Country/entity	Philippines Mindanao
Region	Asia and Pacific
Agreement name	Terms of Reference for the Joint Normalization Committee
Date	22 Mar 2014
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Philippine Insurgencies (1968 -)

The Maoist Insurgencies (1968 -)

Philippines-NDF

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

Philippines-Cordillera

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

Philippines-RPM-P

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

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

The Moro Insurgency (1968 -)

Philippines-Mindanao

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

Stage	Implementation/renegotiation
Conflict nature	Government/territory
Peace process	Philippines - Mindanao process
Parties	Miriam Coronel Ferrer, GPH Panel Chair; Mohagher Iqbal, MILF Panel Chair
Third parties	Witnessed by: Tengku Dato' Ab Ghafar Tengku Mohamed, Malaysian Facilitator
Description	Agreement by the Parties regarding the Terms of Reference (TOR) for the Joint Normalization Committee (JNC), providing for the mandate, composition, organization, functions, which include overseeing and coordinating during normalization process throughout the transitional period, funding, and for a periodic review of this TOR. The Parties also agreed the JNC would continue to exist until the signing of an Exit Agreement, with possibilities for extension beyond the Exit Agreement.

Agreement document	PH_140322_ToR for JNC.pdf (opens in new tab) | Download PDF

Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general)	No specific mention.
State configuration	No specific mention.
Self determination	No specific mention.
Referendum	No specific mention.
State symbols	No specific mention.
Independence/ secession	No specific mention.
Accession/ unification	No specific mention.
Border delimitation	No specific mention.
Cross-border provision	No specific mention.

Governance

Political institutions (new or reformed)	No specific mention.
Elections	No specific mention.

Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	No specific mention.
Socio-economic rights	No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
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	No specific mention.
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development Page 1, II. Mandate - The Joint Normalization Committee (JNC) shall undertake the primary function of coordinating the process of normalization. Its objective is to establish a functional system and effective mechanisms for coordinating all components of the normalization process. Page 1, III. Composition - The JNC shall be created by the GPH and the MILF Negotiating Panels. It shall be composed of six (6) members. It shall be co-chaired by designated representative of the GPH and the MILF, respectively. Both Panels will designate two (2) representatives each to sit as members. Page 2, V. Functions 1. Establish protocols, procedures and a detailed timeline for normalization on the basis of the agreements of the Parties; Page 2, V. Functions 3. Conduct joint security assessment with appropriate government agencies and make recommendations on the security conditions and informational requirements in the Bangsamoro, including coordination for the employment and redeployment of security forces; Page 2, V. Functions 10. Monitor the implementation of socio-economic development programs for combatants and their immediate communities; Page 2, V. Functions 12. Coordinate all other processes in normalization and perform such other functions as may be directed by the Panels. Page 2, VI. Duration - the JNC shall continue to exist until the signing of the Exit Agreement. Based on need, the Parties may choose to extend the operations of the JNC. Page 3, VIII. Funding 1. The GPH shall provide funds for the operation of the JNC. Regular funding for the operations of the JNC shall be sourced through a Bangsamoro normalization fund mechanism. Page 3, XI. Review and Amendment - The Parties shall conduct a periodic review of this TOR. Either party may propose amendments to this TOR and shall be effective upon approval of the Parties. Page 3, VIII. Funding 2. The JNC shall undertake resource mobilization from donor contributions to supplement the budgetary requirements provided under the Bangsamoro normalization mechanism. The Parties agree to allow either party to access funds from donors for the operations of the different mechanisms under the normalization process.
National economic plan	No specific mention.

Natural resources	No specific mention.
International funds	Page 3: 2. The JNC shall undertake resource mobilization from donor contributions to supplement the budgetary requirements provided under the Bangsamoro normalization fund mechanism. The Parties agree to allow either party to access funds from donors for the operations of the different mechanisms under the normalization process.
Business	No specific mention.
Taxation	No specific mention.
Banks	No specific mention.

