

An International Review of Peace Initiatives

Accord

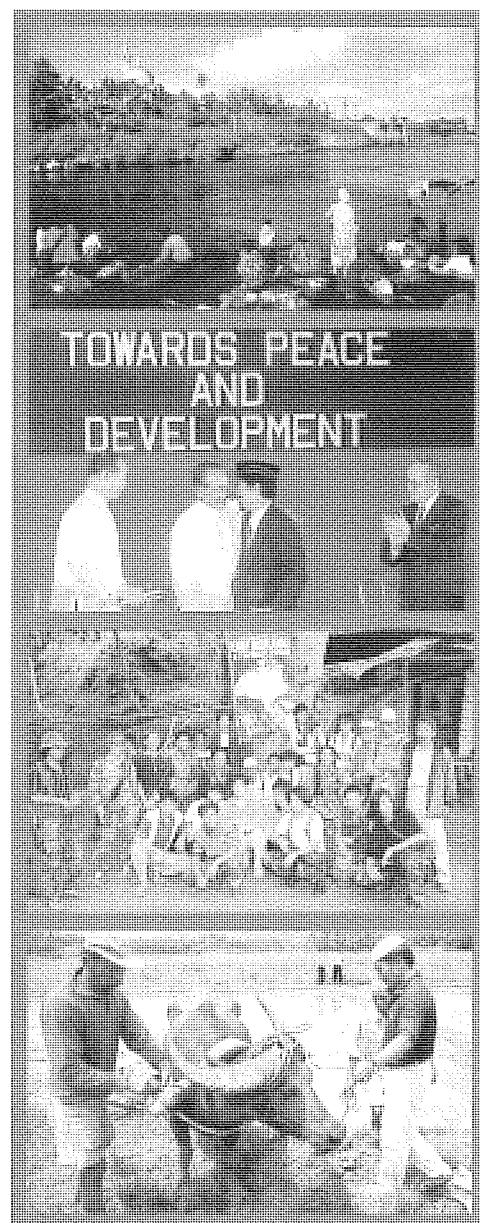
Compromising on Autonomy Mindanao in Transition

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Acronyms

AFP	Armed Forces of the Philippines
ARMM	Autonomous Region of Muslim Mindanao
ASEAN	Association of Southeast Asian Nations
BMA	Bangsa Moro Army
BMLO	Bangsa Moro Liberation Organisation
BMWF	Bangsa Moro Women's Foundation
CA	Consultative Assembly
Cemcom	Central Mindanao Command
COMELEC	Commission on Elections
CPP	Communist Party of the Philippines
CR	Conciliation Resources
EAGA	East ASEAN Growth Area
EO	Executive Order
GOCC	Government-Owned and Controlled Corporation
GRP	Government of the Republic of the Philippines
ICFM	Islamic Conference of Foreign Ministers
LDC	Lumad Development Center
LGU	Local Government Unit
MILF	Moro Islamic Liberation Front
MIM	Mindanao Independence Movement
MNLF	Moro National Liberation Front
MRO	Moro Revolutionary Organisation
MSU	Mindanao State University
NAC	National Amnesty Commission
NAPOLCOM	National Police Commission
NCCP	National Council of Churches in the Philippines
NDF	National Democratic Front
NDU	Notre Dame University
NEDA	National Economic and Development Authority
NGO	Non-governmental organisation
NPA	New People's Army
NPUDC	National Program for Unification and Development Council
NRAG	New Regional Autonomous Government
NUC	National Unification Commission
OIC	Organisation of Islamic Conference
OMA	Office of Muslim Affairs
OPAMIN	Office of the President for Mindanao
OPAPP	Office of the Presidential Adviser on the Peace Process
OPEC	Organisation of Petroleum Exporting Countries
OSCC	Office of Southern Cultural Communities
PC	Philippine Constabulary
PNP	Philippine National Police
PO	People's Organisation
RAG	Regional Autonomous Government
RCC	Regional Consultative Commission
RDC	Regional Development Council
REPOLCOM	Regional Police Commission
RPOC	Regional Peace and Order Council
Southcom	Southern Command
SPCPD	Southern Philippines Council for Peace and Development
SPDA	Southern Philippines Development Authority
SRSF	Special Regional Security Forces
SUC	State University and College
SZOPAD	Special Zone of Peace and Development

One step towards peace

the 'Final Peace Agreement' in Mindanao

For the outsider, what is most striking about the peacemaking processes in Mindanao is how they reflect the complexity of the Philippines' physical geography — an archipelago with differing concentrations of conflict and social organisation, where even the history of negotiations is disjointed and diverse. Mindanao's Muslim (or Moro) and indigenous Lumad peoples, now outnumbered by 'majority Filipinos' — the largely Christian descendants of 20th century settlers from the northern and central Philippines — are asserting rights to their traditional lands and to self-determination. The Moro National Liberation Front (MNLF) resorted to a war for independence in the 1970s, after Philippine President Ferdinand Marcos declared martial law. Meanwhile, a communist-led rebellion spread from the northern Philippines to Mindanao, drawing in many majority Filipinos, particularly among the rural poor, and some Lumads into the New People's Army (NPA).

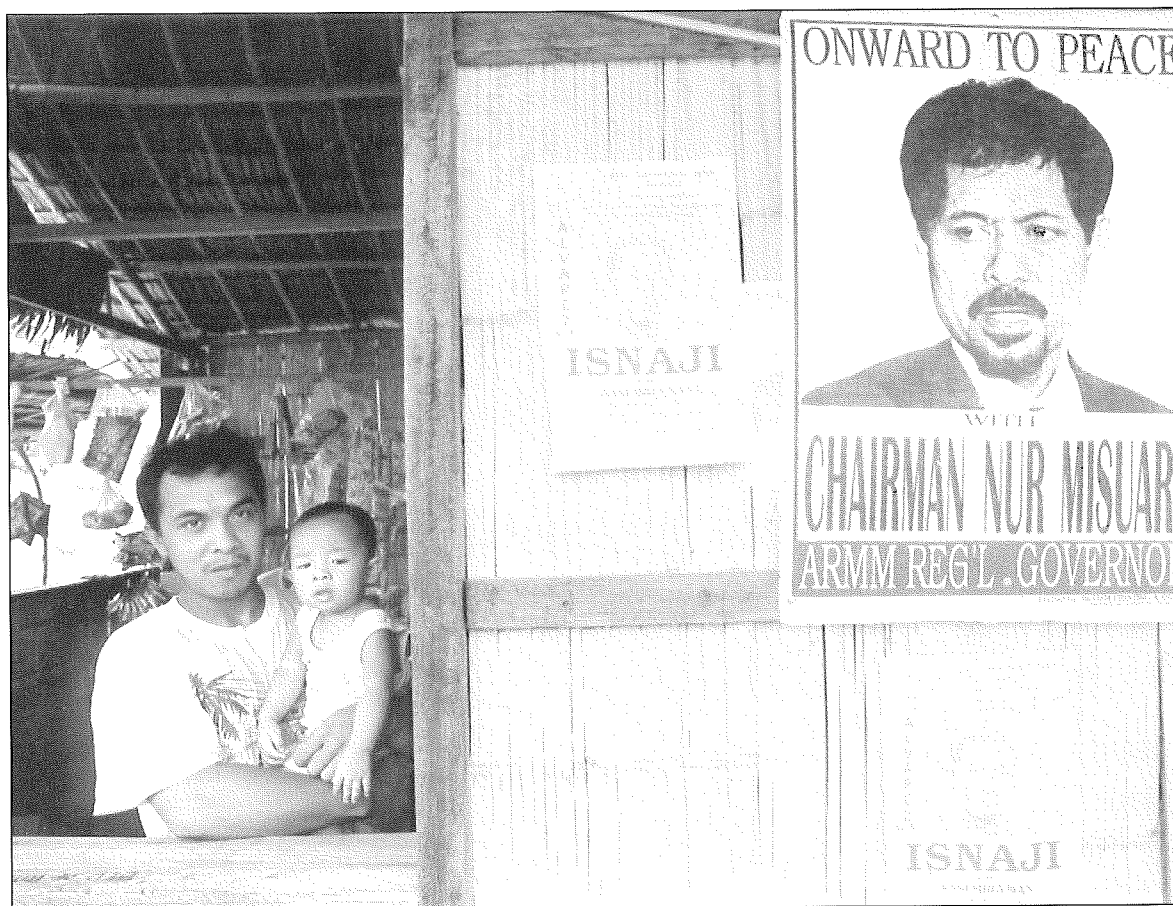
This issue of Accord focuses on one strand of the peacemaking: the negotiations between the Government of the Republic of the Philippines (GRP) and the MNLF which resulted in a

political settlement signed in September 1996. The GRP-MNLF Final Peace Agreement was, in many ways, a milestone. All previous attempts to negotiate an end to the 24 years of civil war — in which over 120,000 people died — had failed to define a sustainable settlement. In 1976, when Libya and other members of the Organisation of Islamic Conference (OIC) persuaded the Filipino government and the MNLF leadership to accept regional autonomy as a compromise, a settlement seemed at hand. But the consensus reached in the 'Tripoli Agreement' unravelled in disputes over its implementation and within six months the brutal war had resumed.

Nearly 20 years later, the Tripoli Agreement remained the frame of reference for the final consensus reached between the Philippine government and the MNLF, again encouraged by the Islamic states. Both sides had overcome the antagonisms resulting from a lengthy war and the distrust arising from failures to implement previous agreements. Not only had the negotiators tackled these difficulties, but they also appeared to have become friends during the four years of talks — signalling hope that this time peace was near. On 2 September 1996, when signing the agreement, President

Election campaign, Autonomous Region of Muslim Mindanao, Indanan, Jolo, September 1996

Source: Maria Suleiman



Fidel Ramos announced 'this Peace Agreement falls squarely into our aspiration of total peace and development for all, especially the millions of poor and destitute masses in our southern regions'. MNLF Chairman Nur Misuari was also hopeful, though somewhat more cautious 'we have to warn people not to expect too much, but this is not an excuse either not to maximise our efforts'.

The Final Peace Agreement could not be expected to end all violence in Mindanao. The MNLF was only one of several groups that had taken up arms against the Philippine government. The others included the Moro Islamic Liberation Front (MILF) and the much smaller Abu Sayyaf and Islamic Command Council, as well as the left-wing New People's Army and Revolutionary People's Army. In these circumstances, an accord between the government and any single rebel group — however significant — was exclusive by

definition and was always vulnerable to falling short of meeting the disparate aspirations not just of the other armed Moro groups but also of those of the unrepresented civil society organisations.

The Ramos administration deliberately chose to negotiate with the Moro armed organisations separately and to start with what many had seen as militarily the weaker group. The MNLF was also the government's choice of negotiating partner thanks to its status at home and abroad as an organisation which embodied Moro aspirations. It had blazed the trail by uniting various Muslim ethnic groups into an armed movement with clearly defined goals. The OIC formally recognised it as the representing the Muslims of the Philippines. By aiming for a settlement with the MNLF, the administration hoped to demonstrate to the Moro public and the OIC that their demands were being addressed.

The government clearly expected that the 1996 Agreement would help bring the other insurgent groups – particularly the MILF – into the constitutional fold. For the Armed Forces of the Philippines (AFP), it re-defined the military possibilities. Soon after September 1996, the AFP did indeed appear to concentrate its forces to attack MILF camps.

To insurgent groups and their supporters, the Agreement would serve as an indicator of how serious the government was about finding a mutually acceptable settlement and abiding by it. The government hoped that the agreement would show how popular aspirations for social justice and self-determination could be met by peaceful political struggle – without resorting to a war for secession (in the case of the MILF) or to overthrowing the government (as in the case of the armed left).

In the event, the MILF leadership remained cautious about the government's intentions behind signing the Final Agreement, but clearly felt that the administration's efforts had to be taken seriously. In mid-September 1996, shortly after the peace agreement with the MNLF was signed, the MILF announced that it too would negotiate with the government.

Like all peace processes, the government-MNLF process was distinctively creative in its design and implementation. The strategies the parties pursued in the four years of negotiations show a commendable approach to peacemaking – in their commitment to maintaining multiple channels of dialogue and communication, in their approach to institutionalising communication and negotiations, and through the use of informal networks. The Ramos government's approach to the negotiations defined as the 'Six Paths to Peace' are an example of enormous



Source: Mike Goldwater

Dumagoc fishing village, Pagadian

international value in rhetorical intent, if — tragically — not in practice. Yet despite a negotiating process exemplary in so many ways, the resulting settlement has appeared vulnerable from the start. The much vaunted ‘consensus and consultations’ were largely limited to the negotiating parties, except for a few token efforts to communicate with civil society organisations. Thus both parties found it difficult to persuade a wider public of the wisdom of the deal when its terms were finally announced.

In an attempt to defuse controversy surrounding the agreement’s provisions — in particular the proposal for an MNLF-led council to oversee peace and development initiatives in 14 provinces — the administration and the MNLF leadership fanned expectations of spectacular economic development. Subsequently, it was the MNLF — without adequate financial or legal resources — who had to carry the burden of meeting these expectations.

The 1996 Agreement is a crucial step in a what is clearly going to be a very long process of constructing peace in Mindanao. This issue of Accord looks at the making of that agreement, its impact so far and the prospects of achieving the phased transition to greater autonomy that it outlines. In March 1999, the outlook for a successful transition is bleak. There is widespread disappointment in Mindanao with the results of the Agreement and the new administration of President Joseph Estrada is taking a more aggressive stance to rebel groups. Amid the tensions, the responsibility for resolving conflicts at community level and promoting cross-cultural understanding has fallen disproportionately on the shoulders of civil society groups. Whether implementing this Agreement leads to peace, or is simply a detour to renewed conflict, remains to be seen, but the efforts and innovations in peacemaking in Mindanao and the lessons learned are invaluable examples to those engaged in comparable conflicts around the world.

Mara Stankovitch and Andy Carl
Conciliation Resources,
London, March 1999 ■

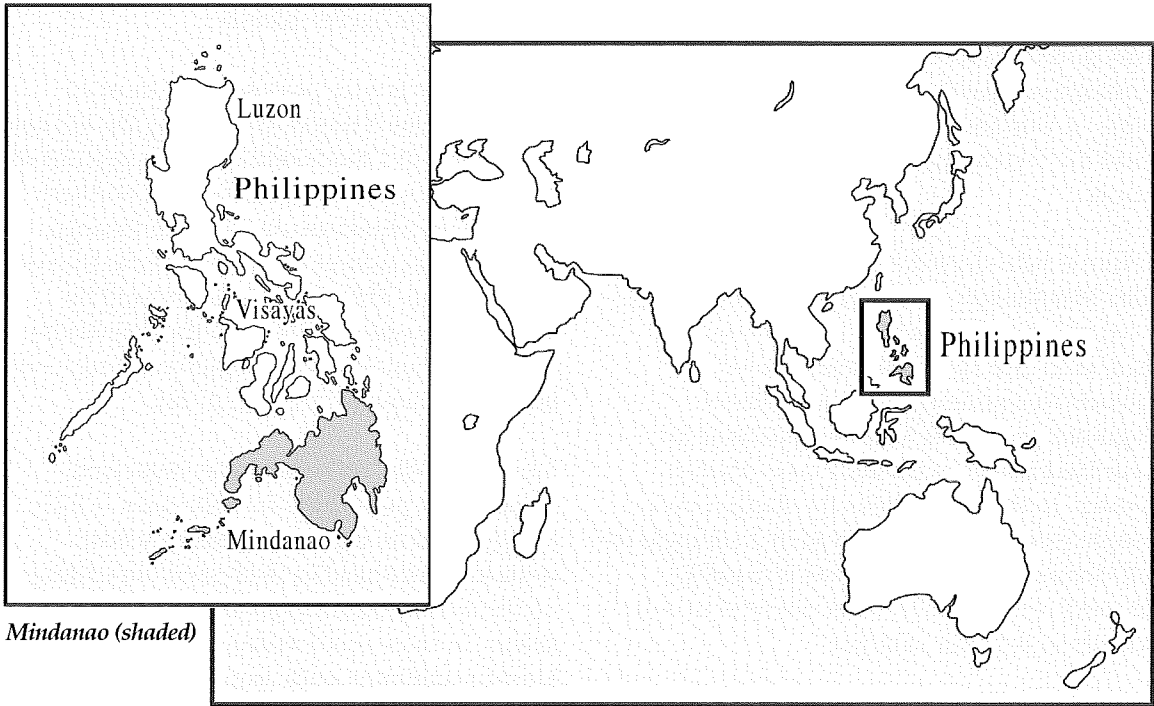
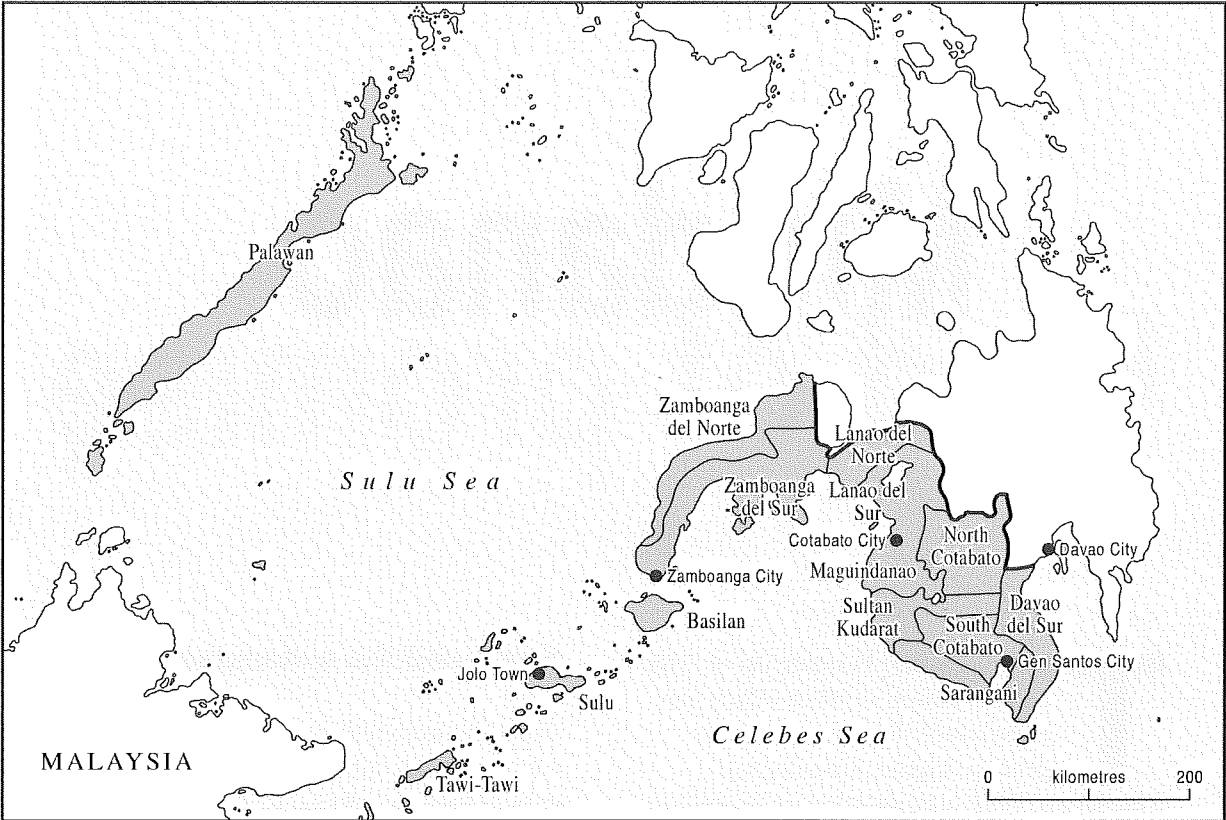


Source: Bobby Timonera

MILF guerillas at Camp Bushra, Lanao del Sur, 1999

The Southern Philippines Special Zone of Peace and Development (SZOPAD)

Map consultants: International Boundaries Research Unit, University of Durham



Mindanao (shaded)

By Macapado A Muslim
and Rufa Cagoco-Guiam

Mindanao

land of promise

The Philippines is made up of 7,100 islands (some 1,000 of which are populated) divided into three groups: Luzon, Visayas and Mindanao. With a population of 16 million, Mindanao is the second largest island and is seen by many Filipinos as a frontier — a dangerous place but also a land of promise. It evokes contrasting images of bounty and want, of war and peace, of rapid development amid the increasing impoverishment of its people.

Colonial rule started a process that was to alter Mindanao’s demographic composition. It deprived the indigenous inhabitants of their land and spawned deep-seated prejudices among the different ethno-linguistic groups. It also marginalised an Islamised people with their own distinct history. In the early 1970s the Bangsamoro people (see box, p. 15) united in a struggle for self-determination which has invariably, although erroneously, been referred to as a ‘Muslim-Christian’ conflict.

Spain and the sultanates

From the mid-16th to the end of the 19th century Spain subjected most of the archipelago to colonial rule. Arab traders had visited between the 10th and 12th centuries bringing Islam to the islands.

The Spaniards took possession of most of Luzon and the Visayas, converting the lowland population to Christianity. But although Spain eventually established footholds in northern and eastern Mindanao and the Zamboanga peninsula, its armies failed to colonise the rest of Mindanao. This area was populated by Islamised peoples (‘Moros’ to the Spaniards) and many non-Muslim indigenous groups now known as Lumads (see box, p. 14).

Mindanao Muslim society was organised, socially and politically, in ‘sultanates’ which had evolved as segmentary states whose territories increased or decreased depending on the overall leadership abilities of their sultan. In these quasi-states, lineage and kinship combined with more elaborate

Lake Lanao, Mindanao



Source: Mike Goldwater/Network

organisations for production and defence. Their wealth was based on maritime trade with China and the Middle East.

The sultanates provided Mindanao Muslims with an identity as peoples distinct from the inhabitants of Luzon and the Visayas. Islam was the anchor in their defiance of any group of colonisers.

For centuries, Spain used the Christians of the north in battles against the Moros of Mindanao, at the same time befriending some Moro rulers in their attempts to subjugate the more defiant. These tactics sowed the seeds of animosity among the various indigenous groups. Although Spain failed to establish political control, it caused the strategic decline of the sultanates, undermining their economic base through trade blockades and war.

In Luzon and the Visayas, the Spanish colonial government imposed land tenure arrangements, making local people tenants on lands their ancestors had tilled. Mindanao and Sulu were not covered by these systems, but this changed under the American regime.

US colonial rule

Under the Treaty of Paris, ending the Spanish-American war of 1896-98, the US paid \$20 million to Spain in return for full possession of the Philippines, including Mindanao. By this time, however, a Filipino nationalist movement had ejected the Spanish authorities from all but a small enclave around Manila. Philippine independence was proclaimed and a revolutionary government established, which soon faced the might of the imperial US. The fledgling government sought an alliance with the Moro sultanates, who refused because of a lingering distrust towards Christians that resulted from the Spanish campaigns. The US military exploited this unease, came to an arrangement with the sultanates and concentrated their war of 'pacification' in Luzon and the Visayas. Having crushed the new Philippine nation, the US moved on to subdue Mindanao.

The US colonial government created a Philippine Commission which passed several laws formalising US dominance, especially with regard to land ownership.

Colonial land laws and policies

Customary law — *adat* among the Moros — is based on the notion that there can be no absolute ownership of land. Islamic principles hold that land and all creation belong to God and that human beings are trustees or stewards of God's creation. Thus among Moros land-holding was based on the right to the produce of the land.

The US colonial government passed several land laws which became the legal prop for dispossession of Moros and indigenous groups all over the Philippines. These laws provided for registration of land ownership through land titles and set limits on hectarage that individuals and corporations could acquire. Unregistered land automatically became open for exploration, occupation and purchase by citizens of the Philippines and the United States.

At first, very few Moros were sufficiently literate in English to understand the bureaucratic intricacies of land registration. Many refused or did not bother to register the lands they had been cultivating. However, several Moro rulers took advantage of the new law to register large territories in their own names. They became the ancestors of today's Moro landed elite.

The US authorities recognised land titles issued by the Spanish colonial regime for the lowlands of Luzon and the Visayas. In Mindanao, vast tracts of arable land occupied by Moros and Lumads were sold or leased to settlers and plantation companies.

Between 1913 and 1917 seven agricultural colonies were opened by the colonial government, where Christian settlers were mixed with the indigenous Muslims purportedly to promote 'good working relations' between the two groups. In fact, the government's aims were to defuse peasant unrest in Luzon and remove troublemakers from northern and central Philippines. Christian migrants were entitled to larger tracts of land: 16 hectares compared to the native inhabitants' ten (later reduced to eight). A predominantly Christian Philippine Constabulary was used to quell any Moro dissent.

Almost all titles granted under the Land Registration Act of 1902 were for large private holdings. By 1912 there were 159 major plantations (100 hectares or more) in Mindanao, 66 of them owned by Americans, 39 by Filipinos (mostly Christians), 27 by Europeans, and 27 by Chinese. The Moros and Lumads became impoverished squatters on their own land.

It also cultivated the development of a compliant local elite, first by limiting suffrage to property owners, then by pursuing rapprochement with the politicians who emerged claiming to represent the 'people'. The Moro leaders found a role in the new colonial order as brokers between state and society, sometimes defiant but often compliant. Although some were given token positions in the central government, few Moros saw themselves as members of the Philippine nation-state emerging under the US.

Marginalisation

Post-war independent Philippines provided the local elite, including some Moros, with the opportunity to participate fully in the politics of self-rule. But for most Moros, the creation of a nation-state dominated by Christian Filipinos simply reinforced their marginalised and minoritised status.

