

Handwritten signatures of the parties involved

**CLARIFICATORY IMPLEMENTING DOCUMENT
TO THE 2000 PEACE AGREEMENT BETWEEN THE GOVERNMENT OF THE
REPUBLIC OF THE PHILIPPINES AND THE REBOLUSYONARYONG
PARTIDO NG MANGGAGAWA-PILIPINAS/REVOLUTIONARY PROLETARIAN
ARMY/ ALEX BONCAYAO BRIGADE (RPM-P/RPA/ABB)**

The Government of the Republic of the Philippines (GPH), through the Joint Enforcement and Monitoring Committee (JEMC), herein represented by Undersecretary Cesar B. Yano.

The Officers and Members of the Rebolusyonaryong Partido ng Manggagawa-Pilipinas/Revolutionary Proletarian Army/Alex Boncayao Brigade-Tabara Paduano Group (RPM-P/RPA/ABB-TPG) now registered as the Kapatiran Para sa Progresong Panlipunan, Inc. represented herein by its Chairperson Veronica P. Tabara, hereinafter referred to as KAPATIRAN,

Whereas, on 06 December 2000, the GPH and the RPM-P/RPA/ABB signed a peace agreement to end armed hostilities and commence the process of addressing the root causes of armed conflict;

Whereas, the Agreement resulted in the joint execution of cessation of hostilities with the commitment of the RPM-P/RPA/ABB to the disposition of arms and forces, and commitment of GPH for the release of alleged political offenders (APOs) and/or political prisoners (PPs) and the dropping or dismissal of charges of RPM-P/RPA/ABB officers and members, in accordance with existing laws, the provision of reintegration support to released APOs/PPs; the implementation of development projects in select barangays and policy reforms in defined areas; and the establishment and operationalization of a Joint Enforcement and Monitoring Committee (JEMC) to oversee the implementation of the Agreement;

Whereas, His Excellency President Rodrigo R. Duterte has declared as a policy to honor all signed peace agreements, in step with legal and constitutional reforms;

Whereas, the Department of Justice, the Department of Public Works and Highways, Department of National Defense-Armed Forces of the Philippines, the Department of Social Welfare and Development, Department of Environment and Natural Resources, the Department of the Interior and Local Government-Philippine National Police, the National Economic and Development Authority, the National Housing Authority, the Commission on Higher Education, and the Philippine Health Insurance Corporation were engaged in consultations in the development of programs and have been identified as agency partners;

Whereas, there is a need for this Clarificatory Implementing Document to identify and implement the remaining commitments of the Government and the RPM-P/RPA/ABB under the 2000 Peace Agreement and corresponding timelines;

Whereas, GPH and KAPATIRAN are now executing this Clarificatory Implementing Document for the above purpose towards the establishment of a stable and lasting cooperation.

Whereas, the members of the RPM-P/RPA/ABB-TPG have organized themselves into Kapatiran Para sa Progresong Panlipunan, Inc. (KAPATIRAN) since 2013;

Whereas, RPM-P/RPA/ABB-TPG committed to the full disposition of its arms and its forces within a reasonable time;

NOW, THEREFORE, THE PARTIES AGREE ON THE FOLLOWING:

ARTICLE I

Principles

- 1.1 The resolution of all internal armed conflicts is essential to the attainment of genuine and lasting peace and development in the country under the principle of honor, dignity and justice for all.
- 1.2 The disposition of its arms and its forces, with due respect to the basic rights, well-being and security of the members of the KAPATIRAN, and its full transformation into a civilian organization, is a vital step in achieving long-lasting cooperation for reform, progress and development.
- 1.3 The fulfilment of commitments under this Document shall be the absolute and final settlement of the 2000 Peace Agreement.
- 1.4 The implementation of the provisions of this Document shall be done with due observance of Philippine laws, government rules, policies and procedures.

ARTICLE II

Coverage

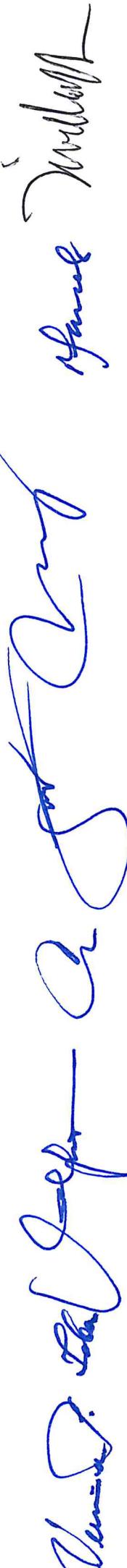
This Clarificatory Implementing Document applies only to the KAPATIRAN.

