

<b>Country/entity</b>	Philippines Mindanao
<b>Region</b>	Asia and Pacific
<b>Agreement name</b>	Final agreement on the implementation of the 1976 Tripoli Agreement between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF)
<b>Date</b>	2 Sep 1996
<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>	H.E. Ambassador Manuel T. Yan, GRP Panel Chairman; H.E. Professor Nur Misuari, MNLF Panel Chairman
<b>Third parties</b>	Participatory signatures: H.E. Mr.Ali Alatas, Minister for Foreign Affairs of the Republic of Indonesia/Chairman of the OIC Ministerial Committee of the Six; H.E. Dr. Hamid Al-Gabid, Secretary-General of the OIC
<b>Description</b>	Framework Agreement setting out autonomy arrangements for Autonomous Region in Muslim Mindanao (ARMM), integration of MNLF into army and police, and phased implementation of the agreement. Phase I consists of a three year transitional period, and Phase II involves an amendment to or a repeal of the Organic Act (RA 6734) of the ARMM and a plebiscite in the concerning areas to determine the government and area of the ARMM.
<b>Agreement document</b>	<a href="#">PH_960902_Final Agreement Implementing Tripoli Areement.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>

## Groups

### Children/youth

Groups→Children/youth→Substantive

Page 12-13, III. The New Regional Autonomous Government (Phase II) A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

...25. There shall be sectoral representatives in the Legislative Assembly whose number shall not exceed fifteen percent (15%) of the total number of elected Members of the Legislative Assembly coming from the labor, disabled, industrial, indigenous cultural communities, youth, women, non-government organizations, agricultural, and such other sectors as may be provided by Regional Law to be appointed by the Head of the Autonomous Government from among the nominees of the different sectoral groups; provided, however, that the youth representative shall not be less than 18 years of age nor more than 21 years of age at the time of his appointment.

Page 25, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

97. The Regional Autonomous Government educational system will adopt the basic core courses for all Filipino children as well as the minimum required learnings and orientations provided by the national government, including the subject areas and their daily time allotment. Teaching materials and curriculum contents shall promote solidarity, unity in diversity, Filipino and Islamic values.

Page 28, III. The New Regional Autonomous Government (Phase II)

C. Education - Nonformal Education and Specialized Education

121. The Regional Autonomous Government educational system shall institutionalize non-formal education in scope and methodology, to include literacy, numeracy and intensive skills training of the youth and adult, to allow them to participate actively and productively in the mainstream of regional and national life.

### Disabled persons

Groups→Disabled persons→Substantive

Page 12-13, III. The New Regional Autonomous Government (Phase II), A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

...25. There shall be sectoral representatives in the Legislative Assembly whose number shall not exceed fifteen percent (15%) of the total number of elected Members of the Legislative Assembly coming from the labor, disabled, industrial, indigenous cultural communities, youth, women, non-government organizations, agricultural, and such other sectors as may be provided by Regional Law to be appointed by the Head of the Autonomous Government from among the nominees of the different sectoral groups; provided, however, that the youth representative shall not be less than 18 years of age nor more than 21 years of age at the time of his appointment.

### Elderly/age

No specific mention.

### Migrant workers

No specific mention.

**Racial/ethnic/  
national group**

Groups→Racial/ethnic/national group→Anti-discrimination

Page 30, III. The New Regional Autonomous Government (Phase II)

D. 130. The Regional Autonomous Government in the area of autonomy advocates equal opportunities for all the inhabitants of the area of autonomy regardless of ethnic origin, culture, sex, creed and religion.

Groups→Racial/ethnic/national group→Substantive

Page 24, III. The New Regional Autonomous Government (Phase II)

C. Education - The Integrated System of Education:

95. The Regional Autonomous Government educational system shall, among others, perpetuate Filipino and Islamic ideals and aspirations, Islamic values and orientations of the Bangsamoro people. It shall develop the total spiritual, intellectual, social, cultural, scientific and physical aspects of the Bangsamoro people to make them Godfearing, productive, patriotic citizens, conscious of their Filipino and Islamic values and Islamic cultural heritage under the aegis of a just and equitable society.

Page 25, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

97. The Regional Autonomous Government educational system will adopt the basic core courses for all Filipino children as well as the minimum required learnings and orientations provided by the national government, including the subject areas and their daily time allotment. Teaching materials and curriculum contents shall promote solidarity, unity in diversity, Filipino and Islamic values.

Page 25, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

100. The same textbooks of the National Government will be used by schools in the Autonomous Region. The formulation, shaping and revision of textbooks are the responsibilities of the Regional Autonomous Government and the National Government and within agreed norms, academic freedom and relevant legal limits, the formulation and revisions shall emphasize Islamic values or orientation, in addition to Filipino values which include Christian values and values of indigenous people, modern sciences and technology as well as the latest educational thrusts. Having adopted the core curriculum of the national government in consideration of achieving the highest quality of education, students and graduates of the education system of the Autonomous Region shall be fully accredited when they transfer to non autonomous regions.

Page 26, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

102. The teachings of Islamic Values, as well as Filipino values, shall be incorporated in Good Manners and Right Conduct in appropriate grade levels including the tertiary level subject to agreed norms, academic freedom, and legal limitations.

## Religious groups

Groups→Religious groups→Rhetorical

Page 2, Preamble

Whereas, the parties acknowledge the valuable role of the Organization of Islamic Conference (OIC) in promoting and upholding the rights, welfare and well-being of Muslims all over the world;

Groups→Religious groups→Anti-discrimination

Page 30, III. The New Regional Autonomous Government (Phase II)

D. 130. The Regional Autonomous Government in the area of autonomy advocates equal opportunities for all the inhabitants of the area of autonomy regardless of ethnic origin, culture, sex, creed and religion.

Groups→Religious groups→Substantive

Page 4, I. Implementing Structure and Mechanism of this Agreement

2.b. The new area of autonomy shall then be determined by the provinces and cities that will vote/choose to join the said autonomy (1998). It may be provided by the Congress in a law that clusters of contiguous Muslim-dominated municipalities voting in favor of autonomy be merged and constituted into a new province(s) which shall become part of the new Autonomous Region.

Page 4, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

4. There shall be established a Southern Philippines Council for Peace and Development (SPCPD), composed of one (1) Chairman, one (1) Vice Chairman and three (3) Deputies, one

each representing the Muslims, the Christians, and the Cultural Communities. They shall be appointed by the President.

Page 19, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council: Right of Representation and Participation in the National Government and in all Organs of the State - 64. Right of representation shall not be construed in such a way that applicants from the Autonomous Region, especially Muslims, and Cultural Communities, for lower positions in the above organs of the government cannot be appointed anymore thereto.

Page 24, III. The New Regional Autonomous Government (Phase II)

C. Education - The Integrated System of Education:

95. The Regional Autonomous Government educational system shall, among others, perpetuate Filipino and Islamic ideals and aspirations, Islamic values and orientations of the Bangsamoro people. It shall develop the total spiritual, intellectual, social, cultural, scientific and physical aspects of the Bangsamoro people to make them Godfearing, productive, patriotic citizens, conscious of their Filipino and Islamic values and Islamic cultural heritage under the aegis of a just and equitable society.

Page 25, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

97. The Regional Autonomous Government educational system will adopt the basic core courses for all Filipino children as well as the minimum required learnings and orientations provided by the national government, including the subject areas and their daily time allotment. Teaching materials and curriculum contents shall promote solidarity, unity in diversity, Filipino and Islamic values.

Page 25, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

100. The same textbooks of the National Government will be used by schools in the Autonomous Region. The formulation, shaping and revision of textbooks are the responsibilities of the Regional Autonomous Government and the National Government

**Indigenous people** Groups→Indigenous people→Rhetorical

Page 1, Preamble

Whereas, the MNLF, led by Professor Nur Misuari, inspired by their quest for peace and prosperity, had in the past asserted the right of the Moro people to freely determine their political status and freely pursue their religious, social, economic and cultural development;

Groups→Indigenous people→Substantive

Page 12, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

25. There shall be sectoral representatives in the Legislative Assembly whose number shall not exceed fifteen percent (15%) of the total number of elected Members of the Legislative Assembly coming from the labor, disabled, industrial, indigenous cultural communities, youth, women, non-government organizations, agricultural, and such other sectors as may be provided by Regional Law to be appointed by the Head of the Autonomous Government from among the nominees of the different sectoral groups; provided, however, that the youth representative shall not be less than 18 years of age nor more than 21 years of age at the time of his appointment.

Page 24, III. The New Regional Autonomous Government (Phase II)

C. Education - The Integrated System of Education:

95. The Regional Autonomous Government educational system shall, among others, perpetuate Filipino and Islamic ideals and aspirations, Islamic values and orientations of the Bangsamoro people. It shall develop the total spiritual, intellectual, social, cultural, scientific and physical aspects of the Bangsamoro people to make them Godfearing, productive, patriotic citizens, conscious of their Filipino and Islamic values and Islamic cultural heritage under the aegis of a just and equitable society.

Page 25, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

100. The same textbooks of the National Government will be used by schools in the Autonomous Region. The formulation, shaping and revision of textbooks are the responsibilities of the Regional Autonomous Government and the National Government and within agreed norms, academic freedom and relevant legal limits, the formulation and revisions shall emphasize Islamic values or orientation, in addition to Filipino values which include Christian values and values of indigenous people, modern sciences and technology as well as the latest educational thrusts. Having adopted the core curriculum of the national government in consideration of achieving the highest quality of education, students and graduates of the education system of the Autonomous Region shall be fully accredited when they transfer to non autonomous regions.

Page 26, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

103. Muslim culture, mores, customs and traditions which are mainly based on Islam, as well as the cultures, mores, customs, and traditions of Christians and indigenous people, shall be preserved through the regular public and special schools in the Autonomous Region, considering that schools are perpetuating vehicles of the values of the people.

**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 12, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

25. There shall be sectoral representatives in the Legislative Assembly whose number shall not exceed fifteen percent (15%) of the total number of elected Members of the Legislative Assembly coming from the labor, disabled, industrial, indigenous cultural communities, youth, women, non-government organizations, agricultural, and such other sectors as may be provided by Regional Law to be appointed by the Head of the Autonomous Government from among the nominees of the different sectoral groups; provided, however, that the youth representative shall not be less than 18 years of age nor more than 21 years of age at the time of his appointment.

