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Country/ entity	Philippines
Region	Asia and Pacific
Agreement name	Oslo Joint Statement
Date	14 Feb 2004
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict ( Philippine Insurgencies (1968 - ) )
Stage	Pre-negotiation/process
Conflict nature	Government
Peace process	Philippines-NDF process
Parties	In behalf of the GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES: SILVESTRE H. BELLO III, GRP Panel Chairperson  In behalf of the NATIONAL DEMOCRATIC FRONT OF THE PHILIPPINES: LUIS G. JALANDONI, NDFP Panel Chairperson
Third parties	Witnessed by:  TORE HATTREM ROYAL NORWEGIAN GOVERNMENT Third Party Facilitator

Description The Parties renewed their commitment to address the roots of the armed conflict by adopting the Agreed framework for negotiations, which includes identifying victims, social and economic reforms, confidence-building measures and exchange of information. Annex A sets out the role of the Third Party Facilitator, the Norwegian Government, which include: facilitate the holding of the talks of the two Parties, attend formal talks as Third Party Facilitator and to provide advice, opinions and suggestions and receive updates on the progress of the talks from the parties as may be deemed necessary. Article 4 & 5 was deferred pending clarification on specific details on the roles to be played by them. ; Annex B Operational Guidelines for Joint Monitoring Committee, provides form guidelines on the manner by which to operationalize the Joint Monitoring Committee (JMC) and monitor the implementation of and achieve the purposes of the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CAR-HR/IHL). THE next round of formal talks is scheduled to be held in Norway in March 2004.

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Agreement document

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## Groups

Children/youth Groups→Children/youth→Substantive  
Page 4, Article 8. Confidence-Building Measure  
Release of Prisoners and Detainees  
[...]  
The GRP shall review the cases of women, children, sick and elderly prisoners or detainees enumerated in the list submitted by KARAPATAN and determine whether they may be expeditiously released on humanitarian and/or legal grounds;

Disabled persons Groups→Disabled persons→Substantive  
Page 4, Article 8. Confidence-Building Measure  
Release of Prisoners and Detainees  
[...]  
The GRP shall review the cases of women, children, sick and elderly prisoners or detainees enumerated in the list submitted by KARAPATAN and determine whether they may be expeditiously released on humanitarian and/or legal grounds;

Elderly/age	Groups→Elderly/age→Substantive Page 4, Article 8. Confidence-Building Measure Release of Prisoners and Detainees [...] The GRP shall review the cases of women, children, sick and elderly prisoners or detainees enumerated in the list submitted by KARAPATAN and determine whether they may be expeditiously released on humanitarian and/or legal grounds;
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.

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## Gender

Women, girls and gender	Page 4, Article 8. Confidence-Building Measure Release of Prisoners and Detainees [...] The GRP shall review the cases of women, children, sick and elderly prisoners or detainees enumerated in the list submitted by KARAPATAN and determine whether they may be expeditiously released on humanitarian and/or legal grounds; [...]
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Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

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## 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.

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## Governance

Political institutions (new or reformed)	<p>Governance→Political institutions (new or reformed)→General references Page 2, Article 4. NDFP Proposal for Accelerated Work/GRP Proposal of an Enhanced Process [...]</p> <p>At the same time, the Panels shall prepare the work of the Reciprocal Working Committees on Political and Constitutional Reforms (RWCs on PCR) and the necessary subcommittees. Upon completion by the RWCs on SER of the sections on agrarian reform and on national industrialization, the work on political and constitutional reforms shall be initiated and completed according to the target dates.</p> <p>Page 3, Article 7. Work of the Reciprocal Working Committees on Social and Economic (RWC-SER) Reforms</p> <p>The RWCs on SER reviewed the status of the work at both the RWC and subcommittee levels since the resumption of the formal talks between the GRP and the NDFP in April 2001 and affirmed the common positions so far reached.</p>
Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.

