

# The Joint Monitoring Committee

## JMC

### The Joint Monitoring Committee

The Parties formed on February 14, 2004 the JMC to monitor the implementation of the Agreement.

The JMC shall meet every three months in the Philippines or in any other venue agreed upon by the Parties and as often as deemed necessary by the co-chairpersons due to an urgent issue or complaint.

Technical and administrative support is provided by the Joint Secretariat (JS) which is composed of independent nominees and contracted staff separately nominated and hired by the GRP and NDFP.

### Composition of the JMC

The JMC is composed of three members chosen by the GRP Panel and three members chosen by the NDFP Panel. The GRP and NDFP also nominated two representatives each from human rights organizations who sit in the JMC as observers. The JMC has co-chairpersons who serve as chief representatives of the Parties and act as moderators of meetings.

### Tasks of the JMC

The co-chairpersons of the JMC shall:

- receive complaints of violations of human rights and international humanitarian law and all pertinent information
- initiate requests or recommendations for the implementation of CARHRIHL

The JMC by consensus shall:

- request the investigation of a complaint and make recommendations
- make reports and recommendations on its work to the Parties

### Filing of Complaints

The victims, their relatives, authorized representative or any interested party may file or submit a complaint to the JMC.

Complaints can be lodged or filed personally at the Joint Secretariat Office from 8:00 a.m. to 5:00 p.m., Monday to Friday, or through mail, fax or email.

### Office of the Joint Secretariat of the Joint Monitoring Committee on CARHRIHL

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# CARHRIHL



## CARHRIHL

Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law



# Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law

The CARHRIHL is the first of four agreements in the substantive agenda of the formal talks between the Government of the Republic of the Philippines (GRP) and the National Democratic Front of the Philippines (NDFP). The other items in the substantive agenda are on socio-economic reforms, political and constitutional reforms, and on end of hostilities and disposition of forces.

The CARHRIHL was signed on March 16, 1998 in The Hague, The Netherlands and was approved on April 10, 1998 by NDFP National Council Chairperson Mariano Orosa and on August 7, 1998 by GRP President Joseph E. Estrada.

## The Parties recognize in the CARHRIHL that:

- respect for human rights and international humanitarian law is of crucial importance and an urgent necessity in laying the ground for a just and lasting peace
- such a comprehensive Agreement should take into account the current human rights situation and the historical experience of the Filipino people
- fundamental individual and collective freedoms and human rights in the political, social, economic and cultural spheres can only be realized and flourish under conditions of national and social freedoms of the people
- there is a need to promote, expand and guarantee the people's democratic rights and freedoms, especially of the toiling masses of workers and peasants
- the Agreement is meant to meet the needs arising from the concrete conditions of the Filipino people concerning violations of human rights and the principles of international humanitarian law, and to find principled ways and means of rendering justice to all the victims of such violations
- the prolonged armed conflict in the Philippines necessitates the application of the principles of human rights and the principles of international humanitarian law

## Objectives of the CARHRIHL

- to guarantee the protection of human rights to all Filipinos under all circumstances, especially the workers, peasants and other poor people
- to affirm and apply the principles of international humanitarian law in order to protect the civilian population and individual civilians, as well as persons who do not take direct part or who have ceased to take part in the armed hostilities, including persons deprived of their liberty for reasons related to the armed conflict
- to establish effective mechanisms and measures for realizing, monitoring, verifying and ensuring compliance with its provisions
- to pave the way for comprehensive agreements on economic, social and political reforms that will ensure the attainment of a just and lasting peace

## Obligations of the Parties

- recognize the applicability of the principles of human rights and principles of international humanitarian law and the continuing force of obligations arising from these principles
- realize the necessity and significance of assuming separate duties and responsibilities for upholding, protecting and promoting the principles of human rights and the principles of international humanitarian law in accordance with their respective political principles, organizations and circumstances
- adhere to and be bound by the principles and standards embodied in international instruments on human rights and the generally accepted principles and standards of international humanitarian law

## Coverage

The CARHRIHL applies in all cases of violations of human rights and the principles of international humanitarian law committed against:

- (1) persons, families and groups affiliated with either Party
- (2) all persons affected by the armed conflict
- (3) civilians or those taking no active part in the hostilities
- (4) members of armed forces who have surrendered or laid down their arms
- (5) those placed *hors de combat* by sickness, wounds or any other cause
- (6) persons deprived of their liberty for reasons related to the armed conflict
- (7) relatives and duly authorized representatives of above-named persons.

Only incidents which are alleged to have occurred since August 7, 1998 are covered by the Agreement.