Page 15, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

34. No person shall be elected member of the Legislative Assembly unless he/she is:

- a. A natural-born citizen of the Philippines;
- b. At least 21 years of age on the day of elections;
- c. Able to read and write;
- d. A registered voter of the district in which he/she shall be elected on the day he/she files his/ her certificate of candidacy; and
- e. A resident thereof for a period of no less than five years immediately preceding the day of election.

Page 15, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

35. Every member of the Legislative Assembly shall take an oath or affirmation of allegiance to the Republic of the Philippines before taking his/her seat.

Page 30, III. The New Regional Autonomous Government (Phase II)

D. 130. The Regional Autonomous Government in the area of autonomy advocates equal opportunities for all the inhabitants of the area of autonomy regardless of ethnic origin, culture, sex, creed and religion.

**Men and boys**

No specific mention.

**LGBTI**

No specific mention.

**Family**

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:  
19.e.a. Five thousand seven hundred fifty (5,750) MNLF members shall be integrated into the Armed Forces of the Philippines (AFP), 250 of whom shall be absorbed into the auxiliary services. The government shall exert utmost efforts to establish the necessary conditions that would ensure the eventual integration of the maximum number of the remaining MNLF forces into the Special Regional Security Force (SRSF) and other agencies and instrumentalities of the government. There shall be a special socioeconomic, cultural and educational program to cater to MNLF forces not absorbed into the AFP, PNP and the SRSF to prepare them and their families for productive endeavors, provide for educational, technical skills and livelihood training and give them priority for hiring in development projects.

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## **State definition**

### **Nature of state (general)**

I. Implementing Structure and Mechanism of this Agmt: 1. Phase one to cover three year period following issuance of Exec Order establishing Special Zone of Peace and Development, the Southern Philippine Council for Peace and Development, and the Consultative Assembly; Phase

II. GRP to amend leg on ARMM, after which the amendatory law shall be submitted to the people of the concerned areas in a plebiscite to determine the establishment of a new autonomous govt and the specific area of autonomy thereof.

III. The New Regional Autonomous Govt, sets out exec, legislative assembly, administrative system, and representation in National Govt.

#### III.C.Education.

101. The integration of Islamic Values in the curriculum should be done gradually after research and studies are conducted. 102. The teaching of Islamic values, as well as Filipino values, shall be incorporated in Good Manners and Right Conduct in appropriate grade levels incl. the tertiary level subject to agreed norms, academic freedom, and legal limitations.

103. Muslim culture, more, customs and traditions which are mainly based on Islam, as well as the cultures, mores, customs and traditions of Christians and indigenous people, shall be preserved through the regular public and special schools in the Autonomous Region.

112. Religious instruction in public schools should be optional, with the written consent o the parent/guardian, taught by the authorities of the religion to which the student belongs, and should not involve additional costs to the govt.

#### III.E. Sharia and the Judiciary.

152. The Regional Legislative Assembly shall establish Shariah courts in accordance with the existing laws.

**State configuration** No specific mention.

**Self determination** No specific mention.

## Referendum

Page 3, I. Implementing Structure and Mechanism of this Agreement

2. Phase II shall involve an amendment to or repeal of the Organic Act (RA 6734) of the Autonomous Region in Muslim Mindanao (ARMM) through Congressional action, after which the amendatory law shall be submitted to the people of the concerned areas in a plebiscite to determine the establishment of a new autonomous government and the specific area of autonomy thereof.

Page 3, I. Implementing Structure and Mechanism of this Agreement

2.a. While peace and development programs are being implemented in the SZOPAD, a bill to amend or repeal the RA 6734 shall be initiated within Phase I (1996-1997). The bill shall include the pertinent provisions of the final Peace Agreement and the expansion of the present ARMM area of autonomy. After a law shall have been passed by Congress and approved by the President, it shall be submitted to the people for approval in a plebiscite in the affected areas, within two (2) years from the establishment of the SPCPD (1998).

Page 4, I. Implementing Structure and Mechanism of this Agreement

2.b. The new area of autonomy shall then be determined by the provinces and cities that will vote/choose to join the said autonomy (1998). It may be provided by the Congress in a law that clusters of contiguous Muslim-dominated municipalities voting in favor of autonomy be merged and constituted into a new province(s) which shall become part of the new Autonomous Region.

Page 8, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

18. The powers and functions of the Council shall be as follows: [...] e. To assist in the preparation for the holding of elections, referenda or plebiscite and peoples initiative in the area as may be duly deputized by the Commission on Elections (COMELEC);

Page 11, III. The New Regional Autonomous Government (Phase II):

The following provisions shall be implemented after a law amending or repealing the Organic Act of ARMM shall have been enacted by Congress and approved by the people in the concerned areas in a plebiscite therefore. Accordingly, these provisions shall be recommended by the GRP to Congress for incorporation in the amendatory or repealing law.

Page 13, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

26. The people's initiative, by way of a plebiscite or referendum, is recognized.

Page 13, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

28. The Legislative Assembly may create, divide, merge, abolish or substantially alter boundaries of local government units in the area of autonomy in accordance with the criteria laid down by law subject to approval by a majority of the votes cast in a plebiscite called for the purpose in the political units affected. It may also change the names of such local government units, public places and institutions.

## 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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**Political  
institutions (new or  
reformed)**

Governance→Political institutions (new or reformed)→General references

Page 3, Preamble

Whereas, all these agreements resulted from the consensus points reached by the Mixed Committee and the Support Committees ([...] Support Committee No. 5 - Shariah and the Judiciary; and the Ad Hoc Working Group on the Transitional Implementing Structure and Mechanism in meetings held in various places in the Philippines and Indonesia;

Page 3, I. Implementing Structure and Mechanism of this Agreement

2. Phase II shall involve an amendment to or repeal of the Organic Act (RA 6734) of the Autonomous Region in Muslim Mindanao (ARMM) through Congressional action, after which the amendatory law shall be submitted to the people of the concerned areas in a plebiscite to determine the establishment of a new autonomous government and the specific area of autonomy thereof.

Page 4, I. Implementing Structure and Mechanism of this Agreement

2.b. The new area of autonomy shall then be determined by the provinces and cities that will vote/choose to join the said autonomy (1998). It may be provided by the Congress in a law that clusters of contiguous Muslim-dominated municipalities voting in favor of autonomy be merged and constituted into a new province(s) which shall become part of the new Autonomous Region.

Governance→Political institutions (new or reformed)→New political institutions  
(indefinite)

Page 13, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

28. The Legislative Assembly may create, divide, merge, abolish or substantially alter boundaries of local government units in the area of autonomy in accordance with the criteria laid down by law subject to approval by a majority of the votes cast in a plebiscite called for the purpose in the political units affected. It may also change the names of such local government units, public places and institutions.

Page 14, III. The New Regional Autonomous Government (Phase II)

A. 29. Any member of the Legislative Assembly who accepts an appointment and qualifies for any position in the Government, including government-owned and/or controlled corporations or institutions and their subsidiaries, shall automatically forfeit his seat in the Legislative Assembly.

Page 14, III. The New Regional Autonomous Government (Phase II)

A. 30. No member of the Legislative Assembly may personally appear as counsel before courts of justice or quasi-judicial and other administrative bodies. Neither shall he directly or indirectly, be interested financially in any contract with, or in any franchise or privilege granted by, the Government or any subdivision, agency or instrumentality thereof, including any government-owned and/or-controlled corporation or its subsidiary, during his term of office. He shall not intervene in any matter before any office of the government for his pecuniary benefit or where he may be called upon to act on account of his office.

Page 14, III. The New Regional Autonomous Government (Phase II)

A. 31. In case of vacancy in the Legislative Assembly occurring at least one year before the expiration of the term of office, a special election shall be called to fill the vacancy in the manner prescribed by law; provided that the member elected shall serve for the unexpired term.

Page 14, III. The New Regional Autonomous Government (Phase II)

A. 32. The Legislative Assembly shall elect from among its members a Speaker and such



## Elections

Page 8, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

18. The powers and functions of the Council shall be as follows: [...] e. To assist in the preparation for the holding of elections, referenda or plebiscite and peoples initiative in the area as may be duly deputized by the Commission on Elections (COMELEC);

Page 12, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

21. Executive power shall be vested in the Head of the regular Autonomous Government duly elected at large by direct vote of the people of the Autonomous Region. There shall also be a Vice Head of the Regional Autonomous Government also elected in the same manner. The Head of the Regional Autonomous Government may appoint three (3) Deputies. The Head, the Vice-Head and the three (3) Deputies shall comprise the Executive Council of the area of Autonomy.

Page 12, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

24. The Legislative Assembly shall be composed of members elected by popular vote, with three (3) members elected from each of the Congressional Districts.

Page 13, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

27. The Regional Legislative Assembly shall exercise legislative power for application in the area of autonomy except on the following matters, to wit: [...] j. General Auditing, Civil Service and Elections;

Page 14, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

31. In case of vacancy in the Legislative Assembly occurring at least one year before the expiration of the term of office, a special election shall be called to fill the vacancy in the manner prescribed by law; provided that the member elected shall serve for the unexpired term.

Page 15, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

34. No person shall be elected member of the Legislative Assembly unless he/she is:

- a. A natural-born citizen of the Philippines;
- b. At least 21 years of age on the day of elections;
- c. Able to read and write;
- d. A registered voter of the district in which he/she shall be elected on the day he/she files his/ her certificate of candidacy; and
- e. A resident thereof for a period of no less than five years immediately preceding the day of election.

Page 19, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council: Right of Representation and Participation in the National Government and in all Organs of the State

63. Representation in the National Government by the inhabitants of the Autonomous Region may be effected through appointment or elections and must be subject to

<b>Electoral commission</b>	Page 8, II. Transitional Period (Phase I) - Phase I shall be implemented as follows: 18. The powers and functions of the Council shall be as follows: [...] e. To assist in the preparation for the holding of elections, referenda or plebiscite and peoples initiative in the area as may be duly deputized by the Commission on Elections (COMELEC);
<b>Political parties reform</b>	No specific mention.

## Civil society

Page 4, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

4. There shall be established a Southern Philippines Council for Peace and Development (SPCPD), composed of one (1) Chairman, one (1) Vice Chairman and three (3) Deputies, one each representing the Muslims, the Christians, and the Cultural Communities. They shall be appointed by the President.

