

By Soliman M Santos Jr

Islamic diplomacy

consultation & consensus

Reports of escalating violence in Mindanao in the early 1970s caught the attention of the Muslim states whose leaders expressed their concern for Moros in the Philippines through the Organisation of Islamic Conference (OIC). This international Islamic political organisation was to play a key role in ending the dispute between the Philippine government and the Moro National Liberation Front (MNLF) through a unique combination of western UN-style means and eastern Islamic and Asian ways.

The OIC has 52 member states, most with Muslim majorities. Its Islamic orientation is prominently stated in the preamble to its Charter, with Islam as 'a strong factor for rapprochement and solidarity between Islamic peoples'. The primary basis or philosophy of the OIC is the Qur'anic concept of the *ummah* – one community of all Muslims in the world.

The OIC, however, is not a monolith. It has conservative, moderate and radical camps and its handling of disputes often depends on

which member state plays the lead role. In the dispute between the Philippine government and the MNLF, radical Libya and conservative Indonesia played crucial roles.

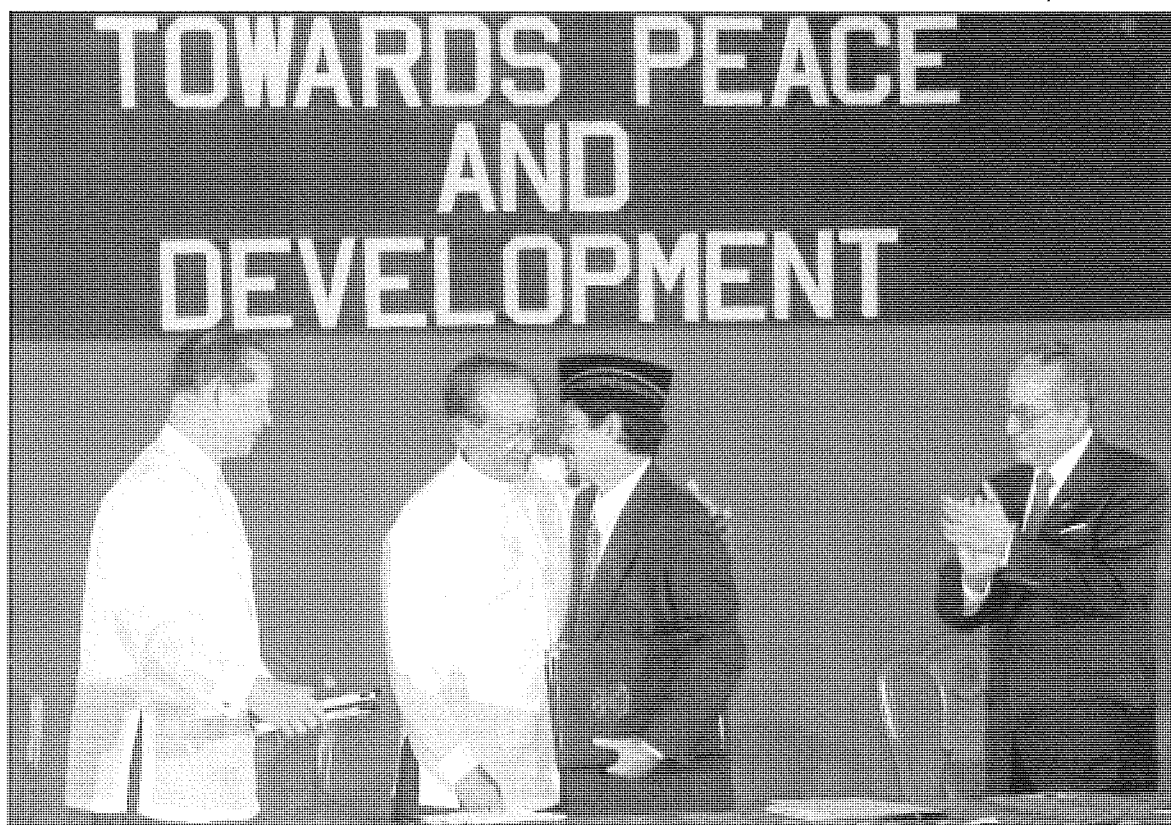
The organisation works through conferences at three levels: the Conference of Kings and Heads of State (Islamic Summit), the Islamic Conference of Foreign Ministers (ICFM) and the General Secretariat and subsidiary organs. Although the Islamic Summit is the supreme authority, it is the annual ICFM that adopts resolutions of common interest, presumably expressing the collective political will of the Islamic community.

