



Peace Monitor

ALTERNATE FORUM FOR RESEARCH IN MINDANAO, INC.

SECOND-THIRD QUARTER, 2008

Stumbling blocks along the road to peace

The stalled exploratory talks between the Government of the Republic of the Philippines and Moro Islamic Liberation Front (GRP-MILF) in December 2007 and the issue of the International Monitoring Team's (IMT) pull-out in May 2008 brought another long impasse of the talks. The latter particularly alarmed peace advocates considering the IMT's crucial role in maintaining peace on the ground while the peace negotiation is ongoing.

The IMT was constituted through the Security Aspect of the so-called "mother agreement" of the GRP-MILF peace negotiations, the Tripoli Agreement signed on 22 June 2001. The first IMT deployed in October 2004 was tasked to "monitor the implementation of the Implementing Guidelines of the Security Aspect and the Humanitarian and Development Aspect of the 2001 Peace Agreement (Arguillas, 2008b). With this, IMT acted as mediator on ceasefire violation issues. In 2008, the fourth IMT deployed was composed of 57 members: 41 Malaysians, 10 Bruneians, five Libyans and one Japanese development expert. These IMT members were financially supported by their respective governments (Arguillas, 2008a).

Along with the creation of the IMT was the establishment of other ceasefire monitoring groups, the Coordinating Committee on the Cessation of Hostilities (CCCH), the Local Monitoring Team (LMT) and the Ad Hoc Joint Action Group (Iqbal, 2008).

As claimed by the Joint Coordinating Committee for the Cessation of Hostilities (CCCH), a body directly involved in monitoring the ceasefire operations, the presence of IMT since 2004 has contributed much on the prevention of the escalation of war and preservation of peace with the number of skirmishes going down from 698 to only 8 as of July 2008 (Arguillas, 2008c). Moreover, the trust and harmony between the government and the MILF's armed forces has improved



since the IMT's involvement in the peace process (Miclait, 2008).

Though recognized for its role in the ceasefire operations between the Armed Forces of the Philippines (AFP) and the MILF, the IMT is only tasked to observe and keep track of the implementation of the GRP-MILF ceasefire agreements and coordinate its monitoring activities with the Joint CCCH to both panels, rather than guide or influence any decision made in the negotiating table (Santos, 2003).

Since October 2004, there were already four batches of IMT deployed in the cities of Iligan, General Santos, Davao, Zamboanga and Cotabato to monitor the implementation of the ceasefire agreements (Giolagon, 2008).

IMT's pull out

The stalled peace talks and its slow progress in finalizing the Memorandum of Agreement on Ancestral Domain (MOA-AD) has threatened Mindanao stakeholders of a possible IMT pull out (Jacinto, 2008). The impending pull out according to the MILF was due to the Philippine government's failure to fulfill its commitments and responsibilities to the peace process (Luwaran, 2008a). Again, the government's sincerity in concluding the peace process and President Arroyo's political will was questioned.

On the other hand, IMT leader Malaysian General Tan Sri Dato' Sri Abdul Aziz bin Hj Zainal has clarified that the team "was not pulling out but just thinning out". Still, there's a need for both parties to cooperate and be sincere for IMT to stay, otherwise, the whole team has to leave on the end of its three-month extension on November 2008 (Luwaran, 2008b).

The aborted MOA-AD signing

Subsequent to the initial IMT pull out was another tribulation of the GRP-MILF peace negotiations, the aborted signing of the MOA-AD. Both negotiating panels and the peace advocates were hopeful that the MOA-AD would finally be signed and would pave the way for correcting historical injustices to the Bangsamoro people. The stalled signing was notably due to information asymmetry brought about by the secrecy of the GRP-MILF's top level talks, lack of

consultation in the grassroots level and the alleged personal interests of some political elites. A petition was filed at the Supreme Court resulting in the release of a Temporary Restraining Order which stalled the scheduled MOA signing in Kuala Lumpur, Malaysia on 5 August 2008 (Legaspi and Sisante, 2008). Subsequently, the Supreme Court declared the said agreement as unconstitutional on 14 October.

Controversies hounded the MOA-AD when its draft was publicized in national dailies and online publications a day before the scheduled signing. What was supposed to be a "victorious and momentous" event after almost 12 years of negotiations instead stirred controversy and raised issues that include the following:

Lack of consultation especially among grassroots communities. People who expressed opposition to the MOA-AD said there were no consultations done at the grassroots level. This was also the reason of politicians in filing their petition to the Supreme Court which stopped the MOA signing.

According to Atty. Zainuddin Malang of the Bangsamoro Center for Law and Policy, it has also been stipulated in the MOA-AD that the consultation process would be held through a plebiscite a year after a comprehensive peace compact was signed. Accordingly, a plebiscite or a referendum is the "highest and ultimate form of consultation" to be conducted in the subjected areas to ask whether or not these barangays would want to be part of the BJE (Malang, 2008).