Page 7, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

10. There shall be established a Consultative Assembly with 81 members composed of the following: [...] d. 11 members from various sectors recommended by nongovernmental organizations (NGOs) and peoples organizations (POs).

Page 7, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

11. The Consultative Assembly shall exercise the following functions and powers:

- a. To serve as a forum for consultation and ventilation of issues and concerns;
- b. To conduct public hearings as may be necessary and to provide appropriate advice to the SPCPD; and
- c. To formulate and recommend policies to the President through the Chairman of the SPCPD and make rules and regulations to the extent necessary for the effective and efficient administration of the affairs of the area.

Page 8, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

18. The powers and functions of the Council shall be as follows: [...] e. To assist in the preparation for the holding of elections, referenda or plebiscite and peoples initiative in the area as may be duly deputized by the Commission on Elections (COMELEC);

Page 12, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

25. There shall be sectoral representatives in the Legislative Assembly whose number shall not exceed fifteen percent (15%) of the total number of elected Members of the Legislative Assembly coming from the labor, disabled, industrial, indigenous cultural communities, youth, women, non-government organizations, agricultural, and such other sectors as may

be provided by Regional Law to be appointed by the Head of the Autonomous Government from among the nominees of the different sectoral groups; provided, however, that the youth representative shall not be less than 18 years of age nor more than 21 years of age at the time of his appointment.

Page 13, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

26. The people's initiative, by way of a plebiscite or referendum, is recognized.

Page 15, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

38. The Legislative Assembly or any of its committees may conduct inquiries or public consultations in aid of legislation in accordance with its rules. The rights of persons appearing in or affected by such inquiries shall be respected.

**Traditional/  
religious leaders**

No specific mention.

**Public  
administration**

Page 8, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

18. The powers and functions of the Council shall be as follows: [...] f. To cause the creation of such offices or instrumentalities as shall be necessary for the effective and efficient administration of the affairs of the areas. There shall be approval from the Office of the President for budgetary purposes.

Page 13, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

27. The Regional Legislative Assembly shall exercise legislative power for application in the area of autonomy except on the following matters, to wit:

[...] j. General Auditing, Civil Service and Elections;

Page 21, III. The New Regional Autonomous Government (Phase II)

A. Civil Service Eligibilities

72. The civil service eligibility requirements for appointment to government position shall be applicable in the Autonomous Government. As necessary, the Civil Service Commission shall hold special civil service examinations in the region to further increase the number of eligibles therein. For a period not longer than five (5) years from the establishment of the Regional Autonomous Government, the GRP will endeavour to provide for appropriate civil service eligibility to applicants in the Autonomous Region, provided, the minimum educational qualifications for the position are met.

Page 26, III. The New Regional Autonomous Government (Phase II)

C. Education - Administration of Educational System

106. The Regional Autonomous Government will be responsible for specific administrative, management functions and powers, educational supervision and school administration, and regulation over private schools.

Page 26, III. The New Regional Autonomous Government (Phase II)

C. Education - Administration of Educational System

107. The organizational structure of the educational system in the autonomous region shall follow the basic structure of the national educational system. The Regional Legislative Assembly may add special structures, if necessary. It shall follow whatever organizations of the curricular years as found in the national set-up.

Page 27, II. The New Regional Autonomous Government (Phase II)

C. Education - Administration of Educational System

109. The selection, recruitment, appointment and promotion of teachers and employees shall be the responsibility of the Regional Autonomous Government in accordance with general qualification standard prescribed by the Civil Service Commission (CSC) provided that the Regional Autonomous Government can initiate regionally defined standards which are not below national standards.

Page 27, II. The New Regional Autonomous Government (Phase II)

C. Education - Administration of Educational System

110. The selection, recruitment, appointment and promotion of elementary, secondary and tertiary education employees shall be the responsibility of the Regional Autonomous Government in accordance with general standards of the Civil Service Commission (CSC) and other recognized bodies.

Page 27, II. The New Regional Autonomous Government (Phase II)

C. Education - Administration of Educational System

111. Primary disciplinary authority over officials and employees of the Regional Autonomous Government will be the area of concern of the Regional Autonomous

## Constitution

Governance→Constitution→Constitutional reform/making

Page 1, Preamble

Whereas, the Organization of Islamic Conference (OIC), upon the request of the GRP initiated the First Formal Peace Talks between the GRP and the MNLF during its Third Ministerial Conference in Jeddah, Kingdom of Saudi Arabia, which resulted in the signing of the Tripoli Agreement on December 23, 1976, the document which served as a basis for a just, lasting, honorable and comprehensive solution to the problem in Southern Philippines within the framework of the Philippine Constitution;

Page 3, Preamble

Whereas, the parties affirm the sovereignty, territorial integrity and the Constitution of the Republic of the Philippines;

Page 3, I. Implementing Structure and Mechanism of this Agreement

2. Phase II shall involve an amendment to or repeal of the Organic Act (RA 6734) of the Autonomous Region in Muslim Mindanao (ARMM) through Congressional action, after which the amendatory law shall be submitted to the people of the concerned areas in a plebiscite to determine the establishment of a new autonomous government and the specific area of autonomy thereof.

Page 3, I. Implementing Structure and Mechanism of this Agreement

2.a. While peace and development programs are being implemented in the SZOPAD, a bill to amend or repeal the RA 6734 shall be initiated within Phase I (1996-1997). The bill shall include the pertinent provisions of the final Peace Agreement and the expansion of the present ARMM area of autonomy. After a law shall have been passed by Congress and approved by the President, it shall be submitted to the people for approval in a plebiscite in the affected areas, within two (2) years from the establishment of the SPCPD (1998).

Page 4, I. Implementing Structure and Mechanism of this Agreement

2.b. The new area of autonomy shall then be determined by the provinces and cities that will vote/choose to join the said autonomy (1998). It may be provided by the Congress in a law that clusters of contiguous Muslim-dominated municipalities voting in favor of autonomy be merged and constituted into a new province(s) which shall become part of the new Autonomous Region.

Page 7, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

14. The provisions of the 1994 and 1995 Interim Agreements and subsequent agreements entered into by the GRP and the MNLF that would not require legislative action shall be implemented during Phase I.

Page 8, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

15. The funds for the operations of the Council and the Assembly shall be initially sourced from the funds of the Office of the President. Funding for development programs and projects shall come from the appropriations of Congress as may be drawn from the General Appropriations Act. A supplementary budget for the year 1996 will be recommended to Congress for the purpose.

Page 11, III. The New Regional Autonomous Government (Phase II):

The following provisions shall be implemented after a law amending or repealing the Organic Act of ARMM shall have been enacted by Congress and approved by the people in the concerned areas in a plebiscite therefore. Accordingly, these provisions shall be recommended by the GRP to Congress for incorporation in the amendatory or repealing law.

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## Political power sharing

Power sharing→Political power sharing→General  
Sub-state level

Page 19, III. The New Regional Autonomous Government (Phase II)

A. 62. The Regional Autonomous Government shall have the power to enact its own Regional Administrative Code and Regional Local Government Code consistent with national laws and the Constitution provided that it shall not in any way diminish the powers and functions already enjoyed by Local Government Units.

Power sharing→Political power sharing→Executive coalition

State level

Sub-state level

Page 19, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council: Right of Representation and Participation in the National Government and in all Organs of the State

63. Representation in the National Government by the inhabitants of the Autonomous Region may be effected through appointment or elections and must be subject to standards and guidelines prescribed for the position. When representation is done by appointment, the inhabitants of the Autonomous Region will be appointed by the President of the Philippines to herein specified positions which are policy determining, highly technical, primarily confidential and supervisory upon recommendation by the Head of the Autonomous Government.

Page 19, III. The New Regional Autonomous Government (Phase II)

A. [...] Manner of Representation and Participation: Executive

65. It shall be policy of the National Government that there shall be at least one (1) member of the Cabinet (with the rank of Department Secretary) who is an inhabitant of the Autonomous Region to be recommended by the Head of the Autonomous Government.

Page 20, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council: Right of Representation and Participation in the National Government and in all Organs of the State - Manner of Representation and Participation: Executive

66. It shall likewise be a policy that there shall be at least one (1) official in each of the departments and the constitutional bodies of the national government who shall be appointed in executive, primarily confidential, highly technical policy-determining positions, from among the inhabitants of the Autonomous Region upon recommendation by the Head of the Autonomous Government. The Head of the Autonomous Government shall participate as ex-officio member of the National Security Council on all matters concerning the Autonomous Region and such other matters as may be determined by the President.

Power sharing→Political power sharing→Proportionality in legislature

Sub-state level

State level:

Page 19, III. The New Regional Autonomous Government (Phase II)

A. 64. Right of representation shall not be construed in such a way that applicants from the Autonomous Region, especially Muslims, and Cultural Communities, for lower positions in the above organs of the government cannot be appointed anymore thereto.

Page 20, III. The New Regional Autonomous Government (Phase II)

A. Manner of Representation and Participation: Legislative

68. It shall be the policy of the National Government that the Regional Autonomous Government shall have one (1) representative in Congress as a Sectoral Representative. This is aside from the representatives/congressmen elected from the congressional

**Territorial power sharing**

Power sharing→Territorial power sharing→Local/municipal government

Page 5, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

6. The local government units in the area including the ARMM, shall continue to exist and exercise their functions in accordance with existing laws.

Page 8, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

18. The powers and functions of the Council shall be as follows:

c. To provide support to local government units as necessary;

Page 13, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

28. The Legislative Assembly may create, divide, merge, abolish or substantially alter boundaries of local government units in the area of autonomy in accordance with the criteria laid down by law subject to approval by a majority of the votes cast in a plebiscite called for the purpose in the political units affected. It may also change the names of such local government units, public places and institutions.

Page 19, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

62. The Regional Autonomous Government shall have the power to enact its own Regional Administrative Code and Regional Local Government Code consistent with national laws and the Constitution provided that it shall not in any way diminish the powers and functions already enjoyed by Local Government Units.

