GUIDELINES FOR THE IMPLEMENTATION OF THE
PHILIPPINE CAMPAIGN TO BAN LANDMINES
FONDATION SUISSE DE DEMINAGE (PCBL) FUND PROJECT
PERSUASIVE TO THE JOINT STATEMENT OF THE
GRP-MILF PEACE PANELS DATED 15 NOVEMBER 2000

PART I

1. Government of the Republic of the Philippines (GRP) Coordinating Committee on Cessation of Hostilities (CCCH) - the main mechanism of the GRP to deal with cessation of hostilities and the security aspect of the GRP-MILF Peace Process.

2. Moro Islamic Liberation Front (MILF) Coordinating Committee on Cessation of Hostilities (CCCH) - the main mechanisms of the MILF to deal with cessation of hostilities and the security aspect of the GRP-MILF Peace Process.

3. Philippine Campaign to Ban Landmines (PCBL) - the Philippines-based civil society/non-governmental campaign group on landmines issues, which is affiliated with the 1997 Nobel Peace Prize awardee International Campaign to Ban Landmines (ICBL).

4. Swiss Foundation for Mine Action (Fondation Suisse de Déminance, 1740) - a non-profit, non-political, independent and neutral Swiss non-governmental organisation specializing in professional humanitarian mine action and clearance programs, and the mine action partner of PCBL.

Article 1

Basis of Undertaking

1. Agreement on the General Cessation of Hostilities (AGCH) dated 18 July 1997, signed in Cagayan de Oro City between the Government of the Republic of the Philippines (GRP) and the Moro Islamic Liberation Front (MILF).

2. Implementing Administrative and Operational Guidelines of the GRP-MILF Agreement on the General Cessation of Hostilities signed in Cagayan de Oro on 12 September 1997 and in Manila on November 14, 1997, respectively.

In the planning, training, implementation or conflict-affected areas.
Article III
Purpose of the Guidelines and Operational Framework

These Guidelines shall govern the implementation of the PCBI-13E Project for GRP-MILF Peace Panel's Joint Mine/UFO Clearance in the conflict-affected areas in Mindanao pursuant to the GRP-MILF Joint Statement of 15 November 2007.

The PCBI-13E Project Concept Note, which contains, among others, the overall procedures and actions taken relative to clearing operations, shall not be implemented unless properly reviewed and conformed upon by the GRP-MILF Peace Panels.

The PCBI-13E Project Concept Note and these Implementing Guidelines shall be subsequently reviewed at the end of every succeeding quarter or annual period, as may be determined by the GRP-MILF COCCH, from the start of the implementation of the PCBI-13E Project. Any change or amendment shall be subject to the approval of the GRP and MILF Peace Panels, upon recommendation of the GRP-MILF COCCH.

Clearing operations conducted during the effectiveness of these Implementing Guidelines shall not be considered as bases for subsequent accusations, imputations, or violations by the GRP and MILF of their agreements, especially on cessation of hostilities and other security aspects, as well as International Humanitarian Law.

Article IV
Area of Coverage

The clearing of mines/exploded ordnance shall be in effect in conflict-affected areas as verified and agreed upon by both GRP and MILF COCCH.

Article V
Timeline

The PCBI-13E Project for GRP-MILF Joint Mine/UFO Clearance in conflict-affected areas of Mindanao shall be for an initial period of up to 2 years. This may be extended beyond said period upon recommendation of both GRP and MILF COCCH subject to the approval of the GRP-MILF Peace Panels.

Article VI
Specific Functions of the GRP-MILF COCCH

The GRP-MILF COCCH shall perform the following functions under these Guidelines:

a. Supervise and oversee the implementation of the clearing of mines/UFO in conflict-affected areas;

b. Jointly approve the areas where the clearing operations shall be conducted;

c. Conduct visits and inspections on areas before, during, and after operations;

d. Coordinate with offices and organizations to maximize the dissemination of the clearing operations and secure the latter's cooperation;

e. Approve the period of the actual clearing operations;

f. Recommend approval by the GRP and MILF Peace Panels of the structures, mechanisms and modalities of the ESD and PCBI, relative to their roles in this initiative;

g. With the concurrence of the Panels, organize and create a Task Force on Joint Mine/UFO Detection and Clearance which shall be the focal body that shall review the progress, address needs and indicate further actions, tasks and priorities for all activities involved in clearing operations in identified areas;

h. Perform such other acts relative to the clearing of mines/UFO as may be determined by the GRP-MILF Peace Panels.

