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Country/ entity	Philippines Mindanao
Region	Asia and Pacific Asia and Pacific
Agreement name	The Independent Commission on Policing and its Terms of Reference
Date	27 Feb 2013
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Philippine Insurgencies (1968 -))
Stage	Implementation/renegotiation
Conflict nature	Government/territory
Peace process	Philippines - Mindanao process
Parties	Miriam Coronel-Ferrer, Panel Chair for the Government of the Philippines Mohagher Iqbal, Panel Chair for the Moro Islamic Liberation Front
Third parties	Tengku Dato' Ab Ghafar Tengku Mohamed, Facilitator and Representative of Malaysia
Description	The Agreement establishes Terms of Reference for the Independent Commission on Policing, established in the Framework Agreement on the Bangsamoro, with guiding principles, and details of the composition, organization, functions, duration, and funding of the Commission.

Agreement document [PH_130227_TOR for the ICP.pdf](#)  | [Download PDF](#)

Groups

Children/ youth	Groups→Children/youth→Rhetorical Page 1, 2. Principles The ICP will be guided by the provision of normalization in the FAB. Its guiding principles are: b) Inclusiveness, to reflect the ethnic and cultural diversity in the Bangsamoro, as well as the ability to address the different security issues facing women, men, and children and minority groups.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ ethnic/ national group	Groups→Racial/ethnic/national group→Rhetorical Page 1, 2. Principles The ICP will be guided by the provision of normalization in the FAB. Its guiding principles are: b) Inclusiveness, to reflect the ethnic and cultural diversity in the Bangsamoro, as well as the ability to address the different security issues facing women, men, and children and minority groups.
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	<p>Page 1, 2. Principles</p> <p>The ICP will be guided by the provisions of normalization in the Framework Agreement on the Bangsamoro. Its guiding principles are:</p> <p>b) Inclusiveness, to reflect the ethnic and cultural diversity in the Bangsamoro, as well as the ability to address the different issues facing women, men, children and minority groups.</p> <p>Page 2, 5. Functions</p> <p>The main function of the ICP is to conduct studies and produce a set of recommendations on the appropriate policing for the Bangsamoro. For this purpose, it shall:</p> <p>a) consult widely, including with the Department of Interior and Local Government (DILG), Armed Forces of the Philippines (AFP), Philippine National Police (PNP), National Police Commission (NAPOLCOM), Department of Defense (DND), and other relevant government agencies as well as with Bangsamoro Islamic Armed Forces (BIAF), communities in the Bangsamoro, including women, NGOs, and other people and organisations.</p>
Men and boys	<p>Gender→Men and boys→Gender neutral wording</p> <p>Page 1, 2. Principles</p> <p>The ICP will be guided by the provisions of normalization in the Framework Agreement on the Bangsamoro. Its guiding principles are:</p> <p>b) Inclusiveness, to reflect the ethnic and cultural diversity in the Bangsamoro, as well as the ability to address the different issues facing women, men, children and minority groups.</p>
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, 5. Functions

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a) consult widely, including with Department of Interior and Local Government (DILG), Armed Forces of the Philippines (AFP), Philippines National Police (PNP), National Police Commission (NAPOLCOM), Department of National Defense, and other relevant government agencies as well as the Bangsamoro Islamic Armed Forces, communities in the Bangsamoro, including women, NGOs, and other people and organisations.

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	<p>Page 1, 2. Principles</p> <p>The ICP will be guided by the provision of normalization in the FAB. Its guiding principles are:</p> <ul style="list-style-type: none">a) Equal access to the security and justice for all members of society.b) Inclusiveness, to reflect the ethnic and cultural diversity in the Bangsamoro, as well as the ability to address the different security issues facing women, men, and children and minority groups.c) Transparency and accountability. <p>Page 2, Functions</p> <p>The main function of the ICP is to conduct studies and produce a set of recommendation on the appropriate policing for the Bangsamoro. [...] The recommendations will be based on a needs-assessment that will reflects public's perception of the police; the needs and demands of communities in the Bangsamoro; the human rights situation; and other indicators of performance.</p>
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.

