

**IN THE NAME OF GOD
THE BENEFICENT, THE MERCIFUL**

**TERMS OF REFERENCE OF
THE CIVILIAN PROTECTION COMPONENT (CPC)
OF THE INTERNATIONAL MONITORING TEAM (IMT)**

Article I

References

1. GRP – MILF Agreement on the Civilian Protection Component of the International Monitoring Team signed in Kuala Lumpur, Malaysia on October 27, 2009;
2. Terms of Reference of the International Monitoring Team signed in Kuala Lumpur, Malaysia on December 9, 2009;
3. International Humanitarian Law, including all relevant protocols and instruments;
4. United Nations Guiding Principles on Internal Displacement (UNGPID);
5. Universal Declaration of Human Rights;
6. SPHERE Humanitarian Charter and Minimum Standards in Disaster Response;
7. Presidential Memorandum on the Primacy of the Peace Process; and
8. United Nation Security Council Resolution 1325 and Resolution 1820 which protect women and girls from all forms of violence, particularly during and after armed conflicts.

Article II

Definition of Terms

1. IMT – International Monitoring Team;
2. GRP – Government of the Republic of the Philippines;
3. MILF – Moro Islamic Liberation Front;

Henceforth, the GRP and MILF will be referred to as the 'Parties'.

4. CPC - Civilian Protection Component; refers to the Head Coordinator, selected non-governmental organizations, members and the Executive Body which perform civilian protection function of the IMT;
5. AOR – Areas of Responsibility; refers to all areas under the monitoring of the IMT as stipulated in the Terms of Reference; and

6. CCCH – Coordinating Committees on Cessation of Hostilities

Article III

Purpose

These Terms of Reference are drawn to provide the bases for the operations of the CPC of the IMT.

Article IV

Objective

The objective of the CPC is to establish a functional system and effective mechanisms for monitoring, verifying, and reporting of the compliance and non-compliance of the Parties to their commitments under international and national humanitarian laws and human rights laws to take constant care to protect the civilian population and civilian properties against the dangers arising in armed conflict areas.

Article V

Organization and Structure

Membership

1. The initial members of the CPC – IMT, as agreed upon by the GRP and MILF Peace Negotiating Panels are the Nonviolent Peaceforce (NP), Mindanao Peoples Caucus (MPC), Mindanao Human Rights Action Center, Inc. (MinHRAC), and Moslem Organization of Government Officials and Professionals, Inc. (MOGOP). The structure of CPC is as **Annex A**.
2. Interested states and concerned non – governmental organizations, international and local, wishing to join the CPC may seek the approval of the GRP and MILF Peace Negotiating Panels in consultation with the Malaysian Third Party Facilitator.
3. Each member-organization shall take charge of all the financial / funding requirements for its participation with the CPC.
4. Any member of CPC may withdraw its membership subject to the approval of the GRP and MILF Peace Panels.

Head Coordinator

1. The Head Coordinator of the CPC shall be from a member-state of the IMT designated by Head of Mission.

2. The Head Coordinator shall be responsible to the IMT Head of Mission on all matters related to the operations and activities of CPC.

3. The Head Coordinator shall hold office at the IMT Headquarters in Cotabato City.

Coordinators

1. Each participating CPC member shall have a Coordinator who shall also be its representative to the CPC Executive Body.

2. The Coordinators shall be involved actively with the operational concerns and coordination of the CPC activities, and in the management and supervision of the CPC Field Offices, local and mobile teams.

3. In the absence of the Head Coordinator, the Head of Mission shall designate Acting Head Coordinator with due notice to the Peace Panels.

Executive Body

1. An Executive Body shall be organized to serve as the CPC center for operation and coordination under the supervision of the Head Coordinator. It shall also serve as the focal body for coordination of the institutional programs without prejudice to the function of the CPC.

2. The Executive Body will attend to the administrative, logistical, and operational requirements of CPC.

3. The Executive Body shall be composed of the Head Coordinator and the Coordinators.

4. The office of the Executive Body may or may not be co-located at the IMT Headquarters.

5. Each participating member-organization of the CPC shall have a staff assigned with the Executive Body.

Article VI

Roles and Responsibilities

1. The roles and responsibilities of the CPC are to monitor, verify and report the compliance and non-compliance by the Parties to their basic undertakings to protect civilian as stipulated in the GRP - MILF Agreement on the CPC of the IMT signed in Kuala Lumpur, Malaysia on October 27, 2009.

2. The above undertaking shall commit and endeavour the CPC to the following:

a) To monitor the safety and security of civilian communities in conflict areas;

- b) To monitor and ensure that both Parties respect the sanctity of places of worship namely mosques, churches and religious places and social institutions including schools, madaris, hospitals and all places of civilian nature;
- c) To monitor the needs of the IDPs and the delivery of relief and rehabilitation support efforts in conflict affected areas in Mindanao;
- d) To strengthen ownership of the peace process by supporting and empowering communities to handle conflicts at the grassroots level;
- e) To monitor acts of violence against civilians in conflict affected areas; and
- f) To strengthen the linkages and information-sharing between the IMT and the Peace Panels.

3. In pursuit of the above-mentioned roles and responsibilities, the CPC shall maintain impartiality, neutrality and independence.

4. Each member organization of the CPC shall be responsible for the management of their respective organization concerning CPC affairs. However, each member-organization shall coordinate with the Executive Body on CPC related matters.

