

Country/entity	Philippines Mindanao
Region	Asia and Pacific
Agreement name	Agreement on the Civilian Protection Component of the International Monitoring Team (IMT)
Date	27 Oct 2009
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	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Philippines - Mindanao process
Parties	Rafael E. Seguis, Panel Chairman for the Government of the Republic of the Philippines (GRP) Mohagher Iqbal, Panel Chairman for the Moro Islamic Liberation Front (MILF)
Third parties	Datuk Othman Bin Abdul Razak, Representative of Malaysia [Facilitator]
Description	Agreement on the civilian protection components forms a part of the Terms of Reference for the International Monitoring Team, and provides a commitment from the Parties to uphold international humanitarian law and human rights law standards in regards to non-combatants.

Agreement document [PH_091027_CPC of the IMT.pdf \(opens in new tab\)](#) | [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.

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 2, Article 2. Civilian Protection Component
[...] Should the IMT cease to operate, the civilian protection component shall remain in place and continue to perform such functions. The Parties shall designate humanitarian organizations and non-governmental organizations, both international and national, with proven track record for impartiality, neutrality and independence, to carry out the civilian protection functions.

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, Article 1. Basic Undertakings
The Parties reconfirm their obligations under humanitarian law and human rights law to take constant care to protect civilian population and civilian properties against the dangers arising in armed conflict situation. [...]

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights

Human rights and equality→Civil and political rights→Life

Page 1, Article 1. Basic Undertakings

The Parties reconfirm their obligations under humanitarian law and human rights law to take constant care to protect civilian population and civilian properties against the dangers arising in armed conflict situation. In this context, the Parties commit themselves to:

[...] d) Take all precautions feasible to avoid incidental loss of civilian life, injury to civilians, and danger to civilian objects.

Human rights and equality→Civil and political rights→Equality

Page 1, Article 1. Basic Undertakings

The Parties reconfirm their obligations under humanitarian law and human rights law to take constant care to protect civilian population and civilian properties against the dangers arising in armed conflict situation. In this context, the Parties commit themselves to:

[...] e) Ensure that all protective and relief actions shall be undertaken in a purely nondiscriminatory basis covering all affected communities.

Human rights and equality→Civil and political rights→Liberty and security of person

Page 1, Article 1. Basic Undertakings

The Parties reconfirm their obligations under humanitarian law and human rights law to take constant care to protect civilian population and civilian properties against the dangers arising in armed conflict situation. In this context, the Parties commit themselves to:

- a) Refrain from intentionally targeting or attacking non-combatants, prevent suffering of the civilian population and avoid acts that would cause collateral damage to civilians;
- d) Take all precautions feasible to avoid incidental loss of civilian life, injury to civilians, and danger to civilian objects.

Socio-economic rights

Human rights and equality→Socio-economic rights→Property

Page 1, Article 1. Basic Undertakings

The Parties reconfirm their obligations under humanitarian law and human rights law to take constant care to protect civilian population and civilian properties against the dangers arising in armed conflict situation. In this context, the Parties commit themselves to:

[...] b) Refrain from targeting or intentionally attacking civilian properties or facilities such as schools, hospitals, religious premises, health and food distribution centers, or relief operations, or objects or facilities indispensable to the survival of the civilian population and of civilian nature;

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 2, Article 2. Civilian Protection Component

[...] Should the IMT cease to operate, the civilian protection component shall remain in place and continue to perform such functions. The Parties shall designate humanitarian organizations and non-governmental organizations, both international and national, with proven track record for impartiality, neutrality and independence, to carry out the civilian protection functions.

Page 2, Article 2. Civilian Protection Component

The Parties hereby agree to expand the mandate of the IMT to include civilian protection. The IMT shall monitor, verify and report noncompliance by the Parties to their basic undertaking to protect civilians and civilian communities. Should the IMT cease to operate, the civilian protection component shall remain in place and continue to perform such functions. The Parties shall designate humanitarian organizations and non-governmental organizations, both international and national, with proven track record for impartiality, neutrality and independence, to carry out the civilian protection functions.

