

Country/entity	Philippines Mindanao
Region	Asia and Pacific
Agreement name	Government of the Philippines-MILF Decision Points on Principles as of April 2012
Date	24 Apr 2012
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Philippine Insurgencies (1968 -)

The Maoist Insurgencies (1968 -)

Philippines-NDF

The Philippines have been defined by a series of center-periphery and often ideologically Maoist, separatist insurgencies. The Communist Party of the Philippines (CPP), began its war against the central Philippine government in 1968 through their armed wing – the New People’s Army (NPA). Further legitimacy was gained through the establishment of the National Democratic Front (NDF) in 1973. Grievances were predominantly opposed to the corruption and repression under the authoritarian Marcos regime.

Philippines-Cordillera

With the overthrow of Marcos’ regime in 1986, the CPP factionalized further to take on more localized characteristics. The Cordillera Peoples Liberation Army (CPLA) broke away from the NDF in 1986 to focus on the protection of the Cordilleran people and land in northern Luzon. Hostilities were formally ended in July 2011, with an agreement signed between the central government, the CPLA and the Cordillera Bodong Administration (CBA) that allowed for the absorption of CPLA fighters into the Philippine Army and the re-working of the CBA-CPLA into a socio-development organisation.

Philippines-RPM-P

Meanwhile, purge among the CPP in the early 1990s, encouraged the formation of a parallel party, the Revolutionary Workers Party (RPM-P). Their armed wing, the Alex Boncayao Brigade (ABB) which had carried out a number of assassinations during the 1980s at the bequest of the CPP, followed suit and allied themselves with the RPM-P in 1997 forming the (RPM-P-RPA-ABB). Severely weakened by the split with the CPP and with the arrest of several key figures, the RPM-P-RPA-ABB signed a peace agreement in December 2000, which encouraged the RPM-P’s branch in Mindanao to break away in 2001.

The CPP-NPA has only participated in intermittent talks with the government. Talks halted in 2004 when Gloria Macapagal-Arroyo’s administration sought closer ties with the U.S. in the war on terror and added the CPP-NPA to the list of terrorist organisations, renewing violence. Following the launch of a counter-insurgency by the Philippine government, negotiations have been further delayed due to suspected internal differences between the CPP ‘old guard’ and younger members.

The Moro Insurgency (1968 -)

Philippines-Mindanao

The Moro Insurgency began in 1968, in Mindanao and the Sulu archipelago after the killing of Moro Commandos, the so-called Jabidah Massacre, by the Philippine Army following a plot to invade Sabah province in Malaysia. The Moro National Liberation Front (MNLF) captured a swath of territory in the mid-1970s. In an attempt to stem the violence, the constitution was reformed and Autonomous Region in Muslim Mindanao (ARMM) was created 1990 granting a devolution of power to the provinces of Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi. Following the establishment of the ARMM, the MNLF splintered into a range of smaller groups including Islamic factions such as the

Stage	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Philippines - Mindanao process
Parties	Marvic M.V.F. Leonen, Panel Chair on behalf of the Government of the Philippines Mohagher Iqbal, Panel Chair on behalf of the Moro Islamic Liberation Front
Third parties	Tengku Dato' Ab Ghafar Tengku Mohamed, Facilitator and Representative of Malaysia
Description	Agreement on principles that will guide discussion on the future substantive agenda of the negotiations, though not exhaustive. Principles include, recognition of the Bangsamoro identity and that a political entity, set up with a transition period, should be established with power-sharing and wealth-sharing between the National Government and the new entity. Agreement also includes a list of rights for citizens in the new political entity.

Agreement document [PH_120424_GPH-MILF Decision Points on Principles.pdf \(opens in new tab\)](#) | [Download PDF](#)

Groups

Children/youth	No specific mention.
Disabled persons	Groups→Disabled persons→Anti-discrimination Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: ... i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/national group	Groups→Racial/ethnic/national group→Anti-discrimination Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...] 10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;

Religious groups Groups→Religious groups→Anti-discrimination
Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]
10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;

Indigenous people Groups→Indigenous people→Rhetorical
Page 1, 1. The Parties recognize the Bangsamoro identity and the legitimate grievances of the Bangsamoro people.

Other groups No specific mention.

Refugees/displaced persons No specific mention.

Social class Groups→Social class→Anti-discrimination
Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]
10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;

Gender

Women, girls and gender Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]
10.g. Right of women to meaningful political participation, and protection for all forms of violence;
10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general)

Page 1, 2. The Parties agree that the status quo is unacceptable and that the Parties will work for the creation of a new autonomous political entity in place of the ARMM.

Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity.

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed [...]

State configuration

Page 1, 2. The Parties agree that the status quo is unacceptable and that the Parties will work for the creation of a new autonomous political entity in place of the ARMM.

Self determination

No specific mention.

Referendum

No specific mention.

State symbols

No specific mention.

Independence/ secession

No specific mention.

Accession/ unification

No specific mention.

Border delimitation

No specific mention.

