

REVISED RULES ON VISITS OF FOREIGN GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS TO CONFLICT-AFFECTED AREAS IN MINDANAO

Whereas, foreign governments and international organizations continue to play a constructive role in the peace and development agenda in Mindanao;

Whereas, the Government of the Republic of the Philippines (GPH) has the interest and duty to ensure the security of the representatives of foreign governments and international organizations, especially those visiting conflict-affected areas in Mindanao (CAAM);

Whereas, consistent with Article 26 of the Vienna Convention on Diplomatic Relations, the GPH ensures the freedom of movement and travel of members of diplomatic mission, with due regard to the considerations of national security;

Whereas, Article 41(1) of the Vienna Convention on Diplomatic Relations states that, “[w]ithout prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving state.”;

Whereas, the GPH aims to ensure the safety of, and assistance to, accredited diplomatic missions and international organizations, who wish to conduct a visit, presence, or activity in CAAM;

Whereas, on 20 August 2010, the Department of Foreign Affairs (DFA) issued the *Guidelines for Foreign Governments and International Organizations Visiting Conflict-Affected Areas in Mindanao*;

Whereas, on 12 September 2018, the DFA promulgated the *Rules Prescribing the “Guidelines for Foreign Governments and International Organization Visiting Conflict-Affected Areas in Mindanao”*;

Whereas, recent developments in Mindanao have necessitated refinement of procedures in assessing security risks and in coordinating security detail for visiting delegations;

Now, therefore, the Revised Rules on Visits of Foreign Governments and International Organizations to Conflict-Affected Areas in Mindanao are hereby promulgated:

1. The Rules shall apply to the representatives of the following covered organizations:
 - a. Foreign governments and intergovernmental entities (FGIE);
 - b. United Nations (UN) Agencies and other Attached Agencies; and
 - c. International Non-Governmental Organizations (INGO).

2. Representatives of covered organizations shall seek permission from the Government of the Republic of the Philippines (GPH) through the Department of Foreign Affairs (DFA), at least fifteen (15) working days prior to any proposed visit, presence, or activity in conflict-affected areas in Mindanao (CAAM).

Requests received by the DFA five (5) working days or less prior to the proposed visit, presence, or activity will not be processed, except only in such cases where such visit, presence, or activity of a covered organization and facilitated and/or organized by other FGIES, UN Agencies and other UN Attached Agencies, INGOs, GPH national, regional, and local agencies, or Philippine local and national institutions, is of urgent necessity as substantiated by the representatives of the covered organization/s concerned. For this reason, the concerned covered organization/s shall submit to the GPH, through the DFA, their requests for permission as soon as possible prior to the proposed visit, presence, or activity stating the reasons for failing to submit their requests within the prescribed period and why they should be allowed to proceed.

3. The Note Verbale on the proposed visit, presence, or activity in conflict-affected areas shall include the following information:
 - a. Purpose of visit, presence, or activity;
 - b. Complete delegation list, official positions, organizational affiliations, and photocopies of the diplomatic identification cards (IDs) or passport biopages of all delegates/officials;
 - c. Detailed itinerary;
 - d. Security detail requirements;
 - e. Location and schedule of activities;
 - f. Person, institutions, or organizations to meet;
 - g. Flight details of visiting delegation (if applicable);
 - h. Location of accommodations for duration of visit, presence, or activity; and

- i. Focal person and contact details of the delegation.

The requesting party should indicate in their request specific security requirements needed or if they have separately requested already with PNP/AFP.

Only requests with complete information and compliant with the aforementioned requirements will be processed.

4. Requesting organizations shall clearly indicate in the Note Verbale their intention to facilitate technical assistance and cooperation, donation (whether in cash or kind), or other related endeavors, if any. For any and all visits, presence, or activities, the requesting organization shall maintain communication with the concerned or implementing agency or government mechanism through the DFA.

FGIEs shall shoulder the meals and billeting and mobility requirements of the CCCH representatives/s and GPH security detail of the visiting delegation.

5. Approval of the proposed visit, presence, or activity shall be made through the determination of the Office of the Presidential Adviser on Peace, Reconciliation and Unity (OPAPRU) in conjunction with the political and security assessments of the following:

- a. GPH Implementing Panel, GPH Coordinating Committee on the Cessation of Hostilities (CCCH) and/or the GPH Joint Peace and Security Committee (JPSC) for MILF areas. The GPH JPSC shall only assess any proposed visit, presence or activity in CAAM related to the implementation of the Program for Normalization in the Bangsamoro; and
- b. GPH Coordinating Committees, Armed Forces of the Philippines Peace and Development Office (AFP PDO) and Philippine National Police Peace Process and Development Center (PNP PPDC) for MNLF areas. The GPH Coordinating Committees shall only assess proposed visits, presence or activities in CAAM involving programs intended for MNLF combatants, their families or communities.

For visits to CAAM not within MILF or MNLF areas, the DFA shall coordinate directly

with the appropriate AFP or PNP units.

6. After consultations with relevant Philippine government agencies, the DFA, through the Office of the Undersecretary for Civilian Security and Consular Affairs (DFA-OUCSCA) shall provide the requesting organization with a written response within twelve (12) working days upon DFA-OUCSCA's receipt of the written request.

For urgent requests, the DFA shall provide the requesting organization with a written response upon DFA OUCSCA's receipt of the endorsement or recommendations from OPAPRU.

7. Delegations shall strictly adhere to the approved itinerary. Deviations may only be undertaken in emergency situations.

If there are sudden changes to the itinerary and travel dates, requesting organizations shall immediately notify the DFA and OPAPRU, which will coordinate with the appropriate government mechanism, prior to the date of the travel.

8. For visits to MILF areas, as the GPH CCCH undertakes ground-level coordination with the Moro Islamic Liberation Front (MILF) on the visit, presence, or activity, at least one (1) representative from the GPH CCCH shall be present in all visits, presence, or activities in MILF camps or communities or involving MILF members.

The GPH JPSC shall undertake ground-level coordination with the MILF on the visit, presence, or activity related to the implementation of the Program for Normalization in the Bangsamoro. Hence, at least one (1) representative from the GPH JPSC shall be present in all visits, presence, or activities in MILF camps or communities or involving MILF members.

9. For areas and communities identified with the Moro National Liberation Front (MNLF), the delegation shall be accompanied by a security detail provided by concerned military commands or infantry divisions.
10. The delegation shall pay a courtesy call to the provincial/city/municipal local government unit of the area to where the visit, presence, or activity will take place.

11. Requesting organizations shall shoulder the meals, billeting and mobility requirements of the GPH security detail, including GPH CCCH and/or GPH JPSC representatives, if applicable, of the visiting delegation.
12. Requesting organizations shall be required to provide the DFA and OPAPRU with a detailed after-activity report on the visit, presence, or activity within thirty (30) days after the same. Non-submission or failure to submit the after-activity report within the prescribed timeframe, which shall not exceed fifteen (15) days, without justifiable cause or approved prior request for extension to submit, may warrant the DFA's deferment to process subsequent requests for permission of any proposed visit, presence, or activity by the requesting organization; Provided, that, where the subsequent proposed visit, presence, or activity is proven to be of urgent necessity, DFA shall proceed to process the request for permission; Provided further that the subsequent request for permission is accompanied with the organization's overdue after-activity report or proof of its submission to the DFA and OPAPRU.
13. The Guidelines shall be effective 15 days after their circulation by the Department of Foreign Affairs to Foreign Governments and International Organizations.

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