Civil society Page 4, Article 6. Indemnification of the Victims of Human Rights Violations Under the Marcos Regime  
[...]  
In between the formal talks of the Negotiating Panels and the RWCs on SER meetings, the subcommittees jointly, and/or separately, may conduct public meetings and consultations.

Annex B.

Page 1, IV. ORGANIZATIONAL STRUCTURE AND OPERATIONAL ARRANGEMENTS

4.1 Composition. The Committee shall be composed of three (3) members chosen by the GRP and three (3) members chosen by the NDFP, through their respective Chairpersons. In addition, each Party shall also nominate two (2) representatives of human rights organizations who will sit in the Committee as Observers. The Committee shall have Co-Chairpersons representing the Parties as their respective Chief Representatives who shall act as Moderators of its meetings. Changes in the Party's representatives and Observers in the Committee may be made by the Nominating Party provided these are formally communicated in advance to its counterpart for information.

Traditional/  
religious  
leaders No specific mention.

Public  
administration No specific mention.

Constitution Governance→Constitution→Constitutional reform/making  
Page 2, Article 4. NDFP Proposal for Accelerated Work/GRP Proposal of an Enhanced Process  
[...]  
At the same time, the Panels shall prepare the work of the Reciprocal Working Committees on Political and Constitutional Reforms (RWCs on PCR) and the necessary subcommittees. Upon completion by the RWCs on SER of the sections on agrarian reform and on national industrialization, the work on political and constitutional reforms shall be initiated and completed according to the target dates.

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## 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.

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## Human rights and equality

Human rights/RoL general Page 2, Article 5. Formation of the Joint Monitoring Committee (JMC) ...

The Panels agreed to form the Joint Monitoring Committee (JMC) as an interim body which shall monitor the implementation of the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CAR-HR/IHL).

The two Parties approved the Operational Guidelines for the JMC (Annex B hereof) to implement Part V and related provisions of the CARHRIHL.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights 4. the two panels shall reconvene the Reciprocal Working Committees on Social and Economic Reforms immediately and continue the work of their respective subcommittees towards completing the draft on all aspects of the Comp Agmt on Social and Economic Reforms based on target dates of completion. 7. Committee affirmed the common positions of the respective subcommittees and agreed to accelerate joint work.

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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.

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## **Rights institutions**

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

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## **Justice sector reform**

Criminal justice and emergency law No specific mention.



State of emergency provisions	<p>Page 3, Article 6. Indemnification of the Victims of Human Rights Violations Under the Marcos Regime</p> <p>In keeping with its obligation under Articles 3, 4 and 5 of Part III of CARHRIHL, and taking into consideration the Swiss Supreme Court Decision of 10 December 1997, the GRP undertakes to preserve at least PhP8 billion (approximately USD150 million) plus interest and earnings from the USD684 million forfeited Marcos ill-gotten wealth to be deposited in the form of US dollars. The GRP Panel hereby recommends to its principal, following the precedents in the contingency legal expenses and lawyers fees incurred by the PCGG, and subject to law and jurisprudence, to retain in an escrow account with the Philippine National Bank the said amount solely for the purpose of indemnifying victims of human rights violations during martial law. From this amount and such additional amounts as may be necessary, the GRP shall indemnify martial law victims of human rights violations, giving priority to the successful plaintiffs in the Human Rights Litigation against Marcos who shall be indemnified without further delay and in the most expeditious manner.</p>
Judiciary and courts	No specific mention.
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

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## Socio-economic reconstruction

Development or socio-economic reconstruction    Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development  
Page 2, Article 4. NDFP Proposal for Accelerated Work/GRP Proposal of an Enhanced Process  
... At the same time, the Panels shall prepare the work of the Reciprocal Working Committees on Political and Constitutional Reforms (RWCs on PCR) and the necessary subcommittees. Upon completion by the RWCs on SER of the sections on agrarian reform and on national industrialization, the work on political and constitutional reforms shall be initiated and completed according to the target dates.

