

**GUIDELINES FOR THE IMPLEMENTATION OF THE  
PHILIPPINE CAMPAIGN TO BAN LANDMINES –  
CONDITIONS ASSESSMENT, DEMINING, AND MONITORING  
PERTAINANT TO THE JOINT STATEMENT OF THE  
GRP-MILF PEACE PACT (DRAFTED 16 NOVEMBER 2007)**

**PARTIES**

1. Government of the Republic of the Philippines (GRP) - Coordinating Committee on Cessation of Hostilities (C.C.H.) - 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) - the main mechanism 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 Philippine-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 Démineuse, FSD*) - a non-profit, non-political, independent and neutral Swiss non-governmental organization specializing in professional humanitarian mine action and clearance programs and the entire action partner of PCBL.

**Article I**

**Basis of Undertaking**

1. Agreement on the General Cessation of Hostilities (GCH) dated 16 July 1997, signed in Capas and Obo City between the Government 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 City on 12 September 1997 and in Marawi City on November 12, 1997, respectively.

On the clearing of mines / UXO detection and clearance in accordance

3. Tripoli Agreement of Peace between the Government of the Republic of the Philippines (GRP) and the Moro Islamic Liberation Front (MILF) signed in Tripoli, Libya on 22 June 2001.
4. Implementing Guidelines on the Security Aspect of the GRP-MILF Tripoli Agreement of Peace of 2001 signed in Putrajaya, Malaysia on 07 August 2001.
5. Implementing Guidelines on the Humanitarian, Rehabilitation and Development Aspects of the GRP-MILF Tripoli Agreement of Peace of 2001 dated 07 May 2002.
6. GRP-MILF Agreement on the Civilian Protection Component of the International Monitoring Team (IMT) dated 27 October 2009, which includes a basic undertaking to "Take all precautions feasible to avoid inadvertent loss of civilian life, injury to civilians and danger to civilian objects."
7. Other related GRP-MILF agreements, resolutions and guidelines.

**Article II**

**Concept and Objectives of the Project**

The PCBL-FSD Project aims to create the GRP and MILF to undertake effective long term / mine/UXO risk reduction (UXO) detection and clearance with the assistance of concerned organizations such as the PCBL and FSD in identified and verified conflict-affected areas as a measure both of rehabilitation and of confidence-building in support of the larger peace process. It will assess and address the need to clear areas of explosive remnants of war (ERW) from both sides for the safety and security of concerned communities as well as the rehabilitation and development initiatives. Likewise, it will also be an opportunity for local capacity-building and technology transfer strictly in accordance with international humanitarian mine action standards.

**Article III**

1. The specific objectives of the PCBL-FSD Project are:
  1. To achieve a reliable assessment of unexploded landmine and other UXO in the conflict-affected areas
  2. To undertake a systematic mine / UXO detection and clearance program in areas determined to be contaminated
  3. To contribute to and enhance the peace negotiations and confidence-building between GRP and MILF forces at the ground level
  4. To help build local capacity in mine / UXO detection and clearance in accordance with international humanitarian mine action standards.

### **Article III**

#### **Purpose of the Guidelines and Operational Frameworks**

These Guidelines shall govern the implementation of the PCW-LSD Project for Gilpil-Mill Peace Panels' Joint Mine LNO Clearance in the conflict affected areas in Mindanao pursuant to the GRP-MILF Joint Statement of 1 November 2007.

The PCW-LSD 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 endorsed upon by the GRP-MILF Peace Panels.

The PCW-LSD Project Concept Note and these Implementing Guidelines shall be subsequently reviewed at the end of every succeeding quarter or semester period, as may be determined by the GRP-MILF C.C.H. from the start of the implementation of the GRP and MILF Peace Panels, upon recommendation of the GRP-MILF C.C.H.

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

### **Article IV**

#### **Area of Coverage**

The clearing of mine-suspected ordnance shall be in effect on conflict-affected areas as verified and agreed upon by both GRP and MILF C.C.H.

### **Article V**

#### **Timeline**

The PCW-LSD Project for GRP-MILF Joint Mine LNO clearance in conflict-affected areas of Mindanao shall be for an initial period of two (2) years (this may be extended beyond said period upon recommendation of both GRP and MILF C.C.H subject to the approval of the GRP-MILF Peace Panels).

### **Article VI**

#### **Specific Functions of the GRP-MILF C.C.H.**

The GRP-MILF C.C.H. shall perform the following functions under this Guidelines:

- Supervise and monitor the implementation of the clearing of mines (No. in conflict-affected areas);

- Jointly approve the areas where the clearing operations shall be conducted;
- Conduct visits and inspections on areas before, during, and after operations;
- Coordinate with offices and organizations to maximize the dissemination of the clearing operations and secure the latter's cooperation;
- Approve the period of actual clearing operations;
- Recommend approval by the GRP and MILF Peace Panels of the structures, mechanisms and modalities of the LSD and PdH relative to their roles in this initiative;
- With the concurrence of the Panels, organize and create a Task Force on Joint Mine LNO 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;
- Perform such other acts relative to the clearing of mines (No.) as may be determined by the GRP/MILF Peace Panels;

### **Article VII**

#### **Task Force on Joint Mine/LND Detection and Clearance**

- Functions:
  - Services as the implementing body of the GRP-MILF C.C.H. in supervising and monitoring all operations activities pertaining to the clearing of mines (No.)
  - Coordinates with and mentors 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 C.C.H.
  - Coordinates with appropriate GRP and MILF agencies, offices, and institutions, including the Bangsamoro Development Agency (BDA), in the implementation of all the phases/stages involved in the clearing of mines (No.).
- Tasks:
  - Issue with donors, particularly in terms of letters of endorsement for the project funding proposals of PdH/C.H. as may be needed or requested
  - Ensure the safety and security of the areas and its inhabitants where the same are being cleared/acted