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 2, V. Functions 3. Conduct joint security assessment with appropriate government agencies and make recommendations on the security conditions and informational requirements in the Bangsamoro, including coordination for the employment and redeployment of security forces; Page 2, V. Functions 4. Create the Joint Peace and Security Committee (JPSC) and the Joint Peace and Security Teams (JPSTs) as specified in the Annex on Normalization; Page 2, V. Functions 5. Supervise the transitional security arrangements through the JPSC;
Ceasefire	Security sector→Ceasefire→General commitments Page 2. IV. Organization 2. JNC personnel shall be covered by the agreement on the General Cessation of Hostilities dated July 18, 1997 and its Implementing Operational Guidelines. Page 2, V. Functions 9. Coordinate with the GPH and MILF Coordinating Committees on the Cessation of the Hostilities (CCCHs) and Ad Hoc Joint Action Group (AHJAG) on matters relevant to the work of the JNC;
Police	Page 2, V. Functions 6. Monitor the enhancement of the capacity of the police force to perform its law enforcement functions and the transition of law enforcement functions from the Armed Forces of the Philippines (AFP) to the police force for the Bangsamoro;
Armed forces	Page 2, V. Functions 6. Monitor the enhancement of the capacity of the police force to perform its law enforcement functions and the transition of law enforcement functions from the Armed Forces of the Philippines (AFP) to the police force for the Bangsamoro;

DDR

Security sector→DDR→DDR programmes
Page 1, II. Mandate - The Joint Normalization Committee (JNC) shall undertake the primary function of coordinating the process of normalization. Its objective is to establish a functional system and effective mechanisms for coordinating all components of the normalization process.

Page 1, III. Composition - The JNC shall be created by the GPH and the MILF Negotiating Panels. It shall be composed of six (6) members. It shall be co-chaired by designated representative of the GPH and the MILF, respectively. Both Panels will designate two (2) representatives each to sit as members.

Page 2, V. Functions
1. Establish protocols, procedures and a detailed timeline for normalization on the basis of the agreements of the Parties;

Page 2, V. Functions
2. Coordinate with the Independent Decommissioning Body on the decommissioning programs relating to the disposition of MILF forces and weapons.

Page 2, V. Functions
3. Conduct joint security assessment with appropriate government agencies and make recommendations on the security conditions and informational requirements in the Bangsamoro, including coordination for the employment and redeployment of security forces;

Page 2, V. Functions
4. Create the Joint Peace and Security Committee (JPSC) and the Joint Peace and Security Teams (JPSTs) as specified in the Annex on Normalization;

Page 2, V. Functions
5. Supervise the transitional security arrangements through the JPSC;

Page 2, V. Functions
6. Monitor the enhancement of the capacity of the police force to perform its law enforcement functions and the transition of law enforcement functions from the Armed Forces of the Philippines (AFP) to the police force for the Bangsamoro;

Page 2, V. Functions
7. Coordinate and monitor the progress of the program for the disbandment of private armed groups (PAGs);

Page 2, V. Functions
10. Monitor the implementation of socio-economic development programs for combatants and their immediate communities;

Page 2, VI. Duration - the JNC shall continue to exist until the signing of the Exit Agreement. Based on need, the Parties may choose to extend the operations of the JNC.

Page 3, XI. Review and Amendment - The Parties shall conduct a periodic review of this TOR. Either party may propose amendments to this TOR and shall be effective upon approval of the Parties.

Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	Page 2, V. Functions 7. Coordinate and monitor the progress of the program for the disbandment of private armed groups (PAGs); ~ Page 2, V. Functions 2. Coordinate with the Independent Decommissioning Body on the decommissioning programs relating to the disposition of MILF forces and weapons. Page 2, V. Functions 10. Monitor the implementation of socio-economic development programs for combatants and their immediate communities;
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	No specific mention.

Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
Other international signatory	Witnessed by: Tengku Dato' Ab Ghafar Tangku Mohamed, Malaysian Facilitator
Referendum for agreement	No specific mention.
International mission/force/ similar	No specific mention.
Enforcement mechanism	No specific mention.