Page 3, Article 7. Work of the Reciprocal Working Committees on Social and Economic (RWC-SER) Reforms

The RWCs on SER reviewed the status of the work at both the RWC and subcommittee levels since the resumption of the formal talks between the GRP and the NDFP in April 2001 and affirmed the common positions so far reached.

... In the next three months, the RWCs-SER and their respective subcommittees shall work on the topics of national sovereignty and patrimony, national industrialization and economic development, economic planning, monetary and fiscal policies and foreign and economic relations.

In the next succeeding quarter, the RWCs-SER and their respective subcommittees shall take up agrarian reform and agricultural development, rights of the working people, livelihood and social services and the final provisions.

National economic plan    Page 2, Article 4. NDFP Proposal for Accelerated Work/GRP Proposal of an Enhanced Process

...

At the same time, the Panels shall prepare the work of the Reciprocal Working Committees on Political and Constitutional Reforms (RWCs on PCR) and the necessary subcommittees. Upon completion by the RWCs on SER of the sections on agrarian reform and on national industrialization, the work on political and constitutional reforms shall be initiated and completed according to the target dates.

Natural resources    No specific mention.

International funds    No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

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### **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.

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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	Page 1-2, Article 3. Effective Measures Regarding the "Terrorist" Listing, The GRP and the NDFP shall, jointly and separately, call upon the Government of the United States, the Council of the European Union and other concerned foreign states and governments, to support the efforts of the parties in resolving the outstanding issue of the "terrorist" listing of the CPP/ NPA and the NDFP Chief Political Consultant in order to advance and promote the peace negotiations and address the root causes of the armed conflict.

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## Transitional justice

Transitional justice general	<p>Page 1-2, Article 3. Effective Measures Regarding the "Terrorist" Listing</p> <p>The GRP and the NDFP shall, jointly and separately, call upon the Government of the United States, the Council of the European Union and other concerned foreign states and governments, to support the efforts of the parties in resolving the outstanding issue of the "terrorist" listing of the CPP/NPA and the NDFP Chief Political Consultant in order to advance and promote the peace negotiations and address the root causes of the armed conflict.</p>
Amnesty/pardon	<p>Transitional justice→Amnesty/pardon→Relief of other sanctions</p> <p>Page 1-2, Article 3. Effective Measures Regarding the "Terrorist" Listing</p> <p>The GRP and the NDFP shall, jointly and separately, call upon the Government of the United States, the Council of the European Union and other concerned foreign states and governments, to support the efforts of the parties in resolving the outstanding issue of the "terrorist" listing of the CPP/NPA and the NDFP Chief Political Consultant in order to advance and promote the peace negotiations and address the root causes of the armed conflict.</p>
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	<p>Page 4, Article 8. Confidence-Building Measure</p> <p>Release of Prisoners and Detainees</p> <p>The Parties agree that the release of prisoners is a continuing confidence-building measure motivated by a mutual desire to improve the atmosphere for peace negotiations. As such, it is a benign act of magnanimity.</p> <p>In accordance with the above, the GRP, following its judicial processes, shall expedite the release of prisoners or detainees ordered released by President Gloria Macapagal Arroyo in 2001.</p> <p>The GRP shall review the cases of women, children, sick and elderly prisoners or detainees enumerated in the list submitted by KARAPATAN and determine whether they may be expeditiously released on humanitarian and/or legal grounds; and</p> <p>Pursuant to Article 6, Part III of the CARHRIHL, the GRP shall review the cases of more than 300 prisoners or detainees listed by KARAPATAN and shall immediately release those found to have been charged, detained or convicted of common crimes contrary to the doctrine laid down in <i>People vs. Hernandez</i> (99 Phil. 515, July 18, 1956).</p>