Power sharing→Territorial power sharing→Autonomous regions

Page 3, Preamble

Whereas, the parties affirm the sovereignty, territorial integrity and the Constitution of the Republic of the Philippines;

Page 3, I. Implementing Structure and Mechanism of this Agreement

2. Phase II shall involve an amendment to or repeal of the Organic Act (RA 6734) of the Autonomous Region in Muslim Mindanao (ARMM) through Congressional action, after which the

amendatory law shall be submitted to the people of the concerned areas in a plebiscite to determine the establishment of a new autonomous government and the specific area of autonomy thereof.

Page 3, I. Implementing Structure and Mechanism of this Agreement

2.a. While peace and development programs are being implemented in the SZOPAD, a bill to amend or repeal the RA 6734 shall be initiated within Phase I (1996-1997). The bill shall include the pertinent provisions of the final Peace Agreement and the expansion of the present ARMM area of autonomy. After a law shall have been passed by Congress and approved by the President, it shall be submitted to the people for approval in a plebiscite in the affected areas, within two (2) years from the establishment of the SPCPD (1998).

Page 4, I. Implementing Structure and Mechanism of this Agreement

2.b. The new area of autonomy shall then be determined by the provinces and cities that will vote/choose to join the said autonomy (1998). It may be provided by the Congress in a law that clusters of contiguous Muslim-dominated municipalities voting in favor of autonomy be merged and constituted into a new province(s) which shall become part of the new Autonomous Region.

Page 5, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

6. The local government units in the area including the ARMM, shall continue to exist and

## **Economic power sharing**

Power sharing→Economic power sharing→Sharing of resources

Page 30, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

132. The Regional Autonomous Government in the area of autonomy shall have the power to enact a Regional Tax Code and a regional Local Tax Code applicable to all local government units within the area of autonomy.

Page 34, III. The New Regional Autonomous Government (Phase II)

D.151. All current year collections of internal revenue taxes within the area of autonomy shall, for a period of five (5) years, be allotted for the Regional Autonomous Government (RAG) in the Annual General Appropriations Act; provided that: b. Out of said internal revenue tax collections, fifty percent (50%) of the tax collected under Section 100 (Value-added tax on sale of goods), 102 (Value added tax on sale of services), 112 (Tax on persons exempt from value-added tax), 113 (Hotel, motels and others), and 114 (Caterers) of the National Internal Revenue Code (NIRC), as amended, in excess of the increase in collections for the immediately preceding year shall be shared by the RAG and the local government units (LGUs) within the area of autonomy as follows:

1. Twenty percent (20%) shall accrue to the city or municipality where such taxes are collected; and

2. Eighty percent (80%) shall accrue to the RAG. In all cases, the RAG shall remit to the LGUs their respective shares within sixty (60) days from the end of each quarter of the current year. Provided, however, that the provinces, cities, municipalities and barangays within the area of autonomy shall continue to receive their respective shares in the Internal Revenue Allotment (IRA), as provided for in Section 284 of the Local Government Code of 1991.

Power sharing→Economic power sharing→Fiscal federalism

Page 17, III. The New Regional Autonomous Government (Phase II)

A. 47. All money collected on any regional tax levied for a special purpose shall be treated as a special fund and paid out for such special purpose only. If the purpose for which a special fund was created has been fulfilled or abandoned, the balance, if any, shall accrue to the general funds of the regional government.

Page 17, III. The New Regional Autonomous Government (Phase II)

A. 48. Trust funds shall only be paid out of the regional treasury upon fulfillment of the specific purpose for which said funds were created or received.

Page 18, III. The New Regional Autonomous Government (Phase II)

A. 59. The financial accounts of the expenditures and revenues of the Autonomous Region shall be audited by the Commission on Audit.

Page 19, III. The New Regional Autonomous Government (Phase II)

A. 61. No regional law shall be passed authorizing any transfer of appropriations; however, the Chief Executive, the Speaker of the Assembly, and the Presiding Justice of the highest Shariah Court may, by law, be authorized to augment any item in the Regional General Appropriation Law for their respective offices from savings in other items of their respective appropriations.

Page 20, III. The New Regional Autonomous Government (Phase II)

A. [...] Manner of Representation and Participation: Executive

67. Government-Owned and Controlled Corporations (GOCCs) or institutions and their subsidiaries in the area of autonomy: where Government-Owned and Controlled Corporations (GOCCs) are operating mainly or with a subsidiary in the area of autonomy, as a policy, the Regional Autonomous Government shall be given some representations in the Board of Directors or in the policymaking body of said GOCCs or their subsidiaries consistent with their respective charters.

**Military power sharing**

Power sharing→Military power sharing→Merger of forces

Page 3, I. Implementing Structure and Mechanism of this Agreement

1. Phase I shall cover a three (3) year period starting after the signing of the peace agreement with the issuance of Executive Order establishing the Special Zone of Peace and Development (SZOPAD), the Southern Philippine Council for Peace and Development (SPCPD), and the Consultative Assembly. During this phase, the process of the joining in of MNLF elements with the Armed Forces of the Philippines will start. The joining in of MNLF elements with the PNP as part of the regular police recruitment programme will also take place in this phase.

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.c. The concerned officials of the Council (e.g. the Chairman and his Deputies) shall be provided security and protective assistance by the national government, as the security situation warrants and as part of confidence building measures. An AFP/PNP security detail shall be immediately and particularly assigned to the Council. This special AFP/PNP security detail shall be composed of former MNLF regulars who shall have been granted AFP or PNP appointments and duly integrated into the AFP or PNP. This security detail shall be of appropriate size in accordance with the needs of the situation, without prejudice to augmentation by regular AFP or PNP units as the need arises and in coordination with the AFP and PNP commanders concerned. This security detail which shall not be utilized for law enforcement, but solely for the security and protection of SPCPD officials concerned, shall conduct themselves in accordance with existing policies and regulations in order to prevent undue alarm to the population during movements of concerned officials.

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e. The joining of the MNLF forces with the Armed Forces of the Philippines (AFP):

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e.a. Five thousand seven hundred fifty (5,750) MNLF members shall be integrated into the Armed Forces of the Philippines (AFP), 250 of whom shall be absorbed into the auxiliary services. The government shall exert utmost efforts to establish the necessary conditions that would ensure the eventual integration of the maximum number of the remaining MNLF forces into the Special Regional Security Force (SRSF) and other agencies and instrumentalities of the government. There shall be a special socioeconomic, cultural and educational program to cater to MNLF forces not absorbed into the AFP, PNP

and the SRSF to prepare them and their families for productive endeavors, provide for educational, technical skills and livelihood training and give them priority for hiring in development projects.

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e.b. In the beginning, the MNLF forces will join as units distinct from AFP units. They will be initially organized into separate units within a transition period, until such time that mutual confidence is developed as the members of these separate units will be gradually integrated into regular AFP units deployed in the area of the autonomy. Subject to existing laws, policies, rules and regulations, the appropriate authorities shall waive the requirements and qualifications for entry of MNLF forces into the AFP.

Page 11, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e.d. The government recognizes the skills, capabilities and achievements of the MNLF and its capacity to develop its members for the highest echelons of military and civilian leadership. The ranks and grades of MNLF forces joining AFP shall be subject to the decision of the President in his capacity as Commander-in-Chief of the AFP along the principles of universality, nondiscrimination, equity and preferential treatment for the

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## Human rights and equality

<b>Human rights/RoL general</b>	Page 15, III. The New Regional Autonomous Government (Phase II) A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council: 38. The Legislative Assembly or any of its committees may conduct inquiries or public consultations in aid of legislation in accordance with its rules. The rights of persons appearing in or affected by such inquiries shall be respected.
	Page 16, III. The New Regional Autonomous Government (Phase II) A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council: 41. No member shall be questioned or be held liable in any other place for any speech or debate in the Assembly or in any committee thereof.
	Page 19, III. The New Regional Autonomous Government (Phase II) A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council: Right of Representation and Participation in the National Government and in all Organs of the State - 64. Right of representation shall not be construed in such a way that applicants from the Autonomous Region, especially Muslims, and Cultural Communities, for lower positions in the above organs of the government cannot be appointed anymore thereto.
	Page 22, III. The New Regional Autonomous Government (Phase II) B. The Establishment of the Special Regional Security Force for the Autonomous Region (Phase II of the Implementation of the Tripoli Agreement) - General Principles 76. The powers and functions of the PNP Regional Command for the Autonomous Region/SRSF, which shall be exercised within the territories covered by the Regional Autonomous Government (RAG), shall be the following: [...] d. Exercise the general powers to make arrest, search and seizure in accordance with the Constitution and pertinent laws; e. Detain and arrest a person for a period not beyond what is prescribed by law, informing the person so detained of all his rights under the Constitution and observing the inherent human rights of the citizens; [...]
	Page 27, II. The New Regional Autonomous Government (Phase II) C. Education - Religious Instruction 112. Religious instruction in public schools should be optional, with the written consent of the parent/guardian, taught by the authorities of the religion to which the student belongs, and should not involved additional costs to the government in accordance with national policies.

**Bill of rights/similar** No specific mention.

**Treaty incorporation** No specific mention.

## Civil and political rights

Human rights and equality→Civil and political rights→Equality

Page 11, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e.d. The government recognizes the skills, capabilities and achievements of the MNLF and its capacity to develop its members for the highest echelons of military and civilian leadership. The ranks and grades of MNLF forces joining AFP shall be subject to the decision of the President in his capacity as Commander-in-Chief of the AFP along the principles of universality, nondiscrimination, equity and preferential treatment for the poor and underprivileged.

Page 24, III. The New Regional Autonomous Government (Phase II)

C. Education - The Integrated System of Education:

95. The Regional Autonomous Government educational system shall, among others, perpetuate Filipino and Islamic ideals and aspirations, Islamic values and orientations of the Bangsamoro people. It shall develop the total spiritual, intellectual, social, cultural, scientific and physical aspects of the Bangsamoro people to make them Godfearing, productive, patriotic citizens, conscious of their Filipino and Islamic values and Islamic cultural heritage under the aegis of a just and equitable society.

Page 30, III. The New Regional Autonomous Government (Phase II)

D. 130. The Regional Autonomous Government in the area of autonomy advocates equal opportunities for all the inhabitants of the area of autonomy regardless of ethnic origin, culture, sex, creed and religion.

Page 30, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

131. In enacting tax measures, the Regional Legislative Assembly shall observe the principle of uniformity and equity in taxation and shall not impose confiscatory taxes or fees of any kind.