The establishment of a Philippine nation-state inevitably led to the entrenchment of a national identity based on the values of the majority group, the Christian Filipinos. Whether through gentle persuasion or outright coercion in the guise of nation-building, these values undermined the identity of certain population groups, relegating them to the political and economic periphery (until the 1970s the Philippine Constitution and jurisprudence completely ignored Muslim personal law).

Post-independence governments continued to encourage the landless poor of Luzon and the Visayas to settle in Mindanao in order to defuse rural unrest. Thousands of settlers arrived every week until the 1960s, and competition for land, aggravated by the clash of Moro and majority Filipino concepts of land tenure and ownership, fuelled social tensions. The government saw this as a manifestation of the 'violent' character of the Moros, and launched pacification campaigns against defiant Moro leaders. The Moros, however, felt they were asserting their right to self-determination as a formerly sovereign people under the sultanates.

Variety store, Ihan, Davao del Sur

Source: Sean Sprague



The creation of private armies by both native and settler elites further increased the tensions in Mindanao. The predominantly Ilonggo (people from Iloilo, in the Visayas) migrants in the province of Cotabato organised a private army called the Ilaga (Visayan for rat). To counter the terror of Ilaga attacks on Muslim civilians, members of the Moro elite organised their own heavily armed groups — the Blackshirts in Cotabato, and the Barracudas in Lanao — who responded in kind.

As a result of the influx of immigrants, the late 1960s had reduced Muslims to around 25% of Mindanao's population, from about 75% at the turn of the century. The most productive agricultural lands had been taken over by settlers growing rice, corn and coconuts, or transnational corporations producing rubber, bananas and pineapples. Wealthy loggers grabbed giant concessions and started to deforest the island. While Mindanao contributed substantially to the national treasury, little was sent back in the form of public infrastructure and social services, especially in the Muslim areas. Soon their

leaders could no longer mediate and Moro defiance turned into open rebellion.

The Moro armed struggle

Moro resistance and assertion of self-determination were already widely established during and immediately after colonial times but it was not until the early 1970s that a revolutionary movement — the Moro National Liberation Front (MNLF) — was formalised.

The MNLF emerged in the wake of a resurgence of Islamic identity among Philippine Muslims who felt oppressed at the hands of a Christian-dominated government and marginalised in the Philippine body politic. This sentiment was exacerbated by a series of incidents that convinced many Muslim intellectuals and politicians that armed struggle was the only way to redress Muslim grievances.

Foremost of these incidents was the Jabidah massacre on 17 March 1968, when at least 28 young Muslim recruits to the Philippine Army were killed by their Christian superiors on the

Lumads and ancestral domain

'Lumad' is a Cebuano Visayan term meaning native or indigenous. For more than two decades it has been used to refer to the groups indigenous to Mindanao who are neither Muslim nor Christian.

There are 18 Lumad ethnolinguistic groups: Ata, Bagobo, Banwaon, B'laan, Bukidnon, Dibabawon, Higaonon, Mamanwa, Mandaya, Manguwangan, Manobo, Mansaka, Subanon, Tagakaolo, Tasaday, T'boli, Teduray, and Ubo.

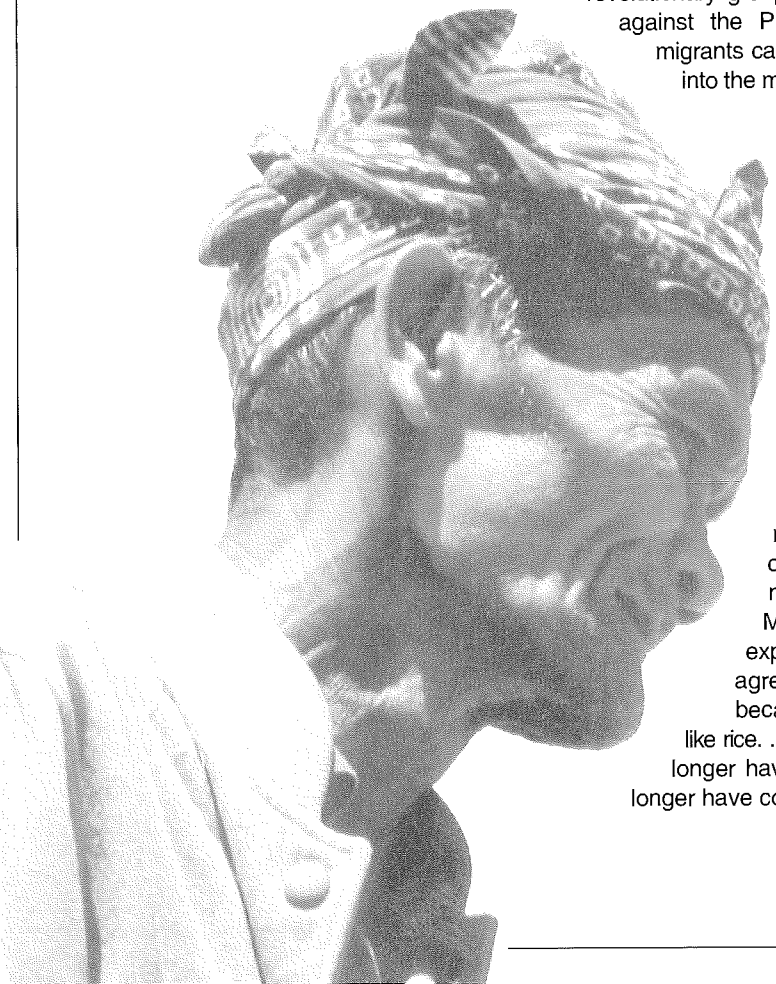
At the beginning of the 20th century, the Lumads controlled an area which now covers 17 of Mindanao's 24 provinces, but by the 1980 census they constituted less than 6% of the population of Mindanao and Sulu. Heavy migration to Mindanao of Visayans, spurred by government-sponsored resettlement programmes, turned the Lumads into minorities. The Bukidnon province population grew from 63,470 in 1948 to 194,368 in 1960 and 414,762 in 1970, with the proportion of indigenous Bukidnons falling from 64% to 33% to 14%.

Lumads have a traditional concept of land ownership based on what their communities consider their ancestral territories. The historian BR Rodil notes that 'a territory occupied by a community is a communal private property, and community members have the right of *usufruct* to any piece of unoccupied land within the communal territory.' Ancestral lands include cultivated land as well as hunting grounds, rivers, forests, uncultivated land and the mineral resources below the land.

Unlike the Moros, the Lumad groups never formed a revolutionary group to unite them in armed struggle against the Philippine government. When the migrants came, many Lumad groups retreated into the mountains and forests. However, the

Moro armed groups and the Communist-led New People's Army (NPA) have recruited Lumads to their ranks, and the armed forces have also recruited them into paramilitary organisations to fight the Moros or the NPA.

For the Lumad, securing their rights to ancestral domain is as urgent as the Moros' quest for self-determination. However, much of their land has already been registered in the name of multinational corporations, logging companies and wealthy Filipinos, many of whom are settlers to Mindanao. Mai Tuan, a T'boli leader explains, 'Now that there is a peace agreement for the MNLF, we are happy because we are given food assistance like rice. . . we also feel sad because we no longer have the pots to cook it with. We no longer have control over our ancestral lands.' ■



island of Corregidor, off Luzon. Reports leaked out that the government was training these recruits to infiltrate the Malaysian state of Sabah (North Borneo) as a prelude to military invasion.

Investigations were unable to establish the truth and several versions of the story exist. Most Muslims believe that when the recruits learned that they were to fight against fellow Muslims in Sabah, they rebelled. Government officials vehemently denied the plan to use the recruits to invade Sabah and said they rebelled because of inadequate pay. Whichever is the truth, the incident provoked all Muslim groups in the Philippines to cooperate, kickstarting the creation of the MNLF.

In May 1968, Datu Udtog Matalam, a prominent Maguindanaon political leader, formed the Mindanao Independence Movement (MIM). Matalam attributed the separatist goals of his movement to the Jabidah incident. The MIM's youth section was sent to train in Malaysia, and soon after some of the trainees organised the MNLF. Their leader was Nur Misuari, formerly a political science lecturer at the University of the Philippines in Manila, who returned to Mindanao after Jabidah.

Meanwhile, in Mindanao, the Ilaga and similar paramilitary groups launched attacks on Muslims in places where the number of northern Filipino migrants was growing and the Muslim population decreasing. Their aim was to evict all remaining Muslims.

There are indications that these squads were supported and coordinated by the Philippine Constabulary. Their attacks were systematic, methodical and widespread. Estimates put their membership at about 35,000 by 1975. Some sources suggest that aside from Philippine military support, these groups enjoyed the financial sponsorship of timber merchants who sought the rich forests of the Moros and indigenous groups for logging.

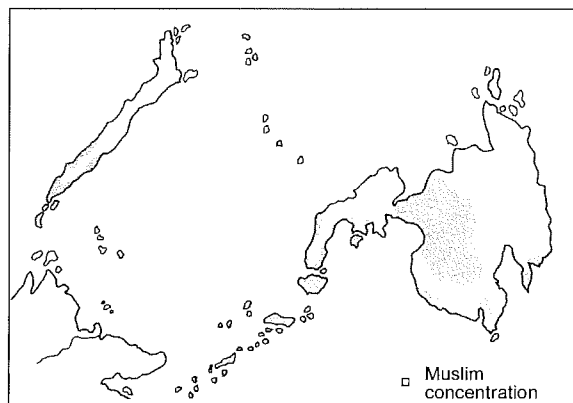
Muslims in the Philippines

There are at least 13 ethnolinguistic groups indigenous to Mindanao that have adopted Islam as a way of life. The three largest and politically dominant are the Maguindanaon (people of the flooded plains) of the Cotabato provinces (Maguindanao, Sultan Kudarat, North and South Cotabato); the Maranaw (people of the lake) of the two Lanao provinces; and the Tausug (people of the current) of the Sulu archipelago. The remaining ten are the Yakan, Sama, Badjaw, Kalagan, Sangil, Iranun or Ilanun, Palawani, Melebugnon, Kalibogan and Jama Mapun. There is also a growing number of Muslim converts from various ethnolinguistic groups all over the Philippines.

In the Philippines, the terms 'Muslim' and 'Moro' have been used interchangeably to refer to the various ethnolinguistic groups. Whereas the term 'Muslim' refers to a universal religious identity, the term 'Moro' denotes a political identity distinct to the Islamised peoples of Mindanao and Sulu. The Spanish colonisers originally used the term for peoples of Mindanao who shared the religion of the Moors who had once colonised Spain. The term 'Moro' was used in the same derogatory way as the epithet 'Indio' for Filipinos whom they converted to Christianity.

With the rise of a self-assertive attitude expressed in the organisation of the Moro National Liberation Front (MNLF) in the early 1970s, the term 'Moro' gained favourable connotations among the Muslim youth. It expressed their distinctiveness as a people who had resisted foreign domination. Used together with a Malay word, Bangsa (nation) as in 'Bangsamoro'/'Bangsa Moro', it indicates a nationality distinct from that of the majority Filipinos.

Both the MNLF and its rival, the Moro Islamic Liberation Front (MILF) apply the term Bangsamoro to all native inhabitants of Mindanao and Sulu, whether Muslim, Christian or Highlanders (Lumad), who accept the distinctiveness of the Moro as a separate nationality from that of the Filipinos in Luzon and Visayas.



On 21 October 1972, a month after Marcos declared Martial Law in the Philippines, Maranaw Muslims staged a violent uprising in Marawi City. By this time, the conflict in Mindanao was approaching full-scale civil war, with the Armed Forces of the Philippines (AFP) and its various paramilitary units conducting military campaigns against the Moros. In 1973, the newly formed military arm of the MNLF, the Bangsa Moro Army (BMA), openly emerged. The MNLF was to become the rallying symbol of the Moro struggle for self-determination, which aimed to defend the homeland and Islam as the way of life of its peoples. The MNLF made it clear that their target was the Philippine government, rather than the Christian population, and by 1975 they had become a popular revolutionary movement, enjoying almost universal support from Muslims in the Philippines and abroad.

The armed conflict was gory, brutal and costly: around 120,000 people were killed (government estimate), more than one million were made homeless and over 200,000 Muslim refugees fled to Sabah. During the mid-1970s about 80% of the AFP's combat strength was concentrated in Mindanao and Sulu. According to the late president Ferdinand Marcos, 11,000 Philippine soldiers were killed in the first eight years of the war (1972-80).

The war peaked in February 1974 in a fierce two-day encounter in the town of Jolo. The AFP shelled the town from the sea, then set it ablaze. Estimates of the numbers killed vary from 500 to 2,000, and 60,000 people were made homeless. Elsewhere, major military offensives were directed at Muslim settlements in Maguindanaon territory, while the Ilaga continued its attacks on Muslim civilians. The war dragged on and the death toll increased.

Attempts to manage the conflict

From the start of the war in 1972, the government approach has been one of 'carrot and stick', in which the stick — the state's superior instruments of violence — has received more emphasis. But the past 27 years

demonstrate the inefficacy of a military approach which defines the armed struggle as the problem, rather than the conditions that brought it into existence. The government's use of military might has only sustained and intensified the armed struggle. The carrot, designed to entice the Moro *mujahideen* (fighters) and their sympathisers to return to the fold, included amnesty for the rank and file, offers of government posts to their leaders, and funds for livelihood projects. Occasionally, grandiose development programmes for Muslim Mindanao were announced.

In 1975, the Marcos government recognised that the conflict had reached a political and military stalemate. Moreover, oil-producing Muslim countries, which supported the Moros, were threatening an embargo. Marcos called for a ceasefire and opened the door to negotiations.

Marcos first organised panels to negotiate with the MNLF leadership in Jeddah and rebel commanders in the field. This was a direct response to calls from the Organisation of Islamic Conference (OIC) for a peaceful solution to a conflict it had recognised as internal to the Philippines. At the same time, Marcos realigned his foreign policy to win over the Islamic world: recognising the Palestine Liberation Organisation, opening embassies in seven Muslim countries including Saudi Arabia, and upgrading relations with 13 others. The first lady, Imelda Marcos, was sent to the Middle East as a special emissary. She laid the groundwork for social and cultural exchange with Egypt, sought the Algerian president's advice on resolving the 'Moro problem', and consolidated other high level diplomatic contacts. Eventually, she met Libyan leader Muammar Gaddafi, who played host to negotiations that culminated in the signing of the Tripoli Agreement in 1976.

The diplomatic offensive paid off. Under pressure from the OIC, the MNLF dropped its demands for independence and acquiesced to political autonomy.

MNLF Chairman Nur Misuari (3rd from left) and Agapito Aquino, President Aquino's brother in law (4th from left) meet in Jolo, 1986

Source: Filippijnegroep Nederland



The Tripoli Agreement

The Tripoli Agreement provided for the grant of autonomy to 13 of the 23 provinces in Mindanao, Sulu and Palawan islands, and the cities located therein. The autonomous regional government would have its own executive, legislative and judicial branches, and a regional security force independent of the AFP. However, the agreement left out many significant issues and implementation became bogged down in interpretation. In particular, the MNLF viewed the territorial coverage – 13 provinces – as a settled issue, while the government insisted on subjecting it to a plebiscite.

Several months after signing the agreement, Marcos implemented his own version of autonomy by establishing two separate regional governments which, as Senator Santanina Rasul later remarked, were 'regional but not autonomous'.

Hostilities resumed, with the MNLF accusing the Philippine government of insincerity in the peace negotiations. Some MNLF leaders argued that the agreement's primary objectives were to halt the MNLF's military successes, to gain time to factionalise the front's leadership

and strengthen the AFP, and to pre-empt an oil embargo by OIC member countries dissatisfied with the failure to implement the agreement. The government claimed that it was merely applying constitutional processes in order to implement the agreement.

Fragmentation of the MNLF

The resumption of hostilities was accompanied by fragmentation of the previously united MNLF. Breakaway factions emerged: the MNLF-Reformist Group under Dimas Pundato, and the Moro Islamic Liberation Front (MILF) under Hashim Salamat.

The government capitalised on the resulting demoralisation of MNLF members by offering them amnesties and other forms of co-option. Marcos welcomed surrendering MNLF leaders to Manila like visiting dignitaries. Lumber concessions, barter market licenses, and export-import permits worth millions of pesos were given to those rebel commanders accepting amnesty, in addition to livelihood assistance projects and political positions in the new autonomous regional governments. MNLF organisational cohesion was sapped in a way that military force alone could not have done.

Election in the Autonomous Region, Jolo, September 1996

Source: Maria Suleiman



Because the root causes of the armed struggle (economic, political and cultural marginalisation) were not addressed, hostilities continued throughout the late 1970s and the early 1980s.

The Aquino government

The February 1986 People Power Revolution, ended the authoritarian Marcos era and provided an opening for peace in the entire country, especially in Mindanao. Corazon Aquino's new government launched initiatives designed to bring peace and development and to democratise governance. It started talks with the left-wing National Democratic Front (NDF), whose New People's Army (NPA) had grown during the Marcos regime from a small group in Central Luzon to a guerrilla movement operating all over the country (see *Profiles*, p. 83). To show her concern for peace in Mindanao, Aquino broke protocol and went to Jolo to meet MNLF Chairman Nur Misuari.

Aquino appointed a 50-member commission to draft a new constitution. The body, which had token Muslim representation, drew up provisions for the establishment of autonomous regional governments for Muslim

Mindanao in the South and the Cordilleras in the North. A new Congress was elected in 1987 and passed an Organic Act for the Autonomous Region in Muslim Mindanao (ARMM), that was subjected to a plebiscite on 19 November 1989. Only four provinces – Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi – voted for inclusion in this new autonomous structure.

The Aquino Administration viewed this legislation as its blueprint for peace in Mindanao and considered it to be in compliance with the spirit of the 1976 Tripoli Agreement. The MNLF rejected it – not only had the front been excluded from the process of drawing up the autonomy law, but also the autonomous region had little real power and the plebiscite had reduced its territorial coverage from 13 provinces to four.

While these initiatives were an improvement on the past, they were an inadequate response to the conditions that caused the Moro armed struggle. The new autonomy law did not give the Moros the means to redress the suffering and insecurities arising from relative and

absolute poverty and political subordination. The government of the area of autonomy had very little financial independence, and there was no provision to enable Muslims to overcome the effects of past deprivation.

Like the Marcos-inspired autonomous structures, the ARMM failed as a policy response. Autonomy came to mean concessions for rebellious Muslims, not processes for democratic participation for the benefit of all. The ARMM became another bureaucratic layer providing little except position and privilege for self-interested Muslim politicians.

The peace process under Ramos

In 1992, the Moros welcomed a new president, Fidel Ramos, who turned peace with the different rebel groups – military, communist and Moro – into the cornerstone of his administration's policy. Mindanao was a primary component in Ramos's overall development vision, and he was determined to forge a comprehensive and enduring settlement, starting with the MNLF.

The Ramos Administration made serious advances on key dimensions of the Mindanao conflict. One was the need to return to the 1976 Tripoli Agreement as a framework, an indispensable move in ensuring the acceptance of the resulting agreement, not only by the Moro *mujahideen* and civilians, but also by OIC member states. This move was also calculated to ensure the support (especially financial) of OIC states for post-war reconstruction. After four years of tortuous negotiations, the Final Peace Agreement was signed in 1996.

Implementation of the Agreement was to come in two phases. The first phase was a three-year transition period of confidence building that included Nur Misuari running for the ARMM governorship. This was intended to make him

'official' with a clear mandate from a recognised constituency. The second phase was explicitly designed to meet Moro aspirations by providing for substantial autonomy. Transitional institutions set up under Phase I covered the area defined in the Tripoli Agreement (the 13 provinces had become 14, owing to a redrawing of local government boundaries in 1992). Phase II would go into operation after a plebiscite to determine which areas would join a new autonomous region with greater powers than the ARMM. (Full text of agreement on p. 41.)

Despite presidential backing, the Final Peace Agreement had a mixed reception. Christian settlers in the areas affected were particularly suspicious and feared the rise of Moro authoritarianism. Ramos assured them that 'there were no hidden motives, no secret agenda, no backroom deals'. Every decision, he maintained, 'redresses valid grievances in a manner consistent with our Constitution and our laws'. The negotiations were concluded in September 1996. 'We were well aware', said Ramos, 'that if a final agreement could not be signed before the ARMM elections on 9th September, and assuming that Chairman Misuari would win the ARMM governorship, we would be confronted with an absurd, yet entirely probable situation of having to continue to negotiate with a local official of our own Government!'

Even within the framework of the Final Peace Agreement, many key issues remain to be tackled: representation and rights of Lumads and Christians in a Muslim-led autonomous region, the balance between religion and secularism, reparations, economic redistribution, conflicting land claims, affirmative action policies, and the redefinition of relations with Manila. It remains to be seen whether the promises made to Mindanao can indeed be fulfilled. ■

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.

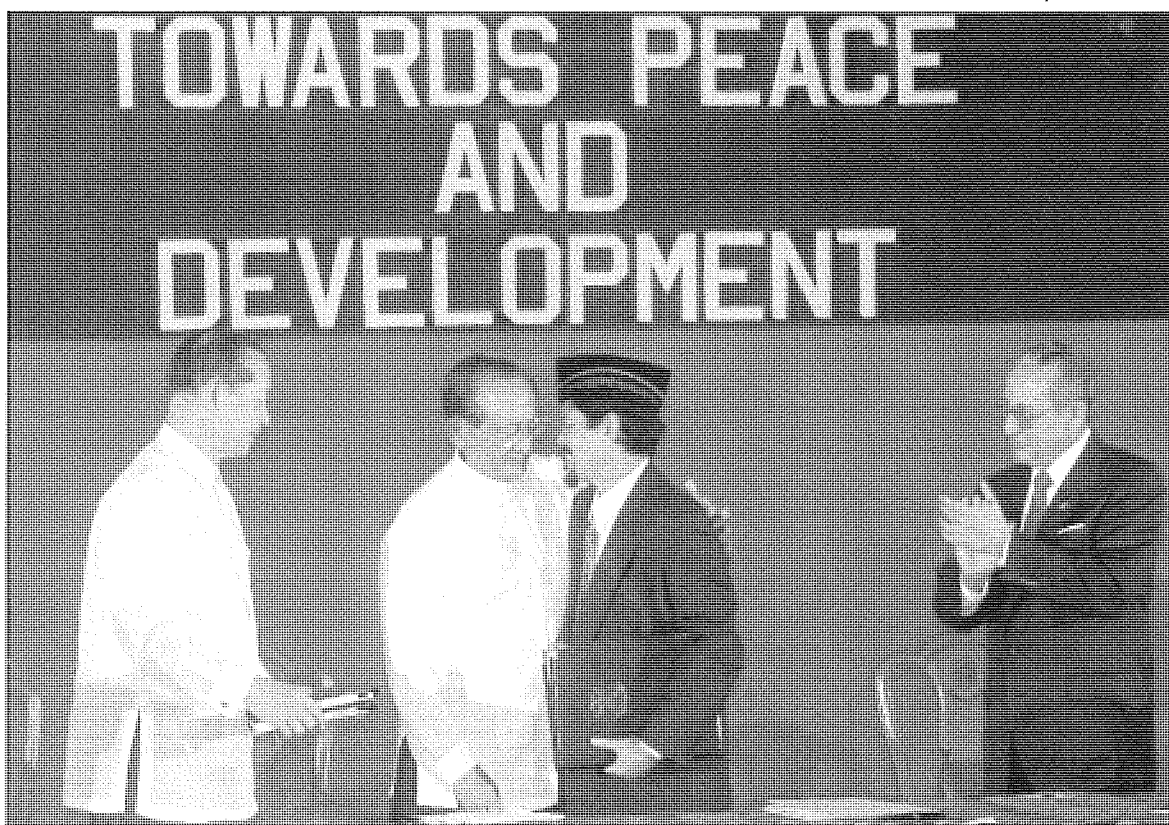
The organisation works through conferences at three levels: the Conference of Kings and Heads of State (Islamic Summit), the Islamic Conference of Foreign Ministers (ICFM) and the General Secretariat and subsidiary organs. Although the Islamic Summit is the supreme authority, it is the annual ICFM that 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 Wiryo 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 *ummah* (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).