Conventional methods

Over the years the OIC used a variety of means to promote peaceful settlement of the conflict between the Philippine government and the MNLF, including 'good offices', mediation, inquiry, sanction, consultation and co-ordination with regional organisations.

Sealing the deal (L to R) Manuel Yan, President Fidel Ramos, Nur Misuari, Ali Alatas, Manila, September 1996

Source: Associated Press AP



Good offices

The very first resolution of the ICFM on the 'Filipino Muslim problem', in 1972, was prompted by 'information it has received from the Secretary General'. It sought the 'good offices' of the Philippine government 'to guarantee the safety and property of the Muslims in the Philippines as citizens of that country'. It did not mention the MNLF. At this stage the dispute was framed as one between Muslims in the Philippines and the government.

All subsequent ICFM resolutions on the problem referred to fact-finding reports by the Secretary General and the Quadripartite Ministerial Commission, created by the fourth ICFM in Benghazi in 1973 — where the OIC appealed to 'peace-loving states, religious and international authorities to use their good offices with the Philippine government'. It also requested Indonesia and Malaysia 'to exert their good offices' within the framework of the Association of South East Asian Nations (ASEAN). The latter approach was later to prove crucial.

Mediation

The OIC first called for negotiations between the Philippine government and the MNLF in a resolution at the fifth ICFM in Kuala Lumpur in 1974. This was the first official mention of the MNLF in an OIC resolution. Soon after, the OIC mediated talks in Jeddah in 1975 and then in Tripoli. The latter resulted in the 1976 Tripoli Agreement which institutionalised OIC participation in its implementation.

Sanctions

The OIC is distinct from the Organisation of Petroleum Exporting Countries (OPEC) but oil-producing Muslim countries belong to both organisations. In 1973, OPEC imposed an oil embargo on all countries supporting Israel. The Saudi decision to lift the embargo for the Philippines was conditional on the Philippine government agreeing to negotiate with the MNLF with the participation of the OIC. It was the threat of a second OPEC embargo that induced the Marcos regime to finally negotiate with the MNLF and accept OIC mediation in 1975.

Islamic solidarity

By Jamail A Kamlian

The Organisation of Islamic Conference (OIC) was created in response to the burning of the Al-Aqsa mosque in Jerusalem in 1969. Perceiving Islam and Muslims to be under attack, the foreign ministers of predominantly Muslim states agreed to create a pan-Islamic organisation to assert Islamic solidarity. To maintain credibility, the OIC had to be seen to support beleaguered Muslim communities, and its interventions had to have a basis in Islamic teachings.

The Prophet Muhammad said: *'if in a society some people do evil and others do nothing to prevent it, then all of them will be engulfed in ruin because the good have been only passively good and do nothing actively to prevent evil'.*

The Holy Qur'an states: *'between the two actively hostile parties, the Muslim faithful's duty is to mediate and make every effort at reconciliation. If, after all mediations, one of the parties becomes an aggressor or remains recalcitrant, it is enjoined on the Muslims to side with the party tyrannised over and to use force conjointly to suppress the aggressors'.*

When, in 1972, Philippine Muslim politicians brought their grievances to the OIC, the latter felt bound to respond. Its Conference of Foreign Ministers first announced its interest in the problems of Philippine Muslims. Later conferences issued a series of resolutions criticising the Philippine government's actions, supporting most MNLF demands and indicating the implicit support of the Islamic world for the struggle of fellow Muslims in the Philippines.

Individual Islamic states also provided the MNLF with significant political, material and moral support. Libya in particular provided arms, equipment and significant funds.

However, OIC support for the MNLF and solidarity with fellow Muslims in the Philippines were circumscribed by geography. The distance separating the Philippines from the Middle East has limited the flow of money and arms to Moro guerrilla forces to whatever could be smuggled through from the Malaysian state of Sabah. Politically, the self-interest of multi-ethnic Islamic states, like Indonesia, as well as international law which inhibit support for secessionism, meant that the OIC always stopped short of backing the MNLF demand for independence. In the end, this forced the MNLF to lower its aspirations from independence to political autonomy within the framework of Philippine territorial integrity.

One of the stronger ICFM resolutions against the Marcos regime (at the 11th ICFM in Islamabad in 1980) requested OIC member states 'to assert economic, social and political pressure on the government of the Philippines to induce it to implement the Tripoli Agreement'. In anticipation or response to this call, Iran cut off oil exports to the Philippines and Saudi Arabia terminated a contract for the delivery of 10,000 barrels of oil a day in November 1980. (Oil deliveries from Saudi Arabia were reinstated after a visit to Riyadh by Imelda Marcos.)

