

Country/entity	Philippines Mindanao
Region	Asia and Pacific
Agreement name	Implementing Guidelines on the Humanitarian, Rehabilitation and Development Aspects of the GRP-MILF Tripoli Agreement on Peace of 2001
Date	7 May 2002
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/territory
Peace process	Philippines - Mindanao process
Parties	Hon. Norberto B. Gonzales, Presidential Adviser for Special Concerns; Atty. Musib Buat, MILF Technical Committee Chairman
Third parties	ATTESTED by: Hon. Eduardo R. Ermita, Presidential Adviser on the Peace Process; Al Haj Murad Ebrahim, MILF Peace Panel Chairman; WITNESSED by: Dr. Parouk S. Hussin, ARMM Regional Governor
Description	Agreement by the Parties to respect human rights and international humanitarian laws, and to activate rehabilitation and development projects, specifically in conflict-affected areas. Agreement provides for monitoring by the Organization of Islamic Conference on the implementation of the Agreement, as well as for accredited human rights agencies and organizations, specially noting the International Committee of the Red Cross, to monitor the human rights and humanitarian situation in the conflict-affected areas.

Agreement document [PH_020507_Implementing HRD Aspects.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 Groups→Refugees/displaced persons→Substantive

Page 1, Article III. Definition of Terms:

1. Conflict-Affected Areas - refer to places where armed conflict between the GRP forces and MILF forces is taking place or had taken place or where there are evacuees and/or displaced families as a result of such armed conflict.
2. Relief and Rehabilitation of evacuees - refer to the provision of appropriate services and necessary material needs to the evacuees and displaced families, their safe return to their places of origin, and their protections against loss of life, physical harm, illegal arrest or detention, fear and harassment, loss and destruction of their properties, and similar acts, to enable them to return to a normal life.

Page 3, Article V Implementation of Projects:

To pave the way for the immediate return of evacuees to their places of origin and for their relief and rehabilitation, and in the implementation of rehabilitation and development projects in areas affected by the conflict, as stipulated in the GRP-MILF Tripoli Agreement on Peace dated June 22, 2001, the Parties are hereby committed as follows: [...]

Page 3, Article V Implementation of Projects:

3. The Parties shall safely return evacuees to their places of origin and provide all necessary financial/material and technical assistance to those evacuees for them to start a new life. The GRP shall award reparations for the properties lost or destroyed by reasons of the conflict, upon reasonable proof thereon as mutually verified and acknowledged by both parties.

Page 4, Article VI Monitoring Mechanism:

The Parties shall take steps to activate the Monitoring Team with representatives of the Organization of the Islamic Conference (OIC) in order to: 1. Monitor the Implementation of all rehabilitation and development projects; the observance of international humanitarian laws and internationally recognized human rights, and the protection of evacuees and displaced persons, and their safe return to their places of origin, in the areas affected by the conflict;

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family

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Page 2, Article IV Respect for Human Rights and Observance of International Humanitarian Laws: 4. In conformity with international humanitarian law, each party shall provide information, through the tracing mechanism of the ICRC, to families of all persons who are unaccounted for. The GRP and the MILF will cooperate fully in determining the identity, whereabouts, and fate of those missing persons.

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 IV Respect for Human Rights and Observance of International Humanitarian Laws:
1. [...] The GRP shall grant recognized accredited human rights agencies and organizations full access to monitor the human rights situation in conflict-affected areas.

Page 2, Article IV Respect for Human Rights and Observance of International Humanitarian Laws: 3. The parties will cooperate fully with the International Committee of the Red Cross (ICRC) to facilitate its work in accordance with its mandate, ensuring full access to such persons, irrespective of their status, wherever they might be held, for visits in accordance with ICRC's standard operating procedures.

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

Page 1, Article II. Terms of Reference:

3. Applicable provisions of international instruments and covenants on International Human Rights Laws (IHRL) and International Humanitarian Laws (IHL) entered into by the Government of the Republic of the Philippines.