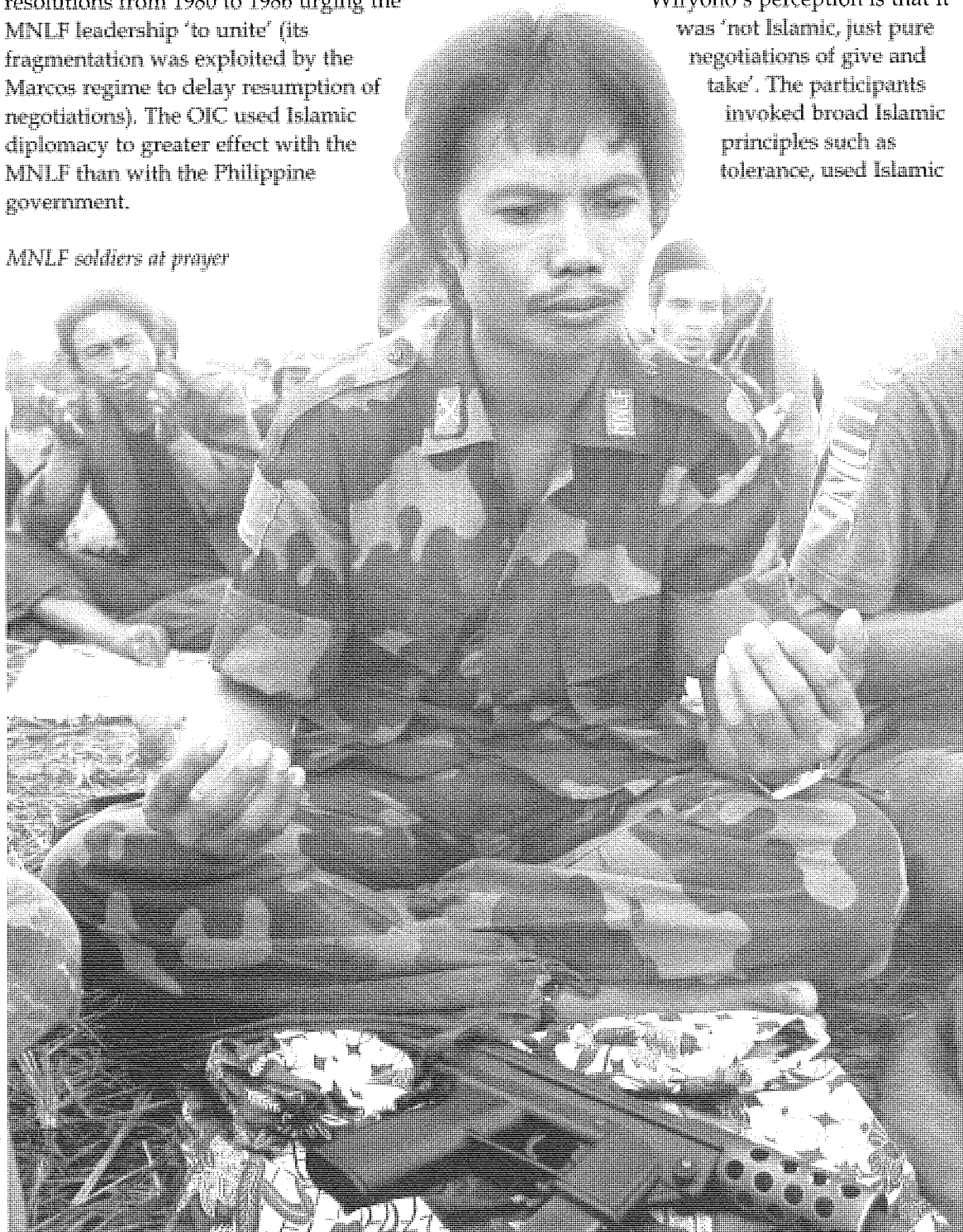
The OIC also told the MNLF to keep its house in order, as demonstrated by a series of ICFM resolutions from 1980 to 1986 urging the MNLF leadership 'to unite' (its fragmentation was exploited by the Marcos regime to delay resumption of negotiations). The OIC used Islamic diplomacy to greater effect with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

By Macapado A Muslim

Sustaining the constituency *for Moro autonomy*

The Agreement signed in 1996 represents not so much an end to the process — peace and development for the long troubled Southern

Philippines — as a means to that end. It is not self-executing. As pointed out by a mediating foreign official in the final round of the peace talks in Jakarta, Indonesia in 1996, ‘securing a peace agreement is one thing. Making the agreement work is another’. The latter task is certainly more complex.

Previous attempts to resolve the conflict between the Moros and the Philippine state by offering autonomy for Muslim Mindanao failed largely because of the inadequate powers assigned to the autonomous governments. Two things are essential for meaningful Moro autonomy:

- ◆ The capability to be adequately self-sustaining, not dependent on the central government. A basic aspect of this is financial capacity. Autonomy for the Muslims is a sham if they are not given sufficient internal financial capacity. Specifically, the regional government

must have adequate powers for revenue generation and utilisation. Handouts from central government cannot substitute for this.

- ◆ Some degree of compensatory justice for the Muslims. This means that the regional government must have the capability to correct or make up for some of the past injustices (i.e. neglect and discrimination and the plunder of their resources). This does not mean some form of ‘an eye for an eye’ compensation, but Muslims cannot be expected to embrace autonomy in their present dispersed, disadvantaged, and impoverished situation. Autonomy for them must include a capability to overcome the crippling effects of their depressed and unjust conditions.

The 1996 Peace Agreement provides for two phases of implementation. The first phase, a three-year transition period (see box, p. 30), is to be followed by the establishment of a New Regional Autonomous Government (NRAG) which will operate in Phase II. This second phase covers the period from September 1999

Ex-combatants with a staff member of the International Organisation for Migration, at the MNLF Camp Morolandia, Mala Balt island in Lake Lanao

Source: Bobby Timonera



onwards and does most to meet Moro aspirations for real autonomy. The NRAG will have its own executive council, a legislative assembly, an administrative system, as well as representation in the national government. It will also have its own regional security force, an educational system that incorporates the *madaris* (Islamic/Arabic schools), tax raising powers and Shariah courts. The area covered by the NRAG will be determined by a plebiscite. The first phase of the agreement covers the period from September 1996 to August 1999 (see box overleaf for key features).

Progress and problems

As provided for in the Peace Agreement, the SZOPAD, SPCPD and Consultative Assembly were established when then President Ramos issued Executive Order No. 371 on 2nd October 1996. The President appointed MNLF Chairman Nur Misuari, incumbent Governor of ARMM, as Chairman of the SPCPD. Qualified nominees were appointed to other positions in the SPCPD and the Consultative Assembly.

Keeping the peace

The government pushed through the integration of qualified MNLF combatants into the Armed Forces of the Philippines (AFP) and the police. After a thorough screening of the candidates for integration, MNLF officers and men entered training programmes. Although relatively slow and problematic, the integration process has essentially worked. As of August 1998, a total of 3,802 MNLF members were integrated into the AFP and the police, or 50.7% of the target of 7,500. The agreed integration of 250 MNLF combatants into the auxiliary services of the AFP and another 250 into police auxiliary services is still awaiting implementation.

In peacekeeping, despite lack of power over police matters and other operating constraints, the SPCPD leadership has contributed to the improvement of peace and order in SZOPAD. In August 1998 General Zainal Abidin, Commander of the Monitoring Team of the Organisation of Islamic Conference (OIC), reported, 'there has been no occurrence of armed conflict between the security forces of the government and the MNLF'. This

Key features of Phase I of the Peace Agreement

1. Creation of the Special Zone of Peace and Development (SZOPAD) comprising 14 of Mindanao's 24 provinces (Basilan, Sulu, Tawi-Tawi, Zamboanga del Sur, Zamboanga del Norte, North Cotabato, Maguindanao, Sultan Kudarat, Lanao del Norte, Lanao del Sur, Davao del Sur, South Cotabato, Sarangani, and Palawan) and nine cities (Cotabato, Dapitan, Dipolog, General Santos, Iligan, Marawi, Pagadian, Zamboanga, and Puerto Princesa). This territorial coverage applies only to the transition period. Only the provinces and cities (and possibly clusters of contiguous predominantly Muslim municipalities which may be merged with existing provinces) voting in favour of autonomy will be included in the New Regional Autonomous Government.

2. Establishment of the Southern Philippines Council for Peace and Development (SPCPD) to manage peace and development efforts within SZOPAD. The Agreement states that it shall be composed of one chairman, one vice-chairman and three deputies (one each representing the Muslims, the Christians, and the non-Muslim cultural communities or Highlanders) to be appointed by the President of the Philippines. The SPCPD's task is to oversee 'peace and development efforts' – a term which seems to cover anything from road-building to irrigation projects to catching criminals or providing emergency aid to disaster victims – in the SZOPAD.

The SPCPD has the following functions:

- ◆ promoting, monitoring and co-ordinating the improvement of peace and order in the SZOPAD;
- ◆ instigating implementation of peace and development projects;
- ◆ supporting peace and development projects;
- ◆ providing support to local government units as necessary and;
- ◆ assisting in the preparation of elections, plebiscites or other voting exercises in the area if deputised by the Commission on Elections (COMELEC).

It has the power to:

- ◆ create offices or institutions needed for effective and efficient administration, as long as the Office of the President approves the funds for them; and
- ◆ exercise other powers and functions necessary for effective implementation of its mandate if delegated by the President.

Government agencies engaged in peace and development activities in SZOPAD (for example, the Southern Philippines Development Authority, among others) will be placed under the control and supervision of SPCPD as implementing agency, to ensure that peace and development projects and programmes are effectively accomplished.

3. Establishment of a Consultative Assembly (CA) with 81 members composed of:

- ◆ Chairman of SPCPD as head and presiding officer;
- ◆ Governor and Vice Governor of the Autonomous Region of Muslim Mindanao (ARMM), the governors of the 14 provinces, and mayors of the nine cities within SZOPAD;
- ◆ members from the MNLF; and
- ◆ members from various sectors recommended by non-governmental organisations (NGOs) and people's organisations (POs).

The Consultative Assembly serves as a forum for consultation and ventilation of issues and concerns, conducts public hearings to provide advice to SPCPD, recommends policies to the President through the Chairman of SPCPD, and make rules and regulations for the effective and efficient administration of the affairs of SZOPAD.

4. Integration of 7,500 qualified MNLF combatants into the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP). A total of 5,750 MNLF members are to be integrated into the AFP, 250 of them to be absorbed into the auxiliary services. Another 1,750 MNLF members are to be integrated into the PNP, 250 of them in special or auxiliary services.

5. Implementation of special socio-economic, cultural and educational programmes to cater to MNLF forces not absorbed into the AFP and PNP; to prepare them and their families for productive work, provide educational, technical skills and livelihood training and give them priority in hiring for development projects.

6. Formulation (through Congress) of a law for the New Regional Autonomous Government, amending the Organic Act for the existing ARMM, and conduct of a plebiscite within two years of the establishment of the SPCPD (originally in 1998). One of the priority legislative agenda items of the Philippine Congress today is the bill for the proposed expanded ARMM which governs Phase II of the implementation of the Peace Agreement. ■

Election day in the Autonomous Region, Indanan, Jolo, September 1996

Source: Maria Suleiman



demonstrates the MNLF leaders' wide influence in Muslim communities within SZOPAD, effectively policing their own ranks and helping to address peace and order problems such as kidnapping. Having made their presence felt in many parts of Mindanao, Sulu and the Palawan Islands for more than two decades, MNLF leaders and their units have become effective enforcers of peace and order in their localities.

The outbreaks of violence that have occurred in some parts of Mindanao after the peace agreement have involved elements outside the MNLF. These include major encounters between government forces and the Moro Islamic Liberation Front (MILF) in some parts of mainland Mindanao. The MILF is another large Moro revolutionary group with a wide presence in Southern Philippines.

Encounters between MILF and MNLF units were reported in North Cotabato in April and July 1998, but these were the result of interpersonal or inter-family feuds, rather than conflict between the two major Moro revolutionary organisations.

Other violent encounters include those between the armed forces and police, on the one hand and the radical Abu Sayyaf (see *Profiles*, p. 88) in 1997 and 1998. Abu Sayyaf is a group of about 200 young radical Muslims, many of them trained in Libya and Afghanistan, who are demanding a separate Islamic state in Mindanao. Despite these and other incidents, the Peace Agreement contributed to a substantial improvement in peace and order in Southern Philippines.

Development

In the arena of development, regrettably, the rating is very poor. The Agreement's implementation has not brought significant gains to its three principal stakeholders: the Muslims, Christians, and Highlanders in SZOPAD. The Agreement offers a formula for peaceful coexistence under an autonomous regional politico-administrative arrangement. This should be given the chance to work and to be accepted by all. Ideally, the Agreement needs to improve the lives of all stakeholders. This would require huge amounts of new resources, which could not be made available in only three years.

The wives of MNLF combatants inspect farm tools given by the UN-multi-donor assistance programme

Source: Bobby Timonera



Without such resources it is impossible to give equal focus to the three client groups at the same time. Hence the need for a gradual approach focusing first on the MNLF members and their families and the remaining Moro communities within SZOPAD. This does not mean discriminating against the other stakeholders (Christians and Highlanders) in development efforts under the Agreement, but developing a strategy to ensure sufficient progress under Phase I to move forward to the goal of an expanded NRAG under Phase II.

Significant development for the Moro communities in SZOPAD would ensure a new regional government that consists of the predominantly Muslim localities in Mindanao: the four provinces of the present ARMM, plus Basilan Province, Marawi City and Muslim municipalities elsewhere in SZOPAD. This would address a very contentious issue in the peace process: territory.

Spreading the resources over all three groups risks the possibility of a vote against expansion of the present ARMM in the plebiscite, or even

a vote to reduce it or abolish it altogether. If no significant improvements are made for the largely Moro communities in Mindanao, the constituency willing to accept autonomy (rather than an independent state as advocated by the MILF) could shrink, and even vanish altogether.

So far, little has been done to improve the living conditions of the great majority of MNLF fighters. While the Agreement appreciably improved the lives of the MNLF members integrated into the armed forces and police, the great majority of the estimated 68,930 MNLF men and women remain sordidly poor. Moreover, their depressed communities have remained economically backward and destitute. As the OIC Monitoring Team pointed out in its report in August, 1998:

Field monitoring as well as information received from various reliable sources indicated that those development projects that have so far been made have not touched the very needs and interest of the small people, especially members

of the MNLF community who are found almost everywhere to the extent that those MNLFs have not been benefited by the Peace Agreement.

Ideally, since Phase I is the period to build the trust and confidence of MNLF members and other stakeholders in the peace formula contained in the Agreement, the government should have poured in fresh resources over and above those already allocated to government agencies before the Agreement. The bulk of this should have been allocated to the SPCPD and its attached agencies. This would have helped to enhance its credibility as an agency for peacebuilding and development management, thereby helping improve the acceptability of the peace formula that the Agreement offers.

Contrary to people's expectations, over the last two or three years the SPCPD has not been given the resources it needs to function as an effective development agency. It remains impoverished as its budget is largely for the salaries of its officials and personnel, maintenance and operating expenses. SPCPD is functioning much like the ARMM and the defunct Regional Commissions for Regions IX and XII: as a mechanism for co-option and conflict regulation, not conflict resolution.

The ARMM, which should have funded high impact development programmes, owing to its coverage of the four of the five predominantly Muslim provinces in Mindanao, also lacks the resources to contribute to the confidence building thrust of the Peace Agreement. The ARMM under Misuari was even deprived of the 615 million pesos in annual seed money (earmarked for infrastructure projects) which the region enjoyed during the terms of previous Regional Governors. Moreover, the ARMM's limited budget for infrastructure projects in 1998 was cut by 50% and sadly, less than 10% of the remaining 50% had been released as of September 1998 because of a government revenue shortfall.

The UN Multi-Donor Assistance Programme

The Philippine government has relied heavily on foreign assistance in development efforts for SZOPAD. In some areas, the most visible development activities are those under the auspices of the UN Multi-Donor Assistance Programme for Peace and Development.

The programme started with a pilot phase limited to six areas within SZOPAD, targeting 1,800 beneficiaries — or 300 ex-combatants in each site. The pilot phase aimed to get to know the MNLF through a needs assessment survey and to have first hand information on their workings through their direct participation in implementing the programme. Emergency assistance in the form of food and medicines aimed to douse the increasing frustration at the slow delivery of government assistance as part of the expected peace dividends. This phase has been completed.

The second expanded phase is more comprehensive and covers all MNLF areas. This is under way. Its various components aim to respond to the priorities indicated by the needs assessment survey. It also aims to build bridges between the MNLF and the wider community that would provide better access to opportunities.

The package includes livelihood programmes, vocational skills training and enterprise development, information referral and community assistance, and delivery of basic services (health and nutrition, reproductive health, water and sanitation, basic education, and child rights protection). Its other major component is training MNLF commanders to become effective development managers. Several UN agencies are supporting the effort. The UN Development Programme Country Office coordinates the programme, which is managed in collaboration with senior MNLF commanders.

The programme is addressing the needs of MNLF communities. However, the pilot area approach had the disadvantage of delaying delivery of assistance to all but a select few of the former combatants. This fuelled the impatience of the rest and went against the egalitarian ethos at the basis of the MNLF's organisational cohesion. Now that the programme has expanded, the main concern is continuity. How will the basic services it provides be maintained when the UN aid agencies pull out?

SPCPD's accomplishments in development management have been limited to investment promotion initiatives, improvement in peace and order situation, involvement in the integration of MNLF members into the armed forces and police, and in components of the UN Multi-Donor Assistance Programme (see box, p. 33). Chairman Nur Misuari and other SPCPD officials have promoted SZOPAD, and Mindanao and Sulu in general, as important economic growth centres. Their efforts have helped attract investors to many parts of the South.

The national government's involvement in Phase I has been limited to the planning and co-ordination of foreign funded programmes and initiatives. But major problems exist in implementing Phase I of the Peace Agreement. The SPCPD has inadequate capability in development management. It is a toothless development agency and a weak peace building instrument. It lacks the authority and the resources to implement its own programmes and the legal authority to influence the development efforts of national or local government agencies or units within the SZOPAD. Thus it has minimal involvement and visibility in the development undertakings of such agencies.

The national government has provided only weak support, particularly in terms of resources. This is a major impediment because of the need to make a visible and significant difference in the lives of MNLF members, families and communities in the short time allowed for Phase I. Moreover, the government's overwhelming reliance on foreign assistance suggests that it has assumed a secondary and supplemental role in its development mandate under the Peace Agreement, while the UN system and other external donors play a primary and dominant role. This does little to reassure Muslims accustomed to neglect from central government.

There is a lack of peacebuilding focus in the development efforts in the depressed Moro communities within SZOPAD. While the

government does face a serious financial crisis owing to the Asian currency problem, post-conflict peacebuilding within SZOPAD would have been enhanced by efforts to link national and local government development efforts in the predominantly Muslim communities in the area.

National government considers all the expenditure, programmes and services of national and local government agencies within SZOPAD as part of its response to the Agreement. Thus it reports development projects (e.g. power plants, telephone lines, fish port complex and other major infrastructure) which were in the pipeline long before the Agreement as part of its contribution. Even business projects of multinational corporations are reported as accomplishments under the Agreement, or as conflict-related interventions. Consequently, few initiatives are focused on MNLF members and their families.

The absence of peacekeeping powers for the SPCPD has also proved a problem. Although it is expected to play an important role in maintaining peace and order in SZOPAD, it lacks the authority to do so. The contributions MNLF/SPCPD officials have been able to make to peacekeeping in Mindanao stem largely from the goodwill and influence developed during the pre-Agreement days. Their participation in peacekeeping and police work is cost efficient and advantageous to the government, because of their familiarity with individuals and communities in the SZOPAD.

Some MNLF members have unrealistic expectations. They and the great majority of the Moros expect a Marshall Plan type of development package that would address their basic individual and community needs. They believe the Agreement should correct government neglect and the inequitable approach to Moro interests in the past. Compounding this is the media projection of Mindanao and Sulu as the epicentre of grandiose development programmes, and the related notion that anything done in Mindanao (regardless of the specific area) is

done for the Muslims. Another contributory factor is the vague language of the Agreement regarding the development management role of SPCPD. All this explains why, after two and a half years, MNLF members seem impatient with the relatively slow progress in implementing the agreement. The result is the shift of some former MNLF members to more extreme views, and the continuing defection of others to the MILF (see interview, p. 36).

Finally, the duration of the transition period (three years) is too short for confidence building among stakeholders in the conflict and ensuring wider acceptability of regional autonomy as an alternative to armed conflict.

Conclusion

The great majority of MNLF leaders and members have accepted the Peace Agreement and subsequently participated in peace and development efforts. This demonstrates the Bangsamoro desire for peace and confirms that the Moro armed struggle is a struggle for responsive governance. Like other ethnic or national groups, the Moros simply want peace, development, participation, recognition and respect.

The Agreement offers a promise of more responsive governance, not only to Muslims, but also to Christians and Highlanders in the SZOPAD. But its implementation has so far had a very limited impact on the region in general, and the MNLF members, their families and communities in particular. The dismal performance in relation to the primary target clients – the MNLF members – suggests a failure of Phase I as a confidence building intervention. It also implies a bleak scenario

for Phase II (expanded ARMM). If the existing level of progress continues, the goal of expanding the present four-province ARMM may be hard to achieve.

The limited impact on MNLF members is likely to erode the gains made in peacekeeping. The reduction in violence facilitated by the MNLF and SPCPD is not permanent. Its fragility is growing increasingly obvious. The erosion of significant gains in peacekeeping will erode the limited gains in development, and then the viability of regional autonomy as an alternative to armed conflict will decline. The increasing appeal and popularity of the MILF to many MNLF members and others shows this process has already started. Another indicator is the trend toward radicalism and extremism exemplified by groups like the Abu Sayyaf and the Islamic Command Council. If these trends continue, more large-scale and intense conflict between the Philippine government and the Moros is likely.

Despite these trends and the poor progress in implementing the Peace Agreement, the opportunity for an enduring political settlement of the Mindanao conflict remains within reach. The peace process can still be saved. Meaningful regional autonomy is still acceptable to the majority of Muslims, and is therefore still worth pursuing. However, this opportunity may be the last. It should not be allowed to slip from our hands.

While it is true that the Agreement has some in-built defects, it can serve as a good beginning. Addressing the problems identified above would enhance its implementation. The stakeholders should share in the task of making it work. ■

A view from the MILF

Interview with Mohagher Iqbal

The Moro Islamic Liberation Front (MILF) broke away from the MNLF, stressing the importance of Islamic renewal as part of the struggle for self-determination. Its goal is an independent Islamic state.

The MILF is still at war with the Philippine government. However, exploratory talks with the Ramos administration did lead to a ceasefire agreement, and preparations for substantive negotiations under the Estrada government continue amid further intermittent fighting.

Despite being described as 'fundamentalist', the MILF has maintained an open relationship with other political forces and with civil society organisations within and beyond the Muslim community. MILF leader, Salamat Hashim, heads a council of reclusive ulama (Islamic scholars), who live strictly according to Islamic rules and meditate on the Qur'an daily. This council sets policy for the Front and decisions are then implemented by political and military leaders, among whom is Mohagher Iqbal.

Chair of the Committee on Information of the MILF Central Committee, Mohagher Iqbal joined the Jabidah protests in 1968 as a student, has written books on the Mindanao conflict, and is considered a leading ideologue of the MILF.

'The MILF entered into a general framework of agreement of intent [to negotiate] with the government of the Republic of the Philippines (GRP) on 27 August 1998.

'We [in the MILF] reiterate our right to self-determination. This right entails three important elements, namely:

- ◆ Islam is our way of life;
- ◆ we should be governed according to the teachings of Islam;
- ◆ self-governance — we do not want to be governed by outsiders.

'If the MILF enters into a peace agreement with the Philippine government, there will be three major points where we differ [from the MNLF]:

- ◆ Difference in approach: Under the MNLF peace agreement, Misuari gave so much emphasis to foreign participation, i.e. the involvement of the OIC. In our case, though we welcome the OIC and other Muslim states, we can pursue peace talks on our own because we emphasise internal factors.

- ◆ Different political approach, especially on the question of territory. MNLF asked for 14 provinces and 10 cities. [The] MILF does not give so much emphasis on autonomy. It seeks to establish an independent Islamic Government in areas where Muslims are predominant.
- ◆ On plans to develop and uplift the living conditions of the Muslims: projects for the development of Muslims, Highlanders and Christians were conceptualised only after the signing of the agreement. Under the MILF, we are already involving them with some livelihood and development projects in order to uplift their living conditions even before we have entered into an agreement with the GRP. This is because we give more importance to self-reliance, to internal factors rather than external ones, especially aid.

'The Peace Agreement between the MNLF and the GRP is significant because it is formalised and signed by the negotiating parties. It is an international affair because OIC was part of it. Theoretically, the seed of peace has already been sown with the signing of the agreement. Moreover, [there] is a ceasefire — no more armed encounters between the MNLF and the government forces.

'In the absence of fighting, there is peace in areas previously considered hot spots. The highlander, MNLF and local people have also benefited from the presence of international organisations and some government programmes.

'Before, [women were among] those who were deprived, but at least after the signing of the Agreement, women are given opportunities. They are now recipients of some livelihood programs. Some funding institutions have given the women a chance, and I believe they really have an important role to play in the development of society.

'[The agreement] has not solved the Moro problem. An indication of this is the government's invitation to forge a peace agreement with the MILF. [The] MILF cause represents the Moro problems and demands. Misuari himself is now discontented, the government did not fulfil its promises. The issue on land has not been properly addressed.'

