

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

Country/ entity	Philippines Mindanao
Region	Asia and Pacific Asia and Pacific
Agreement name	Government of the Philippines-MILF Decision Points on Principles as of April 2012
Date	24 Apr 2012
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Philippine Insurgencies (1968 -))
Stage	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Philippines - Mindanao process
Parties	Marvic M.V.F. Leonen, Panel Chair on behalf of the Government of the Philippines Mohagher Iqbal, Panel Chair on behalf of the Moro Islamic Liberation Front
Third parties	Tengku Dato' Ab Ghafar Tengku Mohamed, Facilitator and Representative of Malaysia
Description	Agreement on principles that will guide discussion on the future substantive agenda of the negotiations, though not exhaustive. Principles include, recognition of the Bangsamoro identity and that a political entity, set up with a transition period, should be established with power-sharing and wealth- sharing between the National Government and the new entity. Agreement also includes a list of rights for citizens in the new political entity.

Agreement
document

[PH_120424_GPH-MILF Decision Points on Principles.pdf](#)  | [Download PDF](#)

Groups

Children/ youth	No specific mention.
Disabled persons	Groups→Disabled persons→Anti-discrimination Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: ... i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ ethnic/ national group	Groups→Racial/ethnic/national group→Anti-discrimination Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...] 10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;
Religious groups	Groups→Religious groups→Anti-discrimination Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...] 10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;
Indigenous people	Groups→Indigenous people→Rhetorical Page 1, 1. The Parties recognize the Bangsamoro identity and the legitimate grievances of the Bangsamoro people.
Other groups	No specific mention.
Refugees/ displaced persons	No specific mention.

Social class Groups→Social class→Anti-discrimination
Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]
10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;

Gender

Women, girls and gender Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]
10.g. Right of women to meaningful political participation, and protection for all forms of violence;
10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) Page 1, 2. The Parties agree that the status quo is unacceptable and that the Parties will work for the creation of a new autonomous political entity in place of the ARMM.

Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity.

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed [...]

State configuration Page 1, 2. The Parties agree that the status quo is unacceptable and that the Parties will work for the creation of a new autonomous political entity in place of the ARMM.

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)

Governance→Political institutions (new or reformed)→General references
Page 1, 1. The Parties recognize Bangsamoro identity and the legitimate grievances and claims of the Bangsamoro people.

Page 1, 2. The Parties agree that the status quo is unacceptable and that the Parties will work for the creation of a new autonomous political entity in place of the ARMM.

Page 1, 4. The Parties agree that the new autonomous political entity shall have a ministerial form of government.

Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity.

Page 1, 7. The Parties agree that wealth creation (or revenue generation and sourcing) is important. The Parties also acknowledge the power of the new political entity to create its own sources of revenue, subject to limitations as maybe mutually agreed upon by the parties, and to have a just share in the revenues generated through the exploration, development, or utilization of natural resources.

Page 2, 8. The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The new political entity shall also have competence over the Shariah justice system.

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed [...]

Governance→Political institutions (new or reformed)→New political institutions (indefinite)

Page 1, 4. The Parties agree that the new autonomous political entity shall have a ministerial form of government.

Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity.

Page 1, 7. The Parties agree that wealth creation (or revenue generation and sourcing) is important. The Parties also acknowledge the power of the new political entity to create its own sources of revenue, subject to limitations as maybe mutually agreed upon by the parties, and to have a just share in the revenues generated through the exploration, development, or utilization of natural resources.

Page 2, 8. The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The new political entity shall also have competence over the Shariah justice system.

Governance→Political institutions (new or reformed)→Temporary new

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	<p>Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]</p> <p>10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;</p>
Constitution	<p>Governance→Constitution→Constitutional reform/making</p> <p>Page 1, 5. The Parties agree to the need for a transition period and the institution of transitional mechanisms in order to implement the provisions of the agreement.</p> <p>Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed [...]</p> <p>10.f. Right to seek constitutional change by peaceful and legitimate means;</p>

Power sharing

Political power sharing	No specific mention.
-------------------------	----------------------

Territorial
power
sharing

Power sharing→Territorial power sharing→Autonomous regions
Page 1, 1. The Parties recognize Bangsamoro identity and the legitimate grievances and claims of the Bangsamoro people.

