

Republic of the Philippines
**JOINT ENFORCEMENT AND MONITORING COMMITTEE
 TO IMPLEMENT THE GRP-RPM-P/RPA/ABB PEACE AGREEMENT**



**RULES AND PROCEDURES TO IMPLEMENT THE INTENT AND PROVISIONS OF
 THE PEACE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC
 OF THE PHILIPPINES (GRP) AND THE REBOLUSYONARYONG PARTIDO
 NG MANGGAGAWA-PILIPINAS/ REVOLUTIONARY PROLETARIAN ARMY/
 ALEX BONCAYAO BRIGADE (RPM-P/RPA/ABB)**

I. TERMS OF REFERENCE

The implementation of the Peace Agreement signed between the Government of the Republic of the Philippines (GRP) and the Rebolusyonyong Partido ng Manggagawa-Pilipinas/ Revolutionary Proletarian Army/ Alex Boncayao Brigade (RPM-P/RPA/ABB) on 06 December 2000, shall be governed by the General Principles underlying the agreed Common Statements in Article I of the said Agreement and the Comprehensive Peace Process in order to establish a genuinely democratic society characterized by justice, equity, tolerance, harmonious pluralism, and full respect for human rights.

Section VII of the Peace Agreement provides for the creation of a Joint Enforcement and Monitoring Committee (JEMC) tasked to supervise and monitor the implementation of the Peace Agreement.

Section III of the Clarificatory Document to the GRP-RPM-P/RPA/ABB Peace Agreement signed by both Parties on 26 February 2002 states that the JEMC shall be responsible in formulating the details and mechanics of the implementation of the Agreement.

II. DEFINITION OF TERMS

- A. *Office of the Presidential Adviser on the Peace Process (OPAPP)* – the lead government agency in charge of the implementation, management, direction and supervision of the government's comprehensive peace process pursuant to Executive Order No. 3, s-2001.
- B. *National Anti-Poverty Commission (NAPC)* – the coordinating agency of the national government established under Republic Act 8425 tasked with the formulation and implementation of policies and programs for social reform and poverty alleviation.
- C. *Hostilities* – acts of aggression and/or antagonism between parties. It is also expanded to include actions that are violative of people's basic rights, and/or which endanger the safety and security of the people and their properties, and contribute to the deterioration of peace and order in any given area.
- D. *Alleged Political Offenders (APOs)/ Political Prisoners* – persons incarcerated or detained for crimes committed in pursuit of their political beliefs or orientation, and political affiliation.
- E. *Reintegration* – the process of assisting the members of the RPM-P/RPA/ABB and the political prisoners who will be released from imprisonment in accordance with the Peace Agreement, to return successfully to mainstream society and lead normal lives. The term shall be understood to mean that the RPM-P/RPA/ABB shall take part in directly facilitating the process of reintegration.
- F. *Stakeholders* – any individual or group whose welfare and interests are directly affected by the implementation of the Peace Agreement.

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Development Fund, as provided in Article IV and V of the Peace Agreement, in coordination and consultation with concerned government agencies, LGUs and NGOs.

5. Create, supervise, and define the functions and responsibilities of its Technical Working Groups (TWGs), Local Monitoring Teams (LMTs), and other such bodies tasked to provide appropriate assistance in the implementation of the Peace Agreement;
6. Resolve conflicts and problem areas encountered in the process of implementing the various provisions of the Peace Agreement;
7. Gather relevant data, conduct preliminary investigations, generate reports, and coordinate with proper authorities to undertake appropriate actions on any substantial breach or violation of the terms and conditions of the Peace Agreement;
8. Submit to National Government appropriate recommendations in the area of policy reform, and the improvement or strengthening of institutional mechanisms based on assessment of realities encountered in the conduct of implementing the Peace Agreement;
9. Invite concerned heads of government agencies and instrumentalities and representatives of civil society to participate in its activities as needed;
10. Conduct free and honest ground-level consultations with affected communities on issues and concerns arising from the implementation of the provisions of the Peace Agreement;
11. Disseminate proper and timely information on the progress of implementation of the Peace Agreement in accordance with the mutually agreed Rules for the Conduct of Regular JEMC Meetings;
12. Perform such other functions or take such other measures as may be necessary to ensure the proper and effective implementation of the Peace Agreement.