Page 2, Article IV Respect for Human Rights and Observance of International Humanitarian Laws:

1. This Agreement will safeguard the observance of international humanitarian laws, respect for internationally recognized human rights and fundamental freedoms for all persons within Mindanao. The GRP will secure to all persons within its jurisdiction or territory the highest level of recognized human rights and fundamental freedoms. The GRP shall grant recognized accredited human rights agencies and organizations full access to monitor the human rights situation in conflict-affected areas.

Page 2, Article IV Respect for Human Rights and Observance of International Humanitarian Laws: 2. In case of violation of human rights or humanitarian laws, the Joint Coordinating Committees on the Cessation of Hostilities (CCCH) of the GRP and the MILF shall act in accordance with the provisions of Article IV of this Agreement.

Page 2, Article IV Respect for Human Rights and Observance of International Humanitarian Laws: 5. The Parties shall cooperate in the investigation and prosecution of serious violations of international humanitarian laws and human rights as well as violations of this Agreement.

Civil and political rights

Human rights and equality→Civil and political rights→Life

Page 1, Article III Definition of Terms:

2. Relief and Rehabilitation of evacuees - refer to the provision of appropriate services and necessary material needs to the evacuees and displaced families, their safe return to their places of origin, and their protections against loss of life, physical harm, illegal arrest or detention, fear and harassment, loss and destruction of their properties, and similar acts, to enable them to return to a normal life.

Human rights and equality→Civil and political rights→Liberty and security of person

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Human rights and equality→Civil and political rights→Humane treatment in detention

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Socio-economic rights

Human rights and equality→Socio-economic rights→Property

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Rights related issues

Citizenship

No specific mention.

Democracy

No specific mention.

Detention procedures

No specific mention.

Media and communication

Rights related issues→Media and communication→Media roles

Page 4, Article VIII Public Information:

Both parties shall conduct a continuing public information and education campaign with the aim of ensuring the full support of all concerned persons, communities, agencies, and forces, of the relief, rehabilitation and development efforts of the Parties in the areas affected by the conflict.

Mobility/access

Page 2, Article IV Respect for Human Rights and Observance of International Humanitarian Laws:

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Page 2, Article IV Respect for Human Rights and Observance of International Humanitarian Laws:

3. The Parties will cooperate fully with the International Committee of the Red Cross (ICRC) to facilitate its work in accordance with its mandate, ensuring full access to such persons, irrespective of their status, wherever they might be held, for visits in accordance with ICRC's standard operating procedures.

Protection measures

Rights related issues→Protection measures→Protection of groups

Page 4, Article VI Monitoring Mechanism:

The Parties shall take steps to activate the Monitoring Team with representatives of the Organization of the Islamic Conference (OIC) in order to: 1. Monitor the Implementation of all rehabilitation and development projects; the observance of international humanitarian laws and internationally recognized human rights, and the protection of evacuees and displaced persons, and their safe return to their places of origin, in the areas affected by the conflict;

Rights related issues→Protection measures→Other

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Other

Page 2, Article IV Respect for Human Rights and Observance of International Humanitarian Laws: 3. The parties will cooperate fully with the International Committee of the Red Cross (ICRC) to facilitate its work in accordance with its mandate, ensuring full access to such persons, irrespective of their status, wherever they might be held, for visits in accordance with ICRC's standard operating procedures.

Page 2, Article IV Respect for Human Rights and Observance of International Humanitarian Laws: 4. In conformity with international humanitarian law, each party shall provide information, through the tracing mechanism of the ICRC, to families of all persons who are unaccounted for. The GRP and the MILF will cooperate fully in determining the identity, whereabouts, and fate of those missing persons.

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Rights institutions

NHRI

No specific mention.

