

Country/entity	Philippines
Region	Asia and Pacific
Agreement name	Additional Implementing Rules of the Joint Agreement on Safety and Immunity Guarantees (JASIG) Pertaining to the Security of Personnel and Consultations in Furtherance of the Peace Negotiations
Date	16 Mar 1998
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	Implementation/renegotiation
Conflict nature	Government
Peace process	Philippines-NDF process
Parties	<p>Government of the Republic of the Philippines:</p> <p>By Amb. Howard Q. Dee, Chairman, GRP Negotiating Panel Rep. Jose Wyap, Member Sec. Silvestre H. Bello III, Member Atty. Rene V. Sarmiento, Member Ms. Zenaida H. Pawid, Member</p> <p>National Democratic Front of the Philippines:</p> <p>By, Luis G. Jalandoni, Chairman, NDFP Negotiating Panel Fidel V. Agcaoili, Member Coni K. Ledesma, Member Asterio B. Palima, Member Jojo S. Magdiwang, Member</p>
Third parties	-
Description	<p>This agreement addresses the security for duly accredited persons, and organisations of their respective security committees to agree on guidelines for the Implementing Rules and their implementation, as an important means to enhance the conditions of the peace negotiations and avert adverse incidents. It agrees to prior notice on holding of consultations and disclosure of appropriate information. Security committees also to agree on necessity of declaring mutual ceasefire in areas where consultations were being conducted; on determination of safety areas and adequate protection for routes of safe passage. Also provided for formation of central and regional security forces. Duly accredited persons and members of security forces authorised to carry sidearms/ firearms to act in a manner that would promote objective of negotiations.</p>

Agreement document [PH_980316_Add Implementing Rules of JASIG.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 1, Security for Duly Accredited Persons
Section 2. Both Parties shall ensure that these Implementing Rules are transmitted and fully understood by all personnel concerned down to the lowest unit on the ground. The two Negotiating Panels shall discuss and agree on additional implementing rules as they may deem necessary to avert any incident which may jeopardize the peace negotiations and the safety and unhindered passage of their respective duly accredited persons and the persons consulted by them as well as the peaceful conduct of the assemblies.

**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 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

Rights related issues→Protection measures→Other

Page 1, Article I. Security for Duly Accredited Persons

Section 1. The duly accredited persons may carry one (1) sidearm each including its ammunitions, accessories and spare parts for their security and self protection while in the performance of their functions in the peace negotiations. For purposes of these Implementing Rules, “sidearm” shall refer to revolvers and semi-automatic pistols and excludes machine pistols.

Page 2, Article II. Security Committees and Security Forces

Section 1. The Parties shall organize their respective Security Committees composed of three members on each side which shall discuss and agree: (1) on the guidelines for these Implementing Rules on matters of detail which are not specifically covered herein; (2) on the implementation of such guidelines; (3) on ensuring proper coordination in such implementation; (4) on prior notice on the holding of consultations and the appropriate information which should be disclosed regarding consultations; (5) on the necessity of declaring a mutual ceasefire in the areas where consultations are being conducted and the nature, scope, implementing guidelines and parameters of such mutual ceasefire; (6) on the determination of the safety area, radius and distance from both sides and adequate protection for the routes of safe passage for participants in the consultation; and (7) on such other matters as may be assigned to them from time to time by agreement of the two Panels.

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, Untitled Preamble

These Additional Implementing Rules of the Joint Agreement on Safety and Immunity Guarantees (JASIG) Pertaining to the Security of Personnel and Consultations in Furtherance of the Peace Negotiations, hereinafter referred to as the Implementing Rules, are being agreed by and between:

... Whereas, the Parties have the responsibility to protect their respective personnel involved in the peace negotiations through their respective security forces;

Whereas, the duly accredited persons under the Joint Agreement on Safety and Immunity Guarantees (JASIG) dated 24 February 1995, hereinafter referred to as the duly accredited persons, because of their involvement in the peace negotiations, have the inherent rights to their personal security;

Whereas, security is likewise required for the consultations, public meetings, and free and unhindered passage in all areas in the Philippines in connection with and in furtherance of the peace negotiations that the aforesaid duly accredited persons conduct; and

Whereas, there is a need to agree on the security methods and means in order to enhance the conditions of the peace negotiations and avert incidents adverse thereto.

