

Additional Implementing Rules of the Joint Agreement on Safety and Immunity Guarantees (JASIG) Pertaining to the Security of Personnel and Consultations in Furtherance of the Peace Negotiations

These Additional Implementing Rules of the Joint Agreement on Safety and Immunity Guarantees (JASIG) Pertaining to the Security of Personnel and Consultations in Furtherance of the Peace Negotiations, hereinafter referred to as the Implementing Rules, are being agreed by and between:

The GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES (GRP), through its Negotiating Panel headed by its Chairperson, Howard Q. Dee

and

The NATIONAL DEMOCRATIC FRONT OF THE PHILIPPINES (NDFP), through its Negotiating Panel headed by its Chairperson, Luis G. Jalandoini.

Whereas, the Parties have the responsibility to protect their respective personnel involved in the peace negotiations through their respective security forces;

Whereas, the duly accredited persons under the Joint Agreement on Safety and Immunity Guarantees (JASIG) dated 24 February 1995, hereinafter referred to as the duly accredited persons, because of their involvement in the peace negotiations, have the inherent rights to their personal security;

Whereas, security is likewise required for the consultations, public meetings, and free and unhindered passage in all areas in the Philippines in connection with and in furtherance of the peace negotiations that the aforesaid duly accredited persons conduct; and

Whereas, there is a need to agree on the security methods and means in order to enhance the conditions of the peace negotiations and avert incidents adverse thereto.

NOW, THEREFORE, in consideration of the foregoing, the two Parties through their Negotiating Panels hereby agree to the following:

Article I

Security for Duly Accredited Persons

Section 1. The duly accredited persons may carry one (1) sidearm each including its ammunitions, accessories and spare parts for their security and self-protection while in the performance of their functions in the peace negotiations. For purposes of these Implementing Rules, "sidearm" shall refer to revolvers and semi-automatic pistols and excludes machine pistols.

Any case of alleged violation of the provisions of this section shall be the subject matter of appropriate consultations between the two Parties.

The appropriate circular needed to ensure the attainment of the above-stated purpose shall be issued within two (2) weeks from the date of effectivity of these Implementing Rules. For purposes of the issuance of the said circular, a list of names of the duly accredited persons of the concerned Party shall be furnished to the Panel Chairman of the other Party.

The contents of this circular shall be consistent with the pertinent provisions of the JASIG and these Implementing Rules.

Section 2. Both Parties shall ensure that these Implementing Rules are transmitted and fully understood by all personnel concerned down to the lowest unit on the ground. The two Negotiating Panels shall discuss and agree on additional implementing rules as they may deem necessary to avert any incident which may jeopardize the peace negotiations and the safety and unhindered passage of their respective duly accredited persons and the persons consulted by them as well as the peaceful conduct of the assemblies.

Article II

Security Committees and Security Forces

Section 1. The Parties shall organize their respective Security Committees composed of three members on each side which shall discuss and agree: (1) on the guidelines for these Implementing Rules on matters of detail which are not specifically covered herein; (2) on the implementation of such guidelines; (3) on ensuring proper coordination in such implementation; (4) on prior notice on the holding of consultations and the appropriate information which should be disclosed regarding consultations; (5) on the necessity of declaring a mutual ceasefire in the areas where consultations are being conducted and the nature, scope, implementing guidelines and parameters of such mutual ceasefire; (6) on the determination of the safety area, radius and distance from both sides and adequate protection for the routes of safe passage for participants in the consultation; and (7) on such other matters as may be assigned to them from time to time by agreement of the two Panels.

Section 2. The Party concerned may form a central security force of not more than thirty (30) members which, in the case of the NDFP, shall include the twelve (12) security personnel who are duly accredited persons. The central security force shall perform close-in security of its duly accredited persons, security of participants in the consultations, and security for the safe passage of personnel and participants in the consultations.

Section 3. For purposes of the consultations, the Party concerned may form a regional security force in each of the fifteen (15) regions of the country, not exceeding thirty (30) members in each region at any one time, inclusive of those who may come from the

central security force. Such security force shall perform its tasks during the period of consultations and in the area where such consultations are being held.

The guidelines to implement this section including the carrying of sidearms/firearms shall be discussed and agreed upon by the Security Committees.

Section 4. Members of the aforesaid central and regional security forces shall enjoy the protection provided for by Section 3, Article II of the JASIG.

Article III

General Provisions

Section 1. The duly accredited persons and members of the security forces authorized to carry sidearms/firearms, including its ammunitions, accessories and spare parts, pursuant to these Implementing Rules shall act in a manner that will promote the objectives of the peace negotiations.

Section 2. The authority to carry sidearms/firearms issued pursuant to the preceding section shall not be transferable and shall be in the possession of the bearer together with the sidearms/firearms covered by said authority.

Section 3. These Implementing Rules or any provision hereof shall not impair or diminish the safety and immunity guarantees provided for under the JASIG.

Section 4. These Implementing Rules shall take force and effect upon signing by the Chairpersons of the two Negotiating Panels and approval by their respective Principals, and shall remain in force during the effectiveness of the JASIG dated 24 February 1995.

Done on the 16th day of March 1998 in The Hague, The Netherlands.

Government of the Republic of the Philippines

By Amb. Howard Q. Dee, Chairman, GRP Negotiating Panel

Rep. Jose Wyap, Member

Sec. Silvestre H. Bello III, Member

Atty. Rene V. Sarmiento, Member

Ms. Zenaida H. Pawid, Member

National Democratic Front of the Philippines

By, Luis G. Jalandoni, Chairman, NDFP Negotiating Panel

Fidel V. Agcaoili, Member

Coni K. Ledesma, Member

Asterio B. Palima, Member

Jojo S. Magdiwang, Member

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, NDFP Negotiating Panel

Ms. Ma. Carla L. Munsayac, Executive Director III, GRP Negotiating Panel Secretariat

Romeo T. Capulong, General Counsel, NDFP Negotiating Panel