

POLICY FRAMEWORK AND GUIDELINES FOR PHILIPPINE PARTICIPATION IN UNITED NATIONS PEACE OPERATIONS (UPDATED NOVEMBER 2010)

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All actions and activities regarding Philippine participation in United Nations peace- making, peacekeeping, peace-enforcement and peace-building operations shall be undertaken in accordance with the following Policy Framework and Guidelines.

I. GENERAL PRINCIPLES

1.1 The Republic of the Philippines is committed to global peace and as a founding member of the United Nations, abides by its Charter and recognizes that while the maintenance of international peace and security is the primordial responsibility of the United Nations individual states, regional organizations and civil society share in this responsibility.

1.2 The Philippines reaffirms its commitment to the mandate of the United Nations Security Council under Chapters VI and VII of the Charter and the role of regional organizations under Chapter VIII in the maintenance of international peace and security. In honoring its obligations under the Charter, the Philippines within its capabilities, shall participate in initiatives under the aegis of the United Nations.

1.3 The Philippines recognizes that the peacemaking, peacekeeping, peace-enforcement and peace-building, through the concept of multi-dimensional peace operations remain as key and indispensable instruments for the maintenance of international peace and security. It recognizes that the United Nations plays a fundamental and crucial role in peace operations and imposes upon itself the responsibility to take measures on humanitarian concerns without resorting to the use of arms. Subject to national goals and interests, the Philippines may commit its resources to international developmental and humanitarian assistance in furtherance of the UN Millennium Development Goals (MDGs)

1.4 The Philippines recognizes the need to further establish and enhance national mechanisms for more effective participation in overseas peace-building and humanitarian assistance operations. The Philippines further recognizes the value of closer coordination with the Association of Southeast Asian Nations (ASEAN) and other regional allies for cooperation and joint participation in UN peace operations. Philippine participation in peace operations shall also benefit from the inclusion of other government and civil society volunteers, serving alongside the military, police and other uniformed contingents.

1.5 Finally, the Philippines considers diplomatic measures under Chapter VI of the Charter, as the principal tools for peace in the international community and encourages the peaceful settlement of disputes. It acknowledges that conflict management is the responsibility of national governments, with the necessary

support of civil society, including the academe, non-governmental organizations, religious denominations, foundations, associations and other aggrupations. In this regard, tender of good office shall also be part of any Philippine initiative towards the preservation of peace and the prevention of conflicts.

II. DEFINITION OF TERMS

2.1 For the purpose of this Policy Framework and Guidelines, the term “peace operations” collectively refers to peacemaking, peacekeeping, peace-enforcement and peace- building. Likewise, it includes all humanitarian assistance operations that may be undertaken not just in the course of a conflict or advent of war, but also all events that need to be addressed for the alleviation of human suffering, particularly in the context of the UN MDGs. The definitions below, serve as general descriptions rather than technical meanings of the terms defined:

2.1.1 Peacemaking – refers to those which encompasses the diplomatic initiatives conducted after the commencement of a conflict aimed at establishing a ceasefire or a rapid peaceful settlement such as the use of good offices, such as that of the Secretary General, conciliation, mediation, diplomatic pressure and sanctions.

2.1.2 Peacekeeping – refers to a UN presence in the field normally involving military and civilian personnel with the consent of the parties, to implement or monitor the implementation of arrangements relating to the control of conflicts and their resolution or to ensure the safe delivery of humanitarian relief.

2.1.3 Peace-enforcement – refers to those that may be needed when all other efforts fail. It includes the use of armed force to maintain or restore international or regional peace and security in situations which the Security Council has determined the existence of a threat to peace, a breach of peace or an act of aggression.

2.1.4 Peace-building – refers to activities addressing the special needs of countries emerging from conflict towards recovery, reintegration and reconstruction; and the provision of assistance for laying the foundation for sustainable development.

III. SCOPE OF PHILIPPINE INVOLVEMENT

3.1 The Philippines supports the role of the United Nations in resolving conflicts under Chapters VI and VII of its Charter and for humanitarian assistance under UN General Assembly Resolution 49/139-B (1994).

3.2 Philippine participation in UN peace operations should be decided by taking into consideration the following factors: national defense and security capabilities; the domestic peace and order situation; and ultimately, national interests and national goals. While decisions will be on a case-to-case basis, deciding on the merits of participation in each UN peace operation will have to be based on the application of the same general principles and parameters.

3.3 The Philippines, consistent with its national policies and to further strengthen its capability, shall seriously consider its participation in UN peace operations if requested to do so by the UN. UN peace operations that are being, or may be, conducted in Southeast Asia and other areas of the Asia-Pacific Region shall be given the highest priority in considering Philippine participation.