Consultation and regional arrangements

The OIC itself is not a regional agency, but it employed regional arrangements to deal with the GRP-MNLF dispute. In 1973, the OIC asked its member states Indonesia and Malaysia to raise the issue with a non-member state, the Philippines, within the ASEAN framework. The dispute was never on ASEAN's agenda because the association's code of conduct ruled out critical comment by member governments on each other's domestic problems. Nevertheless, the ASEAN connection was important in shaping the substantive policy positions of the OIC on the dispute and in facilitating its resolution during the Ramos period.

After almost 20 years of impasse, the 21st ICFM in 1993 effectively regionalised the problem by adding two Asian states (Indonesia and Bangladesh) to the Afro-Arab Quadripartite Ministerial Commission. Indonesia was elected chair of this Ministerial Committee of the Six. As Indonesian Ambassador Wiryono puts it, this was 'throwing the whole problem to Indonesia'. Ambassador Hartono says that, in the practical work, the Ministerial Committee of the Six was 'actually only Indonesia' but this allowed it to 'work very fast', producing initial results such as an interim agreement and ceasefire 'within months'.

The UN and the Big Powers

The closest the UN came to addressing the GRP-MNLF dispute was in the early 1970s when Libya charged the Philippine

government with genocide at the UN. Then, at the 10th ICFM in Fez in 1979, the OIC for the first time recognised the 'right of the Muslims of South Philippines to present their problem to the concerned international fora... if the Government of the Philippines does not respect its commitment to resume negotiations'. Because the OIC and the UN consult each other on global issues, it would be very difficult for the MNLF to gain attention in the General Assembly or the Security Council without OIC sponsorship, and the OIC stuck to the autonomy formula, rather than the MNLF demand for self-determination.

In the 1990s, an interview with the Protestant publication *Evangelical Life*, MNLF leader Rev. Absalom Cerveza revealed the game plan if negotiations with the Ramos administration failed. The next step, spelled out by no less than Mohammed Mohsin, Assistant Secretary-General of the OIC, was for it to grant full membership to the MNLF. Thereafter, the MNLF would 'declare a state of belligerency' and then 'petition the UN General Council [sic] for de-colonisation'. However, the MNLF is not on the UN list of non-self-governing territories that can apply for decolonisation.

The major powers — the US, Japan, European Union, China and Russia — have largely stayed away from the GRP-MNLF peace process. The only exceptions were declarations of support for the negotiations from the EU in 1993 and from the EU, Japan and the US in 1995 when prospects for a solution were good. Some US legislators expressed their desire to help in the peace talks during an impasse in early 1996 but this never materialised. Libya's antagonism to the US would have blocked any significant US role.

Islamic diplomacy

The OIC has used modern interpretations of the principles of Islamic diplomacy in its efforts to settle the GRP-MNLF dispute. *Kiyasa* (Islamic diplomacy) and *sifarah* (peaceful settlement) are part of *siyar* (Islamic

international relations or law). Contemporary Muslim scholars are restructuring *siyar* away from *jihad* (misunderstood as strictly 'holy war') as the classical framework for external relations. The principles of conventional dispute settlement, such as those used by the UN, are insufficient to understand the OIC's role. The OIC's application of *siyar* could be misconstrued as partiality for one party, which is usually anathema to mediation, but this only underscores the complexity of the problem.

Islamic solidarity is the very rationale for the OIC. The principle of *umamah* (one Islamic community) also recognises the rights of other peoples. Thus Resolution No 18 of the fifth ICFM in Kuala Lumpur in 1973, which established the Filipino Muslim Welfare and Relief Agency to extend aid 'direct to Muslims in the Southern Philippines', also acknowledged 'the complexity of the problem as it relates to an independent and sovereign state' and recognised it as 'an internal problem of the Philippines'. OIC aid to Filipino Muslims was constant throughout the process, a unique feature beyond conventional mediation. The OIC could not wait for the outcome of negotiations before acting to ameliorate the plight of Muslims in the Philippines, under the *siyar* principle of *maslalah* (public good).

Even more controversial in terms of conventional mediation are the ICFM resolutions supporting the MNLF. The OIC recognised the MNLF as the 'sole and legitimate representative of the Bangsamoro people', and granted it observer status and participation in Islamic Summits and ICFMs, allowed it quasi-diplomatic status and privileges, political asylum, and 'every form of assistance' or support 'in all ways and means'.