Cross-border provision

No specific mention.

Governance

Political institutions (new or reformed)

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

Page 1, 1. The Parties recognize Bangsamoro identity and the legitimate grievances and claims of the Bangsamoro people.

Page 1, 2. The Parties agree that the status quo is unacceptable and that the Parties will work for the creation of a new autonomous political entity in place of the ARMM.

Page 1, 4. The Parties agree that the new autonomous political entity shall have a ministerial form of government.

Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity.

Page 1, 7. The Parties agree that wealth creation (or revenue generation and sourcing) is important. The Parties also acknowledge the power of the new political entity to create its own sources of revenue, subject to limitations as maybe mutually agreed upon by the parties, and to have a just share in the revenues generated through the exploration, development, or utilization of natural resources.

Page 2, 8. The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The new political entity shall also have competence over the Shariah justice system.

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed [...]

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

Page 1, 4. The Parties agree that the new autonomous political entity shall have a ministerial form of government.

Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity.

Page 1, 7. The Parties agree that wealth creation (or revenue generation and sourcing) is important. The Parties also acknowledge the power of the new political entity to create its own sources of revenue, subject to limitations as maybe mutually agreed upon by the parties, and to have a just share in the revenues generated through the exploration, development, or utilization of natural resources.

Page 2, 8. The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The new political entity shall also have competence over the Shariah justice system.

Governance→Political institutions (new or reformed)→Temporary new institutions

Page 1, 5. The Parties agree to the need for a transition period and the institution of transitional mechanisms in order to implement the provisions of the agreement.

Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.
Public administration	<p>Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]</p> <p>10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;</p>
Constitution	<p>Governance→Constitution→Constitutional reform/making</p> <p>Page 1, 5. The Parties agree to the need for a transition period and the institution of transitional mechanisms in order to implement the provisions of the agreement.</p> <p>Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed [...]</p> <p>10.f. Right to seek constitutional change by peaceful and legitimate means;</p>

Power sharing

Political power sharing

No specific mention.

Territorial power sharing

Power sharing→Territorial power sharing→Autonomous regions

Page 1, 1. The Parties recognize Bangsamoro identity and the legitimate grievances and claims of the Bangsamoro people.

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Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity.

Page 1, 6. [...] The Parties Agree that the following matters are reserved for the competence of the National Government:

- a. defense and external security
- b. foreign policy
- c. common market and global trade (FOOTNOTE: the power to enter into economic agreement already allowed under R.A. 9054 shall be transferred to the new political entity.)
- d. coinage and monetary policy
- e. citizenship and naturalization
- f. postal service

This list is without prejudice to other powers, which the Parties may agree to reserve to the National government in the course of the negotiation.

Page 2, 8. The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The new political entity shall also have competence over the Shariah justice system.

Page 2, 8. The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The new political entity shall also have competence over the Shariah justice system.

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed [...]

Economic power sharing Power sharing→Economic power sharing→Sharing of resources
Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity. The Parties agree that the following matters are reserved for the competence of the National Government: [...]
6.c. Common market and global trade (FOOTNOTE: The power to enter into economic agreements already allowed under R.A. 9054 shall be transferred to the new political entity.)

Page 1, 7. The Parties agree that wealth creation (or revenue generation and sourcing) is important. The Parties also acknowledge the power of the new political entity to create its own sources of revenue, subject to limitations as maybe mutually agreed upon by the parties, and to have a just share in the revenues generated through the exploration, development, or utilization of natural resources.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed [...]

Bill of rights/similar Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed:

- 10.a. Right to life and to inviolability of one's person and dignity;
- 10.b. Right to freedom and expression of religion and beliefs;
- 10.c. Right to privacy;
- 10.d. Right to freedom of speech
- 10.e. Right to express political opinion and pursue democratically political aspiration;
- 10.f. Right to seek constitutional change by peaceful and legitimate means;
- 10.g. Right of women to meaningful political participation, and protection from all forms of violence;
- 10.h. Right to freely choose one's place of residence and the inviolability of the home;
- 10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;
- 10.j. Right to establish cultural and religious associations;
- 10.k. Right to freedom from religious, ethnic and sectarian harassment;
- 10.l. Right to redress of grievances and due process of law.

Treaty incorporation No specific mention.

Civil and political rights

Human rights and equality→Civil and political rights→Life

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed:

10.a. Right to life and to inviolability of one's person and dignity;

Human rights and equality→Civil and political rights→Equality

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;

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

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.a. Right to life and to inviolability of one's person and dignity;

10.g. Right of women to meaningful political participation, and protection from all forms of violence;

Human rights and equality→Civil and political rights→Freedom of movement

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.h. Right to freely choose one's place of residence and the inviolability of the home;

Human rights and equality→Civil and political rights→Freedom of association

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.j. Right to establish cultural and religious associations;

10.k. Right to freedom from religious, ethnic and sectarian harassment;

Human rights and equality→Civil and political rights→Fair trial

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.l. Right to redress of grievances and due process of law.