D. *The JEMC Technical Working Group (TWG)*

All departments, agencies and instrumentalities of government, as well as units and components of the RPM-P/RPA/ABB, shall provide the necessary support to ensure the timely and effective implementation of the provisions of the Peace Agreement, in accordance with the principles and respective commitments of the GRP and the RPM-P/RPA/ABB in the Peace Agreement.

Community participation in the implementation of the provisions of the Peace Agreement shall be encouraged in consonance with its defined goal of building a just and human society to be enjoyed by all.

Thus, national and local level Technical Working Groups (TWGs) jointly composed of representatives from various identified government agencies and the RPM-P/RPA/ABB, as determined by the JEMC members, are hereby created to assist the Committee in the performance of its tasks.

Specifically, the National TWGs (N-TWGs) shall be assigned to:

1. Draft specific work plans;
2. Undertake the necessary technical preparations for the implementation of the provisions of the Peace Agreement, and
3. Endorse the same to the JEMC for adoption and/or appropriate action. The TWGs shall be responsible in executing the actual implementation of the Peace

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Agreement under the direct supervision and guidance of the JEMC, and submit regular updates and progress reports on the same.

The JEMC shall be assisted by four (4) N-TWGs, namely:

1. N-TWG on the Cessation of Hostilities - this body shall be composed of representatives from the Department of National Defense (DND), the Armed Forces of the Philippines (AFP), the Department of Interior and Local Government (DILG), the Philippine National Police (PNP), the Department of Environment and Natural Resources (DENR), the RPM-P/RPA/ABB, and a mutually-agreed community member. The composition of this body may be expanded by the JEMC as it may determine from time to time.

This body shall handle issues and concerns relating to the following provisions of the Peace Agreement:

- The grant of special licenses and permits to carry firearms for certain officers and members of the RPM-P/RPA/ABB, not exceeding one hundred (100) subject to existing laws, rules, regulations and procedures, and the distribution of such licenses and permits in accordance with the Geographical Distribution List of the 100 selected members of said organization;
 - The assistance to be extended and pursued by the RPM-P/RPA/ABB in full observance of the terms and conditions of Article II of the Peace Agreement in the maintenance of peace and order; and
 - The commission of alleged hostile acts by either Parties in relation to the Peace Agreement;
2. N-TWG on Civil and Political Rights - this body shall be composed of representatives from the Department of Justice (DOJ), the Commission on Human Rights (CHR), the Presidential Committee on the Grant of Bail, Release on Recognizance and Pardons (PCBRP), the RPM-P/RPA/ABB, and a mutually-agreed community member.

This body shall:

- Process the list of APOs and political prisoners indicated in Annexes "A" and "B" of the Peace Agreement; the list of RPM-P/RPA/ABB panelists and consultants indicated in Annex "C" of the same; and, other officers and members of the RPM-P/RPA/ABB who are not included in Annex "C" and who are currently subject to prosecution pursuant to Section IV of the Peace Agreement, in accordance with existing laws, rules and procedures;
 - Monitor the status of the released APOs/ political prisoners and/or the dropping/dismissal of criminal charges against them.
3. N-TWG on Reintegration - this body shall initially be composed of representatives from the National Program for Unification and Development Unit (OPAPP-NPUDU), the Cooperative Development Authority (CDA), the Technical Education and Skills Development Authority (TESDA), the Technical Livelihood and Resource Center (TLRC), the RPM-P/RPA/ABB, and a mutually-agreed community member. The JEMC may expand the composition of this body as the need arises

This body shall:

- Assist the JEMC in drawing up the guidelines on the utilization and implementation of the P 10M Reintegration Fund pursuant to Item 4, Section IV of the Peace Agreement

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- b. Gather issues and receive complaints from stakeholders on concerns arising from the implementation of the Peace Agreement;
 - c. Verify reports and complaints received through informal investigation/validation, and immediately submit a Monitoring Report to the JEMC for quick response;
 - d. Provide appropriate recommendations to the JEMC as guide in the resolution of issues and concerns relating to the implementation of the Peace Agreement; and
2. Each LMT shall arrange for, and maintain, a monitoring center easily accessible to the identified implementation sites and concerned stakeholders, and which may be housed in an existing physical office as determined by the LMT members.

