

Country/entity	Philippines
Region	Asia and Pacific
Agreement name	Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law between the Government of the Republic of the Philippines and the National Democratic Front of the Philippines
Date	16 Mar 1998
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

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
Peace process	Philippines-NDF process
Parties	<p>For the Government of the Republic of the Philippines: By: Amb. Howard Q. Dee; Chairperon, GRP Negotiating Panel Rep. Jose V. Yap, Member Sec. Silvestre H. Bello III, Member Ms. Zenaída H. Pawid, Member For the National Democratic Front of the Philippines; Member Coni K. Ledesma</p> <p>By Luis G. Jalandoni; Chairperson, NDFP Negotiating Panel Fidel V. Agcaoili, Member</p> <p>Asterio B. Palima, Member Jojo s. Magdiwang, Member.</p>
Third parties	<p>Witnesses: Hon. Jose C. de Venecia. Speaker, House of Representatives GRP Jose MA. Sison. Chief Political Consultant NDFP Negotiating Panel Usec. A. Wilfredo Clemente, DECS, GRP Antonio L. Zumel, Senior Adviser Ms. MA. Carla L. Munsayac, Executive Director GRP Negotiating Panel Romeo T. Capulong, General Counsel NDFP Negotiating Panel</p>
Description	<p>Parties agreed to adhere to and be bound by the principles and standards in international instruments on human rights, and the principles of international humanitarian law to protect the civilian population as well as persons with no direct part or who had ceased to take part in the armed hostilities. The agreement also provides for establishment of a Joint Monitoring Committee to monitor implementation of the Agreement. The Committee is to investigate complaints of violations of human rights and international humanitarian law and to make report and recommendations to the parties.</p>
Agreement document	<hr/> <p>PH_980316_Comprehensive Agreement on Respect for Human Rights.pdf (opens in new tab) Download PDF</p> <hr/>

Women, girls and gender

Participation

Participation→Effective participation

Page 5, Part III: Respect for Human Rights, Article 2,

... 2.17. The right to universal suffrage irrespective of sex, race, occupation, social origin, property, status, education, ideological and political conviction, and religious belief.

Equality

Equality→Equality (general)

Page 4, Part III: Respect for Human Rights, Article 2

... 10. The right to equal protection of the law and against any form of discrimination on the basis of race, ethnicity, gender, belief, age, physical condition or civil status and against any incitement to such discrimination.

Page 10, PART IV: RESPECT FOR INTERNATIONAL HUMANITARIAN LAW, Article 4. ... 4.1.

Persons hors de combat and those who do not take a direct part in hostilities are entitled to respect for their lives, dignity, human rights, political convictions and their moral and physical integrity and shall be protected in all circumstances and treated humanely without any adverse discrimination founded on race, color, faith, sex, birth, social standing or any other similar criteria.

Equality→Social equality

Page 5, Part III: Respect for Human Rights, Article 2,

... 19. The right to gainful employment, humane working and living conditions, livelihood and job prospects, to work and equal pay, to form unions, to strike and participate in the policy and decision-making processes affecting their rights and interests, and the right not to be denied these rights due to nationality, creed, minority status, gender or sexual preference, or civil status.

... 23. The equal right of women in all fields of endeavor and in all spheres of political, economic, cultural, social and domestic life and to their emancipation.

Equality→Other

Page 10, PART IV: RESPECT FOR INTERNATIONAL HUMANITARIAN LAW, Article 4. ... 4.1.

Persons hors de combat and those who do not take a direct part in hostilities are entitled to respect for their lives, dignity, human rights, political convictions and their moral and physical integrity and shall be protected in all circumstances and treated humanely without any adverse discrimination founded on race, color, faith, sex, birth, social standing or any other similar criteria.

Particular groups of women Particular groups of women→Pregnancy/maternity

women

Page 4, PART II: BASES, SCOPE AND APPLICABILITY, Article 5

3.11. The GRP shall respect the basic rights guaranteed by the International Labor Convention on Freedom of Association and Protection of the Right to Organize and the standards set by the International Labor Organization (ILO) pertaining to job tenure, wage and living conditions, trade union rights and medical and social insurance of all workers, right of women workers to maternity benefits and against discrimination vis-a-vis male workers, right against child labor, and the rights of migrant workers abroad in accordance with the International Covenant on the Rights of Migrant Workers and Members of their Families.

International law

International law→General IHRL, IHL and IL

Page 4, PART II: BASES, SCOPE AND APPLICABILITY, Article 5

This Agreement shall be applicable in all cases involving violations of human rights and the principles of international humanitarian law committed against persons, families and groups affiliated with either Party and all civilians and persons not directly taking part in the hostilities, including persons deprived of their liberty for reasons related to the armed conflict, without distinction of any kind based on sex, race, language, religion or conviction, political or other opinion, national, ethnic or social origin, age, economic position, property, marital status, birth or any other similar condition or status.

Page 6, Part III: Respect for Human Rights, Article 3

... 10. The Parties shall promote the basic collective and individual rights of workers, peasants, fisherfolk, urban poor, migrant workers, ethnic minorities, women, youth, children and the rest of the people and shall take concrete steps to stop and prevent the violation of human rights, ensure that those found guilty of such violations are punished, and provide for the indemnification, rehabilitation, and restitution of the victims.

International law→International human rights standards

Page 8, Article 11

The GRP shall respect the basic rights guaranteed by the International Labor Convention on Freedom of Association and Protection of the Right to Organize and the standards set by the International Labor Organization (ILO) pertaining to job tenure, wage and living conditions, trade union rights and medical and social insurance of all workers, right of women workers to maternity benefits and against discrimination vis-a-vis male workers, right against child labor, and the rights of migrant workers abroad in accordance with the International Covenant on the Rights of Migrant Workers and Members of their Families.

Page 10, PART IV: RESPECT FOR INTERNATIONAL HUMANITARIAN LAW, Article 4.

... 1. Persons hors de combat and those who do not take a direct part in hostilities are entitled to respect for their lives, dignity, human rights, political convictions and their moral and physical integrity and shall be protected in all circumstances and treated humanely without any adverse discrimination founded on race, color, faith, sex, birth, social standing or any other similar criteria.

New institutions

No specific mention.

Violence against women

Violence against women→Sexual violence

Page 4, Part III: Respect for Human Rights, Article 2

... 7. The right not to be subjected to physical or mental torture, solitary confinement, rape and sexual abuse, and other inhuman, cruel or degrading treatment, detention and punishment.

Violence against women→Gender-based violence/VAW (general)

Page 10, PART IV: RESPECT FOR INTERNATIONAL HUMANITARIAN LAW, Article 4.

... 10. Parties shall provide special attention to women and children to ensure their physical and moral integrity.

Transitional justice

No specific mention.

Institutional reform

No specific mention.

Development

Development→Health (general)

Page 6, Part III, Respect for Human Rights, Article 2. 24. The right of children and the disabled to protection, care and a home, especially against physical and mental abuse, prostitution, drugs, forced labor, homelessness, and other similar forms of oppression and exploitation.

Page 8, Part III, Respect for Human Rights, Article 11. The GRP shall respect the basic rights guaranteed by the International Labor Convention on Freedom of Association and Protection of the Right to Organize and the standards set by the International Labor Organization (ILO) pertaining to job tenure, wage and living conditions, trade union rights and medical and social insurance of all workers, right of women workers to maternity benefits and against discrimination vis-a-vis male workers, right against child labor, and the rights of migrant workers abroad in accordance with the International Covenant on the Rights of Migrant Workers and Members of their Families.

Implementation

No specific mention.

Other

No specific mention.