Regional or international human rights institutions

Rights institutions→Regional or international human rights institutions→Monitoring calls
Page 2, Article IV Respect for Human Rights and Observance of International Humanitarian Laws:

1. This Agreement will safeguard the observance of international humanitarian laws, respect for internationally recognized human rights and fundamental freedoms for all persons within Mindanao. The GRP will secure to all persons within its jurisdiction or territory the highest level of recognized human rights and fundamental freedoms. The GRP shall grant recognized accredited human rights agencies and organizations full access to monitor the human rights situation in conflict-affected areas.

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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

Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development

Page 2, Article III Definition of Terms:

3. Rehabilitation and Development projects - refer to projects to be implemented in the conflict-affected areas.

4. MILF Designated Agency - refers to duly organized/registered/constituted agency or body designated by the MILF to determine, lead and manage rehabilitation and development projects in conflict-affected areas pursuant to paragraph two (2) of the Rehabilitation and Development Aspect of the Tripoli Agreement on Peace of June 22, 2001.

5. Government agencies - refer to the national and local agencies of the government involved in the rehabilitation and development projects in areas affected by the conflict.

Page 3, Article V Implementation of Projects:

To pave the way for the immediate return of evacuees to their places of origin and for their relief and rehabilitation, and in the implementation of rehabilitation and development projects in areas affected by the conflict, as stipulated in the GRP-MILF Tripoli Agreement on Peace dated June 22, 2001, the Parties are hereby committed as follows:

Page 3, Article V Implementation of Projects:

1. The MILF, in order to determine, lead, and manage rehabilitation and development projects in the areas affected by the conflict, will establish a project implementing body, which will have the power and function to receive and disburse private and GRP funds. And in the cases of GRP funds, it will observe pertinent Government rules and procedures, pursuant to the provision of paragraph B-2 of the GRP-MILF Tripoli Agreement on Peace of June 22, 2001.

Page 3, Article V Implementation of Projects:

2. The GRP and concerned government agencies, in coordination with the MILF, will continue to undertake the rehabilitation and development efforts in the conflict-affected areas. Consistent with GRP's resolve to task the Autonomous Region of Muslim Mindanao (ARMM) as its primary implementing agency for development, the ARMM shall enter into contractual relations within its charter, pertaining to rehabilitation and development, with the MILF project implementing body. Likewise, with other government development agencies outside ARMM areas.

Page 3, Article V Implementation of Projects:

3. The Parties shall safely return evacuees to their places of origin and provide all necessary financial/material and technical assistance to those evacuees for them to start a new life. The GRP shall award reparations for the properties lost or destroyed by reasons of the conflict, upon reasonable proof thereon as mutually verified and acknowledged by both parties.

Page 3, Article V Implementation of Projects:

4. The Parties shall maintain an inventory or record of all relief and rehabilitation assistance or projects actually extended by the GRP and other private entities to the evacuees in the conflict-affected areas.

Page 3, Article V Implementation of Projects:

5. The MILF will submit to the GRP the name, structure and personnel of its project implementing body assigned to determine, lead and manage rehabilitation and development projects in the areas affected by the conflict as provided in the GRP-MILF Tripoli Agreement on Peace dated June 22, 2001.

National economic plan Page 3, Article V Implementation of Projects:
2. The GRP and concerned government agencies, in coordination with the MILF, will continue to undertake the rehabilitation and development efforts in the conflict-affected areas. Consistent with GRP's resolve to task the Autonomous Region of Muslim Mindanao (ARMM) as its primary implementing agency for development, the ARMM shall enter into contractual relations within its charter, pertaining to rehabilitation and development, with the MILF project implementing body. Likewise, with other government development agencies outside ARMM.

Page 4, Article VI Monitoring Mechanism:
The Parties shall take steps to activate the Monitoring Team with representatives of the Organization of the Islamic Conference (OIC) in order to: [...] The GRP shall continue monitoring existing government relief, rehabilitation and development projects managed and funded by its agencies in the areas affected by the conflict, in coordination with the Monitoring Team and the MILF project-implementation agency, to avoid overlapping activities.