5. Should the IMT cease to operate, the CPC shall remain in place and continue to perform such functions.

CPC Field Offices, Local and Mobile Teams

1. CPC Field Offices shall be established in vulnerable areas where the worst atrocities against civilians have been experienced. Each field office shall be approved by the Peace Panels or, when so authorised, the IMT, in consultation with the GRP CCCH and MILF CCCH. New field offices may be added depending on emerging needs of the communities. The list of CPC Field Offices is subject to review every 2 years.

2. The CPC shall form local and mobile teams as its early warning and quick response networks in conflict affected areas with the concurrence of the IMT Head of Mission in close coordination with the GRP CCCH and MILF CCCH.

3. All CPC field offices shall bear the emblem of the IMT.

Article VII

Administrative Arrangement

Personnel

1. CPC personnel are required to register with the IMT, and the names of said personnel furnished by the IMT to the GRP and MILF Peace Panels and CCCHs.

2. Should there be changes to the CPC personnel, the Head of Mission shall officially inform the GRP and MILF Peace Panels and CCCHs.

3. CPC personnel shall work within the Terms of Reference of the CPC and shall abide by the Terms of Reference of the IMT.

4. CPC personnel shall have distinctive identification i.e. ID card, insignia and uniform/vest, as appropriate, duly approved by the IMT Head of Mission with the concurrence of the Peace Panels.

Reporting

1. All reports of the CPC shall be submitted to the IMT Head of Mission, who shall transmit the same to the Peace Panels and CCCHs.

2. Other parties directly involved with the GRP – MILF Peace Process, including the ICG, can be provided with reports of the CPC upon request duly approved by the IMT Head of Mission and concurred upon by the Peace Panels, and cleared with the Malaysian Third Party Facilitator, when necessary.

3. Should the tour of duty of IMT is suspended or the IMT had ceased to operate, the reports of the CPC shall be directly submitted to the Peace Panels by the Executive Body.

Article VIII

Duration

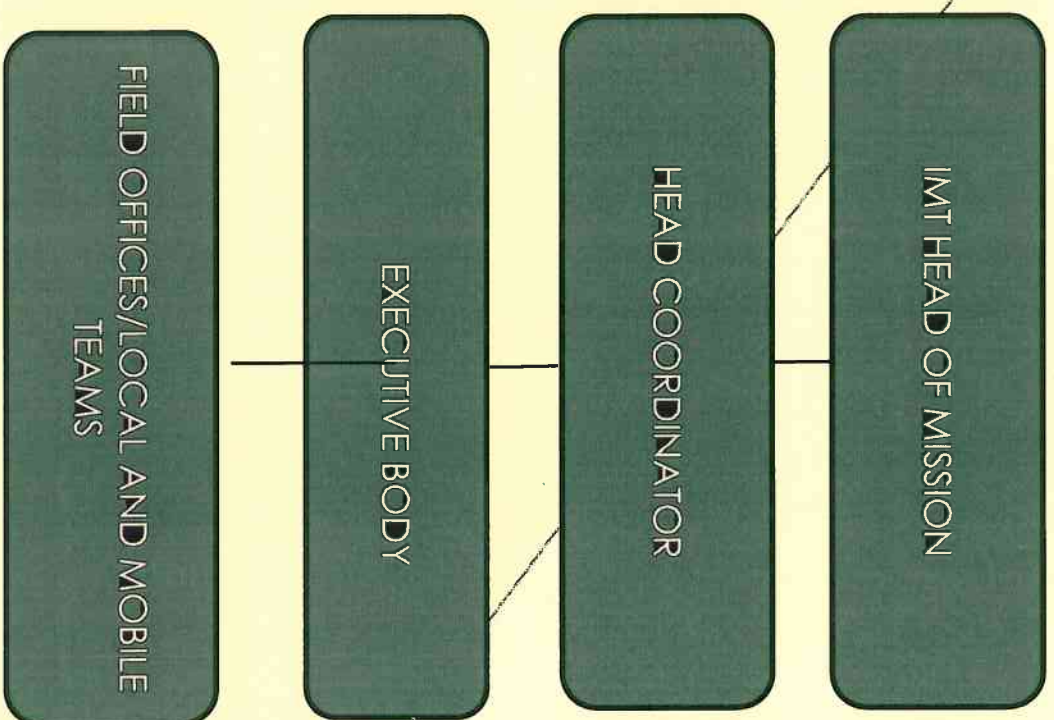
These Terms of Reference of the CPC of the IMT shall be for a period of two (2) years, and may be renewed for similar periods.

Article IX

Review and Amendment

These Terms of Reference shall be reviewed and amended for the purpose of ascertaining its applicability to the present status of the CPC and the GRP – MILF peace process, upon the recommendation by the IMT Head of Mission and duly approved by the Peace Panels.

CPC ORGANISATIONAL CHART



Article X

Effectivity Clause

The Terms of Reference of the CPC of the IMT shall take effect upon its signing.

Signed at Kuala Lumpur, Malaysia on 5th day of May 2010.

FOR THE GRP:


RAFAEL E. SEGUIS
GRP Panel Chairman

FOR THE MILF


MOHAGHER IQBAL
MILF Panel Chairman

SIGNED IN THE PRESENCE OF:


DATUK OTHMAN BIN ABD RAZAK
Malaysian Government Facilitator