ARTICLE III

Objectives and Components

- 3.1 GPH and KAPATIRAN agree that the objectives of this Document are three-fold: (i) disposition of arms and forces of the KAPATIRAN; (ii) full transformation of the KAPATIRAN from an armed group into a civilian organization and (iii) provision of government development support to members and communities to be agreed by both Parties.

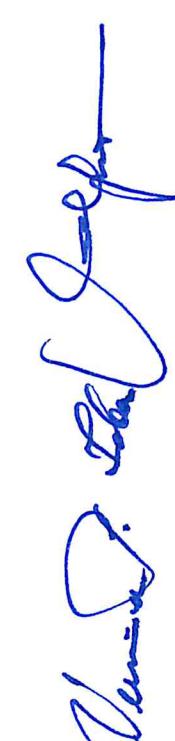
3.2 GPH and KAPATIRAN agree to conclude the following components: (i) Disposition of Arms and Forces and Security Arrangements; (ii) Release of the remaining Alleged Political Offenders; (iii) Social and Economic Reintegration of the members of KAPATIRAN; (iv) Transformation of the KAPATIRAN into a civilian organization engaging in socio-economic and political activities and (v) Community Peace Dividends.



ARTICLE IV **Disposition of Arms and Forces and Security Arrangements**

- 4.1 GPH and KAPATIRAN agree to a full and immediate disposition of the latter's arms, ammunition and explosives based on the inventory submitted by KAPATIRAN and validated by GPH through the PNP. This disposition process shall commence immediately after the signing of this Document.
- 4.2 The provision on security arrangement for the qualified members of the KAPATIRAN will be based on the Reservist concept, as military auxiliaries in their respective localities in accordance with existing laws.
- 4.3 GPH and KAPATIRAN agree to the creation of a joint body composed of representatives of the Armed Forces of the Philippines (AFP), Philippine National Police (PNP), GPH and KAPATIRAN immediately after signing of this Document. The joint body to be headed by the GPH representative and supervised by the JEMC, shall within thirty (30) days upon its creation, determine the timelines and applicable processes on the disposition of arms and forces, and the conduct of regular security assessments. It shall ensure the implementation of the Disposition of Arms and Forces, and the conduct of regular security assessments in coordination with the supervising AFP and PNP units in the area.

ARTICLE V **Social and Economic Reintegration of the KAPATIRAN Members**

- 5.1 GPH commits to the provision of support for the social and economic reintegration of the KAPATIRAN members.
- 5.2 This component will cover a total of seven hundred twenty seven (727) profiled members of the KAPATIRAN to be provided with housing, livelihood support, and/or employment, as groups in settlement sites or individuals, through various government agencies.
- 5.3 GPH further commits to facilitate the provision of government social protection packages to KAPATIRAN members and their families.
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5.4 GPH further commits to the establishment of settlement sites as a strategy for economic mainstreaming. Settlement sites are categorized as Peace and Development Communities (PDC) and Congregated Areas.

5.5 For purposes of this provision, the Peace and Development Community sites are public lands where settlement may be established, subject to existing laws, rules and regulations. These PDC settlement sites are within the following:

- a. Brgy. Bagonbon in San Carlos City, Negros Occidental
- b. Brgy. Villacin in Cadiz City, Negros Occidental
- c. Brgy. Locutan in Kabankalan City, Negros Occidental
- d. Tri-boundaries of Brgy. San Miguel in Tanjay City, Brgy. Enrique Villanueva in the Municipality of Sibulan; and Brgy. Jantianon in the Municipality of Amlan, Negros Oriental
- e. Brgy. Cabugao in the Municipality of Ibajay, Aklan

5.6 Congregated Areas are four settlement areas, other than the PDCs, to be identified by KAPATIRAN and to be acquired and developed by the government.

