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HOUSE OF REPRESENTATIVES
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Republic of the Philippines

House of Representatives

Quezon City, Metro Manila

Thirteenth Congress
First Regular Session

HOUSE BILL NO. 1867

Introduced by HON. MUJIV S. HATAMAN of Anak Mindanao (AMIN) Party List

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EXPLANATORY NOTE

Mindanao, because of the intermittent armed conflict there, especially in Central Mindanao, has in recent times witnessed the mushrooming of people-initiated, community-based responses in the form of Peace Zones, also known as "Sanctuaries of Peace" and "Spaces for Peace." At least 47 communities in Maguindanao, North Cotabato and Lanao del Sur have declared themselves as "Sanctuaries of Peace" with support from the NGO Tabang Mindanaw. Several communities in Pikit, North Cotabato have declared themselves as "Spaces for Peace" with support from the local parish office. Peace Zones have also been declared in Barangay. Barrio, Alabaman, Lanao Del Sure; Brgy. Bayanga Norte, Matanog, Maguindanao; Brgy. Makir, Datu Odin Sinsuat, Maguindanao; Brgy. Daguan, Kapatagan, Lanao del Sur; So. Cagawaran, Bgy. Tugaig, Barira, Maguindanao; and Bgy. Mataya, Buldon, Maguindanao with support from the NGO Community Organization Multiversity.

The Peace Zone idea first arrived in 1988 and has since taken root in a number of places buffeted by internal armed conflict from North to South of the country. The pioneers were the various forms of Peace Zones (some called "Zones of Life") in Naga City, Camarines Sur; Sagada, Mountain Province; Tabuk, Kalinga-Apayao; So. Cantomanyog, Bgy. Haba, Candoni, Negros Occidental; and Bgy. Bituan, Tulunan, North Cotabato. The latter led to the establishment of three more peace zones in Tulunan: So. New Alimodian, Bgy. Banayal; So. Miatub, Bgy. Tuburan; and Bgy. Nabundasan.

In more recent times, Tulunan has also seen a Peace Pact in Bgy. Dungos. Local peace alternatives to ethnic conflict in Mindanao have emerged as Peace Zones in Bgy. Bual, Isulan, Maguindanao; Dinas, Zamboanga del Sur and Bgy. Maladeg, Sultan Gumander, Lanao del Sur. These and other Peace Zones, in the

context of recent hostilities in Central Mindanao, show that people need not wait for top-level negotiations between the government and the rebel groups to come to terms with each other. At the same time, it is unfortunate that the government has sometimes made a parody out of Peace Zones by declaring overrun and occupied MILF camps as such, thus distorting the concept.

There is a need, therefore, to not only clarify the concept of Peace Zones but also, more importantly, set a national policy of openness, respect, recognition, consultation, appropriate support, and ensuring the integrity and autonomy of this valuable Filipino innovation and contribution to peace-building. This would complement and deepen a comprehensive national peace policy. The most important thing is to affirm Peace Zones as citizens' initiatives regarding which government should play only a supportive role.

Peace Zones are geographical areas which community residents themselves declare to be off-limits to armed conflict. They could range in size from the area covered by a *purok* or neighborhood to that of a province. Based on terms and conditions set by the people themselves, Peace Zones are maintained and reinforced by the community's sustained, creative expressions of commitment to peace-building, which are expressed and managed through community-based implementing structures.

Peace Zones constitute a people-initiated, community-based response to the situation of raging armed conflict in the country. They work to intervene and immediately relieve local communities in situations that threaten the security of life, property, and livelihood of the civilian population. They seek to create a "social space" in which to address and resolve community issues as well as to pursue a local development agenda on the community's own terms. They lay the groundwork for pluralism and dialogue immediately on the local level in order to explore alternative modes of conflict resolution, in accordance with their local culture and traditions.

Peace Zones all over the country comprise a major grassroots constituency for the pursuit of peace processes at the national level. They support the peace process at the horizontal level and are not totally separate from the peace talks at the vertical level. They are not necessarily political solutions but can help explore peaceful processes that could address the root causes of the armed conflict and lead to social transformation.

The national level, particularly Congress, must in turn consolidate and reinforce the best practices at the local level such as Peace Zones. Early passage of this bill is, therefore, requested.

MUJIV S. HATAMAN

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AN ACT DECLARING A NATIONAL POLICY ON PEACE ZONES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* - This act shall be known as "The Peace Zones Policy Act of 2004."

SECTION 2. *Definition of Peace Zones.* - A peace zone is a people-initiated, community-based arrangement in a local geographical area which residents themselves declare to be off-limits to armed conflict primarily to protect the civilians, livelihood, and property there and to contribute to the more comprehensive peace process.