The LMTs may recommend to the JEMC the resignation of a support staff who shall assist the concerned LMT in fulfilling its mandate and tasks.

3. Upon creation, each LMT shall determine the conduct of its regular monitoring meetings based on the specific tasks assigned by the JEMC, and shall act on an "on-call" status, depending on the situation on the ground.

The JEMC shall be responsible in drawing up the *Manual of Instruction* for the LMTs.

F. *The JEMC Secretariat*

A Secretariat composed jointly of representatives from the GRP and the RPM-P/RPA/ABB shall be established to provide overall support to the JEMC in carrying out its functions and activities. The Joint Secretariat shall primarily be tasked to receive, consolidate, and monitor the submission by the different TWGs, LMTs and other concerned agencies of all documents, reports, communications and related data to the JEMC.

It shall likewise assist the JEMC in the conduct of overseeing, coordinating and monitoring the activities of the Technical Working Groups (TWGs) and the Local Monitoring Teams (LMTs).

G. *Operational and Administrative Arrangements*

The operationalization of the JEMC shall be guided by the prescribed Operational Flowchart found in Annex "A" hereof.

The JEMC and the Joint Secretariat shall maintain an office space to be considered as the physical center of its operations.

The GRP, through the Office of the Presidential Advisor on the Peace Process (OPAPP), shall be responsible in providing a budget and an office space for the JEMC and its Joint Secretariat in accordance with Item 1, Section VII of the Peace Agreement. The GRP shall likewise extend appropriate administrative support for the established TWGs and LMTs. Funds to be utilized for this purpose shall be included in the OPAPP budget.

IV. IMPLEMENTATION GUIDELINES

The JEMC shall carry out its tasks and responsibilities in accordance with the following general implementing guidelines:

A. *Cessation of Hostilities*

1. The cessation of hostilities between the GRP and the RPM-P/RPA/ABB shall be pursued in full observance of the terms and conditions stipulated in the provisions of the Peace Agreement and Item 1, Section II of the Clarificatory Document said Agreement. The JEMC shall formulate the implementing guidelines containing

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appropriate coordinative mechanisms to observe the provision on the cessation of hostilities.

2. The conduct of investigation/ validation of reported violations to the provision on the Cessation of Hostilities shall be in accordance with a prescribed *Reporting Flowchart* to be drawn up by the JEMC.
3. The JEMC shall further establish or evolve the definition and parameters of the term "hostilities".

B. *Identification of Areas*

1. The term "areas controlled" by the RPM-P/RPA/ABB, stated in Item 2, Article II of the Peace Agreement, shall be defined only as civilian communities where the RPM-P/RPA/ABB leaders, members and their families are located.
2. The JEMC shall be responsible in identifying, verifying and finalizing the specific areas to be serviced by development projects, consistent with the provisions of the guidelines in Annex "D" of the Peace Agreement. The JEMC shall consider the criteria and standards to be employed in delineating specific areas based on the principle of equity and the genuine needs and development imperatives of the identified area/ beneficiary community.

C. *Assistance in the Maintenance of Peace and Order*

In accordance with Item 2, Article I of the Clarificatory Document to the GRP-RPM-P/RPA/ABB Peace Agreement, the nature and extent of RPM-P/RPA/ABB assistance in the maintenance of peace and order as stipulated in Item 2, Article II of the Peace Agreement, shall not be interpreted as a diminution of the police and law enforcement powers exercised and performed by the duly-elected and/or appointed authorities under the provisions of the Local Government Code.