Page 2, Article 3. Implementing Terms of Reference

This Agreement on civilian protection component shall form part of the Terms of Reference of the IMT to be deliberated and agreed by the Parties upon the formal resumption of the GRP-MILF peace talks.

Other

No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions Rights institutions→Regional or international human rights institutions→Monitoring calls
Page 2, Article 2. Civilian Protection Component
The Parties hereby agree to expand the mandate of the IMT to include civilian protection. The IMT shall monitor, verify and report noncompliance by the Parties to their basic undertaking to protect civilians and civilian communities. Should the IMT cease to operate, the civilian protection component shall remain in place and continue to perform such functions. The Parties shall designate humanitarian organizations and non-governmental organizations, both international and national, with proven track record for impartiality, neutrality and independence, to carry out the civilian protection functions.

Page 2, Article 3. Implementing Terms of Reference
This Agreement on civilian protection component shall form part of the Terms of Reference of the IMT to be deliberated and agreed by the Parties upon the formal resumption of the GRP-MILF peace talks.

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** Page 1, Article 1. Basic Undertakings
The Parties reconfirm their obligations under humanitarian law and human rights law to take constant care to protect civilian population and civilian properties against the dangers arising in armed conflict situation. [...] To effect the above objectives, the Parties shall issue or re-issue orders to their respective military units or security forces (including paramilitaries, associated militias, and police units) to conduct their operations consistent with their obligations and commitments described herein.

Ceasefire No specific mention.

Police Page 1, Article 1. Basic Undertakings
The Parties reconfirm their obligations under humanitarian law and human rights law to take constant care to protect civilian population and civilian properties against the dangers arising in armed conflict situation. [...] To effect the above objectives, the Parties shall issue or re-issue orders to their respective military units or security forces (including paramilitaries, associated militias, and police units) to conduct their operations consistent with their obligations and commitments described herein.

Armed forces	Page 1, Article 1. Basic Undertakings The Parties reconfirm their obligations under humanitarian law and human rights law to take constant care to protect civilian population and civilian properties against the dangers arising in armed conflict situation. [...] To effect the above objectives, the Parties shall issue or re-issue orders to their respective military units or security forces (including paramilitaries, associated militias, and police units) to conduct their operations consistent with their obligations and commitments described herein.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	Page 1, Article 1. Basic Undertakings The Parties reconfirm their obligations under humanitarian law and human rights law to take constant care to protect civilian population and civilian properties against the dangers arising in armed conflict situation. [...] To effect the above objectives, the Parties shall issue or re-issue orders to their respective military units or security forces (including paramilitaries, associated militias, and police units) to conduct their operations consistent with their obligations and commitments described herein.
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	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 Datuk Othman Bin Abdul Razak, Facilitator and Representative of Malaysia

Referendum for agreement No specific mention.

International mission/force/ similar No specific mention.

Enforcement mechanism Page 2, Article 2. Civilian Protection Component
The Parties hereby agree to expand the mandate of the IMT to include civilian protection. The IMT shall monitor, verify and report noncompliance by the Parties to their basic undertaking to protect civilians and civilian communities. Should the IMT cease to operate, the civilian protection component shall remain in place and continue to perform such functions. The Parties shall designate humanitarian organizations and non-governmental organizations, both international and national, with proven track record for impartiality, neutrality and independence, to carry out the civilian protection functions.

Page 2, Article 3. Implementing Terms of Reference
This Agreement on civilian protection component shall form part of the Terms of Reference of the IMT to be deliberated and agreed by the Parties upon the formal resumption of the GRP-MILF peace talks.

Related cases No specific mention.

Source UN Peacemaker <http://peacemaker.un.org/philippines-agreemen-cpc2009>