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

Page 22, III. The New Regional Autonomous Government (Phase II)

B. The Establishment of the Special Regional Security Force for the Autonomous Region (Phase II of the Implementation of the Tripoli Agreement) - General Principles

76. The powers and functions of the PNP Regional Command for the Autonomous Region/SRSF, which shall be exercised within the territories covered by the Regional Autonomous Government (RAG), shall be the following: [...]

d. Exercise the general powers to make arrest, search and seizure in accordance with the Constitution and pertinent laws;

e. Detain and arrest a person for a period not beyond what is prescribed by law, informing the person so detained of all his rights under the Constitution and observing the inherent human rights of the citizens; [...]

Human rights and equality→Civil and political rights→Vote and take part

Page 3, Preamble

Whereas, all these agreements resulted from the consensus points reached by the Mixed Committee and the Support Committees ([...] Support Committee No. 4 - Administrative System, Right of Representation and Participation in the National Government, and in all Organs of the State; [...]

Page 19, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council: Right of Representation and Participation in the National Government and in all Organs of the State - 64. Right of representation shall not be construed in such a way that applicants from the Autonomous Region, especially Muslims, and Cultural Communities for lower positions in the above organs of the government cannot be appointed anymore thereto.

Human rights and equality→Civil and political rights→Thought, opinion, conscience and

**Socio-economic  
rights**

Human rights and equality→Socio-economic rights→Cultural life

Page 1, Preamble

Whereas, the MNLF, led by Professor Nur Misuari, inspired by their quest for peace and prosperity, had in the past asserted the right of the Moro people to freely determine their political status and freely pursue their religious, social, economic and cultural development;

Page 2, Preamble

Whereas, the parties acknowledge the valuable role of the Organization of Islamic Conference (OIC) in promoting and upholding the rights, welfare and well-being of Muslims all over the world;

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## **Rights related issues**

### **Citizenship**

Rights related issues→Citizenship→Citizen, general

Page 13, III. The New Regional Autonomous Government (Phase II)

A. 27. The Regional Legislative Assembly shall exercise legislative power for application in the area of autonomy except on the following matters, to wit:

[...] h. Citizenship;

Page 15, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

34. No person shall be elected member of the Legislative Assembly unless he/she is:

a. A natural-born citizen of the Philippines;

Page 24, III. The New Regional Autonomous Government (Phase II)

B. Organization of the PNP Regional Command for the Autonomous Region/SRSF

90. Impose, after due notice and summary hearings of citizens complaints, administrative penalties on personnel of the Regional Command except Presidential Appointees.

Page 24, III. The New Regional Autonomous Government (Phase II)

C. Education - The Integrated System of Education:

95. The Regional Autonomous Government educational system shall, among others, perpetuate Filipino and Islamic ideals and aspirations, Islamic values and orientations of the Bangsamoro people. It shall develop the total spiritual, intellectual, social, cultural, scientific and physical aspects of the Bangsamoro people to make them Godfearing, productive, patriotic citizens, conscious of their Filipino and Islamic values and Islamic cultural heritage under the aegis of a just and equitable society.

Rights related issues→Citizenship→Citizens, specific rights

Page 22, III. The New Regional Autonomous Government (Phase II)

B. The Establishment of the Special Regional Security Force for the Autonomous Region (Phase II of the Implementation of the Tripoli Agreement) - General Principles

76. The powers and functions of the PNP Regional Command for the Autonomous Region/SRSF, which shall be exercised within the territories covered by the Regional Autonomous Government (RAG), shall be the following: [...]

e. Detain and arrest a person for a period not beyond what is prescribed by law, informing the person so detained of all his rights under the Constitution and observing the inherent human rights of the citizens; [...]

### **Democracy**

No specific mention.

### **Detention procedures**

No specific mention.

### **Media and communication**

No specific mention.



<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	<p>Rights related issues→Protection measures→Other</p> <p>Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:</p> <p>19. The joining of the MNLF elements with the Philippine National Police (PNP) and the Provision of Security Protection for Certain Officials of the Southern Philippines Council for Peace and Development:</p> <p>Page 22, III. The New Regional Autonomous Government (Phase II)</p> <p>B. The Establishment of the Special Regional Security Force for the Autonomous Region (Phase II of the Implementation of the Tripoli Agreement) - General Principles</p> <p>76. The powers and functions of the PNP Regional Command for the Autonomous Region/SRSF, which shall be exercised within the territories covered by the Regional Autonomous Government (RAG), shall be the following:</p> <p>a. Enforce all laws and ordinances relative to the protection of lives and properties;</p> <p>Page 32, III. The New Regional Autonomous Government (Phase II)</p> <p>D.146. Except strategic minerals which will be defined later, the control and supervision over the exploration, exploitation, development, utilization and protection of mines and minerals in the area of autonomy shall be vested in the Regional Autonomous Government.</p> <p>Page 32, III. The New Regional Autonomous Government (Phase II)</p> <p>D.147. In the regulation of the exploration, utilization, development, protection of the natural resources inclusive of mines and minerals, except strategic minerals which will be defined later, the government in the area of autonomy shall enact rules and regulations and shall impose regulatory fees, taking into account national policies.</p>
<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**

**Criminal justice and emergency law** Justice sector reform→Criminal justice and emergency law→Reform to specific laws  
Page 17, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

51. No bill shall become a law unless it has passed three (3) readings on separate days and printed copies thereof in its final form have been distributed to its Members three (3) days before its passage, except when the Chief Executive certifies to the necessity of its immediate enactment to meet a public calamity or emergency.

**State of emergency provisions** No specific mention.

## Judiciary and courts

Page 3, Preamble

Whereas, all these agreements resulted from the consensus points reached by the Mixed Committee and the Support Committees [...] Support Committee No. 5 - Shariah and the Judiciary; and the Ad Hoc Working Group on the Transitional Implementing Structure and Mechanism in meetings held in various places in the Philippines and Indonesia;

Page 13, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

27. The Regional Legislative Assembly shall exercise legislative power for application in the area of autonomy except on the following matters, to wit:

[...] e. Administration of Justice except on matters pertaining to Shari'ah;

Page 14, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council: 30. No member of the Legislative Assembly may personally appear as counsel before courts of justice or quasi-judicial and other administrative bodies. Neither shall he directly or indirectly, be interested financially in any contract with, or in any franchise or privilege granted by, the Government or any subdivision, agency or instrumentality thereof, including any government-owned and/or-controlled corporation or its subsidiary, during his term of office. He shall not intervene in any matter before any office of the government for his pecuniary benefit or where he may be called upon to act on account of his office.

Page 19, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

61. No regional law shall be passed authorizing any transfer of appropriations; however, the Chief Executive, the Speaker of the Assembly, and the Presiding Justice of the highest Shariah Court may, by law, be authorized to augment any item in the Regional General Appropriation Law for their respective offices from savings in other items of their respective appropriations.

Page 20, III. The New Regional Autonomous Government (Phase II)

A. Manner of Representation and Participation: Judicial

69. It shall be a policy of the National Government that at least one (1) justice in the Supreme Court and at least two (2) in the Court of Appeals shall come from the Autonomous Region. For this purpose, the Head of the autonomous Government may submit the names of his recommendees to the Judicial and Bar Council for consideration. This is without prejudice to the appointment of qualified inhabitants of the Autonomous Region to other positions in the judiciary in accordance with their merits and qualifications.

Page 21, III. The New Regional Autonomous Government (Phase II)

A. Manner of Representation and Participation: Judicial

70. The GRP shall endeavour to cause the appointment, as a member of the Judicial and Bar Council, a qualified person to be recommended by the Head of the Regional Autonomous Government.

Page 21, III. The New Regional Autonomous Government (Phase II)

A. Manner of Representation and Participation: Judicial

71. The GRP shall request the Supreme Court to create the Office of the Deputy Court Administrator for the Area of Autonomy and to appoint thereto a qualified person recommended by the Head of the Regional Autonomous Government.

**Prisons and  
detention**

No specific mention.

**Traditional Laws**

Page 3, Preamble

Whereas, all these agreements resulted from the consensus points reached by the Mixed Committee and the Support Committees ([...] Support Committee No. 5 - Shariah and the Judiciary; and the Ad Hoc Working Group on the Transitional Implementing Structure and Mechanism in meetings held in various places in the Philippines and Indonesia;

Page 13, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

27. The Regional Legislative Assembly shall exercise legislative power for application in the area of autonomy except on the following matters, to wit: [...] e. Administration of Justice except on matters pertaining to Shari'ah;

Page 19, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

61. No regional law shall be passed authorizing any transfer of appropriations; however, the Chief Executive, the Speaker of the Assembly, and the Presiding Justice of the highest Shariah Court may, by law, be authorized to augment any item in the Regional General Appropriation Law for their respective offices from savings in other items of their respective appropriations.

Page 28, III. The New Regional Autonomous Government (Phase II)

C. Education - Medium of Instruction

116. Arabic shall be taught as a subject in all appropriate grade levels as presently required in the existing laws for Muslims, and optional, for non-Muslims.

Page 34, III. The New Regional Autonomous Government (Phase II)

E. Shari'ah and Judiciary - 152. The Regional Legislative Assembly of the area of autonomy shall establish Shari'ah Courts in accordance with the existing laws.

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**Development or  
socio-economic  
reconstruction**

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

Page 3, I. Implementing Structure and Mechanism of this Agreement

1. Phase I shall cover a three (3) year period starting after the signing of the peace agreement with the issuance of Executive Order establishing the Special Zone of Peace and Development (SZOPAD), the Southern Philippine Council for Peace and Development (SPCPD), and the Consultative Assembly. [...]

Page 3, I. Implementing Structure and Mechanism of this Agreement

2.a. While peace and development programs are being implemented in the SZOPAD, a bill to amend or repeal the RA 6734 shall be initiated within Phase I (1996-1997). [...]

Page 4, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

3. There shall be established a Special Zone of Peace and Development in the Southern Philippines (SZOPAD) [...]. Within the next three (3) years, these areas shall be the focus of intensive peace and development efforts. Public and private investments shall be channeled to these areas to spur economic activities and uplift the conditions of the people therein.