3.4 The safety, immunity and security of Philippine personnel assigned to UN peace operations are of paramount importance. Philippine participation in UN peace operations shall be subject to the following conditions and requirements:

3.4.1 Authority from the UN Security Council;

3.4.2 A clear and achievable mandate;

3.4.3 A determinable, if not, definite time frame and exit strategy; and

3.4.5 Consent of the Receiving State to the UN operation

3.5 The Philippines recognizes the importance of peace-building activities in the rebuilding of states, communities and societies. It may choose to participate in peace-building activities through the deployment of relevant Philippine personnel in whatever form of assistance – either military or civilian or a combination of both – including, but not limited to engineering, health, education, social development, governance, transportation, telecommunications and other relevant and related disciplines that will enhance the development of the mission area.

IV. NATIONAL COUNCIL FOR UNITED NATIONS PEACE OPERATIONS

4.1 Unless otherwise provided, the President of the Republic of the Philippines, upon recommendation of the National Council for United Nations Peace Operations, hereto referred as “Council”, shall have the sole prerogative to decide on Philippine participation in any UN operation. The Council shall be composed of the Secretary of Foreign Affairs as Chair and the Secretary of National Defense and the Secretary of the Interior and Local Government as Members. Membership to the council may be expanded as the need arises.

4.2 The Council shall provide policy directions for and oversee Philippine participation in UN peace operations. It shall periodically review the Policy Framework and Guidelines on Philippine Participation in United Nations Peace Operations that governs all decisions regarding Philippine Participation in UN peace operations and update it if necessary taking into account the constantly evolving nature of these operations.

4.3 The Council shall ensure that the Philippines shall make full use of UN reimbursements for contingent-owned equipment and payments for troop deployments to improve the capability of the AFP and the PNP for peace operations. The Council shall ensure that UN reimbursements and payments for Philippine participation in peace operations are effectively managed and utilized to achieve this end.

4.4 The Council shall oversee the commemoration of the International Day of UN Peacekeepers on the 29th day of May each year, including the presentation of the Gawad Diosdado Macapagal and other appropriate awards to military, police and civilian personnel for their outstanding contribution to Philippine peace operations efforts.

4.5 The Council shall be assisted by the Executive Committee (ExeCom) composed of the Assistant Secretary of the Office of the United Nations and Other International Organizations of the DFA, the Assistant Secretary

for Strategic Assessment of the DND, the Chief of Staff of the Armed Forces of the Philippines (AFP), represented by the Deputy Chief of Staff for Plans (J-5), and the Chief of the Philippine National Police (PNP), represented by the Director for Plans (TDPL). Representative of other agencies may be included as the need arises.

4.6 The ExeCom shall study and recommend measures relative to the formulation, review and implementation of substantive and administrative policies dealing with UN peace operations.

4.7 The Council and the ExeCom shall be supported by a Secretariat based at the Department of Foreign Affairs that shall be headed by a Secretary General in the person of the Assistant Secretary for United Nations and Other International Organization (UNIO). The Secretary General shall be assisted by a career officer from the DFA who shall serve as Executive Director of the Secretariat. The Commanding Officer of the Peacekeeping Operations Center of the AFP and the Division Chief of the United Nations Peacekeeping Operations Center of the PNP shall both serve as Deputy Secretary Generals of the Secretariat.

4.8 The Secretariat, with supervision by the ExeCom, shall serve as the focal point for Philippine participation in UN peace operations. The Secretariat shall oversee all actions related to Philippine participation in UN peace operations in coordination with DFA, DND, DILG, AFP, PNP and other concerned agencies of the government.

4.9 The Secretariat shall have its own personnel component to be made up of detailed officers and staff from the DFA, AFP and PNP, preferably with experience in UN peace operations and other personnel it will hire to support its requirements. It shall be provided with appropriate financial and logistical support to be sourced from pertinent provisions in the General Appropriations Act.

4.10 The Council shall validate the AFP and PNP-formulated standard scale of incentives for uniformed and non-uniformed personnel who will be deployed in formed units for UN peace operations and compensated directly by the Philippine government. The Council shall also look into the formulation of a standard scale of contributions for uniformed and non-uniformed personnel who will be deployed individually to support UN mission requirement, including those on secondment to the UN.

V. PRE-DEPLOYMENT, DEPLOYMENT, REPATRIATION AND EXIT POLICY

5.1 The deployment of Philippine personnel in UN peace operations shall be governed by:

5.1.1 Duration of the mandate as specified in the UN resolution authorizing the peace operation;

5.1.2 Availability of Philippine personnel, including troops, civilian police, humanitarian workers and other personnel and equipment;

5.1.3 Safety and security considerations for Philippine personnel; and

5.1.4 Strict adherence to the Memorandum of Understanding between the Philippines and the United Nations.

5.2 In the recruitment, selection and assignment of personnel who shall participate in UN peace operations, due consideration shall be given to their ability to cooperate with other international contingents and the local populations, necessary skills and training, gender sensitivity and psychological stability.

5.3 The considerations for recruitment, selection and assignment of uniformed personnel, including women, shall be prescribed by the Council upon the recommendation of the concerned agencies. Other non-uniformed personnel projected for deployment shall likewise be subjected to the proceeding considerations.