Interview conducted in Cotabato City on September 18, 1998 by Macrina Morados and Editha Cabanban. ■

GRP-MNLF & GRP-MILF Peace Agreements and Enabling Legislation

1976 –

Tripoli Agreement – full text on page 38

1977 –

Presidential Decree 1628 – declaring autonomy in regions IV-A, IX and XII (Malacañang, Philippines)

1979 –

Presidential Decree 1618 – Implementation of the Sangguniang Pampook and the Lupon Tagapagpaganap ng Pook in Regions IX and XII (Malacañang, Philippines)

1987 –

Jeddah Accord – between the GRP and the MNLF with the participation of the Quadripartite Ministerial Commission Members and the Secretary General of the OIC (Jeddah, Saudi Arabia – 3-4 January)

1989 –

Organic Act for the Autonomous Region in Muslim Mindanao – or Republic Act 6734, Republic of the Philippines (Manila – 1 August)

1992 –

Statement of Understanding – between the GRP and the MNLF, first round of the GRP-MNLF exploratory talks (Tripoli, Libya – 4 October)

1993 –

Statement of Understanding – on the Second Round of the Exploratory Talks between the GRP and the MNLF (Cipanas, Indonesia – 16 April)

Memorandum Order No.163 – defining the functions and responsibilities of the Presidential Adviser on the Peace Process (25 August)

Executive Order 125 – defining the approach and administrative structure for the GRP's comprehensive peace efforts (15 September)

Memorandum of Agreement – on the first round of the GRP-MNLF Formal Peace Talks with OIC Participation (Jakarta, Indonesia – 7 November)

Interim Ceasefire Agreement – between the GRP and the MNLF with the Participation of the OIC (Jakarta, Indonesia – 7 November)

1994 –

Joint Guidelines and Ground Rules for the Implementation of the 1993 Interim GRP-MNLF Ceasefire Agreement – GRP-MNLF Peace Panels (Zamboanga City, Philippines – 20 January)

Interim Agreement – second round of formal peace talks between the GRP and the MNLF with the participation of the OIC (Jakarta, Indonesia – 5 September)

1995 –

Interim Agreement – third round of formal peace talks between the GRP and the MNLF with the participation of the Ministerial Committee of Six and the Secretary General of the OIC (Jakarta, Indonesia – 1 December)

1996 –

Davao Accord – Points of Consensus of the 8th GRP-MNLF Mixed Committee Meeting with the participation of the OIC Ministerial Committee of the Six (Davao City, Philippines – 23 July)

Senate Resolution No. 50 – Philippine Congress (Manila, Philippines – 22 August)

Final Peace Agreement – full text on page 41

Executive Order No. 371 – proclaiming a Special Zone of Peace and Development in the Southern Philippines (SZOPAD), and establishing the Southern Philippines Council for Peace and Development (SPCPD) and the Consultative Assembly (CA) (Manila – September)

1997 –

GRP-MILF General Cessation of Hostilities Agreement, (Cagayan de Oro City, Philippines – 18 July)

GRP-MILF Agreement (Supplemental) – on repositioning troops and the display of fire arms (Cotabato City, Philippines – 3 September)

Implementing Administration guidelines – of the GRP-MILF Agreement on the General Cessation of Hostilities (12 September)

Implementing Operational Guidelines – of the GRP-MILF Agreement on the General Cessation of Hostilities (Marawi City, Philippines – 14 November)

1998 –

GRP-MILF General Framework of Agreement of Intent (27 August)

Copies of many of these texts are available from:

The GRP-SPAG Secretariat, 2nd Floor, ICC Building, NIA Compound, EDSA Diliman, Quezon City, Philippines
or

The Peace Education Center, Notre Dame University, 9600 Cotabato City, Philippines e-mail: peace@ndu.fapenet.org

The Tripoli Agreement

IN THE NAME OF GOD, THE OMNIPOTENT, THE MERCIFUL.

AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND MORO NATIONAL LIBERATION FRONT WITH THE PARTICIPATION OF THE QUADRIPARTITE MINISTERIAL COMMISSION MEMBERS OF THE ISLAMIC CONFERENCE AND THE SECRETARY GENERAL OF THE ORGANIZATION OF ISLAMIC CONFERENCE.

In accordance with the Resolution No. 4 Para. 5 adopted by the Council of Ministers of the Islamic conference in its Fourth Session held in Benghazi, Libyan Arab Republic during the month of Safar 1393 H. corresponding to March 1973, calling for the formation of Quadripartite Ministerial Commission representing the Libyan Arab Republic, the Kingdom of Saudi Arabia, the Republic of Senegal and the Republic of Somalia, to enter into discussions with the Government of the Republic of the Philippines concerning the situation of the Muslims in the South of the Philippines.

And in accordance with the Resolution No. (18) adopted by the Islamic conference held in Kuala Lumpur, Malaysia in Jumada Alakhir 1393 H. corresponding to June 1974 A.D. which recommends the searching for a just and peaceful political solution to the problem of the Muslims in the South of the Philippines through the negotiations.

And in accordance with the Resolution No. 12/7/S adopted by the Islamic conference held in Istanbul in Jumada El-Ula 1396 H. corresponding to May 1976 A.D. empowering the Quadripartite Ministerial Commission and the Secretary General of the Islamic Conference to take the necessary steps for the resumption of negotiations.

And following the task undertaken by the Quadripartite Ministerial Commission and the Secretary General of the Islamic Conference and the discussions held with H.E. President Marcos, President of the Republic of the Philippines.

And in realization of the contents of Para. 6 of the Joint Communiqué issued in Tripoli on the 25th Zulgeda 1396 H. corresponding to 17th November 1976 A.D. following the official visit paid by the delegation of the Government of the Philippines headed by the First Lady of the Philippines, Mrs. Imelda R. Marcos, to the Libyan Arab Republic and which calls for the resumption of negotiations between the two parties concerned in Tripoli on the 15th of December 1976 A.D.

Negotiations were held in the City of Tripoli during the period between 24th Zulhija 1396 H. to Second to Moharram 1397 H. corresponding to the period from 15th to 23rd December 1976 A.D. at the Ministry of Foreign Affairs presided over by Dr. Ali Abdussalam Treki, Minister of State for Foreign Affairs of the Libyan Arab Republic, and comprising of the Delegations of:

1. Government of the Republic of the Philippines, led by Honorable Carmelo Z. Barbero, Undersecretary of National Defense for Civilian Relations.
2. Moro National Liberation Front, led by Mr. Nur Misuari Chief of the Front.

And with the participation of the representatives of the Quadripartite Ministerial Commission:

The Libyan Arab Republic - represented by Dr. Ali Abdussalam Treki, Minister of State for Foreign Affairs.

The Kingdom of Saudi Arabia - H.E. Salah Abdalla El-Fadl, Ambassador of the Kingdom of Saudi Arabia, Libyan Arab Republic.

The Republic of Senegal - Mr. Abubakar Othman Si, Representative of the Republic of Senegal and Charge d'Affairs of Senegal in Cairo.

Democratic Republic of Somalia, Libyan Arab Republic.

With the aid of H.E. Dr. Amadou Karim Gaye, Secretary General of the Organization of Islamic Conference, and a delegation from the Secretariat General of the Conference composed of Mr. Qasim Zuheri, Assistant Secretary General, and Mr. Aref Ben Musa, Director of Political Department.

During these negotiations which were marked by a spirit of conciliation and understanding, it has been agreed on the following:

First: The establishment of Autonomy in the Southern Philippines within the realm of the sovereignty and territorial integrity of the Republic of the Philippines.

Second: The areas of the autonomy for the Muslims in the Southern Philippines shall comprise the following:

- | | |
|------------------------|--------------------|
| 1. Basilan | 8. Sultan Kudarat |
| 2. Sulu | 9. Lanao del Norte |
| 3. Tawi-tawi | 10. Lanao del Sur |
| 4. Zamboanga del Sur | 11. Davao del Sur |
| 5. Zamboanga del Norte | 12. South Cotabato |
| 6. North Cotabato | 13. Palawan |
| 7. Maguindanao | |

Third:

1. Foreign Policy shall be of the competence of the Central Government of the Philippines.
2. The National Defense Affairs shall be the concern of the Central Authority provided that the arrangements for the joining of the forces of the Moro National Liberation Front with the Philippine Armed Forces be discussed later.
3. In the areas of the autonomy, the Muslims shall have the right to set up their own Courts which implement the Islamic Shari'ah laws. The Muslims shall be represented in all Courts including the Supreme Court. The representation of the Muslims in the Supreme Court shall be upon the recommendation from the authorities of the Autonomy and the Supreme Court. Decrees will be issued by the President of the Republic of their appointments taking into consideration all necessary qualifications of the candidates.
4. Authorities of the autonomy in the South of the Philippines shall have the right to set up schools, colleges and universities, provided that matters pertaining to the relationship between these educational and scientific organs and the general education system in the state shall be subject of discussion later on.
5. The Muslims shall have their own administrative system in compliance with the objectives of the autonomy and its institutions. The relationship between this administrative system and the Central administrative system to be discussed later.
6. The authorities of the autonomy in the South of the Philippines shall have their own economic and financial system. The relationship between this system and the Central economic and financial system of the State shall be discussed later.

7. The authorities of the autonomy in the South of the Philippines shall enjoy the right of representation and participation in the Central Government and in all other organs of the State. The number of representatives and ways of participation shall be fixed later.
8. Special Regional Security Forces are to be set up in the area of the Autonomy for the Muslims in the South of the Philippines. The relationship between these forces and the Central security forces shall be fixed later.
9. A Legislative Assembly and an Executive Council shall be formed in the areas of the Autonomy for the Muslims. The setting up of the Legislative Assembly shall be constituted through a direct election, and the formation of the Executive Council shall take place through appointments by the Legislative Assembly. A decree for their formation shall be enacted by the President of the Republic respectively. The number of members of each assembly shall be determined later on.
10. Mines and mineral resources fall within the competence of the Central Government, and a reasonable percentage deriving from the revenues of the mines and minerals be fixed for the benefit of the areas of the autonomy.
11. A Mixed Committee shall be composed of representatives of the Central Government of the Republic of the Philippines and the representatives of the Moro National Liberation Front. The Mixed Committee shall meet in Tripoli during the period from the Fifth of February to a date not later than the Third of March 1977. The task of said Committee shall be charged to study in detail the points left for discussion in order to reach a solution thereof in conformity with the provisions of this agreement.
12. Cease-fire shall be declared immediately after the signature of this agreement, provided that its coming into effect should not exceed the 20th January 1977. A Joint Committee shall be composed of the two parties with the help of the Organization of the Islamic Conference represented by the Quadripartite Ministerial Commission to supervise the implementation of the cease-fire.

The said Joint Committee shall also be charged with supervising the following:

- a. A complete amnesty in the areas of the autonomy and the renunciation of all legal claims and codes resulting from events which took place in the South of the Philippines.

- b. The release of all the political prisoners who had relations with the events in the South of the Philippines.
 - c. The return of all refugees who have abandoned their areas in the South of the Philippines.
 - d. To guarantee the freedom of movements and meetings.
13. A joint meeting be held in Jeddah during the first week of the month of March 1977 to initial what has been concluded by the Committee referred to in Para. 11.
 14. The final agreement concerning the setting up of the autonomy referred to in the first and second paragraphs shall be signed in the City of Manila, Republic of the Philippines, between the Government of the Philippines and Moro National Liberation Front, and the Islamic Conference represented by the Quadripartite Ministerial Commission and the Secretary General of the Organization of Islamic Conference.
 15. Immediately after the signature of the Agreement in Manila, a Provisional Government shall be established in the areas of the autonomy to be appointed by the President of the Philippines; and be charged with the task of preparing for the elections of the Legislative Assembly in the territories of the Autonomy; and administer the areas in accordance with the provisions of this

agreement until a Government is formed by the elected Legislative Assembly.

16. The Government of the Philippines shall take all necessary constitutional processes for the implementation of the entire Agreement.

Fourth: This Agreement shall come into force with effect from the date of its signature.

Done in the City of Tripoli on 2nd Muharram 1397 H. corresponding to 23rd December 1976 A.D. in three original copies in Arabic, English, French languages, all equal in legal power.

For the Government of the Republic of the Philippines:

Hon. Carmelo Z. Barbero
Undersecretary of National Defense for
Civilian Relations

For the Moro National Liberation Front:

Professor Nur Misuari
Chairman of the Front

Dr. Ali Abdusaalam Treki
Minister of State for Foreign Affairs, Libyan
Arab Republic and
Chairman of the Negotiations

Dr. Amadou Karim Gaye
Secretary General of the Organization of the
Islamic Conference

IN THE NAME OF GOD, THE OMNIPOTENT, THE MERCIFUL

Peace Agreement

The final agreement on the implementation of the 1976 Tripoli Agreement between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF) with the participation of the Organization of Islamic Conference Ministerial Committee of Six and the Secretary General of the Organization of Islamic Conference.

Whereas, the President of the Republic of the Philippines, His Excellency Fidel V. Ramos, has pursued a peaceful settlement of the armed conflict under the principle of peace with honor and to serve the paramount ends of national unity, solidarity and progress for all Filipinos;

Whereas, the MNLF, led by Professor Nur Misuari, inspired by their quest for peace and prosperity, had in the past asserted the right of the Moro people to freely determine their political status and freely pursue their religious, social, economic and cultural development;

Whereas, the Organization of Islamic Conference (OIC), upon the request of the GRP initiated the First Formal Peace Talks between the GRP and the MNLF during its Third Ministerial Conference in Jeddah, Kingdom of Saudi Arabia, which resulted in the signing of the Tripoli Agreement on December 23, 1976, the document which served as a basis for a just, lasting, honorable and comprehensive solution to the problem in Southern Philippines within the framework of the Philippine Constitution;

Whereas, by the Grace of the Almighty God and owing to the bold and innovative initiative of the Philippine Government, under H.E. President Fidel V. Ramos, and the dedication and perseverance of his duly appointed representatives, headed by the Presidential Adviser for the Peace Process Manuel T. Yan, coupled with the highly positive and laudable response of the MNLF leadership under its founding Chairman, H.E. Professor Nur Misuari, a peace process has been conducted and pursued successfully for the last four (4) years, with the most constructive and beneficial participation of the OIC Ministerial Committee of the Six, headed by its distinguished Chairman, H.E. Ali Alatas, Minister of Foreign Affairs of Indonesia, and his four (4) able assistants as facilitators of the talks,

namely: H.E. Ambassador S. Wiryono, H.E. Dr. Hassan Wirajuda, H.E. Ambassador Pieter Damanik, and H.E. Ambassador Abu Hartono, and the OIC Secretary General, H.E. Hamid Algabid, and his deputy, H.E. Ambassador Mohammed Mohsin, and with special mention to Libyan Ambassador, H.E. Rajab Azzarouq;

Whereas, the parties acknowledge the valuable role of the Organization of Islamic Conference (OIC) in promoting and upholding the rights, welfare and well-being of Muslims all over the world;

Whereas, the parties likewise, acknowledge the role of the OIC Ministerial Committee of the Six comprising the nations of Indonesia as Chair, Libya, Saudi Arabia, Bangladesh, Senegal and Somalia in the search of a just, comprehensive and durable peace in Southern Philippines;

Whereas, in accordance with the Statement of Understanding signed in Tripoli, Libya on October 3, 1992 and the subsequent Statement of Understanding signed in Cipanas, West Java on April 14, 1993, the parties agreed, through the good offices of the Great Libyan Arab Jamahiriyyah, inspired and guided by its great leader, H.E. Colonel Muammar Gaddafi, the Government of the Republic of Indonesia under the wise and able leadership of H.E. Bapah President Suharto, and H.E. OIC Secretary General, Dr. Hamid Algabid, to hold formal peace talks to discuss the modalities for the full implementation of the 1976 Tripoli Agreement in letter and spirit; to include those portions of the Agreement left for further discussion and the transitional implementing structure and mechanism;

Whereas, the parties affirm their solemn commitment in the aforementioned Statement of Understanding as well as the Memorandum of Agreement signed in the 1st Round of Formal Peace Talks held in Jakarta, Indonesia on October 25 – November 7, 1993; the Interim Agreement signed in the 2nd Round of Formal Peace Talks held in Jakarta on September 1-5, 1994; the Interim Agreement signed in the 3rd Round of Formal Peace Talks held in Jakarta on November 27 – December 1, 1995; the Interim Agreement signed in the 4th Round of Formal Peace Talks held in

Jakarta on August 29, 1996; and in the nine (9) meetings of the Mixed Committee held in various places and dates in the Philippines and Indonesia;

Whereas, all these agreements resulted from the consensus points reached by the Mixed Committee and the Support Committees (Support Committee No. 1 - National Defense and Security; Support Committee No. 2 - Education; Support Committee No. 3 - Economic and Financial System, Mines and Minerals; Support Committee No. 4 - Administrative System, Right of Representation and Participation in the National Government, and in all Organs of the State; Support Committee No. 5 - Shariah and the Judiciary; and the Ad Hoc Working Group on the Transitional Implementing Structure and Mechanism in meetings held in various places in the Philippines and Indonesia;

Whereas, the parties have rationalized and consolidated all the agreements and consensus points reached, with the assistance of the Mixed Committee and the various support committees established for the purpose, into a final peace agreement;

Whereas, the parties affirm the sovereignty, territorial integrity and the Constitution of the Republic of the Philippines; and

Whereas, this final peace agreement constitutes the full implementation of the Tripoli Agreement.

**NOW THEREFORE, THE PARTIES DO
HEREBY AGREE ON THE FOLLOWING:**

I. IMPLEMENTING STRUCTURE AND MECHANISM OF THIS AGREEMENT

1. Phase I shall cover a three (3) year period starting after the signing of the peace agreement with the issuance of Executive Order establishing the Special Zone of Peace and Development (SZOPAD), the Southern Philippine Council for Peace and Development (SPCPD), and the Consultative Assembly.

During this phase, the process of the joining in of MNLF elements with the Armed Forces of the Philippines will start. The joining in of MNLF elements with the PNP as part of the regular police recruitment programme will also take place in this phase.

2. Phase II shall involve an amendment to or repeal of the Organic Act (RA 6734) of the Autonomous Region in Muslim Mindanao (ARMM) through Congressional action, after which the amendatory law shall be

submitted to the people of the concerned areas in a plebiscite to determine the establishment of a new autonomous government and the specific area of autonomy thereof.

- a. While peace and development programs are being implemented in the SZOPAD, a bill to amend or repeal the RA 6734 shall be initiated within Phase I (1996-1997). The bill shall include the pertinent provisions of the final Peace Agreement and the expansion of the present ARMM area of autonomy. After a law shall have been passed by Congress and approved by the President, it shall be submitted to the people for approval in a plebiscite in the affected areas, within two (2) years from the establishment of the SPCPD (1998).
- b. The new area of autonomy shall then be determined by the provinces and cities that will vote/choose to join the said autonomy (1998). It may be provided by the Congress in a law that clusters of contiguous Muslim-dominated municipalities voting in favor of autonomy be merged and constituted into a new province(s) which shall become part of the new Autonomous Region.

II. THE TRANSITIONAL PERIOD (PHASE I)

Phase I shall be implemented as follows:

3. There shall be established a Special Zone of Peace and Development in the Southern Philippines (SZOPAD) covering the provinces of Basilan, Sulu, Tawi-Tawi, Zamboanga del Sur, Zamboanga del Norte, North Cotabato, Maguindanao, Sultan Kudarat, Lanao del Norte, Lanao del Sur, Davao del Sur, South Cotabato, Sarangani and Palawan and the cities of Cotabato, Dapitan, Dipolog, General Santos, Iligan, Marawi, Pagadian, Zamboanga and Puerto Princesa. Within the next three (3) years, these areas shall be the focus of intensive peace and development efforts. Public and private investments shall be channeled to these areas to spur economic activities and uplift the conditions of the people therein.
4. There shall be established a Southern Philippines Council for Peace and Development (SPCPD), composed of one (1) Chairman, one (1) Vice Chairman and three (3) Deputies, one each representing the Muslims, the Christians, and the Cultural Communities. They shall be appointed by the President.

5. The SPCPD shall be assisted by the Darul Iftah (advisory Council) which shall be created by the Chairman of the SPCPD.
 6. The local government units in the area including the ARMM, shall continue to exist and exercise their functions in accordance with existing laws.
 7. Appropriate agencies of the government that are engaged in peace and development activities in the area, such as but not limited to the Southern Philippines Development Authority (SPDA), shall be placed under the control and/or supervision of the Council as its implementing agencies to ensure that peace and development projects and programs are effectively accomplished.
Based on the foregoing, the following agencies or entities will be placed under the control and/or supervision of the SPCPD, to wit:
 - a. The Southern Philippines Development Authority (SPDA) may be attached to the SPCPD and be placed under the latter's direct supervision insofar as SPDA offices and projects in the SZOPAD are concerned. The SPCPD can exercise a further degree of control over SPDA by allowing the Council to submit recommendees to the President for appointment as officials of SPDA;
 - b. The Regional and Field Offices of the Office of Muslim Affairs (OMA) which are situated and operating within the Special Zone of Peace and Development (SZOPAD), shall be placed under the direct supervision of SPCPD, provided that the coordination, linkages and complementation between the central OMA and SPCPD shall be defined by a Presidential issuance;
 - c. The Regional and Field Offices of the Office of Southern Cultural Communities (OSCC) which are situated and operating within the Special Zone of Peace and Development (SZOPAD), shall be placed under the direct supervision of SPCPD, provided that the coordination, linkages and complementation between the central OSCC and SPCPD shall be defined by a Presidential issuance;
 - d. Task Force Basilan, which shall be reorganized into the Basilan Development Task Force, to undertake development activities in Basilan shall be placed under the control and supervision of SPCPD;
 - e. Task Force MALMAR, to be reorganized into the Central Mindanao Development Task Force, to undertake development activities in Central Mindanao shall be placed under the control and supervision of SPCPD;
 - f. Sulu Development Task Force — an interagency task force that shall be organized to undertake development projects in Sulu shall be placed under the control and supervision of SPCPD; and
 - g. Special Development Planning Group — this is an ad hoc body composed of staff officers and planning experts from the Department of Trade and Industry (DTI), the National Economic and Development Authority (NEDA), the Department of Public Works and Highways (DPWH) and other concerned agencies which could be organized to support directly the staff planning requirements, shall be placed under SPCPD.
- The foregoing enumeration of agencies or entities shall not preclude the President from exercising his power or discretion to delegate, subject to existing laws, certain powers or functions to the SPCPD, or to place other agencies or entities under the control and/or supervision of the latter.
8. The SPCPD, in consultation with the Consultative Assembly, utilizing the funds from the National Government, shall monitor, promote and coordinate the development efforts in the area, including the attraction of foreign investment, specially from OIC member countries and the Association of South East Asian Nations (ASEAN).
 9. The powers and functions of the SPCPD and the Consultative Assembly are derivative and extension of the powers of the President. The powers referred to here are only those powers of the President that could be delegated under the Constitution and existing laws.
 10. There shall be established a Consultative Assembly with 81 members composed of the following:
 - a. The Chairman of the SPCPD shall be the head and presiding officer of the Assembly;
 - b. The Governor and the Vice Governor of the ARMM, the 14 Governors of the provinces and the 9 City Mayors in the SZOPAD;
 - c. 44 members from the MNLF; and
 - d. 11 members from various sectors recommended by non-governmental organizations (NGOs) and people's organizations (POs).
 11. The Consultative Assembly shall exercise the following functions and powers:
 - a. To serve as a forum for consultation and ventilation of issues and concerns;

- b. To conduct public hearings as may be necessary and to provide appropriate advice to the SPCPD; and
 - c. To formulate and recommend policies to the President through the Chairman of the SPCPD and make rules and regulations to the extent necessary for the effective and efficient administration of the affairs of the area.
12. The OIC shall be requested to continue to extend its assistance and good offices in monitoring the full implementation of this agreement during the transitional period until the regular autonomous government is firmly established and for this purpose, help generate broad international support for the Zone of Peace and Development.
13. A Joint Monitoring Committee composed of members coming from the GRP and the MNLF, with the help of the OIC, shall continue to meet to review and identify agreements that can be immediately implemented, and monitor the implementation of this Agreement during Phase I.
14. The provisions of the 1994 and 1995 Interim Agreements and subsequent agreements entered into by the GRP and the MNLF that would not require legislative action shall be implemented during Phase I.
15. The funds for the operations of the Council and the Assembly shall be initially sourced from the funds of the Office of the President. Funding for development programs and projects shall come from the appropriations of Congress as may be drawn from the General Appropriations Act. A supplementary budget for the year 1996 will be recommended to Congress for the purpose.
16. The term of the SPCPD and the Consultative Assembly shall be for a period of three years and may be extended by the President upon recommendation of the Council itself.
17. The term of office of the SPCPD and the Assembly shall coincide with the three-year term of office of the officials of the Autonomous Region in Muslim Mindanao (ARMM) elected in 1996.
18. The powers and functions of the Council shall be as follows:
 - a. To take charge in promoting, monitoring and coordinating the improvement of peace and order in the area;
 - b. To focus on peace and development efforts more particularly in the depressed areas and cause the implementation of peace and development projects;
 - c. To provide support to local government units as necessary;
 - d. To exercise such other powers and functions necessary for the effective implementation of its mandate as may be delegated by the President;
 - e. To assist in the preparation for the holding of elections, referenda or plebiscite and people's initiative in the area as may be duly deputized by the Commission on Elections (COMELEC);
 - f. To cause the creation of such offices or instrumentalities as shall be necessary for the effective and efficient administration of the affairs of the areas. There shall be approval from the Office of the President for budgetary purposes.
19. The joining of the MNLF elements with the Philippine National Police (PNP) and the Provision of Security Protection for Certain Officials of the Southern Philippines Council for Peace and Development:
 - a. During the transitional phase (Phase I), there shall be a program or process to allow the joining of MNLF elements into the PNP and to be part of the PNP in accordance with guidelines and procedures under existing laws. The Philippine Government shall allocate one thousand five hundred (1,500) PNP vacancies for this purpose to be filled up by MNLF elements during the transition period, and another two hundred fifty (250) items for special or auxiliary services.
 - b. The processing of MNLF elements will start upon the establishment of the Southern Philippines Council for Peace and Development (SPCPD). The police training programs to be undergone by the joining MNLF elements shall be as prescribed by existing laws and regulations, and shall be conducted by the PNP.
 - c. The concerned officials of the Council (e.g. the Chairman and his Deputies) shall be provided security and protective assistance by the national government, as the security situation warrants and as part of confidence-building measures. An AFP/PNP security detail shall be immediately and particularly assigned to the Council. This special AFP/PNP security detail shall be composed of former MNLF regulars who shall have been granted AFP or PNP appointments and duly integrated into the AFP or PNP. This security detail shall be of appropriate size in accordance with the needs of the situation, without prejudice to

- augmentation by regular AFP or PNP units as the need arises and in coordination with the AFP and PNP commanders concerned. This security detail which shall not be utilized for law enforcement, but solely for the security and protection of SPCPD officials concerned, shall conduct themselves in accordance with existing policies and regulations in order to prevent undue alarm to the population during movements of concerned officials.
- d. To have good coordination between the AFP and PNP on the one hand and the SPCPD on the other, a liaison system will be set up composed of the AFP, PNP and SPCPD senior officials.
20. The joining of the MNLF forces with the Armed Forces of the Philippines (AFP):
 - a. Five thousand seven hundred fifty (5,750) MNLF members shall be integrated into the Armed Forces of the Philippines (AFP), 250 of whom shall be absorbed into the auxiliary services. The government shall exert utmost efforts to establish the necessary conditions that would ensure the eventual integration of the maximum number of the remaining MNLF forces into the Special Regional Security Force (SRSF) and other agencies and instrumentalities of the government. There shall be a special socioeconomic, cultural and educational program to cater to MNLF forces not absorbed into the AFP, PNP and the SRSF to prepare them and their families for productive endeavors, provide for educational, technical skills and livelihood training and give them priority for hiring in development projects.
 - b. In the beginning, the MNLF forces will join as units distinct from AFP units. They will be initially organized into separate units within a transition period, until such time that mutual confidence is developed as the members of these separate units will be gradually integrated into regular AFP units deployed in the area of the autonomy. Subject to existing laws, policies, rules and regulations, the appropriate authorities shall waive the requirements and qualifications for entry of MNLF forces into the AFP.
 - c. One from among the MNLF will assume the functions and responsibilities of a Deputy Commander of the Southern Command, AFP, for separate units that will be organized out of the MNLF forces joining the AFP. The Deputy Commander will assist the Commander of the Southern Command, AFP in the command, administration and control of such separate units throughout the aforementioned transition period. The Deputy Commander will be given an appointment commensurate to his position and shall be addressed as such.
 - d. The government recognizes the skills, capabilities and achievements of the MNLF and its capacity to develop its members for the highest echelons of military and civilian leadership. The ranks and grades of MNLF forces joining AFP shall be subject to the decision of the President in his capacity as Commander-in-Chief of the AFP along the principles of universality, non-discrimination, equity and preferential treatment for the poor and underprivileged.
 - e. The government shall take affirmative measures to continually improve the capabilities of those MNLF forces joining the AFP to enhance their opportunities for professional advancement in the military service. It shall undertake initiatives to provide professional training and military schooling in foreign countries to former MNLF members absorbed into the AFP in consonance with the education and training programmes with the AFP.
 - f. All other matters regarding the joining of MNLF forces into the AFP not expressly covered by this Agreement shall be prescribed by the President in his capacity as Commander-in-Chief of the AFP.