Page 4, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

4. There shall be established a Southern Philippines Council for Peace and Development (SPCPD), composed of one (1) Chairman, one (1) Vice Chairman and three (3) Deputies, one each representing the Muslims, the Christians, and the Cultural Communities. They shall be appointed by the President.

Page 5, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

7. Appropriate agencies of the government that are engaged in peace and development activities in the area, such as but not limited to the Southern Philippines Development Authority (SPDA), shall be placed under the control and/or supervision of the Council as its implementing agencies to ensure that peace and development projects and programs are effectively accomplished. [...]

Page 5, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

7.a. The Southern Philippines Development Authority (SPDA) may be attached to the SPCPD and be placed under the latter's direct supervision insofar as SPDA offices and projects in the SZOPAD are concerned. [...]

Page 5, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

7.b. The Regional and Field Offices of the Office of Muslim Affairs (OMA) which are situated and operating within the Special Zone of Peace and Development (SZOPAD), shall be placed under the direct supervision of SPCPD, provided that the coordination, linkages and complementation between the central OMA and SPCPD shall be defined by a Presidential issuance;

Page 5, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

7.c. The Regional and Field Offices of the Office of Southern Cultural Communities (OSCC) which are situated and operating within the Special Zone of Peace and Development (SZOPAD), shall be placed under the direct supervision of SPCPD, provided that the coordination, linkages and complementation between the central OSCC and SPCPD shall be defined by a Presidential issuance;

Page 5, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

7.d. Task Force Basilan, which shall be reorganized into the Basilan Development Task Force, to undertake development activities in Basilan shall be placed under the control

**National economic plan**

Page 3, I. Implementing Structure and Mechanism of this Agreement

1. Phase I shall cover a three (3) year period starting after the signing of the peace agreement with the issuance of Executive Order establishing the Special Zone of Peace and Development (SZOPAD), the Southern Philippine Council for Peace and Development (SPCPD), and the Consultative Assembly. During this phase, the process of the joining in of MNLF elements with the Armed Forces of the Philippines will start. The joining in of MNLF elements with the PNP as part of the regular police recruitment programme will also take place in this phase.

Page 3, I. Implementing Structure and Mechanism of this Agreement

2.a. While peace and development programs are being implemented in the SZOPAD, a bill to amend or repeal the RA 6734 shall be initiated within Phase I (1996-1997). The bill shall include the pertinent provisions of the final Peace Agreement and the expansion of the present ARMM area of autonomy. After a law shall have been passed by Congress and approved by the President, it shall be submitted to the people for approval in a plebiscite in the affected areas, within two (2) years from the establishment of the SPCPD (1998).

Page 4, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

3. There shall be established a Special Zone of Peace and Development in the Southern Philippines (SZOPAD) covering the provinces of Basilan, Sulu, Tawi-Tawi, Zamboanga del Sur, Zamboanga del Norte, North Cotabato, Maguindanao, Sultan Kudarat, Lanao del Norte, Lanao del Sur, Davao del Sur, South Cotabato, Sarangani and Palawan and the cities of Cotabato, Dapitan, Dipolog, General Santos, Iligan, Marawi, Pagadian, Zamboanga and Puerto Princesa. Within the next three (3) years, these areas shall be the focus of intensive peace and development efforts. Public and private investments shall be channeled to these areas to spur economic activities and uplift the conditions of the people therein.

Page 6, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

7. [...] the following agencies or entities will be placed under the control and/or supervision of the SPCPD: g. Special Development Planning Group Ñ this is an ad hoc body composed of staff officers and planning experts from the Department of Trade and Industry (DTI), the National Economic and Development Authority (NEDA), the Department of Public Works and Highways (DPWH) and other concerned agencies which could be organized to support directly the staff planning requirements, shall be placed under SPCPD.

Page 8, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

15. The funds for the operations of the Council and the Assembly shall be initially sourced from the funds of the Office of the President. Funding for development programs and projects shall come from the appropriations of Congress as may be drawn from the General Appropriations Act. A supplementary budget for the year 1996 will be recommended to Congress for the purpose.

Page 18, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

59. The financial accounts of the expenditures and revenues of the Autonomous Region shall be audited by the Commission on Audit.

**Natural resources** Page 3, Preamble

Whereas, all these agreements resulted from the consensus points reached by the Mixed Committee and the Support Committees (Support Committee No. 1 - National Defense and Security; Support Committee No. 2 - Education; Support Committee No. 3 - Economic and Financial System, Mines and Minerals; [...])

Page 30, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

134. All corporations, partnerships or business entities whose head offices are located outside the area of autonomy, but doing business within its territorial jurisdiction, either by using, exploiting, and utilizing the land, aquatic and all natural resources therein, shall pay their income taxes corresponding to their income realized from their business operation in the area of autonomy through the province, city or municipality where their branch offices are located. In case the business establishment has no branch in the area of autonomy, such business establishment shall pay through the city or municipality where its operation is located.

Page 32, III. The New Regional Autonomous Government (Phase II)

D.143. The residents in the area of the autonomy shall have preferential rights over the exploration, development and utilization of natural resources in the area of autonomy respecting existing rights on the exploitation, exploration, development and utilization of natural resources.

Page 32, III. The New Regional Autonomous Government (Phase II)

D.146. Except strategic minerals which will be defined later, the control and supervision over the exploration, exploitation, development, utilization and protection of mines and minerals in the area of autonomy shall be vested in the Regional Autonomous Government.

Page 32, III. The New Regional Autonomous Government (Phase II)

D.147. In the regulation of the exploration, utilization, development, protection of the natural resources inclusive of mines and minerals, except strategic minerals which will be defined later, the government in the area of autonomy shall enact rules and regulations and shall impose regulatory fees, taking into account national policies.



**International funds** Page 6, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:  
8. The SPCPD, in consultation with the Consultative Assembly, utilizing the funds from the National Government, shall monitor, promote and coordinate the development efforts in the area, including the attraction of foreign investment, specially from OIC member countries and the Association of South East Asian Nations (ASEAN).

III. The New Regional Autonomous Government (Phase II)

C. Education - Scholarship Grants and Assistance

122. Universities and colleges in the areas of autonomy may seek and receive overseas donations for educational purposes.

Page 29, III. The New Regional Autonomous Government (Phase II)

C. Education - Scholarship Grants and Assistance

123. The Regional Autonomous Government educational system will handle, by administrative arrangement with the national DECS, CHED, and TESDA scholarship programs, both local and foreign, including those provided by the autonomous region pursuant to the provision of existing laws.

Page 31, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

137. The Regional Autonomous Government may accept foreign financial and economic grant for the development and welfare of the people in the region.

Page 31, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

139. The Regional Autonomous Government may contract foreign loans within the purview of national laws and pertinent monetary and fiscal policies.

Page 31, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

141. The Regional Autonomous Government in the area of autonomy shall encourage, promote and support the establishment of economic zones, industrial centers, and ports in strategic area and growth centers to attract local and foreign investments and business enterprise.

Page 32, III. The New Regional Autonomous Government (Phase II)

D.142. The Regional Autonomous Government in the area of autonomy shall undertake encourage, promote and support the establishment of economic zones and industrial centers. And, in order to attract local and foreign investments within the area of the zone and outside but within the area of autonomy, the government in the area of autonomy may grant incentives to investors as may be defined in an Autonomous Investment Act to be formulated by the Regional Legislative Assembly within one year from its organization.

Page 32, III. The New Regional Autonomous Government (Phase II)

D.144. The Regional Autonomous Government in the area of autonomy shall enjoy fiscal autonomy in budgeting its own revenue resources and block subsidies granted to it by the National Government and foreign donors. Budgeting includes planning, programming and disbursing of funds.

## Business

Page 6, II. The Transitional Period (Phase I) - Phase I shall be implemented as follows:

7. [...] the following agencies or entities will be placed under the control and/or supervision of the SPCPD: g. Special Development Planning Group Ñ this is an ad hoc body composed of staff officers and planning experts from the Department of Trade and Industry (DTI), the National Economic and Development Authority (NEDA), the Department of Public Works and Highways (DPWH) and other concerned agencies which could be organized to support directly the staff planning requirements, shall be placed under SPCPD.

Page 13, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

27. The Regional Legislative Assembly shall exercise legislative power for application in the area of autonomy except on the following matters, to wit: [...]

d. Coinage, and Fiscal and Monetary Policies; [...]

g. Customs and Tariff; [...]

k. Foreign Trade; [...]

m. Patents, Trademarks, Tradenames and Copyrights.

Page 14, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

29. Any member of the Legislative Assembly who accepts an appointment and qualifies for any position in the Government, including government-owned and/or controlled corporations or institutions and their subsidiaries, shall automatically forfeit his seat in the Legislative Assembly.

Page 14, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council: 30. No member of the Legislative Assembly may

personally appear as counsel before courts of justice or quasi-judicial and other administrative bodies. Neither shall he directly or indirectly, be interested financially in any contract with, or in any franchise or privilege granted by, the Government or any subdivision, agency or instrumentality thereof, including any government-owned and/or-controlled corporation or its subsidiary, during his term of office. He shall not intervene in any matter before any office of the government for his pecuniary benefit or where he may be called upon to act on account of his office.

Page 14, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

33. The powers, functions, responsibilities and structure of the different Departments, agencies, bureaus, offices and instrumentalities of the regional government including regional government-owned-and-controlled corporations in the areas of the autonomy shall be prescribed and defined by the Regional Legislative Assembly.

Page 20, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council: Right of Representation and Participation in the National Government and in all Organs of the State - Manner of Representation and Participation: Executive Page 42 of 54

67. Government-Owned and Controlled Corporations (GOCCs) or institutions and their subsidiaries in the area of autonomy: where Government Owned and Controlled

## Taxation

Socio-economic reconstruction→Taxation→Power to tax

Page 13, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council

27. The Regional Legislative Assembly shall exercise legislative power for application in the area of autonomy except on the following matters, to wit: [...] g. Customs and Tariff;

Page 17, III. The New Regional Autonomous Government (Phase II)

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council:

47. All money collected on any regional tax levied for a special purpose shall be treated as a special fund and paid out for such special purpose only. If the purpose for which a special fund was created has been fulfilled or abandoned, the balance, if any, shall accrue to the general funds of the regional government.

Page 30, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

129. The Regional Autonomous Government in the area of autonomy shall have the power to grant incentives including tax holidays within the power and resources in the area of autonomy.