This can be interpreted as pursuit of the OIC Charter objective 'to strengthen the struggle of all Muslim peoples' but it may also be seen as a calibrated response (short of confrontational diplomatic and military measures). It was also a way of balancing concessions to the Philippine government made in the Tripoli

Agreement with concessions to the MNLF, tempered by the *siyar* principle of *israf* (no excesses).

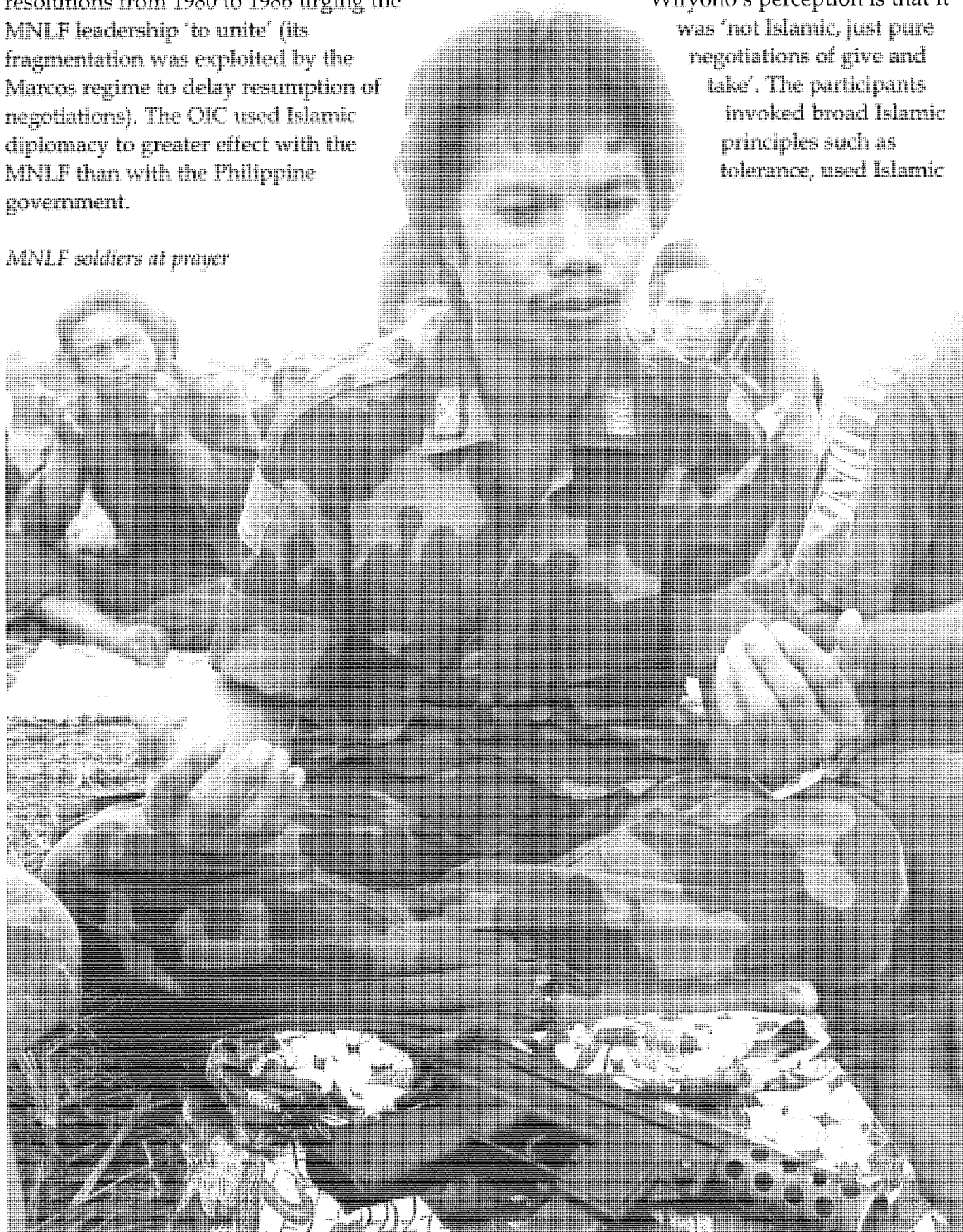
The OIC also told the MNLF to keep its house in order, as demonstrated by a series of ICFM resolutions from 1980 to 1986 urging the MNLF leadership 'to unite' (its fragmentation was exploited by the Marcos regime to delay resumption of negotiations). The OIC used Islamic diplomacy to greater effect with the MNLF than with the Philippine government.