III. THE NEW REGIONAL AUTONOMOUS GOVERNMENT (PHASE II)

The following provisions shall be implemented after a law amending or repealing the Organic Act of ARMM shall have been enacted by Congress and approved by the people in the concerned areas in a plebiscite therefore. Accordingly, these provisions shall be recommended by the GRP to Congress for incorporation in the amendatory or repealing law.

A. Executive Council, Legislative Assembly, Administrative System and Representation in the National Government

Executive Council

21. Executive power shall be vested in the Head of the regular Autonomous Government duly elected at large by direct vote of the people of the Autonomous Region. There shall also be a Vice Head of the Regional Autonomous

Government also elected in the same manner. The Head of the Regional Autonomous Government may appoint three (3) Deputies. The Head, the Vice-Head and the three (3) Deputies shall comprise the Executive Council of the area of Autonomy.

22. The President shall exercise general supervision over the Regional Autonomous Government and all local government units in the area of Autonomy through the Head of the Regional Autonomous Government to ensure that laws are faithfully executed.

The Head of the Autonomous Government shall exercise general supervision over all local government units in the area of autonomy to ensure that national and regional laws are faithfully executed, and see to it that they act within their assigned powers and functions.

Legislative Assembly

23. Legislative power shall be vested in the Regional Legislative Assembly.
24. The Legislative Assembly shall be composed of members elected by popular vote, with three (3) members elected from each of the Congressional Districts.
25. There shall be sectoral representatives in the Legislative Assembly whose number shall not exceed fifteen percent (15%) of the total number of elected Members of the Legislative Assembly coming from the labor, disabled, industrial, indigenous cultural communities, youth, women, non-government organizations, agricultural, and such other sectors as may be provided by Regional Law to be appointed by the Head of the Autonomous Government from among the nominees of the different sectoral groups; provided, however, that the youth representative shall not be less than 18 years of age nor more than 21 years of age at the time of his appointment.
26. The people's initiative, by way of a plebiscite or referendum, is recognized.
27. The Regional Legislative Assembly shall exercise legislative power for application in the area of autonomy except on the following matters, to wit
 - a. Foreign Affairs;
 - b. National Defense and Security;
 - c. Postal Service;
 - d. Coinage, and Fiscal and Monetary Policies;
 - e. Administration of Justice except on matters pertaining to Shari'ah;
 - f. Quarantine;

- g. Customs and Tariff;
 - h. Citizenship;
 - I. Naturalization, Immigration and Deportation;
 - j. General Auditing, Civil Service and Elections;
 - k. Foreign Trade;
 - l. Maritime, Land and Air Transportation and Communications that affect areas outside the autonomous region; and
 - m. Patents, Trademarks, Tradenames and Copyrights.
28. The Legislative Assembly may create, divide, merge, abolish or substantially alter boundaries of local government units in the area of autonomy in accordance with the criteria laid down by law subject to approval by a majority of the votes cast in a plebiscite called for the purpose in the political units affected. It may also change the names of such local government units, public places and institutions.
 29. Any member of the Legislative Assembly who accepts an appointment and qualifies for any position in the Government, including government-owned-and/or-controlled corporations or institutions and their subsidiaries, shall automatically forfeit his seat in the Legislative Assembly.
 30. No member of the Legislative Assembly may personally appear as counsel before courts of justice or quasi-judicial and other administrative bodies. Neither shall he directly or indirectly, be interested financially in any contract with, or in any franchise or privilege granted by, the Government or any subdivision, agency or instrumentality thereof, including any government-owned-and/or-controlled corporation or its subsidiary, during his term of office. He shall not intervene in any matter before any office of the government for his pecuniary benefit or where he may be called upon to act on account of his office.
 31. In case of vacancy in the Legislative Assembly occurring at least one year before the expiration of the term of office, a special election shall be called to fill the vacancy in the manner prescribed by law; provided that the member elected shall serve for the unexpired term.
 32. The Legislative Assembly shall elect from among its members a Speaker and such other officers as the rules may provide. The Speaker shall appoint the personnel of the administrative organization of the Legislative Assembly.

33. The powers, functions, responsibilities and structure of the different Departments, agencies, bureaus, offices and instrumentalities of the regional government including regional government-owned-and-controlled corporations in the areas of the autonomy shall be prescribed and defined by the Regional Legislative Assembly.
34. No person shall be elected member of the Legislative Assembly unless he/she is
 - a. A natural-born citizen of the Philippines;
 - b. At least 21 years of age on the day of elections;
 - c. Able to read and write;
 - d. A registered voter of the district in which he/she shall be elected on the day he/she files his/ her certificate of candidacy; and
 - e. A resident thereof for a period of no less than five years immediately preceding the day of election.
35. Every member of the Legislative Assembly shall take an oath or affirmation of allegiance to the Republic of the Philippines before taking his/her seat.
36. The Legislative Assembly shall adopt its own rules of procedure by a majority vote of all its Members including the selection of members of its standing committees and the suspension or expulsion of its Members.
37. A majority of all the Members of the Assembly shall constitute a quorum to do business, but a smaller number may adjourn from day-to-day and may compel the attendance of absent members in such manner, and under such penalties as the Assembly may provide.
38. The Legislative Assembly or any of its committees may conduct inquiries or public consultations in aid of legislation in accordance with its rules. The rights of persons appearing in or affected by such inquiries shall be respected.
39. The Legislative Assembly shall keep a Journal of its proceedings and a record of its caucuses and meetings. The records and books of account of the Assembly shall be preserved and be open to public scrutiny. The Commission on Audit shall publish an annual report of the itemized list of expenditures incurred by the Members of the Assembly within sixty (60) days from the end of every regular session.
40. The Speaker of the Legislative Assembly shall, within ten working days from approval thereof, submit to the President and to both Houses of Congress a certified true copy of all laws and resolutions approved by the Legislative Assembly.
41. No member shall be questioned or be held liable in any other place for any speech or debate in the Assembly or in any committee thereof.
42. The Chief Executive of the Autonomous Government shall approve the budget of the Autonomous Region. If, by the end of any fiscal year, the Legislative Assembly shall have failed to pass the regional appropriations bill for the ensuing fiscal year, the regional Appropriations Act for the preceding fiscal year shall be deemed automatically re-enacted and shall remain in force and effect until the regional appropriations bill is passed by the Legislative Assembly.
43. No provision or enactment shall be embraced in the regional appropriations bill unless it relates specifically to some particular appropriation therein. Any such provision or enactment shall be limited in its operation to the appropriation to which it relates.
44. The procedure in approving appropriations for the Legislative Assembly shall strictly follow the procedure for approving appropriations for other departments and agencies of the Regional Government.
45. A special appropriations bill shall specify the purpose for which it is intended, and shall be supported by funds actually available as certified by the Regional Treasurer, or to be raised by a corresponding revenue proposal therein.
46. Discretionary funds appropriated for particular offices shall be disturbed only for public purposes to be supported by appropriate vouchers and subject to such guidelines as may be prescribed by regional law.
47. All money collected on any regional tax levied for a special purpose shall be treated as a special fund and paid out for such special purpose only. If the purpose for which a special fund was created has been fulfilled or abandoned, the balance, if any, shall accrue to the general funds of the regional government.

48. Trust funds shall only be paid out of the regional treasury upon fulfillment of the specific purpose for which said funds were created or received.
 49. Except as provided by its rules, the Legislative Assembly shall meet in open session. Regular session shall commence on the 4th Monday of April and shall continue to be in session for such number of days as may be determined by the Assembly until thirty (30) days before the opening of its next regular session.
 50. The Legislative Assembly shall meet in special sessions at the request of one-third ($\frac{1}{3}$) of all its Members or by call of the Chief Executive. Such special sessions must be convened with specific agenda.
 51. No bill shall become a law unless it has passed three (3) readings on separate days and printed copies thereof in its final form have been distributed to its Members three (3) days before its passage, except when the Chief Executive certifies to the necessity of its immediate enactment to meet a public calamity or emergency.
 52. Every bill passed by the Legislative Assembly shall, before it becomes a law, be presented to the Chief Executive. If he approves the same, he shall sign it, otherwise, he shall veto it and return it with his objections to the Legislative Assembly, which shall enter the objections at large in its journal and proceed to consider it. If, after such reconsideration, two-thirds ($\frac{2}{3}$) of all the Members of the Legislative Assembly shall agree to pass the bill, it shall become a law. In all such cases, the veto shall be determined by yeas and nays, and the names of the members voting for or against shall be entered in the journal. The Chief Executive shall communicate his veto of any bill to the Legislative Assembly within thirty (30) days after the receipt thereof; otherwise, it shall become a law as if he had signed it.
 53. The Legislative Assembly may request the presence of the Chief Executive, Vice-Chief Executive, Cabinet members or their deputies, as the rules shall provide, for questioning on matters falling within the scope of their assigned powers and functions.
 54. Subject to the rules of the Legislative Assembly, the legislative power to inquire on matters relating to the exercise of administrative functions by an agency of government within the Autonomous Region shall be in the form of written questions.
 55. The Chief Executive shall submit to the Legislative Assembly not later than two (2) months before the beginning of every regular session, as the basis of the regional appropriations bill, a budget of expenditures and sources of financing, including receipts from existing and proposed revenue measures.
 56. The fiscal year of the Autonomous Region shall cover the period January 1 to December 31 of the same year.
 57. The Legislative Assembly may not increase the appropriations recommended by the Chief Executive for the operation of the Autonomous Government as specified in the budget. The form, content and manner of preparation of the budget shall be prescribed by regional law; provided, however, that pending the enactment of such regional law, the budgeting process shall be governed by existing national laws and rules and regulations prescribed by the Department of Budget and Management.
 58. The Chief Executive shall have the power to veto any particular item or items in an appropriation or revenue bill, but the veto shall not affect the item or items to which he does not object. The veto may be reconsidered by the Assembly by a vote of two thirds ($\frac{2}{3}$) of all its Members.
 59. The financial accounts of the expenditures and revenues of the Autonomous Region shall be audited by the Commission on Audit.
 60. No money shall be paid out of the Regional Treasury except in pursuance of an appropriation made by regional law.
 61. No regional law shall be passed authorizing any transfer of appropriations; however, the Chief Executive, the Speaker of the Assembly, and the Presiding Justice of the highest Shariah Court may, by law, be authorized to augment any item in the Regional General Appropriation Law for their respective offices from savings in other items of their respective appropriations.
- Administrative System**
62. The Regional Autonomous Government shall have the power to enact its own Regional Administrative Code and Regional Local Government Code consistent with national laws and the Constitution provided that it shall not in any way diminish the powers and functions already enjoyed by Local Government Units.

Right of Representation and Participation in the National Government and in all Organs of the State

General Principles:

63. Representation in the National Government by the inhabitants of the Autonomous Region may be effected through appointment or elections and must be subject to standards and guidelines prescribed for the position. When representation is done by appointment, the inhabitants of the Autonomous Region will be appointed by the President of the Philippines to herein specified positions which are policy determining, highly technical, primarily confidential and supervisory upon recommendation by the Head of the Autonomous Government.
64. Right of representation shall not be construed in such a way that applicants from the Autonomous Region, especially Muslims, and Cultural Communities, for lower positions in the above organs of the government cannot be appointed anymore thereto.

Manner of Representation and Participation

Executive

65. It shall be policy of the National Government that there shall be at least one (1) member of the Cabinet (with the rank of Department Secretary) who is an inhabitant of the Autonomous Region to be recommended by the Head of the Autonomous Government.
66. It shall likewise be a policy that there shall be at least one (1) official in each of the departments and the constitutional bodies of the national government who shall be appointed in executive, primarily confidential, highly technical policy-determining positions, from among the inhabitants of the Autonomous Region upon recommendation by the Head of the Autonomous Government. The Head of the Autonomous Government shall participate as ex-officio member of the National Security Council on all matters concerning the Autonomous Region and such other matters as may be determined by the President.
67. Government-Owned and Controlled Corporations (GOCCs) or institutions and their subsidiaries in the area of autonomy: where Government-Owned and Controlled Corporations (GOCCs) are operating mainly or with a subsidiary in the area of autonomy, as a policy, the Regional Autonomous Government shall be given some

representations in the Board of Directors or in the policy-making body of said GOCCs or their subsidiaries consistent with their respective charters.

Legislative

68. It shall be the policy of the National Government that the Regional Autonomous Government shall have one (1) representative in Congress as a Sectoral Representative. This is aside from the representatives/congressmen elected from the congressional districts located in the autonomous region.

Judicial

69. It shall be a policy of the National Government that at least one (1) justice in the Supreme Court and at least two (2) in the Court of Appeals shall come from the Autonomous Region. For this purpose, the Head of the Autonomous Government may submit the names of his recommendees to the Judicial and Bar Council for consideration. This is without prejudice to the appointment of qualified inhabitants of the Autonomous Region to other positions in the judiciary in accordance with their merits and qualifications.
70. The GRP shall endeavour to cause the appointment, as a member of the Judicial and Bar Council, a qualified person to be recommended by the Head of the Regional Autonomous Government.
71. The GRP shall request the Supreme Court to create the Office of the Deputy Court Administrator for the Area of Autonomy, and to appoint thereto a qualified person recommended by the Head of the Regional Autonomous Government.

Civil Service Eligibilities

72. The civil service eligibility requirements for appointment to government position shall be applicable in the Autonomous Government. As necessary, the Civil Service Commission shall hold special civil service examinations in the region to further increase the number of eligibles therein. For a period not longer than five (5) years from the establishment of the Regional Autonomous Government, the GRP will endeavour to provide for appropriate civil service eligibility to applicants in the Autonomous Region, provided, the minimum educational qualifications for the position are met.

B. The Establishment of the Special Regional Security Force for the Autonomous Region (Phase II of the Implementation of the Tripoli Agreement)

General Principles

73. When the new regular Autonomous Regional Government shall have been established, there shall be created or constituted a PNP Regional Command for the new Autonomous Region, which shall be the Special Regional Security Forces (SRSF) as referred to in Paragraph 8, Article III of the Tripoli Agreement.
74. The Regional Legislative Assembly may enact laws governing the PNP Regional Command for the Autonomous Region/SRSF consistent with the constitutional provision that there shall be one police force in the country which is national in scope and civilian in character.
75. The PNP Regional Command for the Autonomous Region/SRSF shall be composed of the existing PNP units in the area of autonomy, the MNLF elements and other residents of the area who may later on be recruited into the force.
76. The powers and functions of the PNP Regional Command for the Autonomous Region/SRSF, which shall be exercised within the territories covered by the Regional Autonomous Government (RAG), shall be the following:
 - a. Enforce all laws and ordinances relative to the protection of lives and properties;
 - b. Maintain peace and order and take all necessary steps to ensure public safety;
 - c. Investigate and prevent crimes, effect the arrest of criminal offenders, bring offenders to justice and assist in their prosecution;
 - d. Exercise the general powers to make arrest, search and seizure in accordance with the Constitution and pertinent laws;
 - e. Detain and arrest a person for a period not beyond what is prescribed by law, informing the person so detained of all his rights under the Constitution and observing the inherent human rights of the citizens; and
 - f. Perform such other duties and exercise all other functions as may be provided by law.

77. The PNP Regional Command for the Autonomous Region/SRSF shall be charged with the maintenance and preservation of peace, law and order, and protection of life, liberty and property in the region in consonance with the Constitution.

Organization of the PNP Regional Command for the Autonomous Region/SRSF

78. It shall be civilian in nature or character.
79. It shall be regional in scope of operations.
80. It shall be headed by a Regional Director who shall be assisted by two (2) Deputies, one (1) for Administration and one (1) for Operations.
81. It shall have regional, provincial, and city or municipal offices.
82. At the provincial level, there shall be a provincial office, headed by a Provincial Director.
83. At the city or municipal level, there shall be an office/station which shall be headed by a Chief of Police.

Powers of the Head of the Regional Autonomous Government over the PNP Regional Command for the Autonomous Region/SRSF

84. Act as the Deputy of the National Police Commission (NAPOLCOM) in the region and shall be the ex-officio Chairman of the Regional Police Commission (REPOLCOM).
85. Exercise operational control and general supervision and disciplinary powers.
86. Employ/deploy the elements of the Regional Command through the Regional Director.
87. Assign/reassign officers and other personnel through the Regional Director.
88. Recommend to the President the appointment of the Regional Director and his two (2) Deputies.
89. Oversee the preparation and implementation of the integrated regional public safety plan.
90. Impose, after due notice and summary hearings of citizen's complaints, administrative penalties on personnel of the Regional Command except Presidential Appointees.

Creation of the Regional Police Commission

91. There shall be created a Regional Police Commission (REPOLCOM) by the Regional Legislative Assembly consistent with the Constitution.
92. The REPOLCOM shall be under the supervision of the NAPOLCOM.
93. The Chairman of REPOLCOM shall be an ex-officio Commissioner of the NAPOLCOM.

C. Education

The Integrated System of Education

94. The Regional Autonomous Government shall have an educational component comprising of existing schools, colleges and universities in the present area of autonomy and such other schools and institutions in the future expanded area of autonomy, with the possible inclusion of state universities and colleges (SUCs) to be decided later on. The relationship of the Regional Autonomous Government educational body with the national educational system shall be that of a system and sub-system with emphasis on the autonomy of the sub-system. In the event that SUCs should be included as part of the educational component of the Regional Autonomous Government, the autonomous government recognizes the fiscal autonomy and academic freedom of the SUCs as mandated by their respective charters.
95. The Regional Autonomous Government educational system shall, among others, perpetuate Filipino and Islamic ideals and aspirations, Islamic values and orientations of the Bangsamoro people. It shall develop the total spiritual, intellectual, social, cultural, scientific and physical aspects of the Bangsamoro people to make them God-fearing, productive, patriotic citizens, conscious of their Filipino and Islamic values and Islamic cultural heritage under the aegis of a just and equitable society.

The Structure of Education System

96. The elementary level shall follow the basic national structure and shall primarily be concerned with providing basic education; the secondary level will correspond to four (4) years of high school, and the tertiary level shall be one year to three (3) years for non-degree courses and four (4) to eight (8) years for degree courses, as the case may be in accordance with existing laws.

Curriculum

97. The Regional Autonomous Government educational system will adopt the basic core courses for all Filipino children as well as the minimum required learnings and orientations provided by the national government, including the subject areas and their daily time allotment. Teaching materials and curriculum contents shall promote solidarity, unity in diversity, Filipino and Islamic values.
98. The addition of more required learnings and instructional materials shall be the prerogative and responsibility of the Autonomous Government.
99. The minimum requirements and standards prescribed by Department of Education Culture and Sports (DECS), Commission on Higher Education (CHED) and Technical Education and Skills Development Authority (TESDA) will be followed by the Autonomous Region.
100. The same textbooks of the National Government will be used by schools in the Autonomous Region. The formulation, shaping and revision of textbooks are the responsibilities of the Regional Autonomous Government and the National Government and within agreed norms, academic freedom and relevant legal limits, the formulation and revisions shall emphasize Islamic values or orientation, in addition to Filipino values which include Christian values and values of indigenous people, modern sciences and technology as well as the latest educational thrusts. Having adopted the core curriculum of the national government in consideration of achieving the highest quality of education, students and graduates of the education system of the Autonomous Region shall be fully accredited when they transfer to non autonomous regions.
101. The integration of Islamic Values in the curriculum should be done gradually after researches and studies are conducted.
102. The teachings of Islamic Values, as well as Filipino values, shall be incorporated in Good Manners and Right Conduct in appropriate grade levels including the tertiary level subject to agreed norms, academic freedom, and legal limitations.
103. Muslim culture, mores, customs and traditions which are mainly based on Islam, as well as the cultures, mores, customs, and traditions of Christians and indigenous people, shall be preserved through the regular public and special schools in the Autonomous Region, considering that schools are perpetuating vehicles of the values of the people.

Administration of Educational System

104. The management and control, and supervision of the entire educational system in the area of autonomy shall be the primary concern of the Regional Autonomous Government, consistent with the declared policies of national educational bodies. The national education bodies shall monitor compliance by the regional educational system with national educational policies, standards and regulations in collaboration with the educational authorities of the autonomous region. The head of the educational system of the Regional Autonomous Government shall have the right to participate in policy and decision making activities of the national educational bodies.
105. The Regional Autonomous Government shall be represented in the Board of SUCs in the region as co-chairman or at least, co-vice-chairman, as may be provided by law. Appointment to SUC Boards shall be made by the President of the Philippines.
106. The Regional Autonomous Government will be responsible for specific administrative, management functions and powers, educational supervision and school administration, and regulation over private schools.
107. The organizational structure of the educational system in the autonomous region shall follow the basic structure of the national educational system. The Regional Legislative Assembly may add special structures, if necessary. It shall follow whatever organizations of the curricular years as found in the national set-up.
108. Locally funded programs will be the responsibility of the Regional Autonomous Government.
109. The selection, recruitment, appointment and promotion of teachers and employees shall be the responsibility of the Regional Autonomous Government in accordance with general qualification standard prescribed by the Civil Service Commission (CSC) provided that the Regional Autonomous Government can initiate regionally-defined standards which are not below national standards.
110. The selection, recruitment, appointment and promotion of elementary, secondary and tertiary education employees shall be the responsibility of the Regional Autonomous Government in accordance with general standards of the Civil Service Commission (CSC) and other recognized bodies.

111. Primary disciplinary authority over officials and employees of the Regional Autonomous Government will be the area of concern of the Regional Autonomous Government in accordance with Civil Service Commission (CSC) rules and regulations. Administrative sanctions deemed appropriate and reasonable as determined by the Civil Service Commission will be the area of concern of the Regional Autonomous Government.

Religious Instruction

112. Religious instruction in public schools should be optional, with the written consent of the parent/guardian, taught by the authorities of the religion to which the student belongs, and should not involved additional costs to the government in accordance with national policies.

Medium of Instruction

113. Filipino and English shall be the medium of instruction in the areas of the Autonomy; provided that Arabic shall be an auxiliary medium of instruction.
114. Regional languages may be used as auxiliary official languages in the region as well as auxiliary medium of instruction and communication.
115. Arabic shall be recognized as a medium of instruction in *Madaris* (schools) and other Islamic institutions.
116. Arabic shall be taught as a subject in all appropriate grade levels as presently required in the existing laws for Muslims, and optional, for non-Muslims.

Madrasa Education

117. Existing *Madaris*, including *Madaris Ulya* shall be under the Regional Autonomous Government educational system as presently organized in the area of autonomy.
118. *Madaris* teachers shall receive compensation out of the funds of the Regional Autonomous Government provided they are employed in the public schools.

Non-formal Education and Specialized Education

119. The Regional Autonomous Government educational system shall develop the full potentials of its human resources, respond positively to changing needs and conditions and needs of the environment, and institutionalize non-formal education.
120. The educational system shall respond positively and effectively to the changing needs and conditions of the times as well as

regional and national needs of the environment through the proper use of the latest educational technology, development, planning, monitoring, evaluation, and appropriate and timely educational intervention as well as linkages with national and international institutions.

121. The Regional Autonomous Government educational system shall institutionalize non-formal education in scope and methodology, to include literacy, numeracy and intensive skills training of the youth and adult, to allow them to participate actively and productively in the mainstream of regional and national life.