As such, the specific role and character of RPM-P/RPA/ABB assistance in the maintenance of peace and order shall be governed by the following:

1. Upon designation by duly-constituted authorities, RPM-P/RPA/ABB elements may provide appropriate assistance during authorized and properly supervised activities, in accordance with existing laws and regulations. The conduct of such activities, however, must be subject to JEMC concurrence.

Where JEMC concurrence is obtained, the designating officer shall assume full responsibility for the actions of designated RPM-P/RPA/ABB elements in the conduct of the above-mentioned activities.

2. The JEMC shall coordinate with the DILG and the PNP in drawing up the *Guidelines to delineate* the scope, nature, role and procedures governing the conduct of RPM-P/RPA/ABB assistance in the maintenance of peace and order, for adoption.
3. RPM-P/RPA/ABB elements tapped by LGUs and appropriate agencies to provide assistance in the protection of forest and marine resources in their areas, shall be subject to full concurrence by the JEMC towards ensuring that said function shall follow existing rules and regulations, including the duly-adopted Guidelines indicated above.

Where JEMC concurrence has been obtained, LGUs and concerned agencies should submit to the Committee and the local AFP/PNP commands the names of RPM-P/RPA/ABB members being utilized for the same purpose.

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D. *Special Licenses and Permits to Carry Firearms*

1. The granting of special licenses and permits to carry firearms for certain officers and members of the RPM-P/RPA/ABB not exceeding one hundred (100) shall solely be for the purpose of self-defense.
2. The PNP, in coordination with appropriate government agencies, shall establish the rules and procedures for the issuance of Special Permits to Carry Firearms Outside Residence (SPTCFOR) for RPM-P/RPA/ABB members who will be granted special licenses and permits to carry firearms, pursuant to Item 2, Article II of the Peace Agreement and other pertinent provisions on the registration of firearms. This will then be presented to the JEMC for eventual adoption. The same rules and procedures shall govern the special licenses and permits to carry firearms earlier issued to twelve (12) leaders and consultants of the RPM-P/RPA/ABB during the period of peace negotiations.
3. The rules and procedures to be established for the issuance of SPTCFOR shall strictly adhere to the provision under Item 3, Article II of the Clarificatory Document to the GRP-RPM-P/RPA/ABB Peace Agreement, and shall follow the Geographical Distribution List of 100 selected RPM-P/RPA/ABB members for issuance of special licenses and permits to carry firearms indicated in Annex "A" thereof.

E. *Disposition of Forces and Arms*

Within a reasonable period of time, the JEMC shall draw up the schedule, and formulate a comprehensive program for the final disposition of forces and arms by the RPM-P/RPA/ABB upon the mutual recommendation of the GRP and the RPM-P/RPA/ABB Panels.

F. *Release of Alleged Political Offenders (APOs)/ Political Prisoners*

1. The dropping of charges filed against RPM-P/RPA/ABB Panelists and Consultants pursuant to Section III of the Peace Agreement, and the release of two hundred thirty five (235) Alleged Political Offenders (APOs) under Section IV of the same shall be conducted in accordance with existing laws, guidelines and judicial processes.
2. On humanitarian grounds, priority in the dropping of charges and/or release of APOs/political prisoners shall be given to minors, women, the aged and the sick in evaluating the release of APOs. In general, however, the process of release should be done on a case to case basis following a timetable to be established by the N-TWG on Civil and Political Rights, and adopted by the JEMC.
3. The JEMC shall regularly monitor the status of the dropping of charges filed against RPM-P/RPA/ABB panelists and consultants found in Annex "C" of the Peace Agreement.
4. The JEMC shall be tasked to coordinate with the N-TWG on Civil and Political Rights the processing and evaluation of the cases of all APOs indicated in Annexes "A", "B" and "C" of the Peace Agreement, and to monitor the same.
5. All actions taken by the JEMC relative to the provision of the Peace Agreement on the release of APOs and dismissal of cases of RPM-P/RPA/ABB Panelists, Consultants, officers and members shall immediately be forwarded to, and shall follow the existing Guidelines laid down by, the DOJ and the Presidential Committee on the Grant of Bail, Release on Recognizance and Pardons (PCBRP).

