

IMPLEMENTING GUIDELINES FOR THE MORO ISLAMIC LIBERATION FRONT (MILF) PURSUANT TO ITS "DEED OF COMMITMENT UNDER GENEVA CALL FOR ADHERENCE TO A TOTAL BAN ON ANTI-PERSONNEL MINES AND FOR COOPERATION IN MINE ACTION"


This document shall serve as the implementing guidelines of the "Deed of Commitment under Geneva Call for Adherence to a Total Ban on Anti-Personnel Mines and for Cooperation in Mine Action" which remains the primary document of reference.

A. Terms of Reference

1. "Deed of Commitment under Geneva Call for Adherence to a Total Ban on Anti-Personnel Mines and for Cooperation in Mine Action" signed by duly authorized representatives of the Moro Islamic Liberation Front (MILF) on 7 April 2002 and received by the Government of the Republic and Canton of Geneva on 25 April 2002.
2. "Report of the Geneva Call Mission to the Moro Islamic Liberation Front (MILF) in Central Mindanao, Philippines (Geneva and Manila, 30 April 2002)
3. "Geneva Call's Deed of Commitment for Armed Groups: An Annotation" by Atty. Soliman M. Santos, Jr., Regional Director for Asia, Geneva Call
4. "Agreement on Peace between the Government of the Republic of the Philippines and the Moro Islamic Liberation Front" dated 22 June 2001 (known as the Tripoli Peace Agreement) and subsequent Implementing Guidelines such on the Security Aspect dated 7 August 2001 and on the Humanitarian, Rehabilitation and Development Aspects dated 7 May 2002.

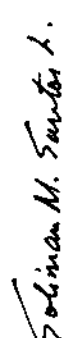
B. Adherence to a Total Ban on Anti-Personnel Mines


1. The definition of anti-personnel mines (APMs) in paragraph 1 of the Deed of Commitment is understood to include **improvised** or "home-made" APMs, produced by adapting other munitions to function as APMs.
2. The definition is understood not to include **command-detonated** munitions which can only be triggered manually by a combatant and cannot be detonated simply by the presence, proximity or contact of a person. More precisely, command detonation is a system whereby a person manually detonates a mine electrically by an electric firing mechanism, which allows total control over the mine's effect but requires a person to be present. Without these elements, it is not command detonation.

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3. **"String-pulled"** improvised APMs using mortar rounds (e.g. 60 or 81 mm) are not command-detonated and therefore fall under the ban. This practice shall be discontinued.
 4. The total ban "under any circumstances" on APMs, understood as victim-activated, admits of **no exceptions**, even for defensive purposes.
 5. The MILF shall take particular care that its **pressure-triggered improvised anti-vehicle mines (AVMs)** such as those using plastic containers do not have the same effect as APMs which would be the case if their pressure mechanisms can be triggered by relatively light pressure or weight such as that of an ordinary person.


C. Implementation Measures

The MILF's commitment to a total ban on APMs shall be manifested, as provided in paragraph 4 of the Deed of Commitment, through:

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1. **written orders** and directives to the Bangsamoro Islamic Armed Forces (BIAF)
 2. effective **information dissemination** to the BIAF rank and file
 3. changes in BIAF **military doctrine** to remove the use of APMs
 4. **various trainings** starting with technical briefings and seminar-workshops for the BIAF general staff and field commanders; mine and humanitarian education programs which reach the foot soldiers
 5. BIAF military **disciplinary sanctions** for violations or non-compliance



D. Cooperation in Mine Action

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1. In view of paragraph 2 of the Deed of Commitment, Geneva Call, the Philippine Campaign to Ban Landmines (PCBL) and the MILF shall do their respective parts in working for the realization of a **joint Government of the Republic of the Philippines (GRP)-MILF mine and unexploded ordnance clearance** as a measure for rehabilitation and confidence-building in the context of the security, humanitarian, rehabilitation and development aspects of their current peace process. The PCBL and the MILF in particular shall proactively endeavor to have the said joint mine and UXO clearance discussed and acted upon at appropriate levels of the **peace negotiations**, whether panel, technical committee or joint Coordinating Committee on Cessation of Hostilities (CCCH).
 2. Geneva Call shall work out possible **technical assistance** in humanitarian demining in cooperation with international humanitarian demining organizations. The mine

and UXO clearance effort must be set up and organized properly in accordance with international humanitarian standards.

3. The MILF shall prepare for eventual confidential submission to Geneva Call of **maps** of its occupied areas and possible mine-contaminated areas for joint mine clearance.
4. In the meantime, this is without prejudice to the MILF undertaking **its own basic measures** of mine clearance, victim assistance and mine awareness where appropriate.

E. Monitoring and Verification

Monitoring and verification of compliance with the Deed of Commitment, as provided in paragraph 3 thereof, may take any of the following forms:

1. **annual compliance reports** to Geneva Call;
2. **monitoring reports** from independent international and national NGOs in networks monitoring IHL and human rights violations in general or created specifically for landmine monitoring, with which Geneva Call would relate with; and
3. **field missions** of Geneva Call to visit and inspect actual sites to verify reported or alleged serious violations of the total ban commitment as well as more effectively evaluate the progress of its implementation.

In the specific case of the MILF, after the Geneva Call mission of April 2002, at least two action points are indicated:

4. a **follow-up visit** at a conducive time for site verification in order to complete the procedure of a field mission and for other purposes, including a more forward-looking technical evaluation of the landmine and UXO situation in preparation for joint mine and UXO clearance; and
5. adoption of an appropriate mechanism for landmine and UXO monitoring and verification.

F. Other Guidelines

1. Pursuant to paragraph 8 of the Deed of Commitment, the MILF shall take active steps in **promoting this Deed** with other non-state armed groups in the Philippines.
2. Pursuant to paragraph 9 of the Deed of Commitment, it **supercedes the following** unilateral declarations or issuances of the MILF as far as APMs are concerned:

- a. "MILF Official Declaration on the International Campaign to Ban Antipersonnel Mines" issued on 13 March 2000 by Ghazali Jaafar, Vice-Chairman for Political Affairs, Central Committee
 - b. "MILF Views on Landmine Use" issued on 13 March 2002 by Ghazali Jaafar
 - c. "MILF Internal Regulations on the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines" issued by Ghazali Jaafar
3. The Deed of Commitment does not affect or is not affected by the **bilateral** "Implementing Guidelines on the Security Aspect of the GRP-MILF Tripoli Agreement of Peace of 2001" dated 7 August 2001 in so far as the latter provides that "landminings" are among the aggressive actions which are considered prohibited hostile acts subject to cessation of hostilities. The Deed applies with or without ceasefire. In any case, the MILF shall endeavor that its relevant bilateral commitments are consistent or made consistent with its commitments under the Deed.
 4. Pursuant to paragraph 10 of the Deed of Commitment, the **effectivity date** is pegged at 25 April 2002 when it was received by the Government of the Republic and Canton of Geneva.
 5. The preliminary Filipino (Tagalog) **translation** of the Deed of Commitment handed to the MILF by the Geneva Call mission of April 2002 shall be followed by a final official translation in Filipino as well a translation in the Maguindanao language of the MILF.

Signed this 20th day of September, 2002 in Geneva.

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