MNLF soldiers at prayer

The players' perceptions

MNLF Chairman Misuari's perception is that Islamic tenets were present from beginning to end of the negotiation process. However, he cites only the 'process of consultation' (*shura* in Islam). In contrast, Ambassador

Wiryoño's perception is that it was 'not Islamic, just pure negotiations of give and take'. The participants invoked broad Islamic principles such as tolerance, used Islamic



Source: Bobby Timonera

greetings (*Assalamu Aleikum* or 'Peace be upon you') and called each other brother, but these seemed to be more token than substantial. The government panel chairman Ambassador Manuel Yan saw it as 'quite Islamic and Asian in style' and that 'personal relationships were promoted and nurtured'.

It was obvious that the single key personality in the whole process was Misuari. This was not lost on the OIC mediators and the government leaders and negotiators. Referring to the OIC, Misuari says, 'I was the target of their persuasive diplomacy'. He emphasises that there was 'no imposition but persuasion... they cajoled us', resulting in many concessions from the MNLF. The OIC had 'more leverage with us than with the GRP'. In this interview and on other occasions, he expressed a mortal fear of 'isolation' vis-a-vis the OIC.

The key to influencing Misuari was his principal sponsor, Libya, and its leader Gaddafi. It was Libya that persuaded Misuari to change position on two key issues. First, to accept autonomy instead of independence, a change sealed when Misuari signed the Tripoli Agreement in 1976. Second, to accept the Southern Philippines Council for Peace and Development (SPCPD) and an eventual congressional organic act and plebiscite (which may reduce the powers and territory of the autonomy) instead of an immediate provisional government, no plebiscite and a definite territory of 13 provinces, as the Tripoli Agreement provided.

Marcos had done his groundwork before the Tripoli talks in December 1976 by sending his wife as his personal envoy to Gaddafi in November 1976. Mindanao scholar Prescillano Campado describes this as 'an astute political move. By going straight to the MNLF's principal sponsor and letting Gaddafi sponsor the talks, President Marcos earned goodwill from the Libyan leader. Gaddafi was portrayed as a promoter of peace at a time when he was depicted in the West as an Islamic fundamentalist and a terrorist'.

During the Ramos period, when the agenda was supposed to be 'the full implementation of the Tripoli Agreement in letter and spirit', any deviation needed Libya's approval. Once Libyan Ambassador Azzarouq was convinced that the Philippine government's formula with its SPCPD linchpin could be the viable solution, Libya took it upon itself to convince Misuari. This was 'the only time the OIC really pushed Misuari' during the Ramos period. Azzarouq invited the MNLF leader for intensive discussions with Libyan leaders in May 1996. It took them ten days to persuade him to accept the new formula.

The ASEAN way

Indonesian diplomacy is less Islamic than Asian, or more precisely, ASEAN. On non-interference in domestic affairs, the parameter for Indonesia is not so much the Islamic *ummah* as the ASEAN framework.

Then Indonesian President Soeharto said, at the initialling of the Final Peace Agreement in Jakarta on 30 August 1996, that UN structures had only a limited capacity to address internal conflicts with international dimensions. 'The United Nations itself has encouraged regional organisations to endeavour to help in the search for peaceful solutions for the simple reason that regional organisations have a fuller grasp of root causes of the conflicts. Thus, ASEAN was actively involved in the successful search for a peaceful solution to the Cambodian conflict and the OIC in this quest for peace in the Southern Philippines.

'Such regional efforts should therefore be seen as complementary and supportive of the global work of the United Nations. The peaceful solution to the conflict in the Southern Philippines could serve to prove before the international community that conflicts within regions could be solved by the regional institutions using only their resources, their creativity and their determination to achieve peace'.

Writing on the negotiations under his term, President Ramos says 'The ASEAN approach of *Musjawarah* (consultation) and *Mufakat* (consensus) proved to be most productive'.

This approach was reflected in the strategy of Indonesian Ambassador Wiryono as Presiding Officer of the formal talks in Jakarta.

Consensus points were accumulated by taking up the easier issues first and the more difficult ones later. When consensus was lacking, there was resort to consultation — within each side and then between the mediator and each side separately, to relay and resolve proposals and counter-proposals.