Unconstitutionality of the MOA-AD. According to the Supreme Court, some provisions of the MOA-AD were beyond the frame of the Philippine Constitution. But according to the MILF, the peace negotiations since the beginning has never been anchored on the Philippine Constitution because it does not represent the interest of the Bangsamoro people (Depasupil, 2008a). Those that were deemed unconstitutional would be considered as proposals to amend the Constitution if and only when the Comprehensive Compact would be signed. Atty. Malang also argued that if many provisions in the MOA-AD could not be accommodated by the Arroyo government, it did not mean that it was unconstitutional.

Indigenous peoples referred to as Bangsamoro. This brought great concern among the indigenous peoples in Mindanao because while they were not against the Moro struggle for self-determination, they have their own identity

and aspirations apart from that of the Bangsamoro people. Under the concepts and principles of the MOA-AD, the term Bangsamoro were referred to as the original inhabitants or the natives of Mindanao and some parts of Palawan. Further, it stated that “it is the birthright of all Moros and indigenous peoples of Mindanao to identify themselves and be accepted as Bangsamoros” (OPPAP, 2008). They were all original inhabitants of Mindanao (along with the Bangsamoro people before the coming of Islam) but indigenous peoples still prefer to be called by their tribe names and not as Bangsamoros. The IPs have limited representation: Datu Al Saliling of Arumanen-Manobo tribe sits in the Technical Working Committee of the GRP-MILF peace process.

Constituency representation in the peace panel. It was assumed that the GRP panel can represent its constituents, the Filipino people and its principal, President Arroyo. Same with the MILF, that it can voice out the sentiments of the majority of the Bangsamoro people. Surprisingly though, when the issue of MOA-AD surfaced, the public was caught unaware and the GRP panel showed its inadequacies in representing the interest of the Filipino people. Issues came out on the part of the GRP that though they were appointed to represent the Filipino people in the negotiating table, they were not authorized to sign the MOA-AD document in behalf of the Philippine government (Mercado, 2008).

Aftermath of the aborted MOA-AD signing

Escalation of the armed conflict. There had already been skirmishes in Aleosan and Midsayap towns in Cotabato Province even before the aborted MOA signing. The armed conflicts escalated and extended to other parts of Mindanao: Maguindanao, Sarangani, Lanao del Sur and Lanao del Norte. These were allegedly started by the three MILF commanders, Ameril Umbra Kato, Aleem Sulayman Pangalian and Abdulrahman Macapaar alias “Bravo” who attacked several towns in Maguindanao, Cotabato Province, and the Lanao provinces in August 2008 due to restlessness and frustration on the botched MOA-AD (Unson, et.al., 2008).

There were more than 600,000 individuals displaced (IDMC, 2008) and hundreds of casualties both from the AFP and MILF forces. Civilian victims mostly include women and children who were caught in between crossfires. Based on the National Disaster Coordinating Committee (NDCC) report, damage to infrastructure has amounted to more than PhP38 million excluding the 283 houses burned during

the war, as of September 2008. (Actual figures could be higher than the reports).

Alleged revival of the Ilaga group. Another threatening effect was the alleged revival of the Ilaga vigilantes. Ilaga is an Ilongo term referring to a “rat”. It is a group who allegedly killed progressive individuals including their sympathizers during the martial law era. It has also allegedly initiated armed encounters with Barracuda and Blackshirts in the 1970s. The public was then calling for the government to put a stop on the possible resurgence of the said group to avoid such brutal killings (Manar, 2008).

However, the spokesperson of the Reformed Ilaga Movement, Mike Santiago, has denied the allegations and said that they would “only take a defensive stance and would not attack Moro communities” (Maulana et. al., 2008).

Scrapping of the GRP peace panel. The dissolution of the GRP peace panel placed uncertainty on the resumption of the peace negotiations. As announced by Executive Secretary Eduardo Ermita, the President scrapped the GRP peace panel led by Retired General Rodolfo Garcia due to the issue that he was “misled” when it nearly signed the MOA-AD. The power vested in the panel was merely recommendatory, thus, it had no authority to sign the MOA-AD, he added (Depasupil, 2008b).

Government’s DDR approach. The Philippine government’s new peace paradigm is focused on Disarmament, Demobilization and Reintegration (DDR) and authentic community dialogues. With this new framework, government would still pursue peace negotiations, if and only the so-called rogue MILF commanders who allegedly harassed several communities would surrender (Mercado, 2008).



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A monthly analyses on the updates of the peace negotiations between the GRP and the MILF. It also contains issues involving efforts of the government and the civil society towards peace and development in Mindanao.

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