Natural resources No specific mention.

International funds Page 3, Article V Implementation of Projects:
4. The Parties shall maintain an inventory or record of all relief and rehabilitation assistance or projects actually extended by the GRP and other private entities to the evacuees in the conflict-affected areas.

Business No specific mention.

Taxation No specific mention.

Banks Socio-economic reconstruction→Banks→International finance
Page 3, Article V Implementation of Projects:
8. The parties shall seek the assistance of the Islamic Development Bank (IDP) as partner in the pursuit of rehabilitation and development projects.

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**

No specific mention.

Ceasefire

Security sector→Ceasefire→General commitments

Page 2, Article IV Respect for Human Rights and Observance of International Humanitarian Laws: 2. In case of violation of human rights or humanitarian laws, the Joint Coordinating Committees on the Cessation of Hostilities (CCCH) of the GRP and the MILF shall act in accordance with the provisions of Article IV of this Agreement.

Page 3, Article V Implementation of Projects:

7. During the implementation of rehabilitation and development projects, the GRP-CCCH and the MILF-CCCH shall see to it that the commitments of the Parties to peace are strictly observed in accordance with the Implementing Guidelines on the Security Aspect of the GRP-MILF Tripoli Agreement on Peace of June 22, 2001.

Page 4, Article VI Monitoring Mechanism:

The Parties shall take steps to activate the Monitoring Team with representatives of the Organization of the Islamic Conference (OIC) in order to: 2. Coordinate its monitoring activities with the Coordinating Committee on the Cessation of Hostilities (CCCH) of both Parties and the project implementation agency of the MILF;

Police

No specific mention.

Armed forces

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DDR

No specific mention.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces

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Page 2, Article III Definition of Terms:

4. MILF Designated Agency - refers to duly organized/registered/constituted agency or body designated by the MILF to determine, lead and manage rehabilitation and development projects in conflict-affected areas pursuant to paragraph two (2) of the Rehabilitation and Development Aspect of the Tripoli Agreement on Peace of June 22, 2001.

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 Transitional justice→Courts→National courts
Art.IV.4.in conformity with IHL, each party shall provide info, through the tracing mechanism of the ICRC, to families of all persons who are unaccounted for. The parties will cooperate fully in determining the identity, whereabouts, and fate of those missing persons. 5. the parties commit to cooperate in the investigation and prosecution of serious violations of IHL and HR as well as violations of this agmt.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons Art.IV.4.in conformity with IHL, each party shall provide info, through the tracing mechanism of the ICRC, to families of all persons who are unaccounted for. The parties will cooperate fully in determining the identity, whereabouts, and fate of those missing persons. 5. the parties commit to cooperate in the investigation and prosecution of serious violations of IHL and HR as well as violations of this agmt.

Reparations Transitional justice→Reparations→Material reparations
Page 3, Article V Implementation of Projects:
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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

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7. During the implementation of rehabilitation and development projects, the GRP-CCCH and the MILF-CCCH shall see to it that the commitments of the Parties to peace are strictly observed in accordance with the Implementing Guidelines on the Security Aspect of the GRP-MILF Tripoli Agreement on Peace of June 22, 2001.

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2. Coordinate its monitoring activities with the Coordinating Committee on the Cessation of Hostilities (CCCH) of both Parties and the project implementation agency of the MILF;

Page 4, Article VI Monitoring Mechanism:

The Parties shall take steps to activate the Monitoring Team with representatives of the Organization of the Islamic Conference (OIC) in order to:

4. Serve as an advisory body to the GRP and MILF Panels in the implementation of this Agreement, and other related agreements.

Related cases No specific mention.

Source Accord, GRP-MILF Peace Process: Compilation of Signed Agreements & other related Documents (1997-2010); (MILF Peace Panel/Asia Foundation, 2010), pp. 121-125.
