

<b>Country/entity</b>	Philippines Mindanao
<b>Region</b>	Asia and Pacific
<b>Agreement name</b>	Terms of Reference on the Establishment of the Bangsamoro Normalization Trust Fund (BNTF)
<b>Date</b>	30 May 2016
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	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

<b>Stage</b>	Implementation/renegotiation
<b>Conflict nature</b>	Government/territory
<b>Peace process</b>	Philippines - Mindanao process
<b>Parties</b>	<p>Page 3: FOR THE GPH:</p> <p>MIRIAM CORONEL FERRER GPH Panel</p> <p>FOR THE MILF: MILF Panel</p> <p>FOR THE MILF: MOHAGHER IQBAL MILF Panel</p>
<b>Third parties</b>	<p>Page 3: Signed in the presence of Tengku Dato'Ab Ghafar Tengku Mohamed Malaysian Facilitator</p>
<b>Description</b>	The document describes the purpose and structure of the Bangsamoro Normalization Trust Fund, with sections on objectives, fund governance, funding sources, and duration of the fund.

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**Agreement document** [PH\\_160530\\_Terms of Reference on the Establishment of the Bangsamoro Normalization Trust Fund \(BNTF\).pdf \(opens in new tab\)](#) | [Download PDF](#)

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### Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.

**Racial/ethnic/  
national group** Groups→Racial/ethnic/national group→Substantive  
Page 1,  
III. OBJECTIVE AND PURPOSE OF THE BNTF  
...The purpose of the BNTF is to finance, coordinate and oversee delivery of assistance from international partners and other donors in the implementation of the normalization process, particularly for development efforts and the rehabilitation, reconstruction and development of Bangsamoro communities and other vulnerable sectors , including those of decommissioned MILF combatants as identified by the Parties.

**Religious groups** No specific mention.

**Indigenous people** Groups→Indigenous people→Substantive  
Page 1,  
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**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** No specific mention.

**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)** No specific mention.

**Elections** No specific mention.

**Electoral  
commission** No specific mention.

**Political parties  
reform** No specific mention.

**Civil society** No specific mention.

**Traditional/  
religious leaders** No specific mention.

**Public  
administration** No specific mention.

**Constitution** No specific mention.

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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** 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**

<b>Citizenship</b>	No specific mention.
<b>Democracy</b>	No specific mention.
<b>Detention procedures</b>	No specific mention.
<b>Media and communication</b>	No specific mention.
<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	No specific mention.
<b>Other</b>	No specific mention.

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## **Rights institutions**

<b>NHRI</b>	No specific mention.
<b>Regional or international human rights institutions</b>	No specific mention.

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## **Justice sector reform**

<b>Criminal justice and emergency law</b>	No specific mention.
<b>State of emergency provisions</b>	No specific mention.
<b>Judiciary and courts</b>	No specific mention.
<b>Prisons and detention</b>	No specific mention.
<b>Traditional Laws</b>	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 1:

II. OVERVIEW

The Bangsamoro Normalization Trust Fund (BNTF) is the multi-donor trust fund envisioned by the parties in the Framework Agreement on the Bangsamoro (FAB) and its Annex on Normalization through which urgent support, recurrent and investment budget cost will be released with efficiency, transparency and accountability in support of the process of normalization, whereby former combatants, their communities, and other vulnerable sectors can achieve their desired quality of life, including the pursuit of sustainable livelihood and political participation within a peaceful deliberative society. It expresses the commitment of the Government of the Philippines (GPH) and the Moro Islamic Liberation Front (MILF) and the international community to the full implementation of the Comprehensive Agreement on the Bangsamoro (CAB).

This document sets out the parameters within which the BNTF shall be established and organized.

III. OBJECTIVE AND PURPOSE OF THE BNTF

The objective of the BNTF is to assist MILF combatants and their communities achieve their desired quality of life in a peaceful and inclusive manner. The BNTF will also assist in the development of six (6) previously acknowledged MILF Camps with the end view of transforming these areas into peaceful and productive communities.

