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Country/ entity	Philippines Mindanao
Region	Asia and Pacific Asia and Pacific
Agreement name	Terms of Reference for the Independent Decommissioning Body
Date	22 Mar 2014
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Philippine Insurgencies (1968 -))
Stage	Implementation/renegotiation
Conflict nature	Government/territory
Peace process	Philippines - Mindanao process
Parties	Miriam Coronel Ferrer, GPH Panel Chair; Mohagher Iqbal, MILF Panel Chair
Third parties	Witnessed by: Tengku Dato' Ab Ghafar Tengku Mohamed, Malaysian Facilitator
Description	Agreement by the Parties on the Terms of Reference (TOR) for the Independent Decommissioning Body (IDB), providing for the mandate, composition, and functions, which include overseeing, coordinating, and implementing the disarmament and normalization of BIAF forces. The Parties agreed that additional protocols may be issued regarding the implementation of decommissioning, as well as the IDB will exist until an Exit Agreement is reached, though the IDB will be subject to periodic reviews.

Agreement
document

[PH_140322_ToR for IDB.pdf](#)  | [Download PDF](#)

Groups

Children/ youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
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	No specific mention.
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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 No specific mention.

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 No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication	No specific mention.
Mobility/access	Page 3, XI. Freedom of Movement - In the performance of their functions, the freedom of movement of the seven (7) members of the IDB shall be guaranteed by the Parties.
Protection measures	No specific mention.
Other	No specific mention.

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 1, IV. Functions
5. Coordinate with the Joint Normalization Committee on the other aspects of normalization.

National economic plan No specific mention.

Natural resources No specific mention.

International funds Page 2, VIII. Funding
1. The salaries and allowances of the foreign experts shall be shouldered by their respective governments. The funding for the operations of the IDB shall be independently sources as jointly determined by the Parties. The IDB may source funds from development partners.

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 No specific mention.

Ceasefire No specific mention.

Police No specific mention.

Armed
forces No specific mention.

DDR

Security sector→DDR→DDR programmes

Page 1, II. Mandate - The Independent Decommissioning Body (IDB) shall oversee the process of decommissioning of the MILF forces and weapons.

Page 1, III. Composition - The IB shall be composed of three (3) foreign experts including the chairperson, and four (4) local experts jointly nominated by the Parties [...]

Page 1, IV. Functions

1. Conduct inventory, verification and validation of Bangsamoro Islamic Armed forces (BIA) members, arms and weapons;

Page 1, IV. Functions

2. Develop and implement a schedule of decommissioning of BIAF forces;

Page 1, IV. Functions

3. Plan, design, and implement techniques and technologies for weapons collection or retrieval, transport, and storage and putting weapons beyond use in accordance with the agreement of the Parties;

Page 1, IV. Functions

4. Ensure that all the necessary steps and processes for decommissioning are complied with by the Parties;

Page 1, IV. Functions

5. Coordinate with the Joint Normalization Committee on the other aspects of normalization.

Page 2, V. Reporting

1. The IDB shall report on the progress of its work to the Panels, taking into account the phases of decommissioning agreed upon by the Parties.

Page 2, V. Reporting

2. The IDB shall submit its terminal report to the Panels, which shall contain a certification of the completion of the decommissioning process.

Page 2, VII. Additional Protocols - the Panels may agree to issue additional protocols for the implementation of decommissioning, in consultation with the IDB.

Page 2, VIII. Funding

2. To address the problem of a possible gap between the formal establishment of the IDB and its long-term funding support, the Panels undertake to find modalities for short-term bridge funding for the initial activities of the IDB. Potential partners of the IDB may indicate how they would cover any "bridge" period.

Page 2, IX. Duration - The IDB shall be organized by the Parties not later than one month after the acceptance of the states providing the foreign experts. It shall continue to exist until an Exit Agreement is reached.

Page 3, XII. Review and Amendment - The Parties shall conduct a periodic review of this TOR. Either Party may propose amendments to this TOR and shall be effective upon approval of the Parties.

Intelligence services	No specific mention.
Parastatal/ rebel and opposition group forces	<p>Page 1, II. Mandate - The Independent Decommissioning Body (IDB) shall oversee the process of decommissioning of the MILF forces and weapons.</p> <p>Page 1, IV. Functions</p> <p>1. Conduct inventory, verification and validation of Bangsamoro Islamic Armed forces (BIA) members, arms and weapons;</p> <p>Page 1, IV. Functions</p> <p>2. Develop and implement a schedule of decommissioning of BIAF forces;</p> <p>Page 1, IV. Functions</p> <p>4. Ensure that all the necessary steps and processes for decommissioning are complied with by the Parties;</p> <p>Page 1, IV. Functions</p> <p>5. Coordinate with the Joint Normalization Committee on the other aspects of normalization.</p>
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.
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Amnesty/ pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
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	Witnessed by: Tengku Dato' Ab Ghafar Tengku Mohamed, Malaysian Facilitator
Referendum for agreement	No specific mention.

International mission/
force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source On file with author. Also available at: Independent Decommissioning Body (n.d.) IDB TERMS OF REFERENCE, <https://static1.squarespace.com/static/5c4fc6b74eddeccdf38f0619/t/5c8b822fa4222f26940768a3/1552646715952/Terms+of+Reference+for+the+Independent+Decommissioning+Body+%28IDB%29+Mar+22%2C+2014.pdf> (Accessed 31 January 2020).