Page 30, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

131. In enacting tax measures, the Regional Legislative Assembly shall observe the principle of uniformity and equity in taxation and shall not impose confiscatory taxes or fees of any kind.

Page 30, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

132. The Regional Autonomous Government in the area of autonomy shall have the power to enact a Regional Tax Code and a regional Local Tax Code applicable to all local government units within the area of autonomy.

Page 30, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

133. All corporations, partnerships or business entities directly engaged in business in the area of autonomy shall pay their corresponding taxes, fees, and charges in the province, city or municipality in the area of autonomy where the establishment is doing business.

Page 30, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

134. All corporations, partnerships or business entities whose head offices are located outside the area of autonomy, but doing business within its territorial jurisdiction, either by using, exploiting, and utilizing the land, aquatic and all natural resources therein, shall pay their income taxes corresponding to their income realized from their business operation in the area of autonomy through the province, city or municipality where their branch offices are located. In case the business establishment has no branch in the area of autonomy, such business establishment shall pay through the city or municipality where its operation is located.

Page 33, III. The New Regional Autonomous Government (Phase II)

D.151. All current year collections of internal revenue taxes within the area of autonomy shall, for a period of five (5) years, be allotted for the Regional Autonomous Government (RAG) in the Annual General Appropriations Act; provided that: a. The

## **Banks**

Socio-economic reconstruction→Banks→Personal or commercial banking

Page 29, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

127. The pivotal role of banks and other financial institutions for development in the area of autonomy is recognized.

Page 31, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

136. The Regional Autonomous Government recognizes the pivotal role played by banks and other financial institutions in the economic development of the area of autonomy.

Toward this end, the Autonomous Government shall:

- a. Encourage the establishment of banks and bank branches in the area of autonomy;
- b. Encourage the entry and establishment of off-shore banking units of foreign banks in the area of autonomy.

Page 31, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

138. The Regional Autonomous Government may issue its own treasury bills, bonds, promissory notes, and other debt papers in consultation and coordination with the Bangko Sentral ng Pilipinas.

Page 32, III. The New Regional Autonomous Government (Phase II)

D.148. An Islamic Banking Unit shall be established in the Bangko Sentral ng Pilipinas which shall be staffed by qualified Islamic banking experts nominated by the Governor of the Regional Autonomous Government. The Governor of the Regional Autonomous Government shall nominate at least three (3) qualified persons from the area of autonomy, from which nomination the appointing authority shall appoint the Head of the Unit. The same procedure shall be observed as regards the rest of the positions in the Unit.

Page 33, III. The New Regional Autonomous Government (Phase II)

D.149. The Bangko Sentral ng Pilipinas shall have a Regional Office with full banking service in the capital of the government of the Autonomous Region to respond to the growing needs of the banking community in the area of autonomy which shall be established within one (1) year from the establishment of the Autonomous Government. The Governor of the Autonomous Government shall submit a list of qualified recommendees to the appointing authority from which the staff of the regional office may be chosen; provided that those staff who are now occupying and already appointed to positions in the regional office are considered as recommended by the Governor of the Regional Autonomous Government.

Socio-economic reconstruction→Banks→International finance

Page 31, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

136. The Regional Autonomous Government recognizes the pivotal role played by banks and other financial institutions in the economic development of the area of autonomy.

Toward this end, the Autonomous Government shall:

- a. Encourage the establishment of banks and bank branches in the area of autonomy;
- b. Encourage the entry and establishment of off-shore banking units of foreign banks in the area of autonomy.

Page 31, III. The New Regional Autonomous Government (Phase II)

D. The Economic and Financial System, Mines and Minerals

138. The Regional Autonomous Government may issue its own treasury bills, bonds, promissory notes, and other debt papers in consultation and coordination with the

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**Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/  
nomadism rights** No specific mention.

## Cultural heritage

Land, property and environment→Cultural heritage→Tangible

Page 25, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

100. The same textbooks of the National Government will be used by schools in the Autonomous Region. The formulation, shaping and revision of textbooks are the responsibilities of the Regional Autonomous Government and the National Government and within agreed norms, academic freedom and relevant legal limits, the formulation and revisions shall emphasize Islamic values or orientation, in addition to Filipino values which include Christian values and values of indigenous people, modern sciences and technology as well as the latest educational thrusts. Having adopted the core curriculum of the national government in consideration of achieving the highest quality of education, students and graduates of the education system of the Autonomous Region shall be fully accredited when they transfer to non autonomous regions.

Page 28, III. The New Regional Autonomous Government (Phase II)

C. Education - Madrasa Education

117. Existing Madaris, including Madaris Ulya shall be under the Regional Autonomous Government educational system as presently organized in the area of autonomy.

Page 28, III. The New Regional Autonomous Government (Phase II)

C. Education - Madrasa Education

118. Madaris teachers shall receive compensation out of the funds of the Regional Autonomous Government provided they are employed in the public schools.

Land, property and environment→Cultural heritage→Intangible

Page 24, III. The New Regional Autonomous Government (Phase II)

C. Education - The Integrated System of Education:

95. The Regional Autonomous Government educational system shall, among others, perpetuate Filipino and Islamic ideals and aspirations, Islamic values and orientations of the Bangsamoro people. It shall develop the total spiritual, intellectual, social, cultural, scientific and physical aspects of the Bangsamoro people to make them Godfearing, productive, patriotic citizens, conscious of their Filipino and Islamic values and Islamic cultural heritage under the aegis of a just and equitable society.

Page 25, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

97. The Regional Autonomous Government educational system will adopt the basic core courses for all Filipino children as well as the minimum required learnings and orientations provided by the national government, including the subject areas and their daily time allotment. Teaching materials and curriculum contents shall promote solidarity, unity in diversity, Filipino and Islamic values.

Page 26, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

101. The integration of Islamic Values in the curriculum should be done gradually after researches and studies are conducted.

Page 26, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

102. The teachings of Islamic Values, as well as Filipino values, shall be incorporated in Good Manners and Right Conduct in appropriate grade levels including the tertiary level subject to agreed norms, academic freedom, and legal limitations.

Page 26, III. The New Regional Autonomous Government (Phase II)

C. Education - Curriculum

103. Muslim culture, mores, customs and traditions which are mainly based on Islam, as

<b>Environment</b>	<p>Page 28, III. The New Regional Autonomous Government (Phase II)</p> <p>C. Education - Nonformal Education and Specialized Education</p> <p>119. The Regional Autonomous Government educational system shall develop the full potentials of its human resources, respond positively to changing needs and conditions and needs of the environment, and institutionalize non-formal education.</p> <p>Page 28, III. The New Regional Autonomous Government (Phase II)</p> <p>C. Education - Nonformal Education and Specialized Education</p> <p>120. The educational system shall respond positively and effectively to the changing needs and conditions of the times as well as regional and national needs of the environment through the proper use of the latest educational technology, development, planning, monitoring, evaluation, and appropriate and timely educational intervention as well as linkages with national and international institutions.</p>
<b>Water or riparian rights or access</b>	<p>Page 13, III. The New Regional Autonomous Government (Phase II)</p> <p>A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government Executive Council</p> <p>27. The Regional Legislative Assembly shall exercise legislative power for application in the area of autonomy except on the following matters, to wit: [...] I. Maritime, Land and Air Transportation and Communications that affect areas outside the autonomous region;</p>

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**Security sector**

<b>Security Guarantees</b>	No specific mention.
<b>Ceasefire</b>	No specific mention.

## Police

Page 3, I. Implementing Structure and Mechanism of this Agreement

1. Phase I shall cover a three (3) year period starting after the signing of the peace agreement with the issuance of Executive Order establishing the Special Zone of Peace and Development (SZOPAD), the Southern Philippine Council for Peace and Development (SPCPD), and the Consultative Assembly. During this phase, the process of the joining in of MNLF elements with the Armed Forces of the Philippines will start. The joining in of MNLF elements with the PNP as part of the regular police recruitment programme will also take place in this phase.

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19. The joining of the MNLF elements with the Philippine National Police (PNP) and the Provision of Security Protection for Certain Officials of the Southern Philippines Council for Peace and Development:

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.a. During the transitional phase (Phase I), there shall be a program or process to allow the joining of MNLF elements into the PNP and to be part of the PNP in accordance with guidelines and procedures under existing laws. The Philippine Government shall allocate one thousand five hundred (1,500) PNP vacancies for this purpose to be filled up by MNLF elements during the transition period, and another two hundred fifty (250) items for special or auxiliary services.

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.b. The processing of MNLF elements will start upon the establishment of the Southern Philippines Council for Peace and Development (SPCPD). The police training programs to be undergone by the joining MNLF elements shall be as prescribed by existing laws and regulations, and shall be conducted by the PNP.

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.c. The concerned officials of the Council (e.g. the Chairman and his Deputies) shall be provided security and protective assistance by the national government, as the security situation warrants and as part of confidence building measures. An AFP/PNP security detail shall be immediately and particularly assigned to the Council. This special AFP/PNP security detail shall be composed of former MNLF regulars who shall have been granted AFP or PNP appointments and duly integrated into the AFP or PNP. This security detail shall be of appropriate size in accordance with the needs of the situation, without prejudice to augmentation by regular AFP or PNP units as the need arises and in coordination with the AFP and PNP commanders concerned. This security detail which shall not be utilized for law enforcement, but solely for the security and protection of SPCPD officials concerned, shall conduct themselves in accordance with existing policies and regulations in order to prevent undue alarm to the population during movements of concerned officials.

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.d. To have good coordination between the AFP and PNP on the one hand and the SPCPD on the other, a liaison system will be set up composed of the AFP, PNP and SPCPD senior officials.

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e.a. Five thousand seven hundred fifty (5,750) MNLF members shall be integrated into the Armed Forces of the Philippines (AFP), 250 of whom shall be absorbed into the auxiliary services. The government shall exert utmost efforts to establish the necessary conditions that would ensure the eventual integration of the maximum number of the remaining MNLF forces into the Special Regional Security Force (SRSF) and other agencies and instrumentalities of the government. There shall be a special



## Armed forces

Page 3, Preamble

Whereas, all these agreements resulted from the consensus points reached by the Mixed Committee and the Support Committees (Support Committee No. 1 - National Defense and Security; [...])