5.7 Establishment of settlement sites shall mean the provision of:

- Housing
- Tenurial Security
- Access Roads
- Electricity and Water
- Potable Water
- Health Services
- Educational facilities
- Livelihood assistance
- Common Service Facilities
- Security arrangements

ARTICLE VI

Release of the Remaining Alleged Political Offenders

6.1 The GPH, through Presidential Committee on Grant of Bail, Release or Pardon (PCBReP) shall continue processing the resolution of cases of alleged political offenders (APOs)/political prisoners (PPs). The PCBReP is an inter-agency committee chaired by the Department of Justice (DOJ), and composed of the Department of the Interior and Local Government (DILG) and Department of National Defense (DND) as members, and OPAPP as member of the Secretariat of the Committee. It is reconstituted and reconvened, upon the recommendation of the DOJ, to review, process and recommend the release of qualified APOs and PPs.

6.2 The GPH further commits to facilitate the issuance of an Amnesty Proclamation to be availed by qualified members of the KAPATIRAN.

6.3 The Crimes or Offenses Covered by this Document shall include:

1. Treason (Art. 114, RPC)
2. Conspiracy and proposal to commit treason (Art. 115, RPC)
3. Misprision of treason (Art. 116, RPC)
4. Espionage (Art. 117, RPC)
5. Rebellion or insurrection (Art. 134, RPC)
6. Conspiracy and proposal to commit rebellion or insurrection (Art. 136, RPC)
7. Disloyalty of public officers and employees (Art. 137, RPC)
8. Inciting to rebellion or insurrection (Art. 138, RPC)
9. Sedition (Art. 139, RPC)
10. Conspiracy to commit sedition (Art. 141, RPC)
11. Inciting to sedition (Art. 142, RPC)
12. Acts tending to prevent the meeting of the National Assembly (Art. 143, RPC)
13. Illegal assemblies, if the meeting is one in which the audience is incited to the commission of the crime of treason, rebellion or insurrection, sedition or assault upon the person in authority or his agents (Art. 146, RPC)
14. Illegal Associations (Art. 147, RPC)
15. Direct Assault (Art. 148, RPC), Indirect Assault (Art. 149, RPC), Resistance and Disobedience to a person in authority or agents of such person or persons (Art. 151, RPC), committed in relation to rebellion or insurrection, sedition or subversion.
16. Violation of PD 1866, as amended, where the illegal possession of firearms and/or explosives is alleged to have been committed in furtherance of, or incident to, or in connection with the crimes of rebellion, insurrection, sedition or subversion.

6.4 Those charged, detained, or convicted of common crimes, but who can establish by substantial evidence that they have committed the same in pursuit of political objectives, may likewise apply for possible grant of bail, release, or pardon under PCBReP's Latest Guidelines.

For purposes of this Article, crimes committed in pursuit of political objectives or beliefs shall include, but not limited to, acts or omission performed or undertaken as part of a plan or program by the rebel leadership to overthrow and replace the National Government, any of its political subdivision, or duly constituted authority with or without the use of arms.

6.5 Those listed under the provisions of the 2000 Peace Agreement and members of the KAPATIRAN who were profiled by GPH may apply for the resolution of cases and releasing of alleged political offenders, herein attached as Annex B.

6.6 To safeguard the integrity of the program against mistaken identity or persons having similar names, biometrics and other forensic technology, as well as the data gathered from profiling, shall be used in the identification of the beneficiaries of the program.

ARTICLE VII

Full Transformation of the KAPATIRAN into a Civilian Organization Engaging in Socio-Economic and Political Activities

- 7.1 The KAPATIRAN shall ensure its full transformation from an armed group to a civilian organization engaging in socio-economic and political activities. The KAPATIRAN shall ensure that the transformation extends up to the individual level.
- 7.2 GPH shall provide technical assistance, budgetary and facilitation support for organizational development and capacity-building interventions to the KAPATIRAN.

ARTICLE VIII

Community Peace Dividends

- 8.1 Pursuant to the 2000 Peace Agreement and in order to address poverty in areas identified by the then RPM-P/RPA/ABB, GPH commits to provide grants to communities as Peace Dividends to support livelihood and enterprise development.
- 8.2 For purposes of this Article, Community Peace Dividends shall mean resources provided for the pursuit of livelihood endeavors and activities, aimed at enabling the beneficiary communities to jumpstart a sustainable process of development with the support of the local governments and other stakeholders.
- 8.3 Attached herein as Annex C is the list of the abovementioned consisting of the remaining ninety-one (91) barangays in Negros and Panay Islands, six (6) barangays in Davao City, two (2) barangays in Bukidnon and one (1) barangay in Ilocos Sur, with current status of projects identified.