5.4 To ensure the timely submission of nomination requirements, a database of qualified uniformed and non-uniformed personnel for deployment to UN peace operations and for secondment to the UN Secretariat shall be submitted by the concerned agencies to the Secretariat.

5.5 Peacemaking, peacekeeping, peace enforcement and peace-building operations shall be included in the curricula and training courses of the Foreign Service Institute (FSI), and concerned AFP and PNP training institutions, among others, in order to enhance the capacity of the country in contributing personnel with the appropriate technical expertise and other resources for UN peace operations.

5.6 Pre-deployment briefings for Philippine personnel, covered in the Standardized Generic Training Module and the Core Pre-deployment Training Module of the UN shall be undertaken by these government institutions. Training materials shall be obtained from the UN and other appropriate sources.

5.7 The deployment of Philippine personnel to UN peace operations shall primarily be conducted through the assistance of the UN Secretariat either through a "Letter of Assist" or a pre-arranged chartered or commercial land, sea or air transportation.

5.8 If advance deployment is unavoidable before UN assistance becomes available, the concerned agency shall initially cover the expenses for such deployment. If necessary, funds shall be sourced from the President Contingency Fund. The DFA shall ensure that the UN Secretary immediately reimburses the expenses of the government agency concerned.

5.9 The non-uniformed personnel deployed in support of UN peace operation may be drawn from other government agencies, appropriate humanitarian nongovernmental organizations and interested individuals possessing skills, experiences and resources relevant to and which further enhance the peace operations. The Philippines exercises the right to observe its own rotation policy, especially with regard to uniformed personnel, without prejudice to the possibility of seeking reimbursement from the UN for the deployment and/or repatriation of said personnel.

5.10 The Philippines shall see to it that all qualified personnel from the AFP, PNP and other agencies of the government are given the opportunity to serve in UN field missions and at the UN Secretariat.

5.11 The Philippines may consider UN requests for the extension of personnel serving in UN field mission and in the UN Secretariat whose repatriation may hamper, delay or prejudice the accomplishment of conclusion of activities or projects being undertaken by the UN. Such extension shall be subject to the recommendation of the DFA, through the Philippine Mission to the United Nation, the endorsement by the ExeCom and the approval by the Council.

5.12 Any or all the following conditions must be met before the decision to withdraw Philippine personnel from UN peace operations is made:

5.12.1 Where the safety and security of Philippine personnel are placed at serious risk as a result of sudden shift in the situation on the ground characterized by, among others, a precarious state of law and order or unabated violence that require strong security measures.

5.12.2 Where the consent of the Receiving State for the presence of Philippine and other UN personnel has been withdrawn.

5.12.3 Where the consent of the Receiving State for the presence of AFP and PNP personnel back in the Philippines.

Such a determination shall be made by the President of the Republic of the Philippines upon the recommendation of the Council.

VI. MEASURES TO ENHANCE PHILIPPINE PARTICIPATION IN UN PEACE OPERATIONS

6.1 The AFP and PNP shall ensure that personnel assigned to UN peace operation are trained, prepared, equipped and motivated to properly and effectively carry out their tasks in accordance with the highest standard of personal and professional conduct and safety and security.

6.2 The Philippines shall continue to support and promote relevant activities in the UN system in order to enhance the conduct of UN peace operation in all its aspects. Philippine peace operations shall closely adhere to the UN Standby Arrangement System (UNSAS).

6.3 The personnel shall adhere to the highest standard of personal and professional conduct while taking part in UN peace operations. The Philippines shall observe a zero tolerance policy when it comes to misconduct, especially sexual exploitation and abuse, committed by Philippine personnel deployed in UN mission areas. The Council shall ensure that the concerned agency takes appropriate and immediate action against erring personnel and that the government shall inform the UN of the actions taken on these cases.

6.4 To further improve its capability to support UN peace operations abroad, the Philippines, through DFA and its various Foreign Service Posts abroad, shall actively seek partnerships with developed troop contributing countries for possible cooperation in UN peace operations.

6.5 The Council shall encourage participation and support from civil society and the private sector in UN peace

operations and shall promulgate guidelines and procedures accordingly for their active participation.

6.6 A scheme of enhanced incentives, recognition and awards for uniformed and non-uniformed participants in UN peace operations, such as, but not limited to, financial assistance or scholarship for the families of personnel who die in the service of the UN shall likewise be developed.

VII. PHILIPPINE PARTICIPATION IN OTHER INTERNATIONAL AND REGIONAL PEACE OPERATIONS

7.1 In the absence of an appropriate issuance on the matter, the procedures under this Policy Framework and Guidelines shall, as far as practicable, apply to Philippine participation in other international and regional peace operations.

VIII. EFFECTIVITY

8.1 This policy Framework and Guidelines for United Nation Peace Operations shall take effect 15 days after filing thereof at the University of the Philippines Law Center in consonance with Sections 3 and 4, Book VII of Executive Order No. 292, otherwise known as the Administrative Code of 1987, as amended.

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