Page 3, I. Implementing Structure and Mechanism of this Agreement

1. Phase I shall cover a three (3) year period starting after the signing of the peace agreement with the issuance of Executive Order establishing the Special Zone of Peace and Development (SZOPAD), the Southern Philippine Council for Peace and Development (SPCPD), and the Consultative Assembly. During this phase, the process of the joining in of MNLF elements with the Armed Forces of the Philippines will start. The joining in of MNLF elements with the PNP as part of the regular police recruitment programme will also take place in this phase.

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.c. The concerned officials of the Council (e.g. the Chairman and his Deputies) shall be provided security and protective assistance by the national government, as the security situation warrants and as part of confidence building measures. An AFP/PNP security detail shall be immediately and particularly assigned to the Council. This special AFP/PNP security detail shall be composed of former MNLF regulars who shall have been granted AFP or PNP appointments and duly integrated into the AFP or PNP. This security detail shall be of appropriate size in accordance with the needs of the situation, without prejudice to augmentation by regular AFP or PNP units as the need arises and in coordination with the AFP and PNP commanders concerned. This security detail which shall not be utilized for law enforcement, but solely for the security and protection of SPCPD officials concerned, shall conduct themselves in accordance with existing policies and regulations in order to prevent undue alarm to the population during movements of concerned officials.

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.d. To have good coordination between the AFP and PNP on the one hand and the SPCPD on the other, a liaison system will be set up composed of the AFP, PNP and SPCPD senior officials.

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e. The joining of the MNLF forces with the Armed Forces of the Philippines (AFP):

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e.a. Five thousand seven hundred fifty (5,750) MNLF members shall be integrated into the Armed Forces of the Philippines (AFP), 250 of whom shall be absorbed into the auxiliary services. The government shall exert utmost efforts to establish the necessary conditions that would ensure the eventual integration of the maximum number of the remaining MNLF forces into the Special Regional Security Force (SRSF) and other agencies and instrumentalities of the government. There shall be a special socioeconomic, cultural and educational program to cater to MNLF forces not absorbed into the AFP, PNP

and the SRSF to prepare them and their families for productive endeavors, provide for educational, technical skills and livelihood training and give them priority for hiring in development projects.

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e.b. In the beginning, the MNLF forces will join as units distinct from AFP units. They will be initially organized into separate units within a transition period, until such time that mutual confidence is developed as the members of these separate units will be gradually integrated into regular AFP units deployed in the area of the autonomy

## DDR

Security sector→DDR→DDR programmes

Page 3, I. Implementing Structure and Mechanism of this Agreement

1. Phase I shall cover a three (3) year period starting after the signing of the peace agreement with the issuance of Executive Order establishing the Special Zone of Peace and Development (SZOPAD), the Southern Philippine Council for Peace and Development (SPCPD), and the Consultative Assembly. During this phase, the process of the joining in of MNLF elements with the Armed Forces of the Philippines will start. The joining in of MNLF elements with the PNP as part of the regular police recruitment programme will also take place in this phase.

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19. The joining of the MNLF elements with the Philippine National Police (PNP) and the Provision of Security Protection for Certain Officials of the Southern Philippines Council for Peace and Development:

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.a. During the transitional phase (Phase I), there shall be a program or process to allow the joining of MNLF elements into the PNP and to be part of the PNP in accordance with guidelines and procedures under existing laws. The Philippine Government shall allocate one thousand five hundred (1,500) PNP vacancies for this purpose to be filled up by MNLF elements during the transition period, and another two hundred fifty (250) items for special or auxiliary services.

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.b. The processing of MNLF elements will start upon the establishment of the Southern Philippines Council for Peace and Development (SPCPD). The police training programs to be undergone by the joining MNLF elements shall be as prescribed by existing laws and regulations, and shall be conducted by the PNP.

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.c. The concerned officials of the Council (e.g. the Chairman and his Deputies) shall be provided security and protective assistance by the national government, as the security situation warrants and as part of confidence building measures. An AFP/PNP security detail shall be immediately and particularly assigned to the Council. This special AFP/PNP security detail shall be composed of former MNLF regulars who shall have been granted AFP or PNP appointments and duly integrated into the AFP or PNP. This security detail shall be of appropriate size in accordance with the needs of the situation, without prejudice to augmentation by regular AFP or PNP units as the need arises and in coordination with the AFP and PNP commanders concerned. This security detail which shall not be utilized for law enforcement, but solely for the security and protection of SPCPD officials concerned, shall conduct themselves in accordance with existing policies and regulations in order to prevent undue alarm to the population during movements of concerned officials.

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e. The joining of the MNLF forces with the Armed Forces of the Philippines (AFP):

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e.a. Five thousand seven hundred fifty (5,750) MNLF members shall be integrated into the Armed Forces of the Philippines (AFP), 250 of whom shall be absorbed into the auxiliary services. The government shall exert utmost efforts to establish the necessary conditions that would ensure the eventual integration of the maximum number of the remaining MNLF forces into the Special Regional Security Force (SRSF) and other agencies and instrumentalities of the government. There shall be a special

socioeconomic, cultural and educational program to cater to MNLF forces not absorbed

**Intelligence  
services**

No specific mention.

**Parastatal/rebel  
and opposition  
group forces**

Page 3, I. Implementing Structure and Mechanism of this Agreement

1. Phase I shall cover a three (3) year period starting after the signing of the peace agreement with the issuance of Executive Order establishing the Special Zone of Peace and Development (SZOPAD), the Southern Philippine Council for Peace and Development (SPCPD), and the Consultative Assembly. During this phase, the process of the joining in of MNLF elements with the Armed Forces of the Philippines will start. The joining in of MNLF elements with the PNP as part of the regular police recruitment programme will also take place in this phase.

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19. The joining of the MNLF elements with the Philippine National Police (PNP) and the Provision of Security Protection for Certain Officials of the Southern Philippines Council for Peace and Development:

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.a. During the transitional phase (Phase I), there shall be a program or process to allow the joining of MNLF elements into the PNP and to be part of the PNP in accordance with guidelines and procedures under existing laws. The Philippine Government shall allocate one thousand five hundred (1,500) PNP vacancies for this purpose to be filled up by MNLF elements during the transition period, and another two hundred fifty (250) items for special or auxiliary services.

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.b. The processing of MNLF elements will start upon the establishment of the Southern Philippines Council for Peace and Development (SPCPD). The police training programs to be undergone by the joining MNLF elements shall be as prescribed by existing laws and regulations, and shall be conducted by the PNP.

Page 9, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.c. The concerned officials of the Council (e.g. the Chairman and his Deputies) shall be provided security and protective assistance by the national government, as the security situation warrants and as part of confidence building measures. An AFP/PNP security detail shall be immediately and particularly assigned to the Council. This special AFP/ PNP security detail shall be composed of former MNLF regulars who shall have been granted AFP or PNP appointments and duly integrated into the AFP or PNP. This security detail shall be of appropriate size in accordance with the needs of the situation, without prejudice to augmentation by regular AFP or PNP units as the need arises and in coordination with the AFP and PNP commanders concerned. This security detail which shall not be utilized for law enforcement, but solely for the security and protection of SPCPD officials concerned, shall conduct themselves in accordance with existing policies and regulations in order to prevent undue alarm to the population during movements of concerned officials.

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e. The joining of the MNLF forces with the Armed Forces of the Philippines (AFP):

Page 10, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:

19.e.a. Five thousand seven hundred fifty (5,750) MNLF members shall be integrated into the Armed Forces of the Philippines (AFP), 250 of whom shall be absorbed into the auxiliary services. The government shall exert utmost efforts to establish the necessary conditions that would ensure the eventual integration of the maximum number of the remaining MNLF forces into the Special Regional Security Force (SRSF) and other agencies and instrumentalities of the government. There shall be a special socioeconomic, cultural and educational program to cater to MNLF forces not absorbed into the AFP, PNP

<b>Withdrawal of foreign forces</b>	No specific mention.
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<b>Corruption</b>	No specific mention.
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<b>Crime/organised crime</b>	No specific mention.
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<b>Drugs</b>	No specific mention.
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<b>Terrorism</b>	No specific mention.
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## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
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<b>Amnesty/pardon</b>	No specific mention.
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<b>Courts</b>	No specific mention.
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<b>Mechanism</b>	No specific mention.
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<b>Prisoner release</b>	No specific mention.
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<b>Vetting</b>	No specific mention.
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<b>Victims</b>	No specific mention.
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<b>Missing persons</b>	No specific mention.
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<b>Reparations</b>	No specific mention.
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<b>Reconciliation</b>	No specific mention.
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## **Implementation**

<b>UN signatory</b>	No specific mention.
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<b>Other international signatory</b>	No specific mention.
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<b>Referendum for agreement</b>	No specific mention.
<b>International mission/force/similar</b>	No specific mention.
<b>Enforcement mechanism</b>	<p>Page 7, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:</p> <p>12. The OIC shall be requested to continue to extend its assistance and good offices in monitoring the full implementation of this agreement during the transitional period until the regular autonomous government is firmly established and for this purpose, help generate broad international support for the Zone of Peace and Development.</p> <p>Page 7, II. Transitional Period (Phase I) - Phase I shall be implemented as follows:</p> <p>13. A Joint Monitoring Committee composed of members coming from the GRP and the MNLF, with the help of the OIC, shall continue to meet to review and identify agreements that can be immediately implemented, and monitor the implementation of this Agreement during Phase I.</p> <p>18.e) Commission on Elections to assist in preparation for holding elections, referenda, or plebiscite and people's initiative in the area. III.F. Totality Clause: 153. 'This PA, which is the full implementation of the 1976 Trioi Agmt, embodies and constitutes the totality of all the agmts, covenant and understandings between the GRP and the MNLF respecting all the subject matters embodies herein. This agmt supersedes and modifies all agmts, consensus, covenants, documents and communications not referred to or embodied in this Agmt or whose terms and conditions are otherwise inconsistent herewith. Any conflict in the interpretation of this Agmt shall be resolved in the light of the Philippine Constitution and existing laws.</p>
<b>Related cases</b>	No specific mention.
<b>Source</b>	UN Peacemaker <a href="http://peacemaker.un.org/philippines-implementingtripoli96">http://peacemaker.un.org/philippines-implementingtripoli96</a>

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