

Country/entity	Philippines Mindanao
Region	Asia and Pacific
Agreement name	Interim Implementing Guidelines of the Joint Communiqué of May 06 2002
Date	9 Dec 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	Renewal
Conflict nature	Government/territory
Peace process	Philippines - Mindanao process
Parties	Rafael E. Seguis, GRP Peace Panel Chairman; Mohagher M. Iqbal, MILF Peace Panel Chairman
Third parties	Witness and Facilitator: Datuk Othman Bin Abdul Razak, Representative of the Malaysian Government
Description	Agreement between the Parties to renew the Interim Implementing Guidelines on the Joint Communique of May 06, 2002 (12/21/2004) and provides for the objective, scope, definition of terms, organization and composition of the Ad Hoc Joint Action Group (AHJAG), mechanics of implementation, and duration of the guidelines, which remain in effect for a period of 6 months, if not extended.

Agreement document [PH_091209_Interim Implmt Guidelines on 6 May 2002 JC.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 Groups→Refugees/displaced persons→Substantive
Page 3, VI Mechanic of Implementation
5. To avoid unnecessary armed confrontations, the displacement of communities and damage to properties, the Tactical Operations Center (TOC) or Tactical Command Post (TCP) of the government operating forces and with the MILF forces in the area shall work and coordinate closely with the AHJAG and vice versa.

Page 3, VI. Mechanics of Implementation
6. Except for operations against high priority targets, a list of which shall be provided by the GRP Panel to the MILF Panel, the AHJAG shall inform the GRP and the MILF CCCH at least 24 hours prior to the conduct of the AFP/PNP operations in order to allow sufficient time for the evacuation of civilians and to avoid armed confrontation between the GRP and MILF forces.

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 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 Human rights and equality→Civil and political rights→Life
Page 4, VII General Guidelines for the Implementing Unit
1. In the process of implementing its functions, the implementing units of the GRP-MILF shall ensure the safety of the life of the civilians and the protection of their properties.

Socio-economic rights Human rights and equality→Socio-economic rights→Property
Page 4, VII General Guidelines for the Implementing Unit
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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 Rights related issues→Protection measures→Protection of civilians
Page 4, VII General Guidelines for the Implementing Unit
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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**

Page 1, IV Definition of Terms

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

Page 2, IV Definition of Terms

F. Order of Battle - refers to the list of wanted persons prepared by the AFP/PNP as verified by the AGJAG.

Page 3, VI Mechanic of Implementation

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

Page 3, VI Mechanic of Implementation

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

Page 3, VI Mechanic of Implementation

5. To avoid unnecessary armed confrontations, the displacement of communities and damage to properties, the Tactical Operations Center (TOC) or Tactical Command Post (TCP) of the government operating forces and with the MILF forces in the area shall work and coordinate closely with the AHJAG and vice versa.

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Page 3, VI. Mechanics of Implementation

7. In hot pursuit operations in MILF areas/communities, the AFP/PNP commander shall coordinate with the AHJAG. Pursuit operations by the AFP/PNP against criminal elements shall not exceed seventy-two (72) hours and can be extended upon consultation with the AHJAG. Paramilitary/irregular forces shall not be allowed to engage in hot pursuit.

Ceasefire

Security sector→Ceasefire→General commitments

Page 1, I. Terms of Reference

A. Agreement for General Cessation of Hostilities dated July 18, 1997, including its Implementing Administrative Guidelines dated September 12, 1997 and Implementing Operational Guidelines dated November 14, 1997.

Page 3, VI Mechanic of Implementation

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Page 4, VI. Mechanics of Implementation

8. An after-operation report shall be immediately submitted by the AHJAG to the GPH and MILF Panels, copy furnished both CCCHs.

Page 4, VII. General Guidelines for the Implementing Unit

2. The AHJAG shall closely coordinate and work in tandem with the Joint CCCH.

Police

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Armed forces

No specific mention.

DDR

No specific mention.

Intelligence services

No specific mention.

**Parastatal/rebel
and opposition
group forces**

Page 3, VI Mechanic of Implementation

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Page 1, IV Definition of Terms

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

Page 1, IV. Definition of Terms

G. MILF Areas/Communities - refer to the places in Mindanao identified by the GPH and MILF Peace Panels where the MILF elements are situated.

Page 3, VI. Mechanics of Implementation

1. The AFP/PNP shall, convey to the MILF through the AHJAG the Order of Battle as defined in Paragraph IV, E containing the names and identities of the criminal elements as provided in 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 ORder of Battle.
3. The MILF futher 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 the AFP/PNP and MILF/BIAF to effect the apprehension and arrest of the suspected criminal elements.

Page 3, VI Mechanic of Implementation

5. To avoid unnecessary armed confrontations, the displacement of communities and damage to properties, the Tactical Operations Center (TOC) or Tactical Command Post (TCP) of the government operating forces and with the MILF forces in the area shall work and coordinate closely with the AHJAG and vice versa.

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Page 4, VI Mechanic of Implementation

9. The MIL shall block the entry of suspected criminal elements into MILF areas/communities based on the Order of Battle and other information jointly verified by the AHJAG. Arrested/apprehended personalities shall be turned over to the AHJAG.

Withdrawal of foreign forces

No specific mention.

Corruption

No specific mention.

**Crime/organised
crime**

Page 1, II Objective - This set of guidelines is adopted to implement the provision of the Joint Communiqué dated May 6, 2002 between the Government of the Republic of the Philippines and the Moro Islamic Liberation Front relative to the isolation and interdiction of all criminal syndicates/kidnap for ransom groups and other criminal groups including the so called "Lost Commands" operations in Mindanao.

Page 1, III Scope - These Interim Implementing Guidelines apply only to operations against criminal 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 BIA and the AFP/PNP as verified by the Ad Hoc Joint Action Group (AHJAG).

Page 2, IV Definition of Terms

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

C. Criminal Elements - within the purview of AHJAG, refers to a leader/member 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 AGHJAG.

Page 2, V Organization/Composition of the AHJAG

A. The Ad Hoc Joint Action Group shall be composed of eight (8) members, four (4) from the GRP and four (4) from the MILF agreed upon and named by the panels.

B. The AHJAG shall have under it Teams that will cover corresponding areas in Mindanao [...]

Page 3, V Organization/Composition of the AHJAG

C. An AHJAG Team as organized shall be composed of at least four (4) members, two from the GRP and TWO from the MILF to be augmented by support staff from both sides.

D. The AHJAG teams shall be composed of field level members and operators who can immerse on the ground for the performance of their missions, and shall readily be available at short notice.

Page 3, VI Mechanic of Implementation

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

Page 3, VI Mechanic of Implementation

2. The MILF through the AHJAG shall validate and subsequently act on the information as contained in the ORder of Battle.

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

Page 3, VI Mechanic of Implementation

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

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5. To avoid unnecessary armed confrontations, the displacement of communities and damage to properties, the Tactical Operations Center (TOC) or Tactical Command Post (TCP) of the government operating forces and with the MILF forces in the area shall work

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, Malaysian Government 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 GRP-MILF Peace Process: Compilation of Signed Agreements & other related Documents (1997-2010); (MILF Peace Panel/Asia Foundation, 2010), pp. 276-279.
