

**GUIDELINES FOR THE IMPLEMENTATION OF THE
PHILIPPINE CAMPAIGN TO BAN LANDMINES -
FONDATION SUISSE DE DEMIANCE (PCBL-FSD) PROJECT
PURSUANT TO THE JOINT STATEMENT OF THE
GRP-MILF PEACE PANELS DATED 15 NOVEMBER 2001**

PART I

1. Government of the Republic of the Philippines (GRP) Coordinating Committee on Cessation of Hostilities (CCCCH) - the main mechanism of the GRP-MILF Peace Process
2. Moro Islamic Liberation Front (MILF) Coordinating Committee on Cessation of Hostilities (CCCCH) - the main mechanism of the MILF to deal with cessation of hostilities and the security aspect of the GRP-MILF Peace Process
3. Philippine Campaign to Ban Landmines (PCBL) - the Philippine-based civil society/non-governmental campaign group on landmines issues, which is affiliated with the 1997 Nobel Peace Prize awardee International Campaign to Ban Landmines (ICBL)
4. Swiss Foundation for Mine Action (*Fondation Suisse de Demiance, FSd*) - a non-profit, non-political, independent and neutral Swiss non-governmental organization specializing in professional humanitarian mine action and clearance programs and the mine action partner of PCBL.

**Article 1
Basis of Undertaking**

1. Agreement on the General Cessation of Hostilities (GCH) dated 18 July 1997, signed in Cagayan de Oro City between the Government of the Republic of the Philippines (GRP) and the Moro Islamic Liberation Front (MILF).
2. Implementing Administrative and Operational Guidelines of the GRP-MILF Agreement on the General Cessation of Hostilities signed in Cotabato City on 12 September 1997 and in Marawi City on November 14, 1997, respectively.

On the clearing of mine-affected landmine or conflict-affected areas in Mindanao

3. Tripoli Agreement of Peace between the Government of the Republic of the Philippines (GRP) and the Moro Islamic Liberation Front (MILF) signed in Tripoli, Libya on 22 June 2001
4. Implementing Guidelines on the Security Aspect of the GRP-MILF Tripoli Agreement of Peace of 2001 signed in Putrajaya, Malaysia on 07 August 2001.
5. Implementing Guidelines on the Humanitarian, Rehabilitation and Development Aspect of the GRP-MILF Tripoli Agreement of Peace of 2001 dated 07 May 2002.

6. GRP-MILF Agreement on the Civilian Protection Component of the International Monitoring Team (IMT) dated 27 October 2009, which includes a basic undertaking to "take all precautions feasible to avoid accidental loss of civilian life, injury to civilians, and danger to civilian objects."

7. Other related GRP-MILF agreements, resolutions and guidelines.

**Article II
Concept and Objectives of the Project**

The PCBL-FSD Project aims to enable the GRP and MILF to undertake effective joint mine clearance (UNO) detection and clearance with the assistance of concerned organizations, such as the PCBL and FSD, in identified and verified conflict-affected areas as a measure both of rehabilitation and of confidence-building in support of the larger peace process. It will assess and address the need to clear areas of explosive remnants of war (ERW) from both sides for the safety and security of concerned communities as well as the rehabilitation and development initiatives. Likewise, it will also be an opportunity for local capacity-building and technology transfer strictly in accordance with international humanitarian mine action standards.

The specific objectives of the PCBL-FSD Project are:

1. To achieve a reliable assessment of unexploded landmine and other UNO in the conflict-affected areas
2. To undertake a systematic mine / UXO detection and clearance program in areas determined to be contaminated
3. To contribute to and enhance the peace negotiations and confidence-building between GRP and MILF forces at the ground level
4. To help build local capacity in mine / UXO detection and clearance in accordance with international humanitarian mine action standards.

**Article III
Purpose of the Guidelines and Operational Frameworks**

These Guidelines shall govern the implementation of the PCMH-UNO Project for GRP-MHLF Peace Panels' Joint Mine-UNO Clearance in the conflict-affected areas in Mindanao pursuant to the GRP-MHLF Joint Statement of 15 November 2007.

The PCMH-UNO Project Concept Note, which contains, among others, the overall procedures and actions taken relative to clearing operations, shall not be implemented unless properly reviewed and concurred upon by the GRP-MHLF Peace Panels.

The PCMH-UNO Project Concept Note and these Implementing Guidelines shall be subsequently reviewed at the end of every succeeding quarter or semester period, as may be determined by the GRP-MHLF CCCC, from the start of the implementation of the PCMH-UNO Project. Any change or amendment shall be subject to the approval of the GRP and MHLF Peace Panels, upon recommendation of the GRP-MHLF CCCC.