Article VII
Task Force on Joint Mine/UFO Detection and Clearance

1. Functions:

a. Serves as the implementing body of the GRP-MILF COCCH in supervising and monitoring all operations relative to the clearing of mines/UFO;

b. Coordinates with and monitors in the preparation and formulation of plans and programs for the effective implementation of the clearing operations for the consideration approval of the GRP-MILF COCCH;

c. Coordinates with appropriate GRP and MILF agencies, offices, and institutions, including the Bangsamoro Development Agencies (BDAs), in the implementation of all the phases/stages involved in the clearing of mines/UFO;

d. Raise with donors, in the form of letters of endorsement for the project funding proposal of FSBI-PCBI, as may be needed or requested;

e. Ensures the safety and security of the areas and its inhabitants where the same are being conducted.
1. Maintain records and serve as the official repository of data/documents relative to the clearing of mines/UXO. In coordination with the regent/mine and 1 NO database under the PBH-ISSD Project.

g. Submit reports and other records to the GRP-MILF CCCH or any authorized higher authority.

b. Performs such other tasks as may be required by the GRP-MILF CCCH.

2. Membership:

a. GRP representatives - Two (2) members, one (1) each from the GRP CCCH and its Secretariat, or as may be officially designated by the GRP CCCH.

b. MILF representatives - Two (2) members, one (1) each from the MILF CCCH and its Secretariat, or as may be officially designated by the MILF CCCH.

c. PBH - One (1) member.

d. END - One (1) member.

e. International Monitoring Team (IMT) - One (1) member from the team which has operational jurisdiction over the conflict-affected area which is identified for mines/UXO clearing. Its membership must be subjected to the concurrence of both the PBH and GRP-MILF Peace Panels.

3. The Task Force, in the performance of its tasks, can avail of assistance from the following bodies upon clearance from the GRP-MILF CCCH and concurrence of the GRP-MILF Peace Panels:

a. The AFP/PNP/RCOD Units, including INF/Troops, in the areas where clearing operations are being conducted.

b. The Bangsamoro Islamic Armed Forces (BIAF) - MILF Command Units operating in the area where clearing operations are being conducted.

c. LGUs in the region, province, municipal and barangay as well as the MILF political committees where clearing operations are being conducted.

d. Other persons, agencies, offices and institutions both public and private that can provide assistance to the clearing operations/activities of mines/UXO.

4. Office and Administrative Support:

a. The office of the Task Force shall be determined by the GRP-MILF CCCH.
b. "Victim-activated mine" - a mine which can be triggered by anybody or anything whose trip wires do not function or place the requisite weight or pressure on it.

c. "Command-activated mine" - a mine which is triggered by a person from a safe distance observing the mine emplacement and detonating it electronically or by remote control upon the approach of a target person or vehicle within the desired impact distance from the mine.

d. "Unexploded ordinance" (UXO) - explosive ordnance that has been primed, fired, armed or otherwise prepared for use or used; it may have been fired, dropped, launched or projected, yet remains unexploded either through malfunction or design or for any other reason.

e. "Explosive remnants of war" (ERW), unexploded ordinance (UXO) and abandoned explosive ordnance (AXO).

f. "Abandoned explosive ordnance" (AXO) - explosive ordnance that has not been used during an armed conflict, but has been left behind or dumped by a party to an armed conflict, and which is no longer under control of the party that left it behind or dumped it, it may or may not have been primed, fired, armed or otherwise prepared for use.

g. "Explosive ordnance" (EO) - all munitions containing explosive, nuclear fusion or fusion materials and biological and chemical agents, this includes: heavy and medium-calibre guided and ballistir missiles, artillery, mortar, rocket and small arms ammunition; all mines, improvised explosive devices, troponomics, cluster and dispensers, cannon and propelled anti-personnel devices, and all similar or related stored components or explosive in nature.

h. "Clearance" tasks or actions to reduce or control the explosive ordnance (EO) hazards from a specified area.

i. "Joint Mine/UXO clearance" in these Guidelines, refers to mine/UXO clearance with the joint participation of the GRP and MII in the context of their peace process and undertakes through a project of the FSO and PCHR.

j. "Humanitarian demining" - activities which lead to the removal of mines and UXO hazards, including technical survey, mapping, detection, marking, in-clearance documentation, community mine action liaison and the handing over of cleared land for purposes of civilian protection.

k. "Humanitarian mine action" - activities which aim to reduce the social, economic and environmental impact of mines and UXO. It is not just about de-mining; it is also about people and societies, and how they are affected by landmine contamination. Its objective is to reduce the risk from landmines to a level where people can live safely, in which economic, social and health development can occur free from the constraints imposed by landmine contamination, and in which the victims needs can be addressed.