Page 1, 2. The Parties agree that the status quo is unacceptable and that the Parties will work for the creation of a new autonomous political entity in place of the ARMM.

Page 1, 4. The Parties agree that the new autonomous political entity shall have a ministerial form of government.

Page 1, 5. The Parties agree to the need for a transition period and the institution of transitional mechanisms in order to implement the provisions of the agreement.

Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity.

Page 1, 6. [...] The Parties Agree that the following matters are reserved for the competence of the National Government:

- a. defense and external security
- b. foreign policy
- c. common market and global trade (FOOTNOTE: the power to enter into economic agreement already allowed under R.A. 9054 shall be transferred to the new political entity.)
- d. coinage and monetary policy
- e. citizenship and naturalization
- f. postal service

This list is without prejudice to other powers, which the Parties may agree to reserve to the National government in the course of the negotiation.

Page 2, 8. The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The new political entity shall also have competence over the Shariah justice system.

Page 2, 8. The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The new political entity shall also have competence over the Shariah justice system.

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed [...]

Economic power sharing	<p>Power sharing→Economic power sharing→Sharing of resources</p> <p>Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity. The Parties agree that the following matters are reserved for the competence of the National Government: [...]</p> <p>6.c. Common market and global trade (FOOTNOTE: The power to enter into economic agreements already allowed under R.A. 9054 shall be transferred to the new political entity.)</p> <p>Page 1, 7. The Parties agree that wealth creation (or revenue generation and sourcing) is important. The Parties also acknowledge the power of the new political entity to create its own sources of revenue, subject to limitations as maybe mutually agreed upon by the parties, and to have a just share in the revenues generated through the exploration, development, or utilization of natural resources.</p>
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed [...]
--------------------------	---

Bill of
rights/
similar

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed:

10.a. Right to life and to inviolability of one's person and dignity;

10.b. Right to freedom and expression of religion and beliefs;

10.c. Right to privacy;

10.d. Right to freedom of speech

10.e. Right to express political opinion and pursue democratically political aspiration; 10.f. Right to seek constitutional change by peaceful and legitimate means;

10.g. Right of women to meaningful political participation, and protection from all forms of violence;

10.h. Right to freely choose one's place of residence and the inviolability of the home;

10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;

10.j. Right to establish cultural and religious associations;

10.k. Right to freedom from religious, ethnic and sectarian harassment;

10.l. Right to redress of grievances and due process of law.

Treaty
incorporation

No specific mention.

Civil and political rights

Human rights and equality→Civil and political rights→Life

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed:

10.a. Right to life and to inviolability of one's person and dignity;

Human rights and equality→Civil and political rights→Equality

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;

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

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.a. Right to life and to inviolability of one's person and dignity;

10.g. Right of women to meaningful political participation, and protection from all forms of violence;

Human rights and equality→Civil and political rights→Freedom of movement

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.h Right to freely choose one's place of residence and the inviolability of the home;

Human rights and equality→Civil and political rights→Freedom of association

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.j. Right to establish cultural and religious associations;

10.k. Right to freedom from religious, ethnic and sectarian harassment;

Human rights and equality→Civil and political rights→Fair trial

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.l. Right to redress of grievances and due process of law.

