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General Agreement for Peace between the Government of the Republic of the Philippines and the Rebolusyonaryong Alyansang Makabansa - Soldiers of the Filipino People - Young Officers' Union

Whereas, both Parties uphold the supremacy of the Constitution, the Rule of the Law and the preservation of democratic processes and institutions;

Whereas, both Parties are convinced that the time has come for a principled peaceful resolution of all armed conflicts with dignity and honor to all concerned;

Whereas, the establishment of a genuine pluralistic society where all individuals and groups are free to engage in peaceful competition for the attainment of their political goals is a commitment to which all Filipinos must aspire;

Whereas, there is a continuing need for a broad-based social impact in which all sectors of society are represented and heard in the active pursuit of social, economic and political reforms, genuine national renewal and transformation;

Whereas, both Parties recognize the importance of the comprehensive recommendations of the National Unification Commission resulting from its broad national consultations and subscribe to those being implemented through the Office of the Presidential Adviser on the Peace Process created under the Executive Order 125, Series of 1993;

Whereas, both Parties are aware of their obligations under the Preliminary Agreement between the two (2) Parties signed on 23 December 1992, the Memorandum of Agreement on the Conduct of the Peace talks signed on 24 June 1993 and the Agreement on Electoral Reforms signed on 26 August 1994; and

Whereas, both Parties affirm their firm commitment and solemn duty to serve the welfare and uphold the interest of the Filipino people at all times;

Now therefore,

The Government of the Republic of the Philippines (GRP), hereinafter referred to as the First Party represented in this Agreement by Ambassador Fortunato U. Abat, Chairman of the GRP Negotiating Panel, duly authorized for this purpose;

and

The Rebolusyonaryong Alyansang Makabansa - Soldiers of the Filipino People - Young Officers' Union (RAM-SFP-YOU), hereinafter referred to as the Second party, represented in this Agreement by Brigadier General Edgardo M. Abenina, AFP (Rep.) Chairman of the RAM-SFP-YOU Negotiating Panel, duly authorized for this purpose;

Hereby agree that:

Article 1 Cessation of Hostilities

Section 1



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There shall be a complete and permanent cessation of hostilities between both Parties upon the signing of this Agreement and both Parties shall continue to strengthen their mutual respect, cordial relations and firm commitment in order to bring the peace process to its successful and satisfactory conclusion. Cessation of hostilities shall cover not only armed activities and conflicts but such other acts considered as hostile, including, but not limited to, surveillance, special operations, unlawful arrests and seizures, and any exercise of police authority which is violative of civil and political rights or recruitment, agitation, propaganda, and any illegal act or activity which may destabilize the State or which is in contravention of the letter and spirit of this Agreement.

Section 2

In upholding the supremacy of the Constitution and the rule of the law, the Second Party commits itself to peaceful democratic processes in the attainment of its political goals, renounces violence and resort to arms against the First Party and shall not propose or conspire to undertake activities inimical and injurious to the security and stability of the State.

Article II National Reforms

Section 1

Recognizing the need for national reforms to address the root causes of armed conflicts, the First Party, with the participation of the Second Party through the Tripartite Oversight Committee referred to in Section 1, Article VII of this Agreement, commits to implement within the bounds of legal processes, mutually agreed reforms in the areas of Electoral Reforms, Good Government, Nationalist Economic Development, Social Justice, and National Defense and Security.

Section 2

The Joint Technical Working Committees constituted by the Negotiating Panels of both Parties shall thresh out the details of the Talking Points appended hereto as Annex A and which have been submitted by the Second Party and accepted by the First Party as the substantive agenda for peace negotiations. They shall submit their recommendations to the Negotiating Panels within ninety (90) days from the signing of this Agreement.

The Negotiating Panels shall, thereafter, discuss these recommendations with the end in view of reaching mutual agreements on specific items which will need implementation either by executive, legislative, or judicial action in accordance with law, or if deemed appropriate by amendment of the Constitution, and shall likewise determine appropriate actions thereon.

For items which have been determined to require executive action, the Negotiating Panels of both Parties shall transmit the results thereof to the office of the President for appropriate action.

For other items which will require action by either the Congress or the Judiciary, the Negotiating Panels of both Parties shall transmit the details thereof to the concerned offices and officials for appropriate action.

If within ninety (90) days from receipt of such details, no dispositive action can be taken thereon, the offices concerned shall inform the Negotiating Panels through the Office of the Presidential Adviser on the Peace Process as a matter of public accountability, specifying therein the reasons for their inability or failure to take dispositive action.

Article III Disposition of Weapons and other Material



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Section 1

The second Party shall, within ninety (90) days from the signing of this Agreement, turn over to the First Party all weapons, armaments, munitions, equipment and other material, except those which its members and supporters are lawfully allowed to possess.

