

Joint Agreement On The Formation, Sequence And Operationalization Of The Reciprocal Working Committees (RWCs)

June 26, 1995

This Joint Agreement is being entered into by and between:

The Negotiating Panel of the Government of the Republic of the Philippines, hereinafter referred to as the GRP Panel, represented herein by its Chairperson, Howard Q. Dee;

and

The Negotiating Panel of the National Democratic Front of the Philippines, hereinafter referred to as the NDFP Panel, represented herein by its Chairperson, Luis G. Jalandoni.

Pursuant to due authority, the two Negotiating Panels hereby agree:

Article I: Governing Principles

Section 1. In the interpretation and application of this Joint Agreement, the GRP and NDFP Negotiating Panels shall at all times conform to the letter and spirit of the Hague Joint Declaration of 1 September 1992, the pertinent provisions of the Breukelen Joint Statement of 14 June 1994, and the Joint Agreement On Safety And Immunity Guarantees of 24 February 1995.

Section 2. The formal peace negotiations shall be guided by the following provisions of the Hague Joint Declaration:

- a. Formal peace negotiations between the GRP and the NDFP shall be held to resolve the armed conflict.
- b. The common goal of the aforesaid negotiations shall be the attainment of a just and lasting peace.
- c. The holding of peace negotiations must be in accordance with mutually acceptable principles, including national sovereignty, democracy and social justice and no precondition shall be made to negate the inherent character and purpose of the peace negotiations.
- d. The substantive agenda of the peace negotiations shall include human rights and international humanitarian law, socio-economic reforms,

political and constitutional reforms and end of hostilities and disposition of forces.

Section 3. Either party may recommend to the other party goodwill and confidence-building measures to be undertaken voluntarily, not as preconditions to the holding and conduct of peace negotiations but as means to improve the climate for peace negotiations. Best efforts shall be exerted by either or both parties, as the case may be, to address the recommended goodwill and confidence-building measures.

Article II: Composition, Authority And Conduct Of Work

Section 1. In compliance with the Hague Joint Declaration, the two Negotiating Panels shall form and operationalize their respective Reciprocal Working Committees (RWCs) for each of the four major headings of the substantive agenda of the formal peace negotiations in the manner and sequence mutually agreed upon in the succeeding provisions of this Joint Agreement.

Henceforth, said committees shall be named after the four major headings of the substantive agenda as the following: Human Rights and International Humanitarian Law, Socio-Economic Reforms, Political and Constitutional Reforms, and End of Hostilities and Disposition of Forces.

Section 2. Every RWC on each side shall be composed of a chairperson and two members to be appointed by their respective Negotiating Panels. With the prior approval of its Negotiating Panel, the RWCs shall be assisted by consultants, advisers and staff.

Section 3. The RWCs shall be responsible to their respective Negotiating Panels. The Negotiating Panels shall direct and supervise the work of their respective RWCs, provide them with guidelines and instructions, authorize their meetings with their counterpart RWCs and receive from them findings, recommendations and drafts of tentative comprehensive agreements under the major heading of the substantive agenda assigned to them.

Section 4. The principal task of the RWCs shall be to draft a tentative comprehensive agreement for each major heading of the substantive agenda assigned to them. The tentative comprehensive agreements shall be finalized and signed by the two Negotiating Panels and shall be submitted by them to their respective principals for final consideration and approval.

The comprehensive agreements on human rights and international humanitarian law, social and economic reforms and political and constitutional reforms shall prepare the ground for the comprehensive agreement on the end of hostilities and disposition of forces. The four comprehensive agreements shall, pursuant to The

Hague Joint Declaration, fulfill the substantive requirements for a just and lasting peace.

Section 5. The two Negotiating Panels shall provide their respective RWCs with their specific issues under the major heading of the substantive agenda assigned to them. These issues shall be the basis for a common listing to be agreed upon by the GRP and NDFP RWCs and to be approved by their respective Negotiating Panels. Upon approval by both Negotiating Panels, this common listing shall constitute the issues for discussion of the RWCs under the major heading of the substantive agenda assigned to them. Any modification or revision of the approved listing shall be subject to the approval of the Negotiating Panels.

Section 6. The RWCs shall recommend to the Negotiating Panels the separate and distinct effectivity dates of each comprehensive agreement as a whole as well as certain parts or provisions thereof. Subsequently, the Negotiating Panels shall discuss and mutually agree on the aforesaid dates of effectivity.

Section 7. The Negotiating Panels may mutually agree to refer any important and urgent issue to the pertinent RWCs.