Clearing operations conducted during the effectivity of these Implementing Guidelines shall not be considered or used as basis for subsequent accusations/imputations of violations by the GRP and MHLF of their agreements, especially on cessation of hostilities and other security aspects, as well as of International Humanitarian Law.

**Article IV
Area of Coverage**

The clearing of mines/unexploded ordnance shall be in effect in conflict-affected areas as verified and agreed upon by both GRP and MHLF CCCC.

**Article V
Timeframe**

The PCMH-UNO Project for GRP-MHLF Joint Mine-UNO Clearance in conflict-affected areas of Mindanao shall be for an initial period of two (2) years. This may be extended beyond said period upon recommendation of both GRP and MHLF CCCC subject to the approval of the GRP-MHLF Peace Panels.

**Article VI
Specific Functions of the GRP-MHLF CCCC**

The GRP-MHLF CCCC shall perform the following functions under these Guidelines:

- a. Supervise and monitor the implementation of the clearing of mines/UNO in conflict-affected areas.

- b. Jointly approve the areas where the clearing operations shall be conducted.
- c. Conduct visits and inspections on areas before, during and after operations.
- d. Coordinate with offices and organizations to maximize the dissemination of the clearing operations and secure the latter's cooperation.
- e. Approve the period of the actual clearing operations.
- f. Recommend approval by the GRP and MHLF Peace Panels of the structures, mechanisms and modalities of the UNO and PCH, relative to their roles in this initiative.
- g. With the concurrence of the Panels, organize and create a Task Force on Joint Mine-UNO Detection and Clearance which shall be the focal body that shall review the progress, address needs and indicate further actions, tasks and priorities for all activities involved in clearing operations in identified areas.
- h. Perform such other acts relative to the clearing of mines/UNO as may be determined by the GRP-MHLF Peace Panels.

**Article VII
Task Force on Joint Mine/UNO Detection and Clearance**

1. Functions:

- a. Serves as the implementing body of the GRP-MHLF CCCC in supervising and monitoring all operations/activities pertaining to the clearing of mines/UNO.
- b. Coordinates with and insures in the preparation and formulation of plans and programs for the effective implementation of the clearing operations for the consideration, approval of the GRP-MHLF CCCC.
- c. Coordinates with appropriate GRP and MHLF agencies, offices, and institutions, including the Bangsamoro Development Agency (BDA), in the implementation of all the phases/stages involved in the clearing of mines/UNO.
- d. Liaise with donors, particularly in terms of letters of endorsement for the project funding proposals of FSD/PCMH, as may be needed or requested.
- e. Insures the safety and security of the areas and its inhabitants where the same are being conducted.

f. Maintains records and serves as official repository of data / documents relative to the clearing of mines/UXO in coordination with the regional mine and UXO database under the PCMH, FSD Project.

g. Submits reports and other records to the GRP-MILF CCCC or any authorized higher authority.

h. Performs such other tasks as may be required by the GRP-MILF CCCC.

2. Membership

a. GRP representatives - Two (2) members. One (1) each from the GRP CCCC and its Secretariat, as may be officially designated by the GRP CCCC.

b. MILF representatives - Two (2) members. One (1) each from the MILF CCCC and its Secretariat, or as may be officially designated by the MILF CCCC.

c. PCMH - One (1) member.

d. FSD - One (1) member.

e. International Monitoring Team (IMT) - One (1) member from the team which has operational jurisdiction over the conflict-affected area which is identified for mines/UXO clearing. Its membership must be subject to the concurrence of both the IMT and GRP - MILF Peace Panels.

3. The Task Force, in the performance of its tasks, can avail of assistance from the following bodies upon clearance from the GRP-MILF CCCC and concurrence of the GRP-MILF Peace Panels:

a. The AFP / PNP Units, including FOD Teams, in the areas where clearing operations are being conducted.

b. The Bangsamoro Islamic Armed Forces (BIAF) - MILF (Commando) Units operating in the area where clearing operations are being conducted.

c. LGU in the region, province, municipality and barangay, as well as the MILF political committees where clearing operations are being conducted.

d. Other persons, agencies, offices and institutions both public and private that can provide assistance to the clearing operations/activities of mines/UXO.

4. Office and Administrative Support:

a. The office of the Task Force shall be determined by the GRP - MILF CCCC.

b. Financial and material requirements related to the clearing operations/activities shall be the main responsibility of the PCMH/FSD Project.