Human rights and equality→Civil and political rights→Privacy and family life

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.c. Right to privacy;

Human rights and equality→Civil and political rights→Vote and take part

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.e. Right to express political opinion and pursue democratically political aspiration; 10.f. Right to seek constitutional change by peaceful and

legitimate means;

10.g. Right of women to meaningful political participation, and protection from all forms of violence;

Socio-economic rights	<p>Human rights and equality→Socio-economic rights→Property Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...] 10.h Right to freely choose one's place of residence and the inviolability of the home;</p> <p>Human rights and equality→Socio-economic rights→Work Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...] 10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity.</p> <p>Human rights and equality→Socio-economic rights→Cultural life Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...] 10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity; 10.j. Right to establish cultural and religious associations;</p>
-----------------------	---

Rights related issues

Citizenship	<p>Rights related issues→Citizenship→Citizen, general Page 1, 6. [...] The Parties Agree that the following matters are reserved for the competence of the National Government: e. citizenship and naturalization</p> <p>Rights related issues→Citizenship→Citizens, specific rights Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]</p>
Democracy	<p>Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: 10.e. Right to express political opinion and pursue democratically political aspiration;</p>
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 groups Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...] 10.g. Right of women to meaningful political participation, and protection for all forms of violence;
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	Page 2, 8. The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The new political entity shall also have competence over the Shariah justice system. Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed [...]

Prisons and detention	No specific mention.
Traditional Laws	Page 2, 8. The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The new political entity shall also have competence over the Shariah justice system.

Socio-economic reconstruction

Development or socio-economic reconstruction	<p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity. The Parties Agree that the following matters are reserved for the competence of the National Government:</p> <ul style="list-style-type: none"> c. common market and global trade (FOOTNOTE: the power to enter into economic agreement already allowed under R.A. 9054 shall be transferred to the new political entity.) d. coinage and monetary policy <p>[...]This list is without prejudice to other powers, which the Parties may agree to reserve to the National government in the course of the negotiation.</p> <p>Page 1, 7. The Parties agree that wealth creation (or revenue generation and sourcing) is important. The Parties also acknowledge the power of the new political entity to create its own sources of revenue, subject to limitations as maybe mutually agreed upon by the parties, and to have a just share in the revenues generated through the exploration, development, or utilization of natural resources.</p>
National economic plan	Page 1, 7. The Parties agree that wealth creation (or revenue generation and sourcing) is important. The Parties also acknowledge the power of the new political entity to create its own sources of revenue, subject to limitations as maybe mutually agreed upon by the parties, and to have a just share in the revenues generated through the exploration, development, or utilization of natural resources.
Natural resources	Page 1, 7. The Parties agree that wealth creation (or revenue generation and sourcing) is important. The Parties also acknowledge the power of the new political entity to create its own sources of revenue, subject to limitations as maybe mutually agreed upon by the parties, and to have a just share in the revenues generated through the exploration, development, or utilization of natural resources.

International funds No specific mention.

Business Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity. The Parties Agree that the following matters are reserved for the competence of the National Government:
c. common market and global trade (FOOTNOTE: the power to enter into economic agreement already allowed under R.A. 9054 shall be transferred to the new political entity.)

Taxation No specific mention.

Banks Socio-economic reconstruction→Banks→Central bank
Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity. The Parties Agree that the following matters are reserved for the competence of the National Government:
... d. coinage and monetary policy

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, 6. [...] The Parties Agree that the following matters are reserved for the competence of the National Government:
a. defense and external security

Ceasefire

No specific mention.

Police

No specific mention.

Armed
forces

Page 1, 6. [...] The Parties Agree that the following matters are reserved for the competence of the National Government:
a. defense and external security

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 Page 1, 1. The Parties recognize the Bangsamoro identity and the legitimate grievances of the Bangsamoro people.

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]
I. Right to redress of grievances and due process of law.

Missing
persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN
signatory No specific mention.

Other
international
signatory Tengku Dato' Ab Ghafar Tengku Mohamed, representative of Malaysia
[Facilitator]

Referendum
for
agreement No specific mention.

International
mission/
force/similar No specific mention.

Enforcement
mechanism Page 2, 9. The Parties agree to the creation of (third party) monitoring and
evaluation mechanisms, which may utilize competencies already available in
existing mechanisms, eg. ICG, IMT, CCCH.

Related
cases No specific mention.

Source UN Peacemaker <http://peacemaker.un.org/philippines-decision-principles2012>
