

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

Country/ entity	Philippines
Region	Asia and Pacific
Agreement name	Joint Agreement on Safety and Immunity Guarantees
Date	24 Feb 1995
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict ( Philippine Insurgencies (1968 - ) )
Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	Philippines-NDF process
Parties	<p>GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES OF THE PHILIPPINES; Howard Q. Dee, Chairman, GRP Panel for Peace Talks with the CPP/NPA/NDF; Rep. Jose V. Yap, House of Representatives Member, GRP Panel; Silvestre H. Bello III, Member, GRP Panel; Feliciano V. Carino, Member, GRP Panel; Zenaida H. Pawid, Member, GRP Panel;</p> <p>National Democratic Front of the Philippines; Luis Jalandoni, NDF Vice Chairperson for International Affairs &amp; Head of NDF Delegation; Asterio Palima, Member, NDF Delegation; Coni Ledesma, Member, NDF Delegation; Fidel Agcaoil, NDF Consultant;</p>
Third parties	<p>Witnesses:</p> <p>Jesus G. Dureza Teresita L. De Castro</p> <p>Jose Maria Sison Romeo T. Capulong</p>

Description Agreed measures to protect the rights of negotiators, consultants, staffers, security and other personnel involved in the negotiations. Each party have the right to issue duly accredited persons with documents of identification or safe conduct passes, which guarantee free and unhindered passage in all areas in the Philippines and in travelling to and from he country in connection with peace negotiations abroad. Moreover, all duly accredited persons are guaranteed immunity from surveillance, harassment, search, arrest, detention, prosecution and interrogation or any other similar punitive actions due to any involvement or participation in the peace negotiations. This includes any NDFP personnel based abroad who is a duly accredited person and who goes to the Philippines for consultations or to perform any other work related to the peace negotiations, and shall be free to return abroad at any time before and within a period of 30 days after the formal termination of this Joint Agreement.

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Agreement document

[PH\\_950224\\_JASIG.pdf](#)  | [Download PDF](#)

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## 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.

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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.

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## **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.

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## **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.

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## **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.

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## **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.

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### **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 1, UNTITLED PREAMBLE  
WITNESSETH:

... The primary purposes of the safety and immunity guarantees hereby adopted are to facilitate the peace negotiations, create a favorable atmosphere conducive to free discussions and free movement during the negotiations, and avert any incident that may jeopardize the negotiations.

Page 1, I. SAFETY GUARANTEES

1. As used and understood in this Joint Agreement, safety guarantees shall mean that all duly accredited persons as defined herein in possession of documents of identification or safe conduct passes are guaranteed free and unhindered passage in all areas in the Philippines, and in traveling to and from the Philippines in connection with the performance of their duties in the negotiations.

Page 1-2, I. SAFETY GUARANTEES

2. Each party has the inherent right to issue documents of identification to its negotiators, consultants, staffers, security and other personnel and such documents shall be duly recognized as safe conduct passes as provided in this Joint Agreement.

... Upon presentation by the duly accredited person to any entity, authority or agent of the party concerned, the document of identification or safe conduct pass shall be honored and respected and the duly accredited person shall be accorded due recognition and courtesy and allowed free and unhindered passage as stipulated in this Joint Agreement. The duly accredited person shall have in his or her possession the document of identification or safe conduct pass for the duration of the peace negotiations.

Page 2, I. SAFETY GUARANTEES

3. The document of identification or safe conduct pass shall not be transferable, provided that safety guarantees granted to the duly accredited person shall extend to any person or persons consulted by the duly accredited person during and in transit to and from such consultations, and provided that these consultations shall be in connection with and in furtherance of the purposes of the peace negotiations. The appropriate information on these consultations shall be given by the party concerned to the other with due consideration to the safety of the persons involved in such consultations.

Page 2, I. SAFETY GUARANTEES

6. The GRP hereby recognizes and respects the right of NDFP personnel who are duly accredited persons to hold and use passports or travel documents issued by other countries or other recognized entities. Said NDFP personnel who are duly accredited persons may use such passports or travel documents in entering, staying in and departing from the Philippines, and shall not be subjected to any form of punitive action, harassment, obstruction or similar acts by the GRP in the course of travel, entry, stay or departure.

Protection measures No specific mention.

Other No specific mention.

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## **Rights institutions**

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

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## **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.

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## **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.

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## **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

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## Security sector

Security Guarantees Page 1, UNTITLED PREAMBLE  
... In firm adherence to the HAGUE JOINT DECLARATION and pursuant to the pertinent provisions of the JOINT STATEMENT signed in Breukelen, the Netherlands on June 14, 1994, the GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES (GRP) and the NATIONAL DEMOCRATIC FRONT OF THE PHILIPPINES (NDFP) hereby adopt safety and immunity guarantees to protect the rights of negotiators, consultants, staffers, security and other personnel who participate in the GRP-NDFP peace negotiations.

Page 1, I. SAFETY GUARANTEES  
2. Each party has the inherent right to issue documents of identification to its negotiators, consultants, staffers, security and other personnel and such documents shall be duly recognized as safe conduct passes as provided in this Joint Agreement.

Page 2, I. SAFETY GUARANTEES  
4. All duly accredited persons who are already publicly known to be involved in the GRPNDFP peace negotiations shall be free from surveillance and shall be allowed freely to consult with the leaders and entities of the party concerned in the Philippines and abroad.

Page 2, I. SAFETY GUARANTEES  
6. The GRP hereby recognizes and respects the right of NDFP personnel who are duly accredited persons to hold and use passports or travel documents issued by other countries or other recognized entities. Said NDFP personnel who are duly accredited persons may use such passports or travel documents in entering, staying in and departing from the Philippines, and shall not be subjected to any form of punitive action, harassment, obstruction or similar acts by the GRP in the course of travel, entry, stay or departure.

Page 3, II. IMMUNITY GUARANTEES  
4. In the course of requesting a passport from the GRP in accordance with No. 5 of I above, the duly accredited person shall be immune from surveillance, arrest, prosecution, trial, punitive action, harassment, discrimination or any liabilities due to exposure of identity and role in the peace negotiations.

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	Page 2, I. SAFETY GUARANTEES 5. The GRP shall promptly issue upon request regular passports to NDFP personnel who are duly accredited persons, without obligation to take an oath of allegiance to the GRP.
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.

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## **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.

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## **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 Page 4, III. GENERAL PROVISIONS  
2. Any violation of this Joint Agreement may be presented by the aggrieved party to the other and shall promptly be the subject of consultations between the two panels of the negotiating parties in order to remove impediments to the peace negotiations. Such violation shall be investigated and dealt with accordingly by the party to which the personnel charged with the violation belongs.

Page 4, III. GENERAL PROVISIONS  
3. Any disagreement or ambiguity in the interpretation and application of the provisions of this Joint Agreement shall be subject of consultations between the two panels and resolved in accordance with the letter and spirit of the HAGUE JOINT DECLARATION and the pertinent provisions of the BREUKELEN JOINT STATEMENT.

Related cases No specific mention.

Source [www.philippinerevolution.net](http://www.philippinerevolution.net)

UN Peacemaker [<http://peacemaker.un.org/philippines-safety-immunity-agreement95>]

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