

Country/entity	Philippines Mindanao
Region	Asia and Pacific
Agreement name	Revised Implementing Guidelines on the Joint Communique of 6 May 2002
Date	14 Dec 2017
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Philippine Insurgencies (1968 -)

The Maoist Insurgencies (1968 -)

Philippines-NDF

The Philippines have been defined by a series of center-periphery and often ideologically Maoist, separatist insurgencies. The Communist Party of the Philippines (CPP), began its war against the central Philippine government in 1968 through their armed wing – the New People’s Army (NPA). Further legitimacy was gained through the establishment of the National Democratic Front (NDF) in 1973. Grievances were predominantly opposed to the corruption and repression under the authoritarian Marcos regime.

Philippines-Cordillera

With the overthrow of Marcos’ regime in 1986, the CPP factionalized further to take on more localized characteristics. The Cordillera Peoples Liberation Army (CPLA) broke away from the NDF in 1986 to focus on the protection of the Cordilleran people and land in northern Luzon. Hostilities were formally ended in July 2011, with an agreement signed between the central government, the CPLA and the Cordillera Bodong Administration (CBA) that allowed for the absorption of CPLA fighters into the Philippine Army and the re-working of the CBA-CPLA into a socio-development organisation.

Philippines-RPM-P

Meanwhile, purge among the CPP in the early 1990s, encouraged the formation of a parallel party, the Revolutionary Workers Party (RPM-P). Their armed wing, the Alex Boncayao Brigade (ABB) which had carried out a number of assassinations during the 1980s at the bequest of the CPP, followed suit and allied themselves with the RPM-P in 1997 forming the (RPM-P-RPA-ABB). Severely weakened by the split with the CPP and with the arrest of several key figures, the RPM-P-RPA-ABB signed a peace agreement in December 2000, which encouraged the RPM-P’s branch in Mindanao to break away in 2001.

The CPP-NPA has only participated in intermittent talks with the government. Talks halted in 2004 when Gloria Macapagal-Arroyo’s administration sought closer ties with the U.S. in the war on terror and added the CPP-NPA to the list of terrorist organisations, renewing violence. Following the launch of a counter-insurgency by the Philippine government, negotiations have been further delayed due to suspected internal differences between the CPP ‘old guard’ and younger members.

The Moro Insurgency (1968 -)

Philippines-Mindanao

The Moro Insurgency began in 1968, in Mindanao and the Sulu archipelago after the killing of Moro Commandos, the so-called Jabidah Massacre, by the Philippine Army following a plot to invade Sabah province in Malaysia. The Moro National Liberation Front (MNLF) captured a swath of territory in the mid-1970s. In an attempt to stem the violence, the constitution was reformed and Autonomous Region in Muslim Mindanao (ARMM) was created 1990 granting a devolution of power to the provinces of Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi. Following the establishment of the ARMM, the MNLF splintered into a range of smaller groups including Islamic factions such as the

Stage	Renewal
Conflict nature	Government/territory
Peace process	Philippines - Mindanao process
Parties	FOR THE GPH: USEC. NABIL A. TAN Chair, GPH Peace Implementing Panel FOR THE MILF: MOHAGHER IQBAL Chair, MILF Peace Implementing Panel
Third parties	SIGNED IN THE PRESENCE OF DATO' KAMARUDIN BIN MUSTAFA Malaysian Facilitator and/or Special Adviser
Description	Largely deals with cooperation between the parties in how to approach organised crime.

Agreement document	PH_171214_Revised Implementing Guidelines of Joint Communique May 6 2002.pdf (opens in new tab) Download PDF
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Groups

Children/youth	No specific mention.
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Disabled persons	No specific mention.
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Elderly/age	No specific mention.
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Migrant workers	No specific mention.
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Racial/ethnic/ national group	No specific mention.
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Religious groups	No specific mention.
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Indigenous people	No specific mention.
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Other groups	No specific mention.
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Refugees/displaced persons	No specific mention.
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Social class	No specific mention.
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Gender

Women, girls and gender No specific mention.

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 No specific mention.

Protection measures Rights related issues→Protection measures→Protection of civilians
Page 4, VII. GENERAL GUIDELINES FOR THE IMPLEMENTING UNIT

1. In the process of implementing its functions, the implementing units of the GPH-MILF, shall ensure the safety of the life of the civilians and the protection of their properties.

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 No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

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	No specific mention.
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.

This set of guidelines is adopted to implement the provision of the Joint Communique dated 06 May 2002 between the Government of the Republic of the Philippines and the Moro Islamic Liberation Front related to the isolation and interdiction of all criminal syndicates, drug syndicates, kidnap for ransom groups and other criminal groups including the so called "Lost Commands" operating in Mindanao

III. SCOPE

These Implementing Guidelines apply only to operations against criminal syndicates, drug syndicates, kidnap-for-ransom groups, lost commands and other criminal elements within MILF areas/ communities.

Page 1, IV. DEFINITION OF TERMS

A. Lost Commands - groups which are not under the command and control of the BIAF and the AFP/PNP as verified by the Ad Hoc Joint Action Group (AHJAG).

B. Criminal Syndicates/Kidnap-for-Ransom Groups refer to a group or aggregation of persons who engage in criminal activities as verified by AHJAG.

C. Criminal Elements - within the purview of AHJAG, refers to a leader/elements of a criminal syndicate or kidnap for ransom group as distinguished from common criminals.

D. Isolation - refers to the act of dissociating/segregating criminal elements from the general public as a mode to monitor and counter their criminal activities.

E. Interdiction - refers to the act of apprehending criminal elements as defined in paragraphs A and B and turning them over to the AHJAG.

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G. Wanted List - refers to the list of wanted persons prepared by the AFP/PNP as verified by the AHJAG.

Page 3, VI. MECHANICS OF IMPLEMENTATION

1. The AFP/PNP shall convey to the MILF through the AHJAG the Wanted List as defined in Paragraph IV, E containing the names and identities of the criminal elements as provided in the Paragraph 3 of the Joint Communique of 6 May 2002.

2. The MILF through the AHJAG shall validate and subsequently act on the information as contained in the Wanted List.

3. The MILF further shall provide information, as available, on other suspected criminal elements in their areas/communities that come to their attention.

4. The AHJAG shall coordinate with AFP/PNP and MILF/BIAF to effect the apprehension and arrest of the suspected criminal elements.

5. To avoid unnecessary armed confrontations, the displacement of communities and damage to properties, the Joint Coordinating Center (JCC) composed of the GRP, MILF and the IMT shall convene prior to law enforcement operations

Drugs No specific mention.

Terrorism Page 1, DEFINITION OF TERMS

I. High Value Target - refers to individuals which includes, but not limited to, foreign and local terrorists, to be mutually identified by the Parties.

Page 3, MECHANICS OF OPERATION

6. The AHJAG shall inform the GPH and the MILF CCCH at least 24 hours prior to the conduct of AFP/PNP operations in order to allow sufficient time for evacuation of civilians and to avoid armed confrontation between the GPH and MILF forces.

For high value targets, a list of which shall be provided by the GPH implementing Panel to the MILF implementing Panel, prior coordination of 24 hours or less shall be done.

Transitional justice

Transitional justice general No specific mention.

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 No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar SIGNED IN THE PRESENCE OF
DATO' KAMARUDIN BIN USTAF
Malaysian Facilitator and/or Adviser

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source <https://peace.gov.ph/wp-content/uploads/2017/12/2017-12-14-Revised-Implementing-Guidelines-of-Joint-Communique-May-6-2002.pdf>
