Country/entity	Philippines Mindanao
Region	Asia and Pacific
Agreement name	Terms of Reference of the Civilian Protection Component (CPC) of the International Monitoring Team (IMT)
Date	5 May 2010
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	Pre-negotiation/process
Conflict nature	Government/territory
Peace process	Philippines - Mindanao process
Parties	Rafael E. Seguis, Panel Chairman for the Government of the Republic of the Philippines Mohagher Iqbal; Panel Chairman for the Moro Islamic Liberation Front
Third parties	Datuk Othman Bin Abd Razak, Facilitator and Representative of Malaysia
Description	The Terms of Reference of the Civilian Protection Component of the International Monitoring Team provides for the organization and structure, the roles and responsibilities, location and administrative arrangements, and duration of the CPC.

Agreement document	PH_100505_TOR of the CPC of the IMT.pdf (opens in new tab) | Download PDF

Groups

Children/youth	Groups→Children/youth→Rhetorical Page 1, Article I. References 8. United Nations Security Council Resolution 1325 and Resolution 1820 which protect women and girls from all forms of violence, particularly during and after armed conflicts.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.

Refugees/displaced persons	Groups→Refugees/displaced persons→Substantive Page 1, Article 1. References 4. United Nations Guiding Principles on Internal Displacement (UNGPID); Page 4, Article VI. Roles and Responsibilities 2. The above undertaking shall commit and endeavour the CPC to the following: 2.c To monitor the needs of the IDPs and the delivery of relief and rehabilitation support effort in conflict affected areas in Mindanao;
Social class	No specific mention.

Gender

Women, girls and gender	Page 1, Article I. References 8. United Nations Security Council Resolution 1325 and Resolution 1820 which protect women and girls from all forms of violence, particularly during and after armed conflicts.
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	Page 1, Article II. Definition of Terms 4. CPC - Civilian Protection Component; refers to the Head Coordinator, selected non-governmental organizations, members and the Executive Body which perform civilian protection function of the IMT; Page 4, Article VI. Roles and Responsibilities 2. The above undertaking shall commit and endeavour the CPC to the following: 2.d To strengthen ownership of the peace process by supporting and empowering communities to handle conflicts at the grassroots level; Page 2, Article V. Organization and Structure - Membership 1. The initial members of the CPC-IMT, as agreed upon by the GRP and MILF Peace Negotiating Panels are the Nonviolent Peaceforce (NP), Mindanao Peoples Caucus (MPC), Mindanao Human Rights Action Center, Inc. (MinHRAC), and Moslem Organization of Government Officials and Professionals, Inc (MOGOP). The structure of CPC is as Annex A. 2. Interested states and concerned non-governmental organizations, international and local, wishing to join the CPC may seek the approval of the GRP and MILF Peace Negotiating Panels in consultation with the Malaysian Third Party Facilitator. 3. Each member-organization shall take charge of all the financial /funding requirements for its participation with the CPC.
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	Page 2, Article IV. Objective The objective of the CPC is to establish a functional system and effective mechanisms for monitoring, verifying and reporting of the compliance and non-compliance of the Parties to their commitments under international and national humanitarian laws and human rights laws to take constant care to protect the civilian population and civilian properties against the dangers arising in armed conflict areas.
Bill of rights/similar	No specific mention.
Treaty incorporation	Page 1, Article I. References 3. International Humanitarian Law, including all relevant protocols and instruments
Civil and political rights	Human rights and equality→Civil and political rights→Liberty and security of person Page 1, Article 1. References 8. United Nations Security Council Resolution 1325 and Resolution 1820 which protect women and girls from all forms of violence, particularly during and after armed conflict. Page 2, Article IV. Objective The objective of the CPC is to establish a functional system and effective mechanisms for monitoring, verifying and reporting of the compliance and non-compliance of the Parties to their commitments under international and national humanitarian laws and human rights laws to take constant care to protect the civilian population and civilian properties against the dangers arising in armed conflict areas.
Socio-economic rights	Human rights and equality→Socio-economic rights→Property Page 2, Article IV. Objective The objective of the CPC is to establish a functional system and effective mechanisms for monitoring, verifying and reporting of the compliance and non-compliance of the Parties to their commitments under international and national humanitarian laws and human rights laws to take constant care to protect the civilian population and civilian properties against the dangers arising in armed conflict areas. Page 3, Article VI. Roles and Responsibilities 2. The above undertaking shall commit and endeavour the CPC to the following: 2.b To monitor and ensure that both Parties respect the sanctity of places of worship namely, mosques, churches and religious places and social institutions including schools, madaris, hospitals and all places of civilian nature;

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	Rights related issues→Protection measures→Protection of civilians Page 1, Article II. Definition of Terms 4. CPC - Civilian Protection Component; refers to the Head Coordinator, selected non-governmental organizations, members and the Executive Body which perform civilian protection function of the IMT;
Other	Page 1, Article 1. References 4. United Nations Guiding Principles on Internal Displacement (UNGPID); 5. Universal Declaration of Human Rights; 6. SPHERE Humanitarian Charter and Minimum Standards in Disaster Response; 8. United Nations Security Council Resolution 1325 and Resolution 1820 which protect women and girls from all forms of violence, particularly during and after armed conflict.

