

Country/entity	Philippines Mindanao
Region	Asia and Pacific
Agreement name	Consensus Points on the Strands on Concept, Territory Resources, and Governance at TWG level
Date	20 Apr 2005
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	Prof. Rudy Rodil, GRP-TWG Chair; Atty. Musib Buat, MILF-TWG Chair
Third parties	-
Description	Two page agreement affirming consensus points on issues of Bangsamoro identity, territory, resources, and governance.
Agreement document	PH_050420_Consensus Points of TWG Discussions.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	Groups→Religious groups→Substantive Page 1, Concept 1. Both Parties acknowledge the birthright of the Bangsamoro people to identify themselves as "Bangsa moro" as stipulated in Paragraph 1 of the MILF position paper. Both Parties affirm the rights of non-Islam professing indigenous tribes to free choice. They also agreed to elevate to the panels for discussion the inclusion of IPs as part of the Bangsamoro people.

Indigenous people Groups→Indigenous people→Substantive
Page 1, Concept
1. Both Parties acknowledge the birthright of the Bangsamoro people to identify themselves as "Bangsa moro" as stipulated in Paragraph 1 of the MILF position paper. Both Parties affirm the rights of non-Islam professing indigenous tribes to free choice. They also agreed to elevate to the panels for discussion the inclusion of IPs as part of the Bangsamoro people.

Page 1, Territory
2. Both Parties agree to the rationale of including bodies of water (maritime, alluvial domains) as part of the Bangsamoro ancestral domain.
3. On Paragraph 2(c) of the MILF position paper on Territory, both Parties agree on the ARMM as part of the core of the Bangsamoro homeland.
5. On Paragraph 3 of the MILF position paper on Territory, both Parties agree to come up with a comprehensive list of all inland seas, bodies of water, bays, straits and channels within the Mindanao-Sulu-Palawan region as part of the Bangsamoro homeland.

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)	<p>Governance→Political institutions (new or reformed)→General references Page 2, Resources 2. On Paragraph 3 of the MILF position paper on Resources, both Parties agree to refer to the Panels for discussion the matter on the authority of the proposed Bangsamoro juridical entity to revoke or grant forest concessions, timber license, contracts or agreements.</p> <p>Page 2, Resources 4. Both Parties agree to carry Paragraph 5 of the MILF position paper on Resources, given that its details are tied up with the final setting up of the institution or political structure/body to undertake/adopt appropriate measures with regard to resources.</p>
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

Power sharing→Territorial power sharing→Autonomous regions

Page 1, Territory

1. Both Parties agree on Paragraph 1 of the MILF position paper on Territory.
2. Both Parties agree to the rationale of including bodies of water (maritime, alluvial domains) as part of the Bangsamoro ancestral domain.
3. On Paragraph 2(c) of the MILF position paper on Territory, both Parties agree on the ARMM as part of the core of the Bangsamoro homeland.
4. Both Parties agree to come up with detailed maps, locations and related data indicated in Paragraph 2(a)-2(c) for matching and comparison purposes.
5. On Paragraph 3 of the MILF position paper on Territory, both Parties agree to come up with a comprehensive list of all inland seas, bodies of water, bays, straits and channels within the Mindanao-Sulu-Palawan region as part of the Bangsamoro homeland.

Page 2, Resources

2. On Paragraph 3 of the MILF position paper on Resources, both Parties agree to refer to the Panels for discussion the matter on the authority of the proposed Bangsamoro juridical entity to revoke or grant forest concessions, timber license, contracts or agreements.

...

4. Both Parties agree to carry Paragraph 5 of the MILF position paper on Resources, given that its details are tied up with the final setting up of the institution or political structure/body to undertake/adopt appropriate measures with regard to resources.

Page 2, Governance

1. Both Parties agree to refer the matter of "governance" to the Panels for further discussion.

Economic power sharing

Power sharing→Economic power sharing→Sharing of resources

Page 2, Resources

1. Both Parties agree to carry the first and second paragraphs as stated in the MILF position paper on Resources.

Page 2, Resources

2. On Paragraph 3 of the MILF position paper on Resources, both Parties agree to refer to the Panels for discussion the matter on the authority of the proposed Bangsamoro juridical entity to revoke or grant forest concessions, timber license, contracts or agreements.

Page 2, Resources

3. Both Parties agree to elevate to the Panels for discussion the modalities to operationalize Paragraph 4 of the MILF positions paper on Resources, as well as the details on strategic minerals or materials within the proposed Bangsamoro territory, in the event that the Panels adopt a mechanism for economic cooperation.

Page 2, Resources

4. Both Parties agree to carry Paragraph 5 of the MILF position paper on Resources, given that its details are tied up with the final setting up of the institution or political structure/body to undertake/adopt appropriate measures with regard to resources.

Page 2, Resources

5. Both Parties agree to elevate to the Panels for discussion the provisions of Paragraph 6 of the MILF Position Paper on Resources.

Military power sharing

No specific mention.

Human rights and equality

Human rights/RoL general Page 1, Concept
3. In determining the context of the word "freedom" in Paragraph 3 of the MILF position paper, both Parties shall refer to the GRP-MILF Tripoli Agreement of 2001 where they have agreed to adhere to international humanitarian law and human rights instruments.

Bill of rights/similar No specific mention.

Treaty incorporation Page 1, Concept
3. In determining the context of the word "freedom" in Paragraph 3 of the MILF position paper, both Parties shall refer to the GRP-MILF Tripoli Agreement of 2001 where they have agreed to adhere to international humanitarian law and human rights instruments.

Civil and political rights No specific mention.

Socio-economic rights Human rights and equality→Socio-economic rights→Cultural life
Page 1, Concept
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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 No specific mention.

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 No specific mention.

National economic plan No specific mention.

Natural resources Page 2, Resources

1. Both Parties agree to carry the first and second paragraphs as stated in the MILF position paper on Resources.
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3. Both Parties agree to elevate to the Panels for discussion the modalities to operationalize Paragraph 4 of the MILF positions paper on Resources, as well as the details on strategic minerals or materials within the proposed Bangsamoro territory, in the event that the Panels adopt a mechanism for economic cooperation.
4. Both Parties agree to carry Paragraph 5 of the MILF position paper on Resources, given that its details are tied up with the final setting up of the institution or political structure/body to undertake/adopt appropriate measures with regard to resources.
5. Both Parties agree to elevate to the Panels for discussion the provisions of Paragraph 6 of the MILF Position Paper on Resources.

International funds No specific mention.

Business Page 2, Resources

2. On Paragraph 3 of the MILF position paper on Resources, both Parties agree to refer to the Panels for discussion the matter on the authority of the proposed Bangsamoro juridical entity to revoke or grant forest concessions, timber license, contracts or agreements.

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** Page 1, Territory

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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.
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	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/similar	No specific mention.
Enforcement mechanism	No specific mention.
Related cases	No specific mention.

Source	GRP-MILF Peace Process: Compilation of Signed Agreements & other related Documents (1997-2010); (MILF Peace Panel/Asia Foundation, 2010), pp. 148-149.
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