5. Images / Coordination

a. The GRP and MILF members of the Task Force shall coordinate directly or through their respect chain / channel of command authority with their respective agencies / units concerned on matters pertaining to the implementation of the operations/activities of mines / UXO. Lateral coordination between and among members is encouraged.

b. The Task Force shall be a recommendatory body in implementing arm of the GRP-MILF CCCC on all matters pertaining to mines/UXO clearing operations.

c. Unresolved matters within the Task Force shall be elevated to the GRP-MILF CCCC and to the GRP-MILF Peace Panels, if necessary, for disposition.

Article VIII

Other Concerned Sectors

The following are considered other concerned sectors for the GRP-MILF Joint Mine/UXO clearance initiative of PCMH and FSD:

1. Local communities in the conflict-affected areas, including evacuees and/or displaced families.

2. Local government units as well as the existing MILF committees and indigenous tribal communities in the conflict-affected areas.

3. Beneficiaries and proponents of rehabilitation and development projects.

4. The international community with various stakes in the GRP-MILF peace process and in humanitarian mine action globally.

5. The general public, civil society and the business sector, especially in Mindanao, seeking normalization in conflict-affected areas.

Article IX

Definition of terms

a. Mine - a munition designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle.

- b. "Victim-activated mine" - a mine which can be triggered by anybody or anything who touches its trip-wire or places the requisite weight or pressure on it
- c. "Command-detonated mine" - a mine which is triggered by a person from a safe distance observing the mine emplacement and detonating it electrically or by remote control upon the approach of a target person or vehicle within the desired impact distance from the mine
- d. "Unexploded ordnance" (UXO) - explosive ordnance that has been primed, fused, armed or otherwise prepared for use or used; it may have been fired, dropped, banded or projected yet remains unexploded either through malfunction or design or for any other reason
- e. "Explosive remnants of war" (ERW) - unexploded ordnance (UXO) and abandoned explosive ordnance (AXO)
- f. "Abandoned explosive ordnance" (AXO) - explosive ordnance that has not been used during an armed conflict, that has been left behind or dumped by a party to an armed conflict, and which is no longer under control of the party that left it behind or dumped it; it may or may not have been primed, fused, armed or otherwise prepared for use
- g. "Explosive ordnance" (EO) - all munitions containing explosives, nuclear fission or fusion materials and biological and chemical agents, that include bombs and warheads, guided and ballistic missiles, artillery, mortar, rocket and small arms ammunition, all mines, topsoil and depth charges, pyrotechnics, cluster and dispensers, cartridge and propellant actuated devices, electro-explosive devices, landmine and improvised explosive devices, and all similar or related items or components explosive in nature
- h. "Clearance" - tasks or actions to reduce or eliminate the explosive ordnance (EO) hazards from a specified area.
- i. "Joint Mine/UXO clearance" - in these (guidelines, refers to mine/UXO clearance with the joint participation of the GRP and MHP in the context of their peace process and undertaken through a project of the ESD and PCB)
- j. "Humanitarian demining" - activities which lead to the removal of mine and UXO hazards, including technical survey, mapping, clearance, marking, post-clearance documentation, community mine action liaison and the handover of cleared land, all for purposes of civilian protection.
- k. "Humanitarian mine action" - activities which aim to reduce the social, economic and environmental impact of mines and UXO. It is not just about demining; it is also about people and societies, and how they are affected by landmine contamination. Its objective is to reduce the risk from landmines to a level where people can live safely, in which economic, social and health development can occur free from the constraints imposed by landmine contamination, and in which the victims' needs can be addressed

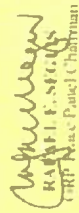
- i. "International Mine Action Standards" (IMAS) - documents developed by the United Nations (UN) on behalf of the international community, which aim to improve safety and efficiency in mine action by providing guidance, by establishing principles and, in some cases, defining international requirements and specifications.
- iii. "Conflict-affected areas" - refer to places where armed conflict between the GRP forces and MHP forces is taking place or had taken place or where there are evinces and/or displaced families as a result of such armed conflict as provided for under Article III of the Implementing Guidelines on the Humanitarian, Rehabilitation and Development Aspects of the GRP-MHP Tripartite Agreement of Peace of 22 June 2001
- ii. "Rehabilitation and development projects" - refer to projects to be implemented in the conflict-affected area

**Article X
Effectivity**

These Implementing Guidelines which serve as the terms of reference for the PCB-EAD Project for GRP-MHP Peace Panels' Joint Mine/UXO Clearance in conflict affected areas in Mindanao pursuant to the GRP-MHP Joint Statement of 15 November 2007 shall take effect upon its signing and upon approval of the GRP - MHP Peace Panels

Signed at Kuala Lumpur, Malaysia on 5th day of May, 2010

For the GRP


RUFFALO P. S. S. S.
GRP Peace Panel Chairman

For the MHP


MHP Peace Panel Chairman

Witnessed


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