The generic term "peace zones" shall also cover other similar people-initiated, community-based arrangements known as "zones of life," "sanctuaries of peace," "spaces for peace" and the like where there is a declared will of the people and a commitment of conflicting armed forces not to make their communities a battleground.

SECTION 3. *Characteristics of Peace Zones.* - In seeking adherence of the armed parties to the conditions that have been set by the community, a Peace Zone will need to show the following characteristics which establish that it is a community-based people's initiative:

a. It is declared and supported by a **multi-sectoral** group of **community residents**, the more broadly-based the better, including ideally support or conformity of the warring parties. In many cases but not necessarily, there will be a high level of participation from community-based religious leaders and/or members of the local government.

b. The **specific boundaries** of the Peace Zone have been clearly established.

c. A **formal launching** of the Peace Zone has been held in the community in accordance with the people's own culture and tradition.

d. There is a **written declaration or resolution** establishing the Peace Zone, containing the **specific terms and conditions** to be followed within the Zone, applying to all relevant parties, including community residents and the armed parties. The terms and conditions must show no partiality to any armed party. The terms and conditions should be as simple as possible starting with the rule that the community shall be off-limits to armed conflict or not made a battleground by the armed parties in respect of the will of the people. Other terms and policies should be allowed to evolve and be modified as the situation develops. Community particularities should likewise be respected.

e. Community residents are **organized** to maintain the Peace Zone, with **community-based implementing structures**, which identify clearly established tasks and lines of responsibility. The supportive role of external facilitators like the Church or NGOs should also be clearly defined.

SECTION 4. *Basic Policy on Peace Zones.* - The basic policy on Peace Zones shall be one of openness, respect, recognition, consultation, appropriate support, and ensuring their integrity and autonomy.

SECTION 5. *Specific Policies on Peace Zones.* - Some specific policies on Peace Zones shall be as follows:

a. Peace Zone proponents will undertake direct negotiations separately with each armed party. Any agreement reached with a combatant group constitutes a bilateral pact, autonomous of any agreement that may be reached with other armed parties.

b. Peace Zones shall, as much as possible, be demilitarized of both government and dissident armed forces, including paramilitary forces and private armies. This does not preclude the community from agreeing to the deployment of peace-keeping or law enforcement units for protection from criminal elements as the situation warrants..

c. Peace Zones shall be oriented to the peace process, and not be used for counter-insurgency or for rebel base-building.

d. Special development assistance to a Peace Zone shall be subject to community-based decision-making and implementation. Development programs and projects should be identified, requested or agreed on by the community.

e. Peace Zones shall not be subjected to any blockade of food, vital services and development projects approved of by the local community.

SECTION 6. *Official and Formal Agreement with Government.* - For a Peace Zone to achieve an official and formal agreement with the government, the following processes shall be observed:

a. A copy of the written Peace Zone declaration will be officially forwarded to the Office of the Presidential Adviser on the Peace Process (OPAPP), directly by the community or through supporting peace groups. It would be ideal for such declaration to be supported by the local government authorities at the barangay, municipal/city and provincial levels and by the district or party-list representative concerned.

b. The OPAPP will assume ultimate responsibility and authority, on behalf of the President, for the government's side of the process, coordinating with the necessary line agencies and the military, on local and/or national levels, including for the issuance of any necessary directives.

c. The process will include a direct dialogue with the local Peace Zone proponents during which the specific terms and conditions of the Peace Zone will be discussed.

d. Following the process undertaken within a reasonable time frame, the OPAPP will issue a written statement of its decision on whether or not it will enter into a formal agreement with the Peace Zone. If positive, a Memorandum of Agreement will be jointly drawn up constituting terms agreeable to both parties.

e. There may also be joint local government-community and church-community action on Peace Zones.

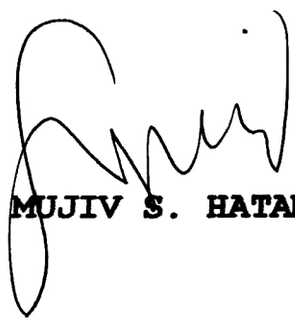
SECTION 7. *Sanctions.* - Sanctions shall be imposed by the armed parties on members of their own forces that violate their agreements with a Peace Zone that it has duly recognized. Such sanctions shall be binding. On the part of government, administrative charges shall be filed against errant members. Moreover, the "dictates of the public conscience" shall be applied to parties that choose to ignore the people's declaration of a Peace Zone.

SECTION 8. *Repealing Clause.* - Any provision of law or regulations inconsistent herewith is hereby repealed, revoked or modified accordingly.

SECTION 9. *Separability Clause.* - If any provision of this Act is declared unconstitutional or inoperative, the other provisions shall remain in force and effect.

SECTION 10. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after publication in a newspaper of general circulation.

Approved,



MUJIV S. HATAMAN