Section 2

An Ad Hoc Committee on Weapons and Material Disposition shall be created consisting of three representatives from each Party. This Committee shall supervise the inventory, accounting, and turn-over of all weapons and other materiel mentioned above.

Article IV Amnesty

Section 1

As a result of this Agreement, the members and supporters of the Second Party whose names appear in the list to be submitted by the Second Party to the First Party shall be granted a general and unconditional amnesty for all offenses committed in pursuit of their political beliefs upon issuance by the President of the Republic of the Philippines of an Amnesty Proclamation which shall take effect upon the concurrence by the Congress of the Republic of the Philippines.

Section 2

Offenses covered by the amnesty shall refer to acts or omissions performed within the period of 22 February 1986 to the date of the signing of this Agreement by members and supporters of the Second Party as part of its plan, program of action, strategy or mission directed to overthrow and replace the duly-constituted authorities, with or without the use of arms, whether punishable under the Revised Penal Code, special laws, and/or Articles of War such as, but not limited to rebellion or insurrection, coup d'état, conspiracy and proposal to commit rebellion or rebellion, or coup d'état; disloyalty of public officers or employees; inciting to rebellion or insurrection, or coup d'état; sedition; conspiracy to commit sedition; inciting to sedition; illegal assembly; illegal association; direct assault; indirect assault; resistance to disobedience to a person in authority or the of such person; tumults and other disturbances of public order; unlawful use of publication and unlawful utterances; alarms and scandals; illegal possession of firearms, ammunitions, explosives, committed in furtherance of, incident to, or in connection with the crimes of rebellion or insurrection; piracy; infidelity in custody of prisoner; and violations of Articles 59 (desertion), 62 (absence without leave), 67 (mutiny or sedition), 68 (failure to suppress mutiny or sedition), 74 (releasing prisoner without proper authority), 84 (wilful or negligent loss, damage or wrongful disposition of military property), 85 (wasteful or unlawful disposition of military property issued to soldiers), 94 (various crimes), 96 (conduct unbecoming an officer and a gentleman), and 97 (general article) of the Articles of War; provided that, the amnesty shall not cover crimes against chastity and other crimes committed for personal ends.

Section 3

Any member or supporter of the Second Party who has or might have committed the offenses enumerated in the preceding section and whose name may have been inadvertently omitted from the aforesaid list referred to in Section 1 of this Article may apply individually for amnesty as may be provided.



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Article V Disposition of the Military, Police and Civilian Government Personnel

Section 1

The disposition, i.e. retention, reinstatement, reintegration or re-entry into, retirement, or separation from the service, of military, police and civilian government personnel, who are members and supporters of the Second Party and granted amnesty shall be reviewed by an Ad Hoc Committee on Personnel Disposition of three (3) designees each from both Parties.

Within ninety (90) days from the signing of this Agreement, the Committee shall review all individual cases of members and supporters of the Second Party subject of personnel action and shall recommend their disposition to the Negotiating Panels. All recommendations to be submitted shall state the reasons and/or bases for such recommendations. The Negotiating Panel of the First Party shall then submit a report and recommendation to the President in accordance with Executive order No. 125, Series of 1993.

Section 2

The disposition of all military police and civilian government personnel shall be in accordance with the following guidelines:

- (a) All personnel who remained under military control and granted amnesty shall be restored to their status immediately prior to the date of commission of the offense subject of amnesty and evaluated in accordance with pertinent laws, rules, and regulations thereon.
- (b) All personnel removed from the service and subsequently granted amnesty for the offenses which were the basis for removal from the service shall file individual manifestations stating therein the circumstances surrounding their particular case and the requested course of action for evaluation by the Ad Hoc Committee on Personnel Disposition.
- (c) The grant of benefits to those personnel wounded in action resulting in partial or permanent disability, killed in action, died in detention or under circumstances in pursuit of political objectives prior to 23 December 1992 shall be considered for humanitarian purposes.
- (d) Personnel whose cases are not covered in the foregoing guidelines shall be subject to individual review as provided for in Section 1 of this Article.
- (e) In no case shall the offense for which the member of the Second Party has been granted amnesty be considered against his professional interest.

