

## Implementing guidelines on the humanitarian, rehabilitation and development aspects of the GRP—MILF Tripoli Agreement on Peace of 2001

### ARTICLE I: PARTIES

The Government of the Republic Philippines (GRP), represented by the Honorable Secretary NORBERTO B. GONZALES, Presidential Adviser for Special Concerns, and The Moro Islamic Liberation Front (MILF), represented by ATTY. MUSIB BUAT, Chairman, MILF Technical Committee.

### ARTICLE II: TERMS OF REFERENCE

1. Kuala Lumpur Agreement on the General Framework for the Resumption of Peace Talks between the GRP and the MILF, dated March 24, 2001;
2. GRP-MILF Tripoli Agreement on Peace of June 22, 2001; and
3. Applicable provisions of international instruments and covenants on International Human Rights Laws (IHRL) and International Humanitarian Laws (IHL) entered into by the Government of the Republic of the Philippines.

### ARTICLE III: DEFINITION OF TERMS

1. Conflict-Affected Areas - refer to places where armed conflict between the GRP forces and the MILF forces is taking place or had taken place or where there are evacuees and/or displaced families as a result of such armed conflict.
2. Relief and Rehabilitation of evacuees - refer to the provision of appropriate services and necessary material needs to the evacuees and displaced families, their safe return to their places of origin, and their protection against loss of life, physical harm, illegal arrest or detention, fear and harassment, loss and destruction of their properties, and similar acts, to enable them to return to normal life.
3. Rehabilitation and Development projects - refer to the projects to be implemented in the conflict-affected areas.
4. MILF Designated Agency - refers to duly organized/registered/constituted agency or body designated by the MILF to determine, lead and manage rehabilitation and development projects in conflict-affected areas pursuant to paragraph two (2) of the Rehabilitation and Development Aspect of the Tripoli Agreement on Peace of June 22, 2001.
5. Government agencies - refer to the national and local agencies of the government involved in the rehabilitation and development projects in areas affected by the conflict.

### ARTICLE IV: RESPECT FOR HUMAN RIGHTS AND OBSERVANCE OF INTERNATIONAL HUMANITARIAN LAWS

1. This agreement will safeguard the observance of international humanitarian laws, respect for internationally recognized human rights and fundamental freedoms for all persons within Mindanao. The GRP will secure to all persons within its jurisdiction or territory the highest level of recognized human rights and fundamental freedoms. The GRP shall grant recognized accredited human rights agencies and organizations full access to monitor the human rights situation in conflict-affected areas.
2. In case of violation of human rights or humanitarian laws, the Joint Coordinating Committee on Cessation of Hostilities (CCCH) of the GRP and the MILF shall act in accordance with the provisions of Article IV of this agreement.
3. The parties will cooperate fully with the International Committee of the Red Cross (ICRC) to facilitate its work in accordance with its mandate, ensuring full access to such persons, irrespective of their status, wherever they might be held, for visits in accordance with ICRC's standard operating procedures.
4. In conformity with international humanitarian law, each Party shall provide information, through the tracing mechanism of the ICRC, to families of all persons who are unaccounted for. The GRP and the MILF will cooperate fully in determining the identity, whereabouts, and fate of those missing persons.
5. The Parties shall cooperate in the investigation and prosecution of serious violations of international humanitarian laws and human rights as well as violations of this agreement.

### ARTICLE V: IMPLEMENTATION OF PROJECTS

To pave the way for the immediate return of evacuees to their places of origin and for their relief and rehabilitation, and in the implementation of relief, rehabilitation and development projects in areas affected by the conflict, as stipulated in the GRP-MILF Tripoli Agreement on Peace dated June 22, 2001, the Parties are hereby committed as follows:

1. The MILF, in order to determine, lead and manage rehabilitation and development projects in the areas affected by the conflict, will establish a project implementing body, which will have the power and function to receive and disburse private and government funds. And in the case of GRP funds, it will observe pertinent Government rules and procedures, pursuant to the provisions of paragraph B-2 of the GRP-MILF Tripoli Agreement on Peace of June 22, 2001.
2. The GRP and concerned government agencies, in coordination with the MILF, will continue to undertake the rehabilitation and development efforts in the conflict-affected areas. Consistent with GRP's resolve to task the Autonomous Region in Muslim Mindanao (ARMM) as its primary implementing agency for development, the ARMM shall enter into contractual relations within its charter, pertaining to rehabilitation and development, with the MILF project implementing body. Likewise, with other government development agencies outside ARMM areas.
3. The Parties shall safely return evacuees to their places of origin and provide all necessary financial/material and technical assistance to those evacuees for them to start a new life. The GRP shall award reparations for the properties lost or destroyed by reasons of the conflict, upon reasonable proof thereon as mutually verified and acknowledged by both parties.
4. The Parties shall maintain an inventory or record of all relief and rehabilitation assistance or project actually extended by the GRP and other private entities to the evacuees and conflict-affected areas.
5. The MILF will submit to the GRP the name, structure and personnel of its project implementing body assigned to determine, lead and manage rehabilitation and development projects in the areas affected by the conflict as provided in the GRP-MILF Tripoli Agreement on Peace dated June 22, 2001.
6. The Parties will formulate work-programs, which will identify and/or define areas of cooperation and complementation for the benefit of the people affected by the conflict, which may be undertaken through agencies/bodies or other institutional arrangements that may be agreed upon by the Parties.
7. During the implementation of rehabilitation and development projects, the GRP-CCCH and MILF-CCCH shall see to it that the commitments of the Parties to peace are strictly observed in accordance with the Implementing Guidelines on the Security Aspect of the GRP-MILF Tripoli Agreement on Peace of June 22, 2001.
8. The Parties shall seek the assistance of the Islamic Development Bank (IDB) as partner in the pursuit of rehabilitation and development projects.

#### ARTICLE VI: MONITORING MECHANISM

The Parties shall take steps to activate the Monitoring Team with representatives of the organization of Islamic Conference (OIC) in order to:

1. Monitor the implementation of all rehabilitation and development projects; the observance of international humanitarian laws and internationally recognized human rights, and the protection of evacuees and displaced persons, and their safe return to their places of origin, in the areas affected by the conflict;
2. Coordinate its monitoring activities with the Coordinating Committee on the Cessation of Hostilities (CCCH) of both Parties and the project implementing agency of the MILF;
3. Formulate its internal rules and procedures to govern the conduct of its monitoring activities;
4. Serve as an advisory body to the GRP and MILF Panels in the implementation of this agreement, and other related agreements. The GRP shall continue monitoring existing government relief, rehabilitation and development projects managed and funded by its agencies in the areas affected by the conflict, in coordination with the Monitoring Team and the MILF project-implementing agency, to avoid overlapping of activities.

#### ARTICLE VII: ADMINISTRATIVE AND SUPPORT ARRANGEMENTS

1. The principal office of the Monitoring Team shall be in Cotabato City. However, branch offices may be established in other areas as determine by the Parties.
2. The GRP shall provide the Monitoring Team office space, equipment, vehicles, supplies, and other administrative and support requirements.

#### ARTICLE VIII: PUBLIC INFORMATION

Both Parties shall conduct a continuing public information and education campaign with the aim of ensuring the full support of all concerned persons, communities, agencies, and forces, of the relief, rehabilitation and development efforts of the Parties in the areas affected by the conflict.

#### ARTICLE IX: EFFECTIVITY

These guidelines shall take effect upon its signing. Done this 7th day of May 2002 at Putrajaya, Malaysia.

For the GRP:

HON. NORBERTO B. GONZALES Presidential Adviser for Special Concerns

For the MILF:

ATTY. MUSIB BUAT Chairman, MILF Technical Committee

Attested by:

HON. EDUARDO R. ERMITA Presidential Adviser on the Peace Process

AL HAJ MURAD EBRAHIM Chairman, MILF Peace Panel

Witnessed by:

DR. PAROUK S. HUSSIN Regional Governor, ARMM