Scholarship Grants and Assistance

122. Universities and colleges in the areas of autonomy may seek and receive overseas donations for educational purposes.
123. The Regional Autonomous Government educational system will handle, by administrative arrangement with the national DECS, CHED, and TESDA scholarship programs, both local and foreign, including those provided by the autonomous region pursuant to the provision of existing laws.
124. Disadvantaged but deserving students will be given financial assistance by the Regional Autonomous Government out of funds given by the national government for the purpose and from other sources of funds.

Funds for Education

125. Funds for education constituting the share of the Regional Autonomous Government as contained in the General Appropriations Act should be given directly to the Autonomous Government

D. The Economic and Financial System, Mines and Minerals

126. The Regional Autonomous Government in the area of autonomy shall establish its own Regional Economic and Development Planning Board chaired by the Head of Government in the area of autonomy. The Board shall prepare the economic development plans and programs of the Autonomous Government.
127. The pivotal role of banks and other financial institutions for development in the area of autonomy is recognized.
128. The Regional Autonomous Government in the area of autonomy has the power to promote tourism as a positive instrument for development provided that the diverse cultural heritage, moral and spiritual values

of the people in the area of autonomy shall be strengthened and respected.

129. The Regional Autonomous Government in the area of autonomy shall have the power to grant incentives including tax holidays within the power and resources in the area of autonomy.
130. The Regional Autonomous Government in the area of autonomy advocates equal opportunities for all the inhabitants of the area of autonomy regardless of ethnic origin, culture, sex, creed and religion.
131. In enacting tax measures, the Regional Legislative Assembly shall observe the principle of uniformity and equity in taxation and shall not impose confiscatory taxes or fees of any kind.
132. The Regional Autonomous Government in the area of autonomy shall have the power to enact a Regional Tax Code and a regional Local Tax Code applicable to all local government units within the area of autonomy.
133. All corporations, partnerships or business entities directly engaged in business in the area of autonomy shall pay their corresponding taxes, fees, and charges in the province, city or municipality in the area of autonomy where the establishment is doing business.
134. All corporations, partnerships or business entities whose head offices are located outside the area of autonomy, but doing business within its territorial jurisdiction, either by using, exploiting, and utilizing the land, aquatic and all natural resources therein, shall pay their income taxes corresponding to their income realized from their business operation in the area of autonomy through the province, city or municipality where their branch offices are located. In case the business establishment has no branch in the area of autonomy, such business establishment shall pay through the city or municipality where its operation is located.
135. The Regional Autonomous Government in the area of autonomy as a corporate body, may contract domestic loans.
136. The Regional Autonomous Government recognizes the pivotal role played by banks and other financial institutions in the economic development of the area of autonomy. Toward this end, the Autonomous Government shall:
 - a. Encourage the establishment of banks and bank branches in the area of autonomy;

- b. Encourage the entry and establishment of off-shore banking units of foreign banks in the area of autonomy.
137. The Regional Autonomous Government may accept foreign financial and economic grant for the development and welfare of the people in the region.
138. The Regional Autonomous Government may issue its own treasury bills, bonds, promissory notes, and other debt papers in consultation and coordination with the Bangko Sentral ng Pilipinas.
139. The Regional Autonomous Government may contract foreign loans within the purview of national laws and pertinent monetary and fiscal policies.
140. In the pursuit of the region's economic growth, development and welfare, the autonomous government shall have the right to formulate economic and financial policies and implement economic and financial programs, taking into account national laws and policies.
141. The Regional Autonomous Government in the area of autonomy shall encourage, promote and support the establishment of economic zones, industrial centers, and ports in strategic area and growth centers to attract local and foreign investments and business enterprise.
142. The Regional Autonomous Government in the area of autonomy shall undertake encourage, promote and support the establishment of economic zones and industrial centers. And, in order to attract local and foreign investments within the area of the zone and outside but within the area of autonomy, the government in the area of autonomy may grant incentives to investors as may be defined in an Autonomous Investment Act to be formulated by the Regional Legislative Assembly within one year from its organization.
143. The residents in the area of the autonomy shall have preferential rights over the exploration, development and utilization of natural resources in the area of autonomy respecting existing rights on the exploitation, exploration, development and utilization of natural resources.
144. The Regional Autonomous Government in the area of autonomy shall enjoy fiscal autonomy in budgeting its own revenue resources and block subsidies granted to it by the National Government and foreign donors. Budgeting includes planning, programming and disbursing of funds.
145. The National Government shall appropriate for the area of autonomy a sufficient amount and for a period (both to be determined later) for infrastructure projects which shall be based on a development plan duly approved by the Regional Autonomous Government taking into account national policies.
147. In the regulation of the exploration, utilization, development, protection of the natural resources inclusive of mines and minerals, except strategic minerals which will be defined later, the government in the area of autonomy shall enact rules and regulations and shall impose regulatory fees, taking into account national policies.
148. An Islamic Banking Unit shall be established in the Bangko Sentral ng Pilipinas which shall be staffed by qualified Islamic banking experts nominated by the Governor of the Regional Autonomous Government. The Governor of the Regional Autonomous Government shall nominate at least three (3) qualified persons from the area of autonomy, from which nomination the appointing authority shall appoint the Head of the Unit. The same procedure shall be observed as regards the rest of the positions in the Unit.
149. The Bangko Sentral ng Pilipinas shall have a Regional Office with full banking service in the capital of the government of the Autonomous Region to respond to the growing needs of the banking community in the area of autonomy which shall be established within one (1) year from the establishment of the Autonomous Government. The Governor of the Autonomous Government shall submit a list of qualified recommendees to the appointing authority from which the staff of the regional office may be chosen; provided that those staff who are now occupying and already appointed to positions in the regional office are considered as recommended by the Governor of the Regional Autonomous Government.
150. The Regional Autonomous Government shall establish a body in the area of autonomy with the same powers as the Philippine Economic Zone Authority (PEZA) consistent with the Special Economic Zone Act of 1995.
151. All current year collections of internal revenue taxes within the area of autonomy shall, for a period of five (5) years, be allotted for the Regional Autonomous Government (RAG) in the Annual General Appropriations Act; provided that:
- The Bureau of Internal Revenue (BIR) shall continue to collect such taxes and the BIR Collection Districts/Offices concerned shall retain such collections and remit the

same to the RAG through an approved depository bank within thirty (30) days from the end of each quarter of the current year;

- b. Out of said internal revenue tax collections, fifty percent (50%) of the tax collected under Section 100 (Value-added tax on sale of goods), 102 (Value added tax on sale of services), 112 (Tax on persons exempt from value-added tax), 113 (Hotel, motels and others), and 114 (Caterers) of the National Internal Revenue Code (NIRC), as amended, in excess of the increase in collections for the immediately preceding year shall be shared by the RAG and the local government units (LGUs) within the area of autonomy as follows:
 - (1) Twenty percent (20%) shall accrue to the city or municipality where such taxes are collected; and
 - (2) Eighty percent (80%) shall accrue to the RAG.

In all cases, the RAG shall remit to the LGUs their respective shares within sixty (60) days from the end of each quarter of the current year.

Provided, however, that the provinces, cities, municipalities and barangays within the area of autonomy shall continue to receive their respective shares in the Internal Revenue Allotment (IRA), as provided for in Section 284 of the Local Government Code of 1991.

Provided, finally, that the five-year (5) periods herein abovementioned may be extended upon mutual agreement of the National and Regional Autonomous Governments.

E. Shari'ah and Judiciary

152. The Regional Legislative Assembly of the area of autonomy shall establish Shari'ah Courts in accordance with the existing laws.

F. Totality Clause

153. This Peace Agreement, which is the full implementation of the 1976 Tripoli Agreement, embodies and constitutes the totality of all the agreements, covenant and understandings between the GRP and the MNLF respecting all the subject matters embodied herein. This Agreement supersedes and modifies all agreements, consensus, covenants, documents and communications not referred to or embodied in this Agreement or whose terms and conditions are otherwise inconsistent herewith. Any conflict in the interpretation of this Agreement shall be resolved in the light of the Philippine Constitution and existing laws.

G. Effectivity Clause

154. This Agreement shall take effect immediately upon the signing hereof by the parties, unless otherwise provided herein.

**Done in the City of Manila on the
2nd day of September 1996.**

For the GRP:

H.E. Ambassador Manuel T. Yan
Chairman of the GRP Panel

For the MNLF:

H.E. Professor Nur Misuari
Chairman of the MNLF Panel

**With the participation of the OIC
Ministerial Committee of the Six
and the Secretary-General of the OIC**

H.E. Mr. Ali Alatas
Minister for Foreign Affairs of the Republic of
Indonesia/Chairman of the OIC Ministerial
Committee of the Six

H.E. Dr. Hamid Al-Gabid
Secretary-General of the OIC

By Rufa Cagoco-Guiam

A critical partnership

civil society & the peace process

Introduction

Peace is a collective concern requiring the efforts of all society. In the Mindanao peace process, while government and civil society organisations shared the concern to achieve peace, government initiatives have virtually excluded civil society. The official peace process which paved the way for the signing of the Final Peace Agreement between the Philippine government and the Moro National Liberation Front (MNLF) involved only a few members of Mindanao's influential civil society groups.

The Peace Agreement was a significant step in a long process. It provided for a phased transition to greater autonomy whose final terms would eventually be subjected to congressional debate and a plebiscite. It could thus be expected to offer further opportunities for input from civil society sectors. Their virtual exclusion from the official peace process is one of the main reasons for the opposition to the creation of the Southern Philippines Council for Peace and Development (SPCPD). The SPCPD, created through presidential Executive Order

(EO) 371, is supposed to oversee development programmes in the Special Zone of Peace and Development (SZOPAD). In some key areas in Mindanao open opposition and even mass protests greeted government initiatives after the Peace Agreement was signed.

Some sectors, however, expressed support for the peace process and welcomed the creation of the SPCPD as a significant step towards peace. But while they expressed support and willingness to collaborate in peace and development efforts in Mindanao, they wanted to assert their freedom to criticise government actions when necessary. For these groups, some kind of a 'critical partnership' for peace and development is possible, especially if it helps marginalised people.

Mindanao civil society: an overview

Like its national counterpart, civil society in Mindanao is a complicated terrain of networks, coalitions and political alignments. Varying orientations and interests compete for popular attention, loyalty and sources of funding. The inherent tensions among some of

A tradition of activism: peace demonstration in the 1980s

Source: Philippines Resource Centre



these groups are rooted in their divergent political orientations. At times they explode in what the non-governmental organisation (NGO) community refers to as 'turking', or the concern of one network to protect its line of work or 'turf'.

Figure 1 (overleaf) shows Mindanao civil society as a political spectrum. It is by no means exhaustive but it does include important sectors and sectoral organisations that have established a name in civil society circles. To one side are groups perceived as either 'legitimate' or 'conservative', (because of their politics or their institutional connection) and on the other are networks, service providers, people's organisations, campaign groups and the political organisations they are linked with. Public perceptions of these groups range from politically 'progressive' or liberal to 'subversive'. Civil society groups of divergent political orientations quite often form broad-based alliances based on tactical or pragmatic goals.

People's organisations, non-governmental and civic organisations exist in almost all provinces in Mindanao, but compared to Christian-led

organisations, Moro civil society groups are still relatively few. Most are led by middle class urban-based professionals, although grassroots organisations of farmers, fisherfolk and urban poor also exist. Among others are religious and missionary organisations, such as the Tableegh (which proselytises among Christians who have expressed interest in Islam) and a national association of Muslim converts. Mindanao's indigenous (Lumad) peoples have forged their own organisations through the years of struggle for self-determination.

As in most parts of the Philippines, civil society groups in Mindanao come to the fore during times of crisis or significant political change. For instance, in the wake of the Asian currency crisis that started in 1997, campaign groups and trade unions staged street protests and issued press releases.

Mindanao civil society groups also work among marginalised and impoverished sectors of society on a range of social development issues. Non-governmental organisations carry out research, lobby for new policies and structural change, and provide basic health

and childcare services in places lacking government services. They also support community organising, which mobilises communities not only to participate in development programmes, but also to address their demands directly to those who have power over them – local government, big business or even military forces. For example, the Moro People’s Resource Center, Inc. (MPRCI) has provided community organising support for Moro and Lumad communities for more than a decade and Gabriela-Mindanao helped organise Talikala (chain), an NGO helping prostituted women in Davao and other cities to empower themselves.

The Roman Catholic Church has organised *barangay* (village) level organisations called Basic Christian Communities. Many human rights groups started as church-based organisations. Various Muslim-Christian dialogue programmes were organised in the early 1980s, for example the Duyog Ramadhan (literally, accompanying Muslims during Ramadhan). The Protestant churches in the National Council of Churches in the Philippines (NCCP) have also encouraged inter-religious dialogue. The longest running Muslim-Christian dialogue programme in Mindanao is the Silsilah dialogue movement based in Zamboanga City. It was organised by a missionary group, the PIME fathers, in 1984.

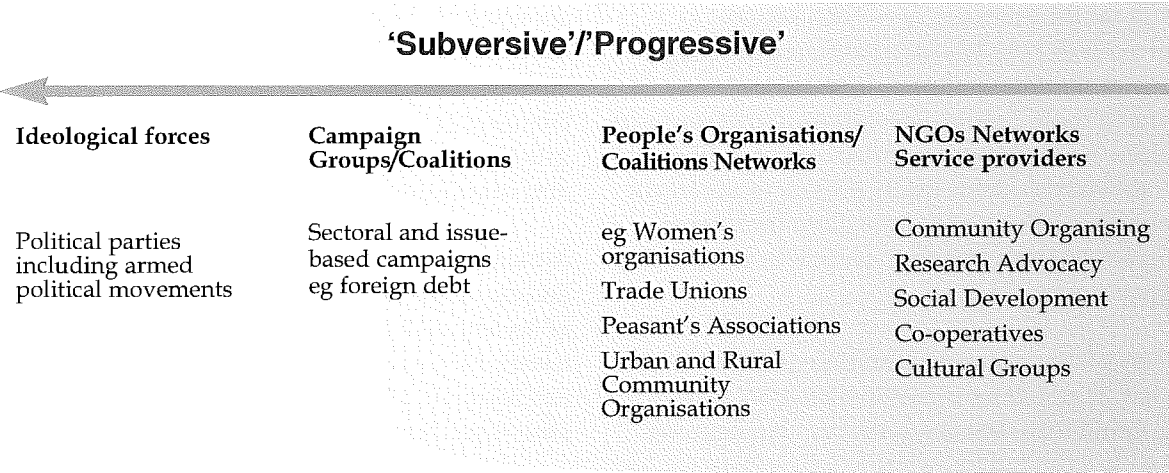
Among Mindanao’s academic institutions the concept of extension services as an integral part of higher education gained ground in the 1970s. In the mid-70s, at the height of the war between the Philippine military and the MNLF, many church-run universities in Mindanao started community extension service programmes as a response to the immediate needs of people caught in the crossfire.

A branch of Notre Dame University (NDU) established the first such programme in the late 1960s. The Maryknoll Sisters at Notre Dame of Dulawan (the old name for Datu Piang town) established a poverty alleviation programme among Maguindanaons. They provided soft loans and free medical services, including maternal and child care, and urged them to adopt preventive rather than curative approaches to common illnesses. The sisters paved the way for civic consciousness to develop in the academe.

Civil society and the peace process

Many organisations have addressed the peace process in statements about the GRP-MNLF agreement. Some have played an advocacy role on issues directly related to the peace process. For example civil society leaders, such as Rey Teves of the Kusog Mindanaw alliance, have proposed federalism

Figure 1: Mindanao civil society



as an alternative to the unitary structure of the Philippine state. Some civil society organisations are represented in the Consultative Assembly of the SPCPD, and a few are directly involved as intermediaries between the government and remaining rebel groups. (The independent committee monitoring the ceasefire between the government and the Moro Islamic Liberation Front (MILF) is composed of representatives from NDU, the Maguindanaon Professionals and Employees Association, the Protestant Lawyers League and the Cotabato City Media Multi-Purpose Co-operative.)

Although the activities of most Mindanao civil society organisations were not aimed directly at promoting peace, they could be credited with preventing potential conflict spawned by poverty and displacement. This is where the cumulative impact of their peacebuilding efforts can be gauged. However, such activities rarely receive media coverage, so their impact is often undervalued in society at large.

The current government-initiated peace efforts have not consulted directly with marginalised sectors about their potential contributions to the peace process. Women have been largely ignored and Lumad organisations feel that they have been excluded. This was a recurring theme in a recent series of focus group discussions carried out under a UN-funded

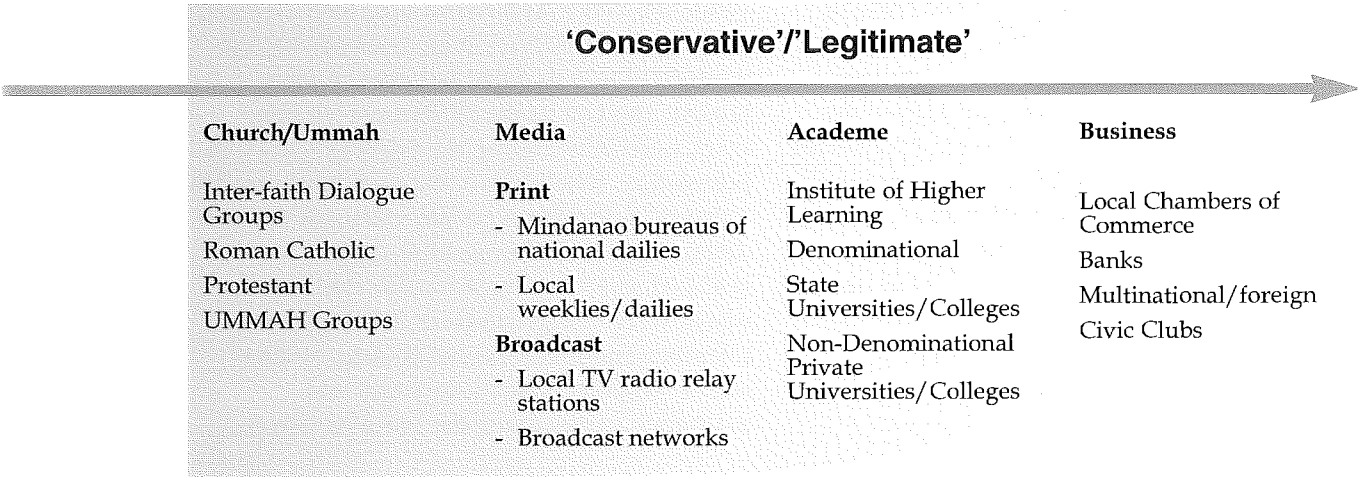
project. The Lumad groups feel that they should be considered important stakeholders in the present peace process (as they share their homeland with the Muslim Moros) and that government is neglecting their basic needs and problems, and treats them as last class citizens.

Media and academe

The media play a crucial role in the peace process and radio has the greatest influence on grassroots communities. Media set the agenda for public debate. It may not participate directly in negotiations, but its intermediary role as facilitator and vehicle for information about the process can make or break the peace. Most reporters, editors and producers, however, are looking for a sensational news story.

In Central Mindanao, the worldviews of media owners and practitioners tend towards political conservatism. Media owners generally come from the upper middle classes thus commercial interests and political conservatism dictate what news stories are aired on broadcast media and printed in newspapers.

Media practitioners’ relationships with civil society (NGOs, people’s organisations, and rebel groups) affected media coverage of the



peace process. They tended to see civil society groups as unimportant and hence not newsworthy. Their perceptions of these groups are shaped by their political conservatism, so they classify most NGOs as leftist or even subversive. Thus they rarely consult NGOs for news related to their social development work.

In Central Mindanao, media coverage of the peace process has been unfair and inadequate. NGO leaders and workers interviewed for a 1997 case study on media and the peace process said that coverage of the process so far had excluded any historical background of the armed conflict. Moreover, media discussions on the peace process have virtually omitted civil society efforts at peace advocacy. The lack of media attention to the vital issues encompassed by the peace process has also contributed to popular misconceptions about the talks between the government and the MNLF, and a resurfacing of the age-old prejudices between Christians and Muslims. These have led to widespread antagonism to the 1996 Peace Agreement.

Perhaps no other sector in civil society has a greater potential for promoting peace advocacy than the academe, but only a few academic institutions in Mindanao have engaged in the promotion of peace and development. These include NDU in Cotabato City which has established a peace education centre offering graduate programmes in peace studies. Individual academics from NDU and Mindanao State University (MSU) have played key roles in forging the Peace Agreement. Since the agreement, several universities (including NDU, MSU-General Santos and Ateneo de Zamboanga) have been helping to implement the UN Multi-Donor Assistance Programme for MNLF ex-combatants and their communities. But generally, the lessons learned from studies have not trickled down to grassroots communities or even to people's organisations based in the countryside where peace and order crises are endemic.

'No to the SPCPD': re-opening the wounds of war

In the May 1998 local elections, a Roman Catholic parish priest in one of General Santos City's 26 *barangays* was actively campaigning against a candidate perceived to be supporting the SPCPD and the peace process. He urged his parishioners to vote for another candidate who was not 'pro-Muslim'. He preached that under a pro-Muslim mayor, all citizens would be subjected to the Code of Muslim Personal Law, that Christian women would be forced to wear the *hijab* (veil) and eating pork would be banned. The pro-peace process candidate lost the election, probably for a variety of reasons, but the campaign against her led by a person in authority — a parish priest — was significant.

Opposition to the Peace Agreement has not gone away. Some sections of civil society staged vociferous protests after the promulgation of EO 371. In General Santos City, broad-based coalitions of (Catholic) church workers, lay people, professionals and youth staged rallies in the city plaza to denounce President Ramos and the SPCPD. In other cities and towns of Mindanao, irate crowds threw tomatoes at speakers in government-organised public meetings about the Peace Agreement. In Cotabato City, designated seat of the SPCPD, opponents of the Agreement displayed banners and pasted posters on walls. One poster said: 'Give peace a chance — oppose the SPCPD!'

While the Peace Agreement may have silenced the guns of the MNLF, it has rubbed salt into wounds of war that had not yet completely healed. The war in the 1970s have left deep scars, especially among the majority Christian population, who believe that they have become 'victims' in the Moro people's struggle for self-determination. Old prejudices against Muslims surfaced, even among sectors in civil society which were thought to have developed tolerance and broad understanding of inter-ethnic relations. Many journalists and academics were among the most vociferous

critics of SPCPD and the Peace Agreement. In their eyes, the Peace Agreement opened the floodgates for granting favours to a 'troublesome' population — Muslims in general and the MNLF in particular.

Some Church groups expressed serious reservations about the SPCPD. In 1996, the Convention of Philippine Baptist Churches (CPBC) issued a position statement:

'it [the SPCPD] fails to address the fundamental problems of poverty, landlessness, foreign domination and control, just wages and underdevelopment, among others, of the Bangsamoro people (Muslims, Lumads and Christians in Mindanao); it increases [sic] Muslim and Christian elites who will perpetuate the exploitation of the majority; it is insensitive to Lumad and Christians' struggle for peace.'

The lack of grassroots consultation before the SPCPD was proclaimed stoked resentment among Mindanao's Christian and Lumad populations. At the height of the controversy, broadcast media in Mindanao were holding daily radio fora on the pros and cons of the final Peace Agreement, and especially on the SPCPD. Many listeners said that SPCPD was just another government development package favouring business interests, especially multinational corporations. They felt that it would not really address the basic needs of Mindanao's poor and politically powerless Lumads, Christians and Muslims.

Muslim civil society groups sympathetic with the MILF see the Agreement as a manifestation of the government's insincerity in addressing the Bangsamoro problem. They see the SPCPD as an attempt to assimilate the Bangsamoro people into larger Philippine society, whereas the only way forward for them is to secure their own independent state.

The negotiations leading to the Peace Agreement focused on the differences and common ground between the MNLF and the government. This was understandable, given the government's strategy of dealing with one

rebel group at a time, but it meant that the concerns of constituencies outside the MNLF would not be addressed. Wider public consultation during the negotiations would not necessarily have led to an agreement solving all the problems of Mindanao, but it could at least have conveyed more clearly that the SPCPD was the first step, and not the last word.

The tortuous road to peace

Amid the popular opposition to SPCPD, some civil society sectors in Mindanao have decided to light a candle instead of cursing the darkness. Among the first influential group to express support was the Mindanao-Sulu Church Peace Congress, which gathered together Catholic bishops, priests, religious and lay workers in June 1996. This was a breakthrough for Mindanao's Catholic Church, which rarely speaks with one voice, especially on political issues. The participants produced a conference statement welcoming the proposed creation of the SPCPD as a 'significant step along the tortuous road to peace'. They also committed themselves to set up regional bodies to co-ordinate local support for the peace process with the MNLF.

The National Council of Churches in the Philippines followed suit when leaders of the United Church of Christ in the Philippines (UCCP), a member of NCCP, visited President Ramos in July 1996. Afterwards, the UCCP and the NCCP issued statements: the NCCP expressed 'approval and full support', but the UCCP gave 'conditional' support to the SPCPD:

'we now offer ourselves to be partners in this long journey of peace but we should also raise questions. What kind of development? Who benefits from this development? What is the people's participation in the process of development?'

Many Lumad and Moro organisations are asking similar questions. Their particular fear is of becoming alienated from their own culture in the process of being mainstreamed into larger Philippine society.

(L to R) Protestant Bishop Hilario Gomez, Mahid Mutilan (head of the Ulama League) and Catholic Archbishop Fernando Capalla sign a covenant of peace, Marawi City 1997

Source: Bobby Timonera



The business sector also expressed support for the peace process. Right after the signing of the Peace Agreement on 2nd September 1996, the Office of the President for Mindanao reported an 'upbeat business mood felt all over Mindanao', and newspapers reported the coming of new investors in droves.