ARTICLE IX

Implementation Structure

- 9.1 The JEMC shall be composed of five (5) members namely: two (2) representatives from GPH, two (2) representatives from KAPATIRAN; and, one (1) third party representative, either from non-government organization/civil society organization (NGO/CSO) or a private individual, mutually agreed by the Parties, pursuant to Executive Order No. 117, Series of 2002.
- 9.2 The JEMC shall supervise and monitor the implementation of this Clarificatory Implementing Document. The JEMC may create Local Monitoring Teams,

technical working groups and other similar bodies, and designate technical advisers, as it may deem necessary to provide assistance in the implementation of the Clarificatory Implementing Document and in the performance of their functions. The JEMC may call upon the concerned agencies of the Government, apart from the identified partner agencies, as may be necessary in the performance of its duties.

The JEMC may likewise coordinate with Regional Project Monitoring Committees (RPMCs) and Local Project Monitoring Committees (LPMCs) to provide assistance in monitoring the development programs and projects that will be implemented by concerned agencies in accordance with the commitments stated in the Clarificatory Implementing Document.

9.3 The JEMC shall continue to exist until both Parties determine that all the objectives and commitments set forth by both Parties in the Clarificatory Implementing Document have been fulfilled.

9.4 A Secretariat shall be organized headed by a Director from GPH. Terms of Reference (TOR) shall be formulated and adopted for the Secretariat. The Secretariat shall provide technical and administrative support to the JEMC for the effective and efficient implementation of the provisions of the Clarificatory Implementing Document.

9.5 Site Coordinating Teams (SCTs) composed of representatives from local government units, AFP, DSWD, DENR, NHA and KAPATIRAN, shall be organized by the JEMC. TOR shall be formulated and adopted for the SCTs.

9.6 A Monitoring and Evaluation (M and E) System shall be established to ensure that all the provisions of the Clarificatory Implementing Document are complied with.

9.7 GPH and KAPATIRAN shall ensure that all stakeholders are informed of the progress of implementation.

Article X

Duration

10. The implementation of the commitments stated in the Clarificatory Implementing Document shall be for a period of three years from signing hereof.

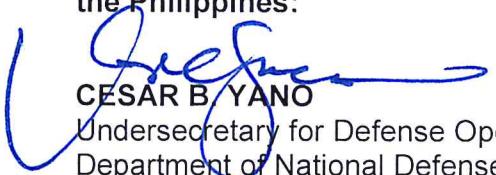
ARTICLE XI

Funding

- 11.1 GPH shall provide fund support for the mechanisms and components to implement the commitments stated in the Clarificatory Implementing Document.
- 11.2 GPH, through the Program/s of concerned agencies, shall include in its annual budget for the next three years the necessary amount for the full implementation of the economic and development provisions of the Clarificatory Implementing Document.

Signed in Camp General Emilio Aguinaldo this 19th day of July 2019 in
Quezon City.

For the Government of the Republic of
the Philippines:



CESAR B. YANO
Undersecretary for Defense Operations
Department of National Defense (DND)

For the KAPATIRAN

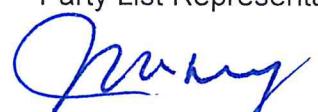


VERONICA P. TABARA

Chairperson of the Board of Directors
KAPATIRAN

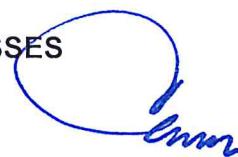


JOSEPH STEPHEN S. PADUANO
Abang Lingkod
Party List Representative



MILO S. IBRADO, JR.
MEMBER, JEMC

WITNESSES



CARLITO G. GALVEZ, JR.
Presidential Adviser on Peace,
Reconciliation Unity



RAMEL FARROL
Vice-Chairperson, KAPATIRAN



PASTOR NOEL C. VILLALBA
Third Party Member, JEMC