Section 3

Upon the signing of this Agreement and until sixty (60) days from the concurrence of Congress to the Amnesty Proclamation, the Negotiating Panel of the First Party shall make representations to the following Government departments and Agencies for the purpose indicated:

- (a) Department of Justice - to desist from prosecuting the case against members and supporters of the Second Party for offenses covered by this Agreement and not to oppose any motion for the suspension of the proceedings in such cases;
- (b) Bureau of Immigration - to lift all orders prohibiting the entry to or departure from the country issued against members and supporters of the Second Party covered by this Agreement by reason of their involvement in the offenses contemplated in this Agreement other than those issued by courts of competent jurisdiction;



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(c) Department of National Defense, Department of Interior and Local Government, Armed Forces of the Philippines and Philippine National Police - to desist from prosecuting court martial cases against the members and supporters of the Second Party for offenses covered by this Agreement and to delete their names in the order of battle and rewards list by reason of their involvement in the above-stated offenses and ensure compliance by all its instrumentalities on all personnel actions previously agreed upon by both Parties; and,

(d) All government agencies issuing clearances for legal purposes - to issue pertinent clearances to those include in the mutually agreed list and who have no pending case before any court of competent jurisdiction other than those covered under Section 2, Article IV of this Agreement.

Section 4

Nothing in this Article shall be interpreted to preclude availment of relief through other legal means.

Article VI Livelihood, Material and Technical Assistance

Acknowledging the need to fully effect national reconciliation, the reintegration into the mainstream of society and the economic and psycho-social rehabilitation of members and supporters of the Second Party, the First Party undertakes to extend such available livelihood support, material and technical assistance to the amnestied members and supporters of the Second Party under organizational or individual grants through the National Program for Unification and Development and such other government livelihood programs.

Article VII Implementation

Section 1

The Tripartite Oversight Committee under the Office of the Presidential Adviser on the Peace Process created on 26 September 1995 shall monitor, coordinate, and provide appropriate support to the implementation of this Agreement, other agreements and joint resolutions executed by both Parties.

Section 2

The First Party commits to obtain necessary funding and such other logistic support for the Tripartite Oversight Committee, to include funding for the implementation of this Agreement, the Ad Hoc Committees, the Joint Technical Working Committees, and Joint Secretariat through the Office of the Presidential Adviser on the Peace Process.

Section 3

All disputes, disagreements, and conflicts arising from the implementation of this Agreement shall be resolved at the level of the Negotiating Panels.

Section 4

Upon the signing of this Agreement, the Preliminary Agreement and its Supplemental Agreement shall be deemed revoked and rescinded.

Section 5



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Nothing in this Agreement and any other subsequent agreements and resolutions between the Parties shall be construed to diminish the powers of the Executive, the Legislative and the Judicial branches of Government as provided by the Constitution.

Section 6

This Agreement shall become effective upon the approval of the Parties.

Done in Quezon City this 13th day of October 1995.

For the Government of the Republic of the Philippines

Fortunato U. Abat, Chairman
Jose Roilo Golez, Member
Caridad M. Junio, Member
Jose Percival L. Adiong, Member
Alfredo Filler, Member

For the Rebolusyonaryong Alyansang Makabansa/Soldiers of the Filipino People/Young Officers' Union:

Edgardo M. Abenina, Chairman
Proceso L. Maligalig, Member
Billy C. Bibit, Member
Danilo B. Lim, Member
Zosimo Jesus M. Paredes Jr., Member

Attested by:

Manuel T. Yan, Presidential Adviser on the Peace Process
Andrei Bon Tagum, GRP Secretariat
Victor I. Erfe, RAM-SFP-You Secretariat

Annex A: Talking Points

- (1) Electoral reforms to ensure clean, honest, orderly and free elections
 - Institute additional safeguards and controls
 - Adopt structural reforms in the electoral process
 - Guarantee the absolute neutrality of the AFP, PNP, and other government instrumentalities
 - All election results shall be announced only by COMELEC
 - Speedy resolution of all electoral results
- (2) Attainment of good, honest and efficient government for national renewal and transformation
 - Good government through structural reforms and professionalization
 - Eradication of graft and corruption
 - Delivery of basic services
 - Return to the fundamental values in public service



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(3) Implementation of nationalist economic development policies and programs

- Nationalist economic programs based on indigenous industries
- Educational redirection to make the people accept locally produced merchandise
- Critical review of debt-service policy
- Review policy on foreign investor's access to local credit
- Increase credit available to agriculture
- Environmental concerns to be integrated in industrial programs

(4) Address national defense and security concerns and attune these with the country and people's fundamental requirements and aspirations

- Review, redirection and restructuring of national defense, concepts, policies, doctrines and organizations
- Restructuring and reorganization of the AFP
- Professionalization of the military
- Reactivation and revitalization of programs on benefits for veterans and dependants

(5) Actualization of social justice programs to positively address poverty, unemployment and criminality

- The poor should be the primary beneficiaries of social programs
- Overhaul of the educational system to allow poor Filipinos quality education
- Improvement of labor's share in the fruits of development
- Provide incentives and protection to overseas workers
- Improve health services
- Restructuring of the criminal justice system and the PNP
- More vigorous implementation of human rights programs