In the Socsargen (South Cotabato-Sarangani and General Santos) growth area, a predominantly business-led multi-sectoral group was organised a few months after the Peace Agreement was signed. The Socsargen Movement for Unity and Development gathered prominent businesspeople and influential civil society leaders to produce action plans supporting government peace initiatives. One of their concrete contributions was to facilitate emergency aid for the MNLF co-operative in Lumatil, Sarangani province.

Many civil society groups who support the peace process with the MNLF also raise legitimate questions about government strategies for promoting peace and

development in Mindanao. Many church-based groups, for example, believe that people's organisations should not be treated as if they are simply bystanders in the peace process. As the NCCP Policy on Peace points out: *'if any peace process is to take place at all, it should be one in which the people, those whose lives are at stake, must play a role – not merely as spectators, but as a motive force.'*

This realisation has convinced some of the more progressive and liberal-minded leaders of the influential *ulama* (Muslim clerics) to enter a dialogue with the bishops of various Mindanao churches. This group, now known as the Bishops-Ulama Conference, has met several times for discussion, and to make pronouncements on the peace process. They have shown that it is possible for disparate groups to come together for peace and have set an example with strong potential for reconciliation and long-term collaboration. However, some Muslim religious groups distrust the initiative because it is largely organised by Christians.

Civil society prospects in peacebuilding

When organised into common interest groups, ordinary people can be a potent force in any social undertaking. Civil society groups in Mindanao have manifested their willingness and commitment to work for peace.

Social mobilisation, empowering people and generating small-scale livelihood projects, reduces potential conflict among marginalised and impoverished groups. Although no panacea for oppression and discrimination, livelihood programmes help to remove the immediate problem (survival) and reduce petty crime within communities. In this sense civil society organisations, especially NGOs and service providers, contribute to peacebuilding. Unfortunately, this potential has not been given due recognition in the official peace process.

While civil society sectors are eager to become active partners in government efforts to promote and sustain peace, they have legitimate concerns. Their vision of social transformation is independent of government intervention and, in becoming such partners, they fear co-option or arm-twisting to toe the official line.

Given their capabilities in accessing resources and in community organising, many Mindanao civil society groups could become effective partners of government in an official peace process. But they need to adapt to fast-changing circumstances. They need to be

flexible in addressing the day-to-day changes in the political landscape that result from the various phases of a peace process. Moreover, they need to realise that there are no instant dividends after any peace accord, and certainly not after the accord between the GRP and the MNLF. In any activity promoting sustained dialogue between groups wounded in a centuries-old armed struggle, a lot of healing has to take place.

Under a new and expanded autonomous government, civil society will need to form some kind of strategic alliance to define its roles and approaches in peacebuilding. Civil society groups can then mobilise communities to assert their role in development projects according to the provisions of the 1991 Local Government Code, which provides for active NGO participation in the development planning of local government units. Influential civil society groups like the church, media and academe should be at the forefront of promoting a culture of peace.

Government should support the peacebuilding activities of grassroots organisations. If it does not have sufficient funds, it should mobilise international donor agencies. This has started in Mindanao through the UN system for a multi-donor umbrella programme in the SZOPAD. But this programme could still engage wider participation from civil society — and the current peace process could become a blueprint for future peacebuilding efforts with other rebel groups in Mindanao. ■

Demanding a voice

By Rufa Cagoco-Guiam

In peace as in war, women bear the heavy burden of social maintenance, and yet are also the least heard, seen only on the fringes of many community activities. Bangsamoro women, like other women in the Philippines, are expected to ensure that the needs of family members are met, as well as earning an income. But women have little decision-making power within their families and communities. In traditional Bangsamoro communities (e.g. the Maranaw) parents or older family members arrange marriages for their daughters, although Islamic precept is that no woman can be married against her will.

Women have a limited presence in local politics and governance, whether elected or appointed. In 1996 the Mayors and Vice-Mayors in all 18 municipalities of Maguindanao Province were men; there was one woman on the 12-member provincial board, and only 15 women among the 144 local councillors. Where women do gain political office, it is usually by stepping into the shoes of a male family member who can no longer run for office.

In war as in peace, Bangsamoro women work in social welfare: they were the MNLF's medical support group: nurses, doctors and paramedics, caretakers of the old and the young left by fathers and brothers who were fighting.

The Agreement provided opportunities for Bangsamoro communities, especially MNLF members, to participate in Philippine mainstream society. But it remains unclear what this means for Bangsamoro women and whether they will be accorded the same opportunities as their male counterparts.

After the Peace Agreement, MNLF women are vocal about their exclusion from the process. They now welcome the chance to express their needs and hopes in community focus group discussions, but they feel they should be allowed to decide which projects to carry out, as the men do.

The Bangsa Moro Women's Foundation (BMWF), founded by Eleonora 'Rohayda' Tan Misuari, wife of the MNLF Chairman, collaborates with various agencies to empower and equip Moro women with the skills to participate in mainstream Philippine society. To date, 159 registered women's co-operatives and mutual benefit associations have been organised

and federated with the BMWF. The Foundation provides training, education and soft loans for members' livelihood and income generating projects. Fatmawati Salapuddin, Executive Director of the BMWF, says that while the Peace Agreement has opened doors to funding agencies' support, it has failed to address landlessness — the major root of Moro discontent.

Bangsamoro women's organisations outside the MNLF also believe the 1996 Peace Agreement has fallen short. The Khadija organisation, with chapters in Davao and Cotabato cities, sees the Peace Agreement as a 'betrayal' and the SPCPD as 'an inutile mechanism meant to stifle (the) justified dissent and resistance of the Moro people'. Women in the Moro Islamic Liberation Front (MILF) believe they need to persist in the armed struggle. ■



Source: Sean Sprague

Lumads and the peace process

Interview with Ramon Moaming

Ramon Moaming, Executive Director of the Lumad Development Center (LDC), is an indigenous Teduray. LDC is a non-governmental organisation based in Cotabato City which carries out social development work in Lumad communities giving technical and advocacy support to Lumad people's organisations.

'There is a peace agreement with the MNLF and a ceasefire agreement with the MILF, but indigenous peoples are being exploited and disempowered just the same. They are still marginalised. There have been no changes, whatever the agreements with the Moro groups. The process the government is undertaking is not addressing the issue, which is the right to self-determination. It's just political accommodation, not solving the problems.

'They have a document. But the people at the grassroots are hungry. Their stomachs have no peace. Their communities are being harassed and displaced, they are frightened. Their minds are not at peace.

'The Lumads were left out of the peace agreement. They had no representative at the talks. The negotiation was just at the top between the government and the MNLF. The grassroots were left out. We tried to consult them. We asked the MNLF what would happen to indigenous peoples. Our proposal was to include our agenda in the peace talks. They said, 'The MNLF cannot bring or support any agenda of the indigenous peoples. It is the indigenous peoples themselves who will defend their rights.'

'Now, the Southern Philippines Council for Peace and Development (SPCPD) has established a common ground between the MNLF and the government. The intention is for the SPCPD to pave the way for expanding the Autonomous Region of Muslim Mindanao (ARMM). There is a Vice Chair of SPCPD for Lumads. But the Lumad peoples were not the ones recommending Mai Tuan to be our representative. He was handpicked by Misuari [MNLF Chairman]. In the SPCPD Consultative Assembly, there is one Lumad member. But we did not recommend him either. It is the political relations of whoever runs SPCPD, the ARMM and the national government that determine who sits in the Consultative Assembly. There is still misrepresentation.

'The indigenous peoples in the Zone of Peace and Development do not have a clear view of what SPCPD is, or of what the ARMM is. The Organic Act that created the ARMM in 1989 mentions that indigenous peoples shall have privileges and rights, for example, tribal courts, but there is no representation of indigenous peoples in the Regional Legislative Assembly. No indigenous people are employed in it.

'Can we have the Moros formulating policies for the Lumads? That is inconsistent. The Lumads should formulate and articulate things for themselves. The same is true for SPCPD, or if the ARMM is to be expanded.

'Lumads suffer harassment from the government forces, the MNLF and the MILF. They just keep displacing the indigenous peoples. On 7 October 1998 the 38th Infantry Battalion of the Philippine Army attacked Lumads in Barangay Bantek, while on combat patrol. They killed one person and wounded another. The Lumads have asked the Commission on Human Rights and the Office of Southern Cultural Communities to investigate.

'Some of the MNLF are still collecting revolutionary taxes. The MILF are also collecting revolutionary taxes. The MILF leaders say this should not be going on, but the indigenous people are afraid to refuse, because the collectors are armed. People are afraid to complain. The MILF are also exploiting us. The indigenous people have no arms; they are not learned, so the MILF can force them away. For example, the Pajardo coconut plantation in Barangay Kinimi was supposed to be distributed to indigenous people under the agrarian reform programme. But the MILF forces have occupied it since 1997.

'The MILF and the government are talking about peace, but the fighting is still going on. We do not know who started the fighting. We just know about the evacuation of innocent civilians, who are being displaced because of the skirmishes, while negotiations go on.

'We have to organise the people, so that they assert their rights, educate them to be aware of the rights of others — Moros and Christian settlers. We have to unify the people.' ■

By Eric Gutierrez

The politics of transition

The 1996 Peace Agreement between the Philippine government and the Moro National Liberation Front (MNLF) was announced as a breakthrough. It seemed to have achieved the politically impossible. It affirmed the legitimacy of the Bangsamoro cause, even as it maintained the sovereignty and territorial integrity of the Philippine republic. Moreover, the promise of unlocking Mindanao's vast development potential beckoned. The Organisation of Islamic Conference (OIC) and the Association of Southeast Asian Nations (ASEAN), along with other international bodies, expressed eagerness to support the Agreement.

The Agreement promised to expand both the powers and the territory of the Autonomous Region of Muslim Mindanao (ARMM), subject to a plebiscite, but this would be postponed for three years to allow for confidence-building. The formula was an attempt to reconcile the Philippine Constitution's provisions for a plebiscite as a precondition for autonomy with the Tripoli Agreement's provisions for a Moro autonomous region with a predominantly Christian population. The MNLF's anxiety that a plebiscite would inevitably reduce the autonomous region's territory was allayed, to some extent, by the provision that provincial

boundaries could be redrawn to cluster predominantly Muslim municipalities. This offered the possibility of a new autonomous region substantially bigger than the existing ARMM, and including most Muslim communities in Mindanao.

During the three-year transition period, a Southern Philippines Council for Peace and Development (SPCPD), led by the MNLF, would supervise development programmes in the 14 provinces covered by the agreement. In a parallel informal agreement, MNLF Chair Nur Misuari had agreed to run for election as governor of the existing ARMM under the banner of President Ramos's party. The entire package was intended to demonstrate to a doubting public that a larger autonomous region under Bangsamoro leadership could improve the lives of all people in the area.

Less than a month after the document was signed, however, the deal had begun to falter. Executive Order (EO) 371, the presidential directive for carrying out the Agreement, clearly missed out on some substantive points. It proclaimed a Special Zone of Peace and Development (SZOPAD) in the 14 provinces. However, the transition structures created — the SPCPD and the Consultative Assembly (CA)

— were too powerless to make an impact. They had very limited funding, no police powers, no control over national projects and programmes that were supposed to be within their remit, and no jurisdiction over significant sections of the bureaucracy in the region.

It has become clear that the transition structures have failed and run out of time. The question is — can the transition still be saved? — and granting that it can, what lies ahead when the autonomy embodied in Phase II of the Agreement is implemented?

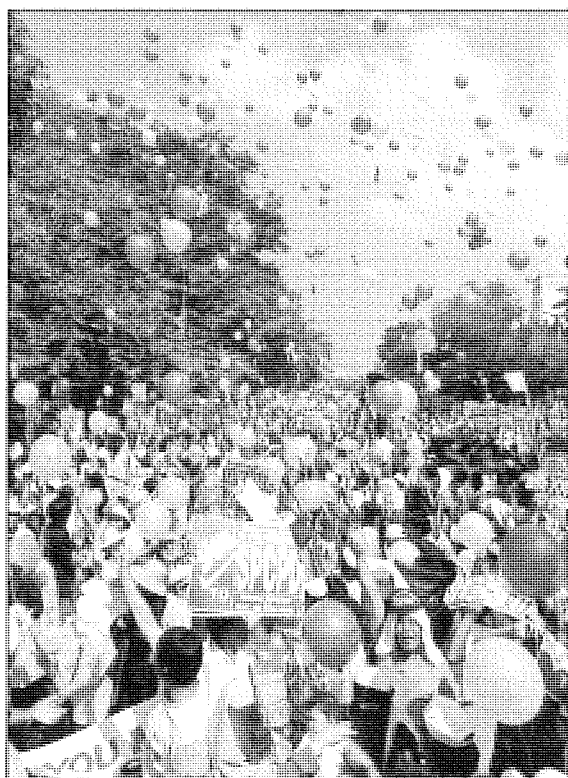
A precarious compromise

The transition was a precarious compromise from the outset because the government did not speak with one voice to the MNLF. When the peace negotiations went into substantive discussion in late 1995, Congress initially distanced itself, declaring the talks to be exclusively the domain of the executive. Congress, therefore, was not bound by any commitment the Administration made, and could question the agreements entered into.

After an interim agreement containing the points of consensus was signed, the Senate stepped in. From July to September 1996, it conducted public hearings to review the commitments made. Only when the Administration accepted nine amendments did the Senate back down. These included the withdrawal of any political powers of governance from the SPCPD and the CA. The Senate also wanted the independence of local government units emphasised, and insisted that national government agencies to be controlled and supervised by the SPCPD should be enumerated to avoid blanket coverage. Six of the 24 senators, including the Senate President, voted against a resolution expressing support for the peace talks.

In the House of Representatives, the opposition was led by three women from Mindanao, collectively known as the 'Tres Marias'. They accused the Ramos administration of selling out to the MNLF and whipped up anti-Moro

Christians and Muslims welcome the signing of the Peace Agreement, Manila, 2 September 1996



Source: Associated Press AP

The Lobregats' election poster, Zamboanga City, May 1998



Source: Mara Stankovitch

sentiment into virulent opposition to the Agreement among Christian settlers in Mindanao. Only 'over their dead bodies' would the MNLF rule Mindanao, they said. In the end, the Tres Marias, through the House Appropriations Committee, were able to block funding for the transition structures.

The politicians who opposed the Agreement were emboldened by public uproar against the deal. Vigilantes exploded bombs to make their presence felt and threatened further violence if the Agreement was sealed. Attacks on the Agreement gained ground and were left largely unchecked for a number of reasons. The negotiations had lacked transparency, which made the political opposition nervous about what might be cooking. Civil society organisations were kept out of the discussions. Even efforts backing the Agreement, from groups like the Peace Advocates of Zamboanga, were largely ignored. The Agreement thus came out with relatively little popular support. Although many Christians were prepared to give it a chance, the opposition had a head start.

Just before the Final Agreement was signed, six senators, nine congressional representatives and a provincial governor filed a petition with the Supreme Court to invalidate the Agreement. They argued that the transition violated constitutional statutes, that the executive had usurped legislative powers, that the document could not have the force of law, and that the peace treaty would pave the way for Moro authoritarianism in the south. There was, however, a technicality: the Supreme Court could not act on the petition until the administration issued the necessary Executive Order as proof of its intentions.

Thus the petition became a sword of Damocles hanging over the Agreement and it effectively watered down substantive provisions in the Executive Order. When EO 371 was issued on 2 October 1996, there were clear mismatches with the Agreement. Among these were:

- ◆ the EO provision on funding did not specifically allocate funds for the transition structures — neither was the Department of Budget and Management instructed to draft a supplementary budget for recommendation to Congress, as stated in Point 15 of the Agreement;
- ◆ the EO did not make explicit that 44 (out of 81) members of the Consultative Assembly would come from the MNLF, as stated in the Agreement;
- ◆ the EO created a complicated bureaucratic maze (see box opposite) — its provisions on the role of SPCPD were merely declarations of policy, too general to be of any use for ground level executive action. The Agreement itself was more specific: it named seven government agencies whose operations in the SZOPAD region would be 'placed under the control and supervision of the SPCPD'.

The administrative framework for the transition had reduced any impact the new institutions could be expected to make. All they could do was make recommendations to the President. Any attempt to increase these powers could result in the Supreme Court declaring the entire set-up as unconstitutional.

Lacking authority and adequate funding, the SPCPD, the CA, and the SPCPD Secretariat have remained essentially powerless, unable to make any noticeable impact. They could not even initiate development planning because that function had been specifically assigned to a Special Development Planning Task Group headed by the National Economic and Development Authority. Nor could they directly ask national government agencies to address the priorities they established — everything and anything had to go through the Office of the President.

The transition is expected to set in motion a much more difficult political process: to push Congress to amend or repeal the existing autonomy law (Republic Act 6734), pass a new Organic Act incorporating pertinent provisions of the Agreement, and submit this Act for

A bureaucratic nightmare

By Fr Eliseo R Mercado

The Peace Agreement and Executive Order 371 carved out a Special Zone of Peace and Development (SZOPAD), which covers the administrative regions of Southern, Western and Central Mindanao, as well as the existing Autonomous Region of Muslim Mindanao (ARMM). The Agreement also established two new structures, the Southern Philippines Council for Peace and Development (SPCPD) and the Consultative Assembly (CA). These two bodies were set up to co-ordinate, promote and accelerate peace and development efforts in the SZOPAD.

The SPCPD and CA were established without any change in existing regional boundaries or administrative structures in the Southern Philippines. Thus they co-exist with Regional Development Councils (RDCs), Regional Peace and Order Councils (RPOCs), and regional offices of national government departments. No division of roles and functions was defined between the old and new bureaucracies. The old bureaucracies, in any case, were unlikely to welcome any newcomers to their turf, let alone bodies composed of former rebels.

The relationship of the SPCPD and the CA to local government units at provincial and municipal level is also ambiguous. While the provincial governors and city mayors are ex officio members of the CA, their attendance and participation in its meetings are minimal. It has too little authority to be of interest to them. The new structures seem to be in limbo, as far as the other government bodies operating in SZOPAD are concerned.

The MNLF leaders, serving in the new structures and in the ARMM, have had to learn new skills and undergo radical adjustments to conform to the processes of government bureaucracy. The government bureaucratic wheel turns slowly, and anything but customer-friendly. The MNLF's integration into this bureaucracy means that it has assumed the bureaucracy's unfriendly culture.

Another problem is the perceived exclusiveness of the MNLF. People in SZOPAD perceive that one

needs to wear an MNLF 'badge' to get appointed to a responsible position in the ARMM or the SPCPD. But an MNLF badge is no guarantee of competence or managerial skills. Unless this exclusiveness is replaced by an inclusiveness for all the peoples of the Southern Philippines, the MNLF will simply turn into a traditional patronage system.

Recommendations

There is an urgent need to extend the transition period and to rework Executive Order 371 in keeping with the spirit of the peace accord.

1. Much is expected of the MNLF, but little support has been given. The capacity of institutions and individuals must be built up to assist its transformation from a politico-military organisation into an organisation for democratic governance.
2. The administrative regions of the Southern Philippines must be redrawn. The existing regional divisions should give way to a new administrative region, the SZOPAD.
3. The SPCPD and the Consultative Assembly should replace the existing RDCs and RPOCs in SZOPAD.
4. The functions of the SPCPD and the Assembly urgently need further definition.
5. The relationships between the new structures and the various government agencies should be defined.
6. The participation of local government units in the new structures must be strengthened. Development and peace initiatives happen at the level of local communities — villages, municipalities, cities and provinces. Local government is at the front line.

The SPCPD and the CA must be given a clear mandate as the primary bodies co-ordinating, promoting and accelerating peace and development efforts in the SZOPAD. ■

approval in a plebiscite to the people in the affected area. In the meantime, however, die-hard opponents of any meaningful political settlement with the Moros have grown more powerful.

The 1998 local elections swept many pro-Agreement politicians out of office, while their anti-Moro counterparts expanded their bases. In General Santos City, Mayor Rosalita Nuñez lost to Adelbert Antonino. A wealthy settler who made money from logging, he is the husband of Representative Lualhati Antonino, one of the Tres Marias.

Another representative, Daisy Avance Fuentes, not only won re-election but was even 'promoted' to the powerful post of Deputy Speaker for Mindanao in the House of Representatives. She is remembered for her harangues calling Moros 'killers of (our) relatives'. Former Representative Maria Clara 'Caling' Lobregat, a symbol of conservative Christian politics in the South, is now mayor of Zamboanga City. Her son Celso took her seat in Congress. Their election slogan was 'No to SPCPD!'

These three representatives are allied to incumbent President Joseph Estrada who, despite pronouncements of support for the Agreement, seems uninterested in the Moro cause. No clear policy on Mindanao, much less on the Peace Agreement, has been heard from the new administration.

This situation is exacerbated by the growing political isolation of the MNLF. Rather than trying to create a wide constituency of support for the Peace Agreement, the MNLF chose to build an exclusive partnership with Lakas-NUCD (Ramos's political party) whose presidential candidate Jose de Venecia lost in the 1998 election.

The election results show signs of diminishing popular support for the MNLF, in the face of challenges from within the wider Muslim community: ex-rebels, politicians, or the traditional elite. Only two of the MNLF leaders

who ran for Congress or for important local posts were elected. Hussin Amin is now Congressional Representative for Sulu 1st District. Former MNLF Secretary General Muslimin Sema has become Mayor of Cotabato City, but his victory was tainted by charges of irregularity.

The political realignments have not only left Misuari and the MNLF without strong, dependable allies in Manila. They may also have diminished the prospects of Congress or the new President initiating a rescue of the transition.

Saving the Agreement

The 1996 Peace Agreement, therefore, is in danger of suffering the fate of the Tripoli Agreement. Instead of a real settlement that will permanently end the violence, a mangled version of autonomy is undermining public confidence in the proposed solution. Bureaucratic gridlock, legal disputes, political challenges, and diminishing popular support are eroding the territory, authority, funding and political infrastructure of the new autonomous region even before it can be set up. National government is indifferent. Popular acceptance is lacking. Institutional support from the churches, business and the media is lukewarm or at times completely absent. MNLF leadership and executive agencies in SZOPAD, including the Office of the President, have not lived up to popular expectations.

The MNLF, having taken charge of the ARMM government and entered into a partnership with the administration, has found out the hard way that running government bureaucracy can be more difficult than waging revolution. For instance, whether he wants to or not, Misuari is being asked to be a patron providing jobs and attending to requests from people who knock on his door. But Mindanao needs more than a patron. It needs a leader who can be both skilled technocrat and savvy politician, or a modernising agent who is also a tough boss, and can rein in the various challenges, some of them still armed, to his rule.

The 1996 Agreement simply has not been given a chance to work. As September 1999 approaches, when the SPCPD's term expires, fingers will inevitably be pointed at those who are to blame for another apparent failure. But the facts can be allowed to stand for themselves. What is needed is consensus from the various key players — the Administration, Congress, the MNLF, local politicians, the churches, civil society organisations, the international community etc. — on the need for positive and complementary intervention to save the Agreement, drawing on the lessons of the past three years.

Government, particularly the Office of the President, has to initiate a rescue, for the simple reason that it has the most to lose. Should the Agreement fail, Manila will go on record as being incapable of meeting commitments made at the negotiating table.

To start with, the Administration could prolong the transition period and increase the powers of the transitional institutions. Under the terms of the peace agreement, the President can extend the transition on the request of the SPCPD. In effect, the Administration and the MNLF would have to agree on this step.

The Administration can also, for instance, initiate post-Agreement discussions and evaluations to continue the seemingly endless but critically important search for solutions. Key problems that have emerged — lack of funding, the armed challenges, or bureaucratic inertia — should be clearly identified so they can be properly dealt with. The different sides, including the international community, can then begin to be more pro-active in dealing with other problems that are starting to emerge, like the political realignments after the May 1998 elections. The transition is supposed to be a confidence-building phase for both sides. If any lesson is to be drawn from the past three years, it is that confidence can be built only through continuous dialogue.

Eventually Congress, more than the executive, will emerge as the key institution with the

mandate and power to resolve the troubles. The transition phase merely buys time for the more difficult process of enacting a new autonomy law. Congress is the venue where the substantive provisions for autonomy will be debated and crafted.

Whether Congress does take the lead will of course depend on a number of factors. First, the parties represented there need to reach a consensus in laying down what Soliman Santos describes as the legal framework for peacemaking (see box p. 72). The lack of a multi-partisan base for the Agreement was a key reason why Congress became increasingly opposed to the deal. Second, the fate of this process in the legislature will depend on a change of heart among key congressional leaders. Congress can also allocate the necessary funds — seed money or dividends — for consolidating peace. Assuming an extension of the transition period, it can also expand the limited space under which the SPCPD and the CA operate by reshaping administrative boundaries according to the proposals of Fr. Eliseo Mercado (see box p. 69).

Mercado's proposals seem to be the crucial middle ground that could strengthen the political perimeters of the Agreement. The SPCPD and the CA, operating as a new Regional Development Council for SZOPAD, have the potential to consolidate authority, build local multi-party consensus, and rationalise development efforts.

In drawing up a new autonomy law, Congress could also start a wider consultative process to demonstrate to Christians, Muslims and Lumads alike that autonomy is in their interest. This could lead to the crafting of a package that promises to further enhance local government roles and start the long process of redistributing wealth and the benefits of development. By enshrining the policy framework that will guide future ground-level executive action, Congress could provide a sense of security to the different groups involved, recognising minority demands and concerns, and guaranteeing the

Party politics and constitutional change

By Soliman M Santos

*Excerpts from a speech delivered at a Sri Lankan Parliamentarians Seminar,
sponsored by International Alert on 18 April 1997 at Hotel Danarra, Quezon City*

'Creating bi-partisan or multi-partisan support and understanding of peace negotiations at the parliamentary level is vital for achieving a permanent solution to conflict. More importantly, an end to conflict may even require constitutional change.