G. *Reintegration Fund*

1. The JEMC shall be responsible in formulating the mechanics on the release and utilization of the Reintegration Fund.



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2. The N-TWG on Reintegration shall be tasked to prepare and submit to the JEMC a *Project Package Proposal* with corresponding *Work and Financial Plan (WFP)* comprising of various suggested projects for implementation aimed at ensuring the successful reintegration into mainstream society of RPM-P/RPA/ABB members and political prisoners who will be released from imprisonment in accordance with the Peace Agreement.
3. The JEMC, upon the nomination of the RPM-P/RPA/ABB, may engage the assistance of a third party in the preparation of the draft WFP for the Reintegration Fund. Based on the approved WFP and Project Package Proposal, the RPM-P/RPA/ABB, through the conduit, shall ensure the proper management and implementation of the same.

H. *Development Projects*

The process of peace-building as upheld by the Peace Agreement should result to poverty reduction and sustained development for the involved communities. Therefore, development projects shall be planned, implemented and evaluated for improved access to productive resources, human development services, economic and livelihood opportunities, and social protection of the communities.

The amount of P 500M for the implementation of these development projects as stipulated in Article V of the Peace Agreement (to include the initial 25% of said total project cost for the first year of implementation) may be acquired through various modes from national and local government budgets, as well as from externally acquired funds. Furthermore, the said amount may be released through a combination of direct funding, or in the form of services and projects implemented by national and local government agencies, NGOs and the private sector.


The following implementation track shall be followed:

1. The JEMC shall identify the specific areas to be serviced by development projects based on Item 2, Section B, Art IV hereof. Such projects shall support the community development and poverty alleviation needs in identified areas.
2. General development project planning for specific areas shall be formulated jointly by the NAPC and the RPMP Foundation. On the other hand, the resource mobilization plan for these areas shall be formulated by the NAPC. To this end, the following peace and development parameters shall be employed:
 - a. The development project should be focused on community needs and validated through a participatory community process.
 - b. Community empowerment is a development principle that underpins all development projects. Therefore, each project should establish and/or recognize local community-based groups representing various stakeholders, and provide for mechanisms that will bring these different stakeholders for their participation in these projects.
 - c. The development projects should take into account other existing initiatives of national and local government agencies, and private or religious organizations, which may be linked to the identified development projects under the Peace Agreement.
 - d. The development projects should be a foundation for sustained peace-building in the communities. The development projects should, therefore, promote better governance and accountability of local government and community leaders, and develop community stakeholders' capabilities in integrating development projects in local government programs.



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The JEMC, upon the nomination of the RPM-P/RP/VABB, may engage the services of a third party to provide professional and technical assistance for socio-economic projects. The third party will be contracted under existing government rules and regulations.

3. Under JEMC supervision, the N-TWG on Development, together with the L-TWGs, shall undertake the detailed planning on the implementation of projects. It may identify financial and other resources that can be mobilized within and outside national and local governments, at each provincial level of implementation.
4. The JEMC will approve the development projects and Work and Financial Plan.
5. The JEMC shall exercise oversight for the effective implementation of the development projects. Furthermore, it shall approve a monitoring and evaluation system and timeline for the development projects.

I. *Community Consultation and Validation Process*

1. The JEMC shall ensure that all aspects of the implementation of the Peace Agreement shall be consulted with concerned communities. Correspondingly, the JEMC shall provide feedback to all interested parties on any action it has taken.
2. The JEMC shall give due consideration to the views and opinions expressed by the stakeholders of the Peace Agreement insofar as the guidelines, rules and regulations established by the JEMC for adoption are concerned.
3. The JEMC shall consider recommendations for improvement of the implementation of the Peace Agreement, as well as its duly-established guidelines/ rules and regulations, and shall provide feedback at the local level regarding any action taken thereon.
4. In order to allow greater understanding and appreciation of the implementation of the Peace Agreement, the JEMC shall make public all guidelines/ procedures it has formulated, issued and/or adopted relative to the implementation process.