Accumulation of consensus points was a way to build confidence, and was also facilitated by the development of personal friendships. The cordiality of the talks, especially outside the formal sessions, was difficult for some observers to understand. Jakarta provided the venues for 'enemies' to dine together, shop together, tour together and have photos taken together. Knowing each other on a personal level helped to make war more unthinkable. The more substantive consultations and even negotiations between and among key players were conducted in corridors, elevators and rooms in Jakarta hotels.

In dealing with the key personality, Misuari, Indonesian Ambassador Hartono worked out that it was key to engage his emotions as well as his intellect. During the critical period for acceptance of the government formula conceived in March 1996, Misuari telephoned Hartono for help in chartering an Indonesian plane to fly Misuari from Kuala Lumpur for an important meeting in Jolo. Hartono pulled strings, not only to arrange the flight but also for a crowd to welcome Misuari — a taste of how it felt to be a 'real leader' with the governmental authority which could come only with peace. Hartono believes that this changed Misuari's attitude.

Indonesia modestly describes its role on behalf of the OIC not as mediator but as facilitator, on the instruction of Foreign Minister Ali Alatas.

'Mediation implies that the MNLF is a national entity'. Still, Wiryono recognised that Indonesia's role 'in practice was mediation'.

It is clear that Indonesia employed three principal strategies of mediation (communication-facilitation, formulation, and manipulation). In addition, Indonesia, again on behalf of the OIC, served as interim ceasefire monitor-observer. This required the deployment of Indonesian Army officers (with OIC patches) in Mindanao in addition to diplomats at its embassy in Manila and foreign ministry in Jakarta where it hosted the formal talks.

OIC involvement

Once Misuari had accepted the government's formula for peace, Hartono recommended an extraordinary meeting of the OIC Ministerial Committee of Six to hold separate informal consultations with the Philippine government and MNLF panel leaders ('one plus two', meaning the Chairman plus two key members of each panel) in Jakarta in early June 1996. This 'Informal Working Group Meeting' — not part of the formal structure of the peace talks — clinched the deal.

According to the Indonesian Chairman of the Mixed Committee, Dr Hassan Wirajuda, 'The OIC Ministerial Committee of the Six requested the MNLF Panel to consider the fact that the establishment of a provisional autonomous government... would violate the Constitution of the Philippines and therefore could not be accommodated by the GRP Panel. Following extension discussion on the matter, the MNLF Panel responded positively'.

The OIC's support for the authority of the Philippine Constitution derives from the OIC Charter. In the Charter's 'dual bases' of Islamic *ummah* and secular nation-statism, the latter has prevailed in cases of conflict. Provisions invoked by the MNLF ('eradicate colonialism in all its forms', 'strengthen the struggle of all Muslim peoples' and 'respect of the right of self-determination') have

carried less weight than provisions invoked by the Philippine government ('promotion of co-operation and understanding among member states and other countries', 'non-interference in the domestic affairs of member states' and 'respect of the sovereignty, independence, and territorial integrity of each member state') as well as similar provisions in the UN Charter. Finally, the *realpolitik* of national interest prevailed even over the militancy of Islamic revolutionary states.

Given the OIC's limitations and its poor track record in resolving intra-Muslim disputes (notably in the Gulf War) the GRP-MNLF Peace Agreement was a major achievement for all concerned and in particular for the OIC. By all accounts, the Philippine government and the MNLF were satisfied with the outcome and the fairness and efficiency of the process, particularly during the Ramos period. The effectiveness of the agreement is now being tested in its implementation. In the meantime, having settled the most contentious issues of the dispute, the agreement has become the basis for a change in behaviour and interaction of the parties. This change is clearest in the MNLF which has adopted the path of 'liberation through peace and development' and integration into the Philippine political mainstream.

Conclusion

The OIC participation was indispensable for the GRP-MNLF peace negotiations. According to Misuari, the talks and the agreement would have been 'impossible without the OIC because the MNLF was determined for sovereignty'.

The OIC helped to shape both the process and the outcome. This is not to say that the reasons for the GRP and the MNLF entering into the agreement were not essentially internal — they were. Both needed peace: one for economic development and the other for political survival. And these motivations merged during the Ramos administration, as they had not in the times of Marcos and Aquino.

The OIC participation was mainly one of mediation though it may be more graphically described as 'mediation-plus-plus-plus'. There were also enquiry, good offices, consultation, regional arrangements, sanctions, facilitation, ceasefire monitoring, post-settlement monitoring and international support generation. There was aid to Filipino Muslims and support to the MNLF throughout.

The combination of processes and approaches, namely conventional, Islamic and Asian, made for a unique case of dispute resolution by an international organisation of an internal armed conflict. ■