The purpose of the BNTF is to finance, coordinate and oversee delivery of assistance from international partners and other donors in the implementation of the normalization process, particularly for development efforts and the rehabilitation, reconstruction and development of Bangsamoro communities and other vulnerable sectors, including those of decommissioned MILF combatants as identified by the Parties.

It is expected that the BNTF will :

(continued on page 2)

- i. Attract and mobilize international resources through this funding mechanism in support of the Normalization process. It may also accept contributions from the domestic private sector when there is no conflict of interest and when applicable regulations allow;
- ii. Enhance donor coordination for financing and policy dialogue ;
- iii. Promote capacity-building over time;
- iv. Provide funding for elements of the Normalization process, as identified by the Parties;
- v. Promote efficiency, transparency and accountability in the utilization of funds and implementation of programs and projects;
- vi. Provide predictability in the financing of the Normalization process;

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** This agreement sets out the purpose and structure of the Bangsamoro normalization Trust Fund, which is primarily funded from international sources.

Page 2:

#### IV. FUND GOVERNANCE AND MANAGEMENT

##### 1. Oversight Body

The GPH and MILF Peace Panels shall constitute and serve as the Oversight Body for the BNTF. It shall be responsible for the strategic direction and guidance for the BNTF. Either Party may exercise veto power on decisions made by the Steering Committee .

##### 2. Steering Committee

There shall be a Steering Committee that shall provide policy guidance for the BNTF. It shall be responsible for management directions, and shall make decisions on which programs and projects to fund as well as on the acceptance of donations, as guided by the provisions of the Annex on Normalization.

The following shall be members of the Steering Committee : Two representatives from the GPH;

Two representatives from the MILF; Representatives from donor agencies ; and One representative from the Fund Manager.

One of the representatives from the GPH and the MILF shall serve as Co-Chairs.

Expansion of the members. for the committee shall be open as agreed by the Parties.

It shall meet once in every quarter, and release annual reports on the BNTF's operations , and the status and utilization of the Fund. When necessary, any Co-Chair may call for a special meeting.

##### 3. Fund Manager

The BNTF shall be administered by a Fund Manager that shall be mutually identified by the Parties. The Fund Manager shall receive policy guidance and direction from the Steering Committee , and provide accountability for the utilization of the BNTF. It

(continued on Page 3)

shall implement measures to ensure transparency and efficiency in the mobilization and utilization of resources.

Financing for the Fund Manager shall be sourced from the BNTF. The Fund Manager shall report regularly and as necessary to the Steering Committee.

##### 4. Secretariat

The Steering Committee shall be supported by a Secretariat , whose operations shall likewise be supported by the BNTF. The Secretariat shall provide technical and administrative assistance to the Steering Committee, including review of project proposals, monitoring of implementation of programs and projects, and other functions as necessary. The Secretariat shall work in close coordination with the Fund Manager especially with respect to recommendations on fund allocations.

#### V. FUNDING SOURCES

**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.

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- iv. Provide funding for elements of the Normalization process, as identified by the Parties;
- v. Promote efficiency, transparency and accountability in the utilization of funds and implementation of programs and projects;
- vi. Provide predictability in the financing of the Normalization process;

vii. Exert effort to align itself with the Bangsamoro Development Plan

**Intelligence services**

No specific mention.

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- vi. Provide predictability in the financing of the Normalization process;
- vii. Exert effort to align itself with the Bangsamoro Development Plan.

**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.

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### **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.

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## **Implementation**

**UN signatory** No specific mention.

**Other international signatory** Page 3:  
Signed in the presence of  
Tengku Dato'Ab Ghafar Tengku Mohamed  
Malaysian Facilitator

**Referendum for agreement** No specific mention.

**International mission/force/similar** No specific mention.

**Enforcement mechanism** No specific mention.

**Related cases** No specific mention.

**Source** On file with PI. Also available at <http://peace.gov.ph/wp-content/uploads/2016/06/314445327-Bangsamoro-Norm-Trust-Fund-Terms-of-Reference.pdf>

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