V. **MONITORING AND EVALUATION MECHANISMS**

A. *Monitoring Mechanism*

1. The JEMC shall monitor the implementation of all aspects of the Peace Agreement. The LMTs shall assist in the process of monitoring at the local level based on actual/ on-site assessment and evaluation, and the regular progress reports submitted by the TWGs.
2. Towards ensuring effective monitoring at the local level, concerned LMTs shall be furnished copies of guidelines, work plans and other pertinent documents relating to the implementation of specific aspects of the Peace Agreement on the ground.
3. Any problems encountered during the local-level implementation of the Peace Agreement should be monitored and properly documented by the LMTs. They shall require local stakeholders to provide formal written communication and documentary evidence (if possible) on specific issues raised.
4. The LMTs are expected to provide the JEMC with a report immediately after receipt of a formal written communication or complaint, and if possible within 24 hours.
5. Formal communication, reports and/or complaints directly addressed to the JEMC by other concerned parties may be coordinated with the LMTs for verification. The LMTs should provide feedback on the matter of concern to the JEMC within the shortest possible time.

Director General

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6. The LMTs shall provide the JEMC their periodic reports every quarter where these shall, in turn, be validated by the JEMC vis-à-vis the progress reports submitted by the TWGs.

The JEMC may conduct on-site and periodic visits in relation to the ground-level implementation of the Peace Agreement whenever necessary.

7. The JEMC shall provide relevant government agencies and other interested parties its official periodic Monitoring Updates on the progress of implementation of the different provisions of the Peace Agreement.
8. For monitoring community outcomes, the JEMC shall provide support to the LMTs in determining and implementing the existing monitoring tools.

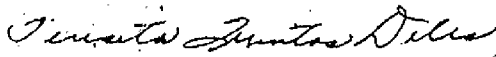
B. *Evaluation and Periodic Reporting*

1. The JEMC shall conduct a yearly evaluation of the implementation status of the Peace Agreement.
2. The results of the evaluation shall be submitted to the Office of the President, Congress and both Peace Panels.
3. The JEMC may also submit to the Office of the President appropriate recommendations in the area of policy reform and the improvement/ strengthening of institutional mechanisms based on the outcome of its evaluation of realities encountered and lessons learned in the conduct of implementing the Peace Agreement.
4. The JEMC shall ensure that the assessment of the Peace Agreement shall involve the consultation of the stakeholders. The JEMC shall ensure that the dissemination of the yearly *Implementation Status Report* allows for maximum public awareness towards the implementation of the Peace Agreement.
5. The Parties to the Peace Agreement recognize that its implementation should be conducted in a transparent and open manner. The JEMC may allow the operational and financial audit of all or any aspect of the implementation of the Peace Agreement by the Commission on Audit.

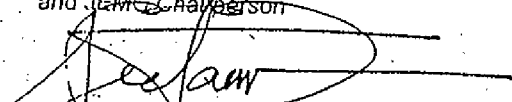
VI. EFFECTIVITY

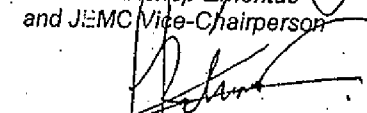
These Rules and Procedures to implement the GRP-RPM-P/RPA/ABB Peace Agreement and the Clarificatory Document to the Peace Agreement shall take effect upon its signing.

DONE IN ILOILO CITY on 14TH OCTOBER, 2002.


SEC. TERESITA QUINTOS-DELES
NAPC Lead Convenor
and JEMC Chairperson


BISHOP HILARIO M. GOMEZ, JR.
UCCP Bishop Emeritus
and JEMC Vice-Chairperson


USEC. VICTOR A. MAYO
NSC Deputy Dir.-Gen.
and JEMC Member


MR. STEPHEN PADUANO
RPM-P/RPA/ABB Peace Panel
and JEMC Member


MS. VERONICA TABARA
RPM-P/RPA/ABB Peace Panel
and JEMC Member

JOINT ENFORCEMENT AND MONITORING COMMITTEE (JEMC)
(OPERATIONAL FLOWCHART)