Page 1, Article I. Security for Duly Accredited Persons

Section 1. The duly accredited persons may carry one (1) sidearm each including its ammunitions, accessories and spare parts for their security and self protection while in the performance of their functions in the peace negotiations. For purposes of these Implementing Rules, "sidearm" shall refer to revolvers and semi-automatic pistols and excludes machine pistols.

Page 2, Article II. Security Committees and Security Forces

Section 1. The Parties shall organize their respective Security Committees composed of three members on each side which shall discuss and agree: (1) on the guidelines for these Implementing Rules on matters of detail which are not specifically covered herein; (2) on the implementation of such guidelines; (3) on ensuring proper coordination in such implementation; (4) on prior notice on the holding of consultations and the appropriate information which should be disclosed regarding consultations; (5) on the necessity of declaring a mutual ceasefire in the areas where consultations are being conducted and the nature, scope, implementing guidelines and parameters of such mutual ceasefire; (6) on the determination of the safety area, radius and distance from both sides and adequate protection for the routes of safe passage for participants in the consultation; and (7) on such other matters as may be assigned to them from time to time by agreement of the two Panels.

Page 2, Article II. Security Committees and Security Forces

Section 2. The Party concerned may form a central security force of not more than thirty (30) members which, in the case of the NDFP, shall include the twelve (12) security personnel who are duly accredited persons. The central security force shall perform close-in security of its duly accredited persons, security of participants in the consultations, and security for the safe passage of personnel and participants in the consultations.

Page 2, Article II. Security Committees and Security Forces

Section 3. For purposes of the consultations, the Party concerned may form a regional security force in each of the fifteen (15) regions of the country, not exceeding thirty (30) members in each region at any one time, inclusive of those who may come from the central security force. Such security force shall perform its tasks during the period of consultations and in the areas where such consultations are being held.

Page 3, Article II. Security Committees and Security Forces

Ceasefire	<p>Security sector→Ceasefire→Ceasefire provision Page 2, Article 2. Security Committees and Security Forces ... (5) on the necessity of declaring a mutual ceasefire in the areas where consultations are being conducted and the nature, scope, implementing guidelines and parameters of such mutual ceasefire;</p>
Police	<p>Page 3, Article III, General Provisions Section 1. The duly accredited persons and members of the security forces authorized to carry sidearms/firearms, including its ammunitions, accessories and spare parts, pursuant to these Implementing Rules shall act in a manner that will promote the objectives of the peace negotiations.</p> <p>Page 3, Article III, General Provisions Section 2. The authority to carry sidearms/firearms issued pursuant to the preceding section shall not be transferable and shall be in the possession of the bearer together with the sidearms/firearms covered by said authority.</p> <p>Page 1-2, Article 1, Security for Duly Accredited Persons Section 1. The duly accredited persons may carry one (1) sidearm each including its ammunitions, accessories and spare parts for their security and self-protection while in the performance of their functions in the peace negotiations. For purposes of these Implementing Rules, “sidearm” shall refer to revolvers and semi-automatic pistols and excludes machine pistols.</p> <p>Any case of alleged violation of the provisions of this section shall be the subject matter of appropriate consultations between the two Parties.</p>
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.

Parastatal/rebel and opposition group forces Page 2, Article 2. Security Committees and Security Forces
Section 2. The Party concerned may form a central security force of not more than thirty (30) members which, in the case of the NDFP, shall include the twelve (12) security personnel who are duly accredited persons. The central security force shall perform close-in security of its duly accredited persons, security of participants in the consultations, and security for the safe passage of personnel and participants in the consultations.

Page 2, Article 2. Security Committees and Security Forces
Section 3. For purposes of the consultations, the Party concerned may form a regional security force in each of the fifteen (15) regions of the country, not exceeding thirty (30) members in each region at any one time, inclusive of those who may come from the central security force. Such security force shall perform its tasks during the period of consultations and in the area where such consultations are being held.

Page 3, Article 2. Security Committees and Security Forces
Section 4. Members of the aforesaid central and regional security forces shall enjoy the protection provided for by Section 3, Article II of the JASIG.

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 The GRP-NDFP Peace Negotiations: Major Written Agreements & Outstanding Issues, pp. 44-47.

UN Peacemaker [<http://peacemaker.un.org/philippines-implementing-agreement-safety98>]
