APOs) under Section of the same shall be conducted in accordance with existing laws, guidelines and judicial processes.
2. On humanitarian grounds, priority in the dropping of charges and/or release of APOs/Political Prisoners shall be given to minors, women, the aged, and the sick in evaluating the release of APOs. In general, however, the process of release should be done on case to case basis following the timetable to be established by the N-TWG on Civil and Political Rights, and adopted by the JEMC.
3. The JEMC shall regularly monitor the status of the dropping of charges filed against RPMP/RPA/ABB panelists and consultants found in Annex “C” of the Peace Agreement.
4. The JEMC shall be shall be tasked to coordinate with the N-TWG on Civil and Political Rights the processing and evaluation of the cases of all APOs indicated in Annexes “A”, “B”, and “C” of the Peace Agreement, and to monitor the same.
5. All actions taken by the JEMC relative to the provision of the Peace Agreement on the release of APOs and dismissal of cases of RPMP/RPA/ABB Panelsits, Consultants, officers and members shall immediatelt be forwarded to and shall follow the existing Guidelines laid down by the DOJ and the Presidential Committee on the Grant of Bail, Release on Recognizance and Pardons (PCBReP).

Courts No specific mention.

Mechanism No specific mention.

Prisoner
release

Page 4,

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Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Entire agreement concerns the effective implementation of the provisions of the Peace Agreement.

Page 2-3, THE JOING ENFORCEMENT AND MONITORING COMMITTEE (JEMC)

Pursuant to Section VII RPMP/RPA/ABB Peace Agreement, a Joint Enforcement and Monitoring Committee (JEMC) tasked to monitor and supervise the implementation of Peace Agreement is hereby established. The Committee shall be governed by the following rules and procedures.

In accordance with Item 1, Section VII of the Peace Agreement, the JEMC shall be composed of the following

1. Two members representing the GRP to be nominated/designated by said group;
2. Two members representing the RPMP/RPA/ABB to be nominated/designated by said group.
3. The 5th member to be chosen by the representatives of both the GRP and the RPMP/RPA/ABB from a list of persons of established integrity; ability and patriotism mutually-acceptable to both parties.

Upon its formation, the members of the Committeee shall elect from among themselves a Chairman and Vice-Chairman who shall each serve their term of office for (1) year, until the Committee elects their successor for the succeeding year

B. Term of Office

...

C. JEMC Functions and Responsibilities

The mandate of the Joint Enforcement and Monitoring committee shall be pursued in accordance with the commitments set forth by the GRP and the RPMP/RPA/ABB in the Peace Agreement, and the general principles embodied under Section I of the Clarificatory Document to the GRP-RPMP/RPA/ABB in the Peace Agreement. As such, it shall have the following functions and responsibilities:

1. Formulate, issues and promulgate the Rules for the implementation of the Peace Agreement, and establish such other guidelines it may deem necessary to carry out its tasks
2. Formulate the corresponding work plans to implement the provisions of the Peace Agreement in accordance with a duly-adopted timetable for implementation;
3. Coordinate and synchronize all programs and projects of concerned government agencies and instrumentatlitites, as well as units and components of the RPMP/RPA/ABB, subject to their individual mandate and guidelines, and with the participation of LGUs, NGOs and local communities;

Related cases

No specific mention.

Source

UN Peacemaker [<http://peacemaker.un.org/philippines-peace-agreement2002>]