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 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, 1. Mandate
As outlined in the Framework Agreement on the Bangsamoro, the Independent Commission on Policing (ICP) shall produce recommendations to the peace panels for a police force for the Bangsamoro, civilian in character, that is professional and free from partisan political control; that is effective and efficient in law enforcement, fair and impartial as well as accountable for its action, and responsible both to the Central Government and the Bangsamoro Government, and to the communities it serves.

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a) Equal access to the security and justice for all members of society.
b) Inclusiveness, to reflect the ethnic and cultural diversity in the Bangsamoro, as well as the ability to address the different security issues facing women, men, and children and minority groups.
c) Transparency and accountability.

Ceasefire No specific mention.

Police

Page 1, 1. Mandate

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- c) Transparency and accountability.

Page 1, 3. Composition

The Independent Commission on Policing shall be composed of seven (7) members. Each party shall select on (1) local expert; appoint one (1) representative; and nominate one (1) international expert. All designated members shall be mutually acceptable to and agreed upon by the Parties. Both Parties will jointly select a chairperson.

Page 2, 5. Functions

The main function of the ICP is to conduct studies and produce a set of recommendation on the appropriate policing for the Bangsamoro. For this purpose, it shall:

- a) consult widely, including with Department of Interior and Local Government (DILG), Armed Forces of the Philippines (AFP), Philippines National Police (PNP), National Police Commission (NAPOLCOM), Department of National Defense, and other relevant government agencies as well as the Bangsamoro Islamic Armed Forces, communities in the Bangsamoro, including women, NGOs, and other people and organisations.

... c) identify other aspects of the criminal justice system relevant to its work on policing, including the role of the police in prosecution.

The recommendations will be based on a needs-assessment that will reflect public's perception of the police; the needs and demands of communities in the Bangsamoro; the human rights situation; and other indicators of performance.

Page 3, 6. Duration

The ICP shall submit its final report to the Panels within six (6) months from its first meeting. The first meeting will take place as soon as possible, and no later than one month after the Negotiating Panels receive letter of acceptance of all the appointed members.

Page 3, 7. Reports and Recommendations

The ICP shall submit its final report to the Chairpersons of the Negotiating Panels. The Negotiating Panels shall determine when the report will be made public. [...]

Armed forces	<p>Page 2, 5. Functions</p> <p>The main function of the ICP is to conduct studies and produce a set of recommendation on the appropriate policing for the Bangsamoro. For this purpose, it shall:</p> <p>a) consult widely, including with Department of Interior and Local Government (DILG), Armed Forces of the Philippines (AFP), Philippines National Police (PNP), National Police Commission (NAPOLCOM), Department of National Defense, and other relevant government agencies as well as the Bangsamoro Islamic Armed Forces, communities in the Bangsamoro, including women, NGOs, and other people and organisations.</p>
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/ rebel and opposition group forces	<p>Page 2, 5. Functions</p> <p>The main function of the ICP is to conduct studies and produce a set of recommendation on the appropriate policing for the Bangsamoro. For this purpose, it shall:</p> <p>a) consult widely, including with Department of Interior and Local Government (DILG), Armed Forces of the Philippines (AFP), Philippines National Police (PNP), National Police Commission (NAPOLCOM), Department of National Defense, and other relevant government agencies as well as the Bangsamoro Islamic Armed Forces, communities in the Bangsamoro, including women, NGOs, and other people and organisations.</p>
Withdrawal of foreign forces	No specific mention.
Corruption	<p>Page 1, 1. Mandate</p> <p>As outlined in the Framework Agreement on the Bangsamoro, the Independent Commission on Policing (ICP) shall produce recommendations to the peace panels for a police force for the Bangsamoro, civilian in character, that is professional and free from partisan political control; that is effective and efficient in law enforcement, fair and impartial as well as accountable for its action, and responsible both to the Central Government and the Bangsamoro Government, and to the communities it serves.</p>
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	Tengku Dato' Ab Ghafar Tengku Mohamed, Facilitator and Representative of Malaysia
Referendum for agreement	No specific mention.
International mission/force/similar	No specific mention.
Enforcement mechanism	No specific mention.
Related cases	No specific mention.
Source	UN Peacemaker http://peacemaker.un.org/philippines-TOR-policing-commission2013