Section 8. The Negotiating Panels and their respective RWCs shall have ample opportunity to present the history and circumstances pertinent to the major heading of the substantive agenda assigned to them and specific issues thereunder, provided that a written version thereof is submitted to the other party at least fifteen (15) days prior to the presentation and discussion of such heading or issue and provided further that additional oral or written presentation may be done.

Section 9. In connection with their work under the assigned headings and in support of their respective Negotiating Panels, the RWCs shall engage in research on the social, economic, political, legal and cultural conditions in the Philippines. One panel may request the other panel to facilitate the research, and the other panel shall exert the best effort to provide facilitation.

Section 10. Upon the recommendation of the RWCs concerned, the Negotiating Panels may organize reciprocal working sub-committees to discuss specific issues under the major heading of the substantive agenda assigned to them. These sub-committees shall perform their tasks under the direct supervision and control of their respective RWCs and shall submit their reports and recommendations to the latter.

Article III: Formation, Sequence And Operationalization

Section 1. The GRP and NDFP Negotiating Panels shall announce the formation and date of operationalization of their respective RWCs on Human Rights and

International Humanitarian Law during the opening of the peace negotiations on 26 June 1995 at Brussels, Belgium.

Section 2. Three (3) months after the formation and operationalization of the RWCs on Human Rights and International Humanitarian Law, the GRP and NDFP Negotiating Panels shall form and operationalize their respective RWCs on Socio-Economic Reforms.

Section 3. Three (3) months after the formation and operationalization of the RWCs on Socio-Economic Reforms, the GRP and NDFP Negotiating Panels shall form and operationalize their respective RWCs on Political and Constitutional Reforms, provided that the tentative comprehensive agreement on Human Rights and International Humanitarian Law shall have been submitted to the Negotiating Panels.

Section 4. Immediately after the submission by the RWCs of the tentative comprehensive agreements on Socio-Economic Reforms and Political and Constitutional Reforms, the GRP and NDFP Negotiating Panels shall form and operationalize their respective RWCs on the End of Hostilities and Disposition of Forces.

Section 5. The submission of the tentative comprehensive agreement on the End of Hostilities and Disposition of Forces to the two Negotiating Panels by the assigned RWCs shall constitute the final phase of work of the RWCs.

Section 6. All RWCs shall endeavor to submit their tentative comprehensive agreements to the Negotiating Panels within six (6) months after their formation and operationalization.

Section 7. The Negotiating Panels may meet formally or communicate to each other from time to time on matters pertaining to schedules, agenda, progress of work of the RWCs, and on such other matters which either Panel may deem necessary to guide, assist or facilitate the work of the RWCs.

Section 8. The two Negotiating Panels shall finalize and sign each tentative comprehensive agreement submitted by the RWCs concerned within fifty (50) days after its submission to the Negotiating Panels.

Article IV: Venue And Formal Meetings

Section 1. The GRP and NDFP RWCs shall hold their formal meetings at mutually acceptable sites agreed upon by the Negotiating Panels.

Section 2. The Joint Agreement on Safety and Immunity Guarantees shall apply to the formal meetings of the RWCs, as well as other related meetings and communications in the process of consultations.

Section 3. The provisions of Sections 3, 4, 5, 6 and 7 of Article II on the conduct of negotiations, Article III on documentation and Article IV on resource persons, of the Agreement on the Ground Rules of the Formal Meetings Between the GRP and NDFP Panels dated 26 February 1995 are hereby adopted and made part hereof in a suppletory character.

Section 4. The RWCs shall be subject to the responsibilities, obligations and instructions of their respective Negotiating Panels under Article V on media coverage of the agreement on the Ground Rules of the Formal Meetings Between the GRP and the NDFP Panels. The proceedings of the RWCs shall be confidential but the Chairpersons of the Negotiating Panels may issue press statements on the progress of the work of the RWCs. The

Chairpersons of the RWCs concerned may mutually agree to classify specific documents, records and information confidential.

Section 5. The RWCs shall mutually agree on their schedule of formal meetings. There shall be reasonable time for the RWCs to consult their respective Negotiating Panels before any formal meeting.

Article V: General Provisions

Section 1. This Joint Agreement shall take effect upon the signing hereof by the Chairpersons of the two Negotiating Panels.

Section 2. The two Negotiating Panels may from time to time mutually agree to amend, modify or supplement this Joint Agreement as the circumstances may require.

IN WITNESS WHEREOF, we have hereunder signed this Joint agreement this 26th day of June 1995 at Brussels, Belgium.

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