Vetting	No specific mention.
Victims	<p>Page 3, Article 6. Indemnification of the Victims of Human Rights Violations Under the Marcos Regime</p> <p>In keeping with its obligation under Articles 3, 4 and 5 of Part III of CARHRIHL, and taking into consideration the Swiss Supreme Court Decision of 10 December 1997, the GRP undertakes to preserve at least PhP8 billion (approximately USD150 million) plus interest and earnings from the USD684 million forfeited Marcos ill-gotten wealth to be deposited in the form of US dollars. The GRP Panel hereby recommends to its principal, following the precedents in the contingency legal expenses and lawyers fees incurred by the PCGG, and subject to law and jurisprudence, to retain in an escrow account with the Philippine National Bank the said amount solely for the purpose of indemnifying victims of human rights violations during martial law. From this amount and such additional amounts as may be necessary, the GRP shall indemnify martial law victims of human rights violations, giving priority to the successful plaintiffs in the Human Rights Litigation against Marcos who shall be indemnified without further delay and in the most expeditious manner.</p>
Missing persons	No specific mention.
Reparations	<p>Transitional justice→Reparations→Material reparations</p> <p>Page 3, Article 6. Indemnification of the Victims of Human Rights Violations Under the Marcos Regime</p> <p>In keeping with its obligation under Articles 3, 4 and 5 of Part III of CARHRIHL, and taking into consideration the Swiss Supreme Court Decision of 10 December 1997, the GRP undertakes to preserve at least PhP8 billion (approximately USD150 million) plus interest and earnings from the USD684 million forfeited Marcos ill-gotten wealth to be deposited in the form of US dollars. The GRP Panel hereby recommends to its principal, following the precedents in the contingency legal expenses and lawyers fees incurred by the PCGG, and subject to law and jurisprudence, to retain in an escrow account with the Philippine National Bank the said amount solely for the purpose of indemnifying victims of human rights violations during martial law. From this amount and such additional amounts as may be necessary, the GRP shall indemnify martial law victims of human rights violations, giving priority to the successful plaintiffs in the Human Rights Litigation against Marcos who shall be indemnified without further delay and in the most expeditious manner.</p>
Reconciliation	No specific mention.

## Implementation

UN  
signatory      No specific mention.

Other  
international  
signatory      Witnessed by:  
TORE HATTREM  
ROYAL NORWEGIAN GOVERNMENT  
Third Party Facilitator

Referendum  
for  
agreement      No specific mention.

International  
mission/  
force/similar      No specific mention.

Enforcement mechanism 5. parties designate members to participate in Joint Monitoring Committee as an interim body to monitor implementation of earlier agmts, and parties approved its operational guidelines (Annex B). 9. the parties frankly exchanged info and complaints about matters that can adversely affect the peace negotiations. They agreed to look further into these matters and address them expeditiously through the JMC and other appropriate mechanisms. 10. parties agree date, venue and agenda for next round of formal talks.

Annex B.

Page 2-3, Article V. MANDATE OF THE COMMITTEE

The Committee shall be the principal mechanism to monitor the implementation of the CAR-HR/IHL and as such shall undertake the following functions:

5.1 Receive complaints on violations of human rights and international humanitarian law of the CAR-HR/IHL allegedly committed by either of the Parties, including complaints on the non-implementation of any provisions thereof;

5.2 Decide by consensus, the complaint to be referred by the Committee to the Party concerned for appropriate investigation. After said investigation, the Party concerned shall make a report to the Committee which shall, after deliberation and determination which may include the conduct of its own investigation, as defined in Section 3.1 of these guidelines, and by consensus make and submit recommendations to the two Parties through their respective Panels.

#### VI. ACTIVATION OF THE COMMITTEE

6.1 The Committee is deemed constituted, activated and operational upon the formal acknowledgment by the Parties of each other's nominees for membership in the Committee.

6.2 Upon its activation, the Committee shall hold its organizational meeting preferably within a period not exceeding ninety (90) days, organize the Joint Secretariat, and agree on its Work Program for a period to be determined by the Committee.

Related cases No specific mention.

Source The GRP-NDFP Peace Negotiations: Major Written Agreements & Outstanding Issues, pp. 58-66.