Rights institutions

NHRI	No specific mention.

Regional or international human rights institutions

Rights institutions→Regional or international human rights institutions→Monitoring calls
Page 1, Article II. Definition of Terms
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Page 2, Article IV. Objective
The objective of the CPC is to establish a functional system and effective mechanisms for monitoring, verifying, and reporting of the compliance and non-compliance of the Parties to their commitments under international and national humanitarian laws and human rights laws to take constant care to protect the civilian population and civilian properties against the dangers arising in armed conflict areas.

Page 2, Article V. Organization and Structure - Head Coordinator
1. The Head Coordinator of the CPC shall be from a member-state of the IMT designated by Head of Mission.
2. The Head Coordinator shall be responsible to the IMT Head of Mission on all matters related to the operations and activities of CPC.

Page 3, Article V. Organization and Structure - Coordinators
2. The Coordinators shall be involved actively with the operational concerns and coordination of the CPC activities, and in the management and supervision of the CPC Field Offices, local and mobile teams.

Page 3, Article V. Organization and Structure - Executive Body
1. An Executive Body shall be organized to serve as the CPC center for operation and coordination under the supervision of the Head Coordinator. It shall also serve as the focal body for coordination of the institutional programs without prejudice to the function of the CPC.
2. The Executive Body will attend to the administrative, logistical, and operational requirements of the CPC.
3. The Executive Body will be composed of the Head Coordinator and the Coordinators.

Page 3, Article VI. Roles and Responsibilites
1. The roles and responsibilities of the CPC are to monitor, verify and report the compliance and non-compliance by the Parties to their basic undertakings to protect civilian as stipulated in the GRP-MILF Agreement on the CPC of the IMT signed in Kuala Lampur, Malaysia on October 27, 2009.

Page 4, Article VI. Roles and Responsibility
5. Should the IMT cease to perate, the CPC shall remain in place and continue to perform such functions.

Page 5, Article VII. Administrative Arrangement
Reporting
1. All reports of the CPC shall be submitted to the IMT Head of Mission, who shall transmit the same to the Peace Panesl and CCHs.
3. Should the tour of duty of IMT is suspended or the IMT had ceased to operate, the reports of the CPC shall be directly submitted to the Peace Panels by the Executive Body.

Page 5, Article VIII. Duration
These Terms of Reference of the CPC of the IMT shall be for a period of two (2) years, and may be renewed for similar periods.

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	No specific mention.
National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	No specific mention.
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, Article IV. Objective The objective of the CPC is to establish a functional system and effective mechanisms for monitoring, verifying and reporting of the compliance and non-compliance of the Parties to their commitments under international and national humanitarian laws and human rights laws to take constant care to protect the civilian population and civilian properties against the dangers arising in armed conflict areas. Page 3-4, Article VI. Roles and Responsibilities 1. The roles and responsibilities of the CPC are to monitor, verify and report the compliance and non-compliance by the Parties to their basic undertakings to protect civilian as stipulated in the GRP-MILF Agreement on the CPC of the IMT signed in Kuala Lampur, Malaysia on October 27, 2009. 2. The above undertaking shall commit and endeavour the CPC to the following: 2.a To monitor the safety and security of civilian communities in conflict areas; 2.b. To monitor and ensure that both Parties respect the sanctitty of places of worship namely mosques, churches and religious places and social institutions including schools, madaris, hospitals and all places of civilian nature; 2.c To monitor the needs of the IDPs and the delivery of relief and rehabilitation support effort in conflict affected areas in Mindanao; 2.e. To monitor acts of violence against civilians in conflict affected areas; and
Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	No specific mention.
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	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	Datuk Othman Bin Abd Razak, Facilitator and Representative of Malaysian
Referendum for agreement	No specific mention.

International mission/force/ similar	No specific mention.
Enforcement mechanism	Page 5, Article VII. Administrative Arrangement - Reporting 1. All reports of the CPC shall be submitted to the IMT Head of Mission, who shall transmit the same to the Peace Panels and CCCHs.