

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 404

**CREATING THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
MONITORING COMMITTEE (GRP-MC) ON HUMAN RIGHTS AND
INTERNATIONAL HUMANITARIAN LAW**

WHEREAS, the State recognizes that the attainment of a just, comprehensive and lasting peace under the rule of law and in accordance with Constitutional processes is the basic foundation of economic development and national prosperity;

WHEREAS, the Government implements a comprehensive peace process along the "Six Paths to Peace" that must be pursued simultaneously in a coordinated and integrated fashion, as provided for under Executive Order No. 3 issued on 28 February 2001;

WHEREAS, the "third path" to peace is the Government's pursuit of a peaceful and negotiated settlement with the different rebel groups, including the Communist Party of the Philippines/New People's Army/National Democratic Front (CPP/NPA/NDF);

WHEREAS, the Government recognizes that respect for human rights and international humanitarian law is of crucial importance and urgent necessity in laying the ground for a just and lasting peace;

WHEREAS, the parties signed the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) on 16 March 1998 in The Hague to guarantee the protection of human rights to all Filipinos under all circumstances by primarily addressing violations and abuses of human rights and the principles of international humanitarian law;

WHEREAS, Part V of the CARHRIHL provides for the formation of a Joint Monitoring Committee (JMC) that shall monitor the implementation of this Agreement;

WHEREAS, the parties signed the Operational Guidelines for the JMC on 14 February 2004 in Oslo which provided the manner by which to operationalize the JMC and monitor the implementation of and achieve the purposes of the CARHRIHL;



NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creating the Government of the Republic of the Philippines Monitoring Committee (GRP-MC) on Human Rights and International Humanitarian Law – There is hereby created the Government of the Republic of the Philippines Monitoring Committee (GRP-MC) on Human Rights and International Humanitarian Law which shall be composed of a Chairperson and two (2) Members, with two (2) Observers from human rights organizations, all of whom shall be designated by the GRP Panel in the peace negotiations with the CPP/NPA/NDF. The GRP-MC shall operate under the supervision of the GRP Panel, which shall also provide overall support in the management and operation of the GRP-MC.

SECTION 2. Powers and Functions – The GRP-MC shall have the following powers and functions:

- a. Represent the Government in the JMC under the CARHRIHL, and perform its functions, jointly with or separately from the National Democratic Front of the Philippines, in accordance with the CARHRIHL and the Operational Guidelines for the JMC, and with the Philippine Constitution, existing laws, and jurisprudence;
- b. Monitor the status of the implementation of the CARHRIHL by concerned units and agencies of the Government, and request the concerned agencies to address through appropriate actions the non-implementation or any violation of the Agreement;
- c. Work closely with the Commission on Human Rights (CHR) of the Philippines with regard to its constitutional mandate to investigate human rights violations and monitor the Governments' compliance with international treaty obligations on human rights. For this purpose, the GRP-MC shall provide CHR with regular updates concerning its work;
- d. Coordinate with concerned units and agencies of the Government, as well as civil society groups and other entities, for any assistance as may be necessary in the performance of its functions;



- e. Create, if necessary, local monitoring teams and other similar bodies throughout the country to provide assistance in the performance of its functions;
- f. Submit, as often as necessary, reports to the GRP Panel on the status of its work, including recommendations to address reported cases of violations of human rights and IHL principles;
- g. Provide regular updates to concerned units and agencies of the Government, as well as civil society groups and other entities, on the status of its work;
- h. Adopt the implementing rules and regulations for the conduct of its work; and
- i. Perform such other functions as may be assigned by the GRP Panel and necessary to ensure the effective and efficient monitoring of the implementation of the CARHRIHL.

SECTION 3. Support - All agencies of the Government are hereby directed to provide the necessary cooperation and support to the GRP-MC to ensure the timely and effective implementation of the provisions of the CARHRIHL.

SECTION 4. Secretariat and Office Space - The GRP Panel Secretariat, including representatives of concerned government agencies that may be designated by the GRP Panel, shall extend necessary technical and administrative support to the GRP-MC. The Office of the Presidential Adviser on the Peace Process (OPAPP) shall provide the GRP-MC with adequate office space and facilities.

SECTION 5. Funding - The Department of Budget and Management is hereby directed to release the amount of TEN MILLION PESOS (P10,000,000.00) from the President's Contingent Fund to initially cover the operational expenses of the GRP-MC and its Secretariat. The fund requirements of the GRP-MC and its Secretariat for the succeeding years shall be included in the OPAPP budget.



SECTION 6. Repealing Clause - All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with the Executive Order, are hereby repealed or modified accordingly.

SECTION 7. Effectivity - This Executive Order shall take effect immediately upon its publication in a national newspaper of general circulation.

DONE in the City of Manila, this 24th day of January in the year of Our Lord, Two Thousand and Five.

Gloria Arroyo



By the President:

Eduardo R. Ermita

EDUARDO R. ERMITA
Executive Secretary