'In the Philippines, the lack of bi-partisan support led to the watering down of the 1996 Peace Agreement. The Senate introduced amendments in the final agreement that diluted the powers and autonomy of the transitional structures. Executive Order 371 further watered down, and deviated from the Peace Agreement. This could have been avoided had there been an early bi-partisan approach.

'The Ramos administration recognised the necessity of some kind of bi- or multi-partisan approach in forming its peace team. All government panels had advisers across parties from the Senate and the House of Representatives, in addition to a Cabinet Secretary. But panel advisers, especially from the oppositionist Senate, did not always act 'according to the script'. If the Philippine bi-partisan attempt has any lesson, it may be that token bi-partisanship will not do. There must be a genuine approach of building links, dialogue and confidence.

'Separation of powers has led to dissonance in the Philippine peace process. Government negotiates not as one entity but as three separate centres of power. A legislated national peace policy would help the branches of government to act together. Unfortunately, no senator or congressional representative has been bold enough to adopt it.

'Under a constitutional system, all laws are based on or consistent with the fundamental law which is the Constitution. Thus, we need to look for a constitutional policy on peace, or provisions that they may tip the balance in resolving judicial questions of constitutionality of certain peace

agreements. Some constitutions have more, some have less. The 1987 Constitution does not provide enough.

'A University of the Philippines professor rues that while the 1987 Constitution provides the President with extraordinary powers 'to prevent or suppress lawless violence, invasion or rebellion,' it has no provisions for the use of extraordinary peaceful means to meet armed threats to the State. There is no reference to peace negotiations as an instrument for resolving social and ethnic conflict. The chief executive must have peacemaking powers as a counterpart to warmaking powers.

'Such powers may need constitutional change. Of the five rebel groups, the two military rebel groups and now the MNLF accept the Philippine Constitution. The National Democratic Front (NDF) and the Moro Islamic Liberation Front (MILF) do not. In the peace talks with the NDF, a major agenda is 'political and constitutional reforms'.

'The government has consistently conducted its peace negotiations 'within the mandates of the Constitution.' But this would, in the NDF's view, 'negate the inherent character and purpose of the peace negotiations.' As a rebel group, it considers itself outside the purview of the Constitution. The MILF wants an Islamic system where religion, government, the economy and socio-cultural life are integrated. Can there be space for such a system in Muslim areas when the Constitution declares that 'the separation of Church and State shall be inviolable'?

'There are possible solutions, like federalism and models of 'one country, two systems.' The preferred solution is still one which holds the nation-state together while creating spaces for the Bangsamoro aspirations of self-determination, social justice, economic well-being and preservation of cultural heritage.' ■

financial and administrative sustainability of autonomous structures.

If mutual confidence can be consolidated, then the outcome of the plebiscite, whichever way it goes, will become much more acceptable to all sides — even if only six provinces and a few clustered municipalities vote to join a new regional autonomous government.

It should have become clear to the MNLF that the success of the Agreement depends on wider popular support, beyond the Moro constituency. They therefore need to build coalitions with civil society organisations, sympathetic Christian politicians and local officials, and to reassure certain sectors that their fears of so-called 'Moro authoritarianism' are unfounded.

Rather than addressing the criticisms, MNLF Chair Nur Misuari simply deflects blame towards the limitations of the Agreement. He argues that only when real autonomy is implemented — that is, when the autonomous region has its own regional security force, its own legislature, and the physical and financial capability to sustain itself — can the problems of the Moro people begin to be properly addressed. But the vision of autonomy needs more content: it becomes devoid of significance to people's lives if issues of democratisation and development are glossed over.

To many people in the ARMM, the concept of autonomy has come to mean simply an extra bureaucratic layer between themselves and Manila, which slows government down rather than making it more responsive or accessible to the people. This is clearly not the fault of the MNLF. But the MNLF will have to show the positive potential of regional autonomy.

The MNLF must review its goals and re-create itself. Based on their performance so far, some MNLF leaders are beginning to look like traditional politicians, using patronage and

political office to increase their wealth and status. So far, the MNLF has not defined an economic agenda that would redistribute assets and the benefits of development, and demonstrate that their goals are for the good of the majority.

Civil society organisations need to assert themselves more. These groups are crucial in raising strategic questions omitted from the Agreement (such as the Lumad agenda), improving transparency and scrutinising the kind of strategies government is pursuing to promote 'peace and development'. Civil society organisations can also support the social infrastructure needed for reconstruction.

More than ever, support from the media, the churches, business councils and other social institutions is needed to turn around opinion about the Agreement. For instance, there has been very little effort to explain the Agreement to the population at large. The document has not been translated into local languages and distributed to, say, the *barangay* (village) councils in the affected areas.

Finally, the international community must intervene more creatively. The United Nations Development Program for instance, has led the field in providing short-term development assistance to help Moro rebels to return to productive civilian lives. But unless these efforts are tied to a more strategic vision of eradicating poverty, the programme might end up as a deodorised version of Marcos's policy of attraction. It should show official support for efforts that aim to redistribute assets and provide long-term, stable jobs — the ultimate measures of security for a long-dispossessed people.

The next arena may prove to be more difficult, but nobody said it was going to be easy. The reconstruction and rehabilitation of Mindanao and the Bangsamoro homeland is going to be long, difficult, and complex. ■

The peace and development formula

The promise of development, which the Ramos administration and the MNLF proclaimed was at the heart of their peace agreement, has different meanings for the different ethnic, social and political groups in Mindanao.

The Ramos administration's goal was to attract foreign investment into Mindanao, but in the 1980s, political instability was perceived as a deterrent to investors and hence an obstacle to economic growth. For the Ramos administration, peace was a prerequisite for development.

Abraham Iribani, chair of the MNLF Secretariat for the peace talks, says, 'the government did not go into the agreement because it loves the Muslims, but because it needs peace in order to develop Mindanao's resources'. Many MNLF leaders shared Ramos's development goals, seeing Malaysia as the preferred model — its development was financed by foreign investment, but with the state playing an important role and preferential policies to develop a Malay Muslim entrepreneurial class in an economy previously dominated by the Chinese community.

During the negotiations, development was a common interest that could bring the MNLF and the Ramos administration together while they thrashed out the constitutional issues that kept them apart. Their vision of development was shared by the Indonesian government, which was mediating the talks. Indonesia and the Philippines were already working with two other members of the Association of South East Asian Nations (ASEAN) — Brunei and Malaysia — on a cross-border economic co-operation project called the East ASEAN Growth Area (EAGA). It aimed to develop trade, tourism and investment in Borneo, Mindanao, Palawan, Sulawesi, Maluku and Irian Jaya (West Papua).

For the parties to the talks, development meant ports and airports, power generation, plantations, tourism, mining and industrial development. This vision had considerable resonance among the urban middle class, both Muslim and Christian. It also found favour with foreign government aid departments. In the early 1990s, new office buildings and tourist resorts sprang up, bank



Source: Bobby Timonera

MNLF ex-combatants farming in Zamboanga del Norte province, 1999

branches opened, transport, communications and service industries boomed in urban enclaves such as Cagayan de Oro, General Santos and Davao City.

The Peace Agreement was intended to sustain this growth, but for the poor, of whatever ethnic group, it meant displacement from homes and sources of livelihood, homes bulldozed to make way for shopping malls and office blocks, farmland taken over for plantations or cleared for open-pit mining.

The Lumads, with little political clout or armed strength to protect their claims to the land, are particularly vulnerable to displacement by agribusiness, tree farming or mining. Like indigenous peoples elsewhere in the Philippines, many of them define their experience as 'development aggression'. Many Lumads see the transitional structures set up by the peace agreement as vehicles for large projects run by outsiders. As Subanon leader Boy Anoy says, 'The problem is that the SPCPD is for large-scale development projects. This means displacement for indigenous people'.

Investment in Mindanao increased after the Peace Agreement, although how much of it went outside urban areas is not clear. One local government planner had this criticism of the attempts to devise a coordinated plan for the Zone of Peace and Development: '[Central government] planners simply presented their own plans, drawn up without consulting people on the ground. [Their] plans were all to do with investments, but that is not what is needed. What is needed is poverty alleviation, employment and basic services'.

Many people in Mindanao agree. 'People are looking for some sort of reconstruction, for basic needs to be met: housing, farm-to-market roads, water systems that were destroyed in the war,' says Professor Jamail Kamlian.

To most Muslims, the absence of government services in their communities is a symptom of government neglect and discrimination, a cause and a consequence of the conflict. Development, understood as government services, is a symbol of inclusion and of equality with other citizens of the Philippines.

The 1997 *Philippine Human Development Report* attempts to indicate quality of life through a Human Development Index based on life expectancy, functional literacy and per capita income. It puts the five predominantly Muslim provinces among the six worst off out of 74 provinces in the Philippines. According to Education Department figures for 1994, the proportion of people in the

Autonomous Region of Muslim Mindanao (ARMM) aged 15 years or more who had not completed even one year of schooling was 27.8 % compared to a national average of 3.7 %.

To rectify this would require a speeding up of bureaucracy and the creation of a secure environment in remote rural areas. In 1997 teachers in Sulu began to campaign for the province to leave the ARMM because their pay was always late. Their assumption was that ARMM bureaucrats were making temporary use of teachers' salaries to earn money by making short-term loans.

However, many Christians also interpret specific local development projects as symbols of inclusion or exclusion. Thus they may see initiatives that focus on Muslims, or predominantly Muslim areas, not as redress of persistent inequality, but as expressions of favouritism.

Similarly, civilians of all ethnic groups often interpret initiatives that focus on MNLF ex-combatants as excluding them from the alleged benefits of peace. Members of a women's group in Jolo town were pleased that housing projects have been started for the MNLF fighters, but added, 'there has been no other development, and nothing for civilians'. Thus development programmes, intended for confidence building between the parties to the conflict, have in effect reduced civilian confidence in those parties.

Since the peace agreement was signed, difficulties have been compounded by the East Asian currency crisis and the 1997-98 drought. The currency crisis hit in 1997 and led ultimately to political instability in Malaysia and upheaval in Indonesia, throwing the government's development strategy into question. The direct effect on the Philippines was to devalue the currency, increasing the peso denomination of the foreign debt. This reduced the government budget available for infrastructure projects. The drought caused hunger and disease, which affected at least a million people throughout Mindanao. Government relief operations came rather late — in the middle of the 1998 election campaign — and many people saw them as politically motivated.

Through the transitional structures for Phase I of the Peace Agreement, the government was offering the MNLF a partnership in making its development vision a reality. Given the competing priorities of people in the Zone of Peace and Development, the proclamation of that partnership was bound to arouse expectations that simply could not be met. ■

Chronology

March 1968

At least 28 Moro army recruits killed in the Jabidah massacre on Corregidor island, triggering widespread Muslim indignation. The incident releases pent-up anger from years of prejudice, ill treatment and discrimination. Moro students in Manila hold a week long protest vigil over an empty coffin marked 'Jabidah' in front of the presidential palace.

1968 to 1971

Moro student activism grows. Moro consciousness, based on Islamic revivalism and knowledge of a distinct history and identity, gathers steam. Political organisations emerge, to culminate eventually in the establishment of the MNLF.

Land conflicts in Mindanao escalate. Paramilitary groups proliferate; some attached to Christian politicians, some to loggers, and some to Muslim politicians. Hundreds of young Moros are sent to Malaysia for military training. Sabah becomes a supply depot, communication centre and sanctuary for Moro rebels. Towards 1971, the Constabulary takes control of many towns because of growing violence. Schools are closed, farms abandoned, commerce stagnates, and refugees increase. The Christian-led Ilaga paramilitary group enters the scene. One attack, at a mosque in Manili, leaves 65 men, women and children,

dead and mutilated. A BBC radio report of the massacre draws the attention of Libyan leader Muammar Gaddafi. On 21 July 1971 leaders from all sectors of Moro society publish a manifesto demanding that the government take action to stop the attacks. The government calls the manifesto a threat. In August, the residents of Buldon fortify their town after killing some Christian loggers. The army responds with a weeklong artillery bombardment. By September, the cycle of reprisals is uncontrollable. In October, fighting between the Barracudas (paramilitary group led by Muslims) and government troops leaves hundreds dead on both sides. In November, 40 Maranaw Muslims are summarily executed at a military checkpoint in Tacub. Muslims accuse the government of genocide.

1972

In January, the government takes eight Muslim ambassadors on a tour of Mindanao to show that the charges of genocide are exaggerated. The third Islamic Conference of Foreign Ministers (ICFM) in Jeddah requests the Philippine government to protect the lives and property of Muslims. In July, a Libyan and Egyptian delegation tours the troubled areas and concludes that while no strong evidence exists of state-supported genocide, there is clearly a war between Christians and Muslims. On 21 September, President Marcos declares martial law. One month later the first

organised Moro counteroffensive is launched in Marawi. The MNLF comes out into the open and claims leadership of the Moro secessionist movement.

1973

Marcos attempts to improve socio-economic conditions in the south while maintaining military operations. Presidential decrees order relief and welfare projects and resettlement of refugees, and declare certain Moro lands as inalienable. A 'Presidential Task Force for the Reconstruction and Development of Mindanao' is constituted to rebuild areas devastated by violence. Marcos wins over key Muslim leaders outside the MNLF. The Philippine Amanah Bank is created to expand the class of Muslim entrepreneurs. The Southern Philippines Development Administration is created to bolster business activity. The 4th ICFM (in Benghazi) maintains the pressure on Marcos, but recognises that the problem is 'internal to an independent sovereign state'. Marcos responds by realigning his foreign policy and organising diplomatic initiatives to win over the Muslim world.

1974

The MNLF gathers strength and broad support from Philippine Muslims. Fighting escalates into large-scale conventional warfare. The Armed Forces of the Philippines (AFP) creates two integrated commands — the Central Mindanao Command (Cemcom) for the Cotabato-Lanao areas, and the Southern Command (Southcom), for the Zamboanga peninsula and the Sulu archipelago. In February, Southcom unleashes its full force on MNLF rebels, who have taken control of Jolo, in the biggest battle of the war. In mainland Mindanao, Cemcom attacks the MNLF forces in Cotabato. Abroad, the MNLF gains official recognition from Muslim countries as the representative of the Moro people. The 5th ICFM urges the Philippine government 'to find a political and peaceful solution through negotiations' and officially recognises the MNLF.

1975

The war reaches a stalemate. In January, the Philippine government panel holds its first meeting with MNLF Chairman Nur Misuari and his deputy Salamat Hashim in Jeddah. Marcos sends negotiating panels to MNLF commanders in the field. The MNLF undergoes fierce debates on how to respond to the Marcos initiatives. The issue is settled for the MNLF by the 6th ICFM, which supports autonomy as the basis for negotiations between the MNLF and the GRP. The definition of autonomy comes from the Working Paper of the Committee of Four (Senegal, Libya, Saudi Arabia and Somalia) which provides for self-government within the framework of Philippine national sovereignty and territorial integrity. Marcos intensifies his diplomatic initiatives, sending delegations, including special emissary Imelda Marcos to Libya, Egypt, Saudi Arabia and Algeria. The Philippine government opens embassies in Saudi Arabia, the United Arab Emirates, Iran, Algeria, Lebanon and Kuwait. Relations with 13 other South Asian, Middle Eastern and African Muslim nations are strengthened. The Philippines also lobbies the Non-Aligned Foreign Ministers Meeting.

1976

With negotiations in full swing, Marcos builds his case. He meets the OIC Secretary General, the Senegalese Amadou Karim Gaye, in Kenya; sends a delegation to the 7th ICFM (Istanbul) and the Non-Aligned Summit (Colombo); invites the Committee of Four to Zamboanga City and Manila; and sends Imelda Marcos to personally confer with Gaddafi. In the field, local ceasefires are forged, providing space to implement a 'policy of attraction'. Key rebel leaders are offered amnesty, livelihood projects and business opportunities, as well as political positions that allow them to surrender with 'dignity'. Surrenderers include Amelil Malaguio, head of the Kutawato (Cotabato) Revolutionary Committee, and Abdul Hamid Lukman, a former municipal judge who was Misuari's legal adviser in Jeddah.

23 December 1976

The Tripoli Agreement is signed by Misuari and Defence Under-secretary Carmelo Barbero. It provides for autonomy in 13 provinces and nine cities in the southern Philippines. Marcos instructs Barbero to include one last point in the text: that 'the Philippine government shall take all necessary constitutional processes for the implementation of the entire Agreement'.

January to April 1977

A general ceasefire is arranged. Marcos approves the Code of Muslim Personal Laws, which establishes Shariah courts, as part of the national system of courts. Talks resume in February to hammer out details of implementing the Tripoli Agreement. A deadlock arises when the MNLF insists that the 13 provinces be immediately declared a single autonomous unit. Marcos maintains that certain constitutional procedures, including a plebiscite, are needed because the majority of the people in the 13 provinces are not Muslims. Imelda Marcos hurries to Libya on 12 March to solicit Gaddafi's help. He suggests forming a provisional government to supervise the plebiscite. Misuari refuses to head the provisional government. On 25 March, Marcos issues Proclamation 1628 declaring autonomy in the 13 provinces. On 17 April, a plebiscite is called over objections from the MNLF. Only 10 of the 13 provinces vote for autonomy. Marcos implements his own version of autonomy by dividing the 10 provinces into two autonomous regions — Regions 9 and 12. Negotiations break down.

May to December 1977

The 8th ICFM (in Tripoli) allows Misuari, for the first time, to address the conference. Ministers express disappointment over the outcome of negotiations. By this time, however, the improved image of the Philippines is working in its favour and the ICFM simply recommends that negotiations continue. This shakes the MNLF leadership, and a split emerges. In Jeddah on 26 December, Salamat Hashim announces an 'Instrument of Takeover'

of the MNLF leadership, a move supported by traditional leaders Rashid Lucman, Domacao Alonto and Salipada Pendatun. Misuari counters by expelling Hashim and charging him with treason. Arab supporters are equally divided: Egypt supports Hashim while Libya leans towards Misuari. Mediation by the OIC and Muslim World League fails. Not wishing to be used by the traditional politicians, Hashim transfers to Cairo and goes on to form the 'new MNLF', eventually the Moro Islamic Liberation Front. Lucman and Pendatun reinvigorate the Bangsa Moro Liberation Organisation to gain support, but Arab states ignore them.

1978

Negotiations between the Philippine government and the MNLF resume but the Philippine panel chooses to meet Hashim rather than Misuari. Meanwhile, the Marcos government presents a report to the OIC on the functioning of the new autonomous regional governments. The 9th ICFM meets in Dakar, Senegal from 17-29 April, and Misuari is recognised as the chairman and spokesman for the MNLF. Hashim cannot be present because Egyptian authorities, not wishing to antagonise Libya further, prevent him from leaving Cairo. MNLF members in the field conduct kidnappings and ambushes. In Patikul, Sulu, a local MNLF leader invites the AFP to a peace dialogue. When they arrive, General Teodulo Bautista and 33 soldiers are shot dead. Government policy turns increasingly violent.

1979

Misuari reverts to his former goal of secession and renews efforts to convince Islamic states, but to no avail. His only new supporter is Iran, after a visit to Imam Khomeini in June. Meanwhile, the Philippine panel continues negotiations with the Hashim faction in Cairo. Surrendered MNLF founder member Abul Khayr Alonto joins the government panel. The 10th ICFM (in Morocco) affirms support for the Tripoli Agreement. Diplomatic initiatives focus on ensuring that the Agreement is actually being implemented.

1980

Pocket wars and skirmishes continue. In March, Malaysia and Indonesia offer to serve as 'honest brokers' arguing that the problem has regional implications that could best be resolved by ASEAN. The Philippine government takes newly installed OIC Secretary General Habib Chatti (of Tunisia) on a tour around Mindanao to meet Muslims and the new Regional Legislative Assemblies. The 11th ICFM (in Islamabad) requests the Philippine government to implement the Tripoli Agreement.

1981

Misuari fails to convince a summit conference of heads of states in Taif, Saudi Arabia to support secession. He fails likewise to convince the 12th ICFM (in Baghdad), which resolves to 'make new contact with the Government of the Philippines for the implementation of the Tripoli Agreement in text and spirit'. Marcos 'lifts' martial law (but keeps his dictatorial powers) in a bid to win further legitimacy for his regime. In May, opposition leader Benigno Aguino, released from prison and allowed to go into exile in the US, visits Misuari in Jeddah and promises to support the Tripoli Agreement. MNLF forces kill 120 government soldiers in Pata island, off Jolo. In retaliation, more than 15,000 troops are sent to the island in a massive operation that infuriates Muslim local government officials.

1982

Marcos consolidates the Philippines' diplomatic position. He visits Saudi Arabia's King Khaled and OIC's Habib Chatti. The 13th ICFM calls on government 'to speed the implementation' of the Agreement. It also appeals to the MNLF to prepare for new talks 'as a united front'. The newly established Moro Revolutionary Organization, a member of the communist-led National Democratic Front (NDF) calls for a 'people's war as the main form of the Moro people's revolutionary struggle'. Efforts to link communist and Moro insurgencies fail, but local forces co-operate on the ground.

1983

The 14th ICFM (Dhaka) calls on Moros to unite prior to new negotiations that will put the Tripoli Agreement into effect. MNLF military activities begin to wane, but the New People's Army (NPA - armed group of the NDF) offensives in Mindanao keep the AFP engaged. Benigno Aquino returns from exile and is assassinated on arrival at Manila airport. Popular challenge to the Marcos regime intensifies throughout the country.

1984

Marcos wins new battles on the diplomatic front. He sends emissaries to the 4th Islamic Summit (in Casablanca) and to the World Muslim Congress (in Karachi). In February, he holds bilateral meetings with the presidents of Brunei, Indonesia, Malaysia, Pakistan and Singapore. The 15th ICFM reaffirms its commitment to respect the territorial integrity of the Philippines and again calls on the MNLF to close ranks. In March, Hashim's 'New MNLF' officially declares itself a separate organisation with the name Moro Islamic Liberation Front (MILF), with a religious as well as nationalist agenda. The NPA gains in strength and starts to launch larger attacks. Mass demonstrations become spontaneous and the first nationally coordinated *welgang bayan* (people's strike) shows the depth of popular opposition to Marcos.

1985

Armed attacks by the NPA intensify along with legal, popular opposition to the regime. Marcos schedules a snap presidential election to defuse widespread tension. The legal opposition unites behind Corazon Aquino, Benigno's widow, as the anti-Marcos candidate. The NDF boycotts the exercise, calling the elections a 'sham'.

1986

Snap elections are held, with Marcos proclaimed as winner. Days later, he is

ousted after a failed coup sends millions of people to the main thoroughfare, known as 'EDSA' to protect mutineers from counter-attack. The Marcos family is flown to Hawaii by the US government. Corazon Aquino takes her oath as President and establishes a revolutionary government. She appoints a commission to draft a new constitution, which includes provisions for autonomy in Muslim Mindanao and the Cordillera region of Luzon.

In March, the MILF sends a message of its readiness to discuss peace with Aquino. In August, with OIC and Muslim World League mediation, the MILF and the MNLF agree in principle to negotiate jointly in an expanded panel. But on September 5, Aquino visits the MNLF camp in Sulu, to talk peace with Misuari. Misuari seizes the initiative and gains recognition for the MNLF from the government as its negotiating partner. The MILF displays political strength through a militant consultative assembly in October, but fails to elicit a government response.

1987

Philippine government and MNLF panels meet in January in Jeddah and agree to discuss autonomy, 'subject to democratic processes'. Aquino turns down MNLF requests to suspend autonomy provisions in the draft Constitution, which is ratified in February. The MILF launches a five-day offensive to assert its presence. This prompts a meeting with government panel chair Aquilino Pimentel, who requests a temporary ceasefire. Talks between the government and the MNLF break down as the government unilaterally implements the autonomy mandate in the newly approved Constitution over MNLF objections. A Mindanao Regional Consultative Commission (RCC) is organised, and a new autonomy bill is submitted to Congress. Both MNLF and MILF bitterly denounce the government's moves.

1988

Aquino meets with the RCC, and starts diplomatic initiatives by briefing Islamic diplomats in Manila about the government's peace programme, emphasising that the Tripoli Agreement is being implemented within constitutional processes. Draft autonomy bills are submitted to both Houses of Congress.

1989

Congress passes Republic Act 6734, which creates the Autonomous Region of Muslim Mindanao (ARMM), and Aquino signs it into law on 1 August. A plebiscite is held on 19 November, and the MNLF and the MILF call for a boycott of the exercise. Only four provinces — Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi — opt for autonomy.

1990

Regional elections are held in ARMM. A regional governor and regional assembly assume positions. Aquino signs Executive Orders that define central government relations with the ARMM, which is officially inaugurated on 6 November.

1991

The 20th ICFM (in Istanbul) calls for a resumption of negotiations between the Philippine government and MNLF.

1992

In February, Fidel Ramos, candidate in the forthcoming presidential elections, meets Gaddafi in Tripoli to discuss a comprehensive and permanent solution to the war. In May, he is elected President and immediately issues a call for peace. He appoints a National Unification Commission (NUC) in July to formulate an amnesty programme and a negotiation process, based on public consultations. The first round of exploratory talks with the MNLF is held in October in Tripoli. The NUC starts a consultation process, including a meeting with the MILF.

1993

Indonesian Foreign Minister Ali Alatas hosts a second round of exploratory talks. The NUC submits its consolidated recommendations in July, prompting Ramos to issue Executive Order 125 defining the approach and administrative structure for government peace efforts. The Office of the Presidential Adviser on the Peace Process (OPAPP) is created