- f. Maintains records and serves as official repository of data / documents relative to the clearing of mines/UXO in coordination with the regional mine and UXO database under the PCUFI-SD Project.
- g. Submits reports and other records to the GRP-MILF CCCII or any authorized higher authority
- h. Performs such other tasks as may be required by the GRP-MILF CCCII

## 2. Membership

- a. GRP representatives - Two (2) members (one (1) each from the GRP CCCII and its Secretariat, or as may be officially designated by the GRP CCCII
- b. MILF representatives - Two (2) members (one (1) each from the MILF CCCII and its Secretariat, or as may be officially designated by the MILF CCCII
- c. PCUFI One (1) member
- d. FND - 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 IMF and GRP - MILF Peace Panels.
- f. The Task Force, in the performance of its tasks, can avail of assistance from the following bodies upon clearance from the GRP-MILF CCCII and concurrence of the GRP-MILF Peace Panels:
- g. The AFP / PNP Units, including IOD Teams, in the areas where clearing operations are being conducted
- h. The Bangsamoro Islamic Armed Forces (BIAF) - MILF Commandant Units operating in the area where clearing operations are being conducted.
- i. LGU in the region, province, municipality and barangay as well as the MILF political committees where clearing operations are being conducted.
- j. 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 CCCII

b. Financial and material requirements related to the clearing operations activities shall be the main responsibility of the PCUFI-SD Project.

## 3. Linkages / Coordination

- a. The GRP and MILF members of the Task Force shall consult directly or through their respect chain / channel of command/authority with their respective agencies / units concerned on matters remaining to the implementation of the operations/activities of mines / UXO. Lateral coordination between and among members is encouraged.
- b. The Task Force shall be a recommendation body to and implementing arm of the GRP-MILF CCCII on all matters pertaining to mines UXO clearing operations.
- c. Unresolved matters within the Task Force shall be elevated to the GRP-MILF CCCII and to the GRP-MILF Peace Panels if necessary, for disposition.

## Article VIII

### Other Concerned Sectors

The following are considered other concerned sectors for the GRP-MILF Joint Mine/UXO Clearance Initiative of PCUFI and FND:

1. Local communities in the conflict-affected areas, including evictees and/or displaced families
2. Local government units as well as the existing MILF committees and indigenous tribal communities in the conflict-affected areas
3. Beneficiaries and proponents of rehabilitation and developmental projects
4. The international community with various stakes in the GRP-MILF peace process, and in humanitarian intervention globally
5. The general public, civil society and the business sector, especially in Mindanao, seeking normalization in conflict-affected areas

## Article IX

### Definition of terms

- A. "Mine" - a munition designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle

- b. "Victim-activated mine" - a mine which can be triggered by anybody or anything which trips its trip-wire or places the requisite weight or pressure on it
- c. "A command-deactivated mine" - a mine which is triggered by a person from a safe distance observing the mine emplacement and detonating it electrically or by remote control via the approach of a target person or vehicle within the desired impact distance from the mine
- d. "Exploded ordnance" (EXO) - explosive ordnance that has been ignited, 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 ordnance (EXO) and abandoned explosive ordnance (AO)
- f. "Abandoned explosive ordnance" (AEO) - explosive ordnance that has not been used during an armed conflict, that 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, if any, or may not have been planted, fired, armed or otherwise prepared for use
- g. "Explosive ordnance" (EO) - all munitions containing explosives, nuclear fission or fusion materials and biological and chemical agents, thus include: incendiary and smoke bombs, guided and ballistic missiles, artillery, mortar, incendiary and small arms ammunition, all mines, tripwires and depth charges, minescrews, cluster and devolvers, cartridge and propellant-actuated devices, electro-explosives devices, clandestine and improvised explosive devices, and all similar or related items or components explosive in nature
- h. "Clearance" - tasks or actions to reduce or eliminate the explosive ordnance (EO) hazards from a specified area.

- i. "Joint Mine NO clearance" in these Guidelines refers to mine NO clearance with the joint participation of the GRP and MILF in the context of their peace process and undertaken through project of the JSD and PCII
- j. "Humanitarian demining" - activities which lead to the removal of mine and UXO hazards, including technical survey, mapping, clearance, marking, post-clearance documentation, community mine action liaison and the handover of cleared land and all 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 demining; 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

l. "International Mine Action Standards" (IMAS) - documents developed by the United Nations (UN) on behalf of the international community, which aim to improve safety and efficiency in mine action by providing guidance, best practices and, in some cases, defining international requirements and specifications.

m. "Conflict-affected areas" - refer to places where armed conflict between the GRP forces and MILF forces is taking place or had taken place or where there are evictees and/or displaced families as a result of such armed conflict as provided for under Article III of the Implementing Guidelines on the Humanitarian, Rehabilitation and Development Aspects of the GRP-MILF Tripartite Agreement of Peace of 22 June 2001

n. "Rehabilitation and development projects" - refer to projects to be implemented in the Conflict affected areas

#### Article X Effectivity

These Implementing Guidelines which serve as the terms of reference for the PTP-MSP Project for GRP-MILF Peace Panels Joint Mine NO Clearance in conflict affected areas in Mindanao pursuant to the GRP-MILF Joint Statement of 15 November 2007 shall take effect upon its signing and upon approval of the GRP - MILF Peace Panels.

Signed at Kuala Lumpur, Malaysia on 5<sup>th</sup> day of May 2010

for the GRP

RADM I.P. SINGH  
GRP Peace Panel Chairman

for the MILF

MAMADUH IBUBAL  
MILF Peace Panel Chairman

Witnessed

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