Human rights and equality→Civil and political rights→Privacy and family life

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.c. Right to privacy;

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

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.e. Right to express political opinion and pursue democratically political aspiration;

10.f. Right to seek constitutional change by peaceful and legitimate means;

10.g. Right of women to meaningful political participation, and protection from all forms of violence;

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

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.b. Right to freedom and expression of religion and beliefs;

10.d. Right to freedom of speech

10.i. Right to establish cultural and religious associations;

Socio-economic rights

Human rights and equality→Socio-economic rights→Property

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.h Right to freely choose one's place of residence and the inviolability of the home;

Human rights and equality→Socio-economic rights→Work

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity.

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

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]

10.i. Right to equal opportunity and non-discrimination in social and economic activity and public service, regardless of class, creed, disability, gender or ethnicity;

10.j. Right to establish cultural and religious associations;

Rights related issues

Citizenship	Rights related issues→Citizenship→Citizen, general Page 1, 6. [...] The Parties Agree that the following matters are reserved for the competence of the National Government: e. citizenship and naturalization Rights related issues→Citizenship→Citizens, specific rights Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]
Democracy	Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: 10.e. Right to express political opinion and pursue democratically political aspiration;
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	Rights related issues→Protection measures→Protection of groups Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...] 10.g. Right of women to meaningful political participation, and protection for all forms of violence;
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts Page 2, 8. The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The new political entity shall also have competence over the Shariah justice system.

Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed [...]

Prisons and detention No specific mention.

Traditional Laws Page 2, 8. The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The new political entity shall also have competence over the Shariah justice system.

Socio-economic reconstruction

Development or socio-economic reconstruction	<p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity. The Parties Agree that the following matters are reserved for the competence of the National Government:</p> <p>c. common market and global trade (FOOTNOTE: the power to enter into economic agreement already allowed under R.A. 9054 shall be transferred to the new political entity.)</p> <p>d. coinage and monetary policy</p> <p>[...]This list is without prejudice to other powers, which the Parties may agree to reserve to the National government in the course of the negotiation.</p> <p>Page 1, 7. The Parties agree that wealth creation (or revenue generation and sourcing) is important. The Parties also acknowledge the power of the new political entity to create its own sources of revenue, subject to limitations as maybe mutually agreed upon by the parties, and to have a just share in the revenues generated through the exploration, development, or utilization of natural resources.</p>
National economic plan	<p>Page 1, 7. The Parties agree that wealth creation (or revenue generation and sourcing) is important. The Parties also acknowledge the power of the new political entity to create its own sources of revenue, subject to limitations as maybe mutually agreed upon by the parties, and to have a just share in the revenues generated through the exploration, development, or utilization of natural resources.</p>
Natural resources	<p>Page 1, 7. The Parties agree that wealth creation (or revenue generation and sourcing) is important. The Parties also acknowledge the power of the new political entity to create its own sources of revenue, subject to limitations as maybe mutually agreed upon by the parties, and to have a just share in the revenues generated through the exploration, development, or utilization of natural resources.</p>
International funds	<p>No specific mention.</p>
Business	<p>Page 1, 6. There will be power-sharing and wealth-sharing between the National Government and the new political entity. In the matter of power sharing, the National Government will have its reserved powers, the new political entity will have its exclusive powers, and there will be concurrent powers shared by the National Government and the new political entity. The Parties Agree that the following matters are reserved for the competence of the National Government:</p> <p>c. common market and global trade (FOOTNOTE: the power to enter into economic agreement already allowed under R.A. 9054 shall be transferred to the new political entity.)</p>

Taxation No specific mention.

Banks Socio-economic reconstruction→Banks→Central bank
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... d. coinage and monetary policy

Land, property and environment

Land reform/rights No specific mention.

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

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

**Security
Guarantees** Page 1, 6. [...] The Parties Agree that the following matters are reserved for the competence of the National Government:
a. defense and external security

Ceasefire No specific mention.

Police No specific mention.

Armed forces Page 1, 6. [...] The Parties Agree that the following matters are reserved for the competence of the National Government:
a. defense and external security

DDR No specific mention.

**Intelligence
services** No specific mention.

Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	<p>Page 1, 1. The Parties recognize the Bangsamoro identity and the legitimate grievances of the Bangsamoro people.</p> <p>Page 2, 10. In addition to basic rights already enjoyed, the following rights of all citizens residing in the new political entity bind the legislature, executive and judiciary as directly enforceable law and are guaranteed: [...]</p> <p>l. Right to redress of grievances and due process of law.</p>
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory Tengku Dato' Ab Ghafar Tengku Mohamed, representative of Malaysia [Facilitator]

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Page 2, 9. The Parties agree to the creation of (third party) monitoring and evaluation mechanisms, which may utilize competencies already available in existing mechanisms, eg. ICG, IMT, CCCH.

Related cases No specific mention.

Source UN Peacemaker <http://peacemaker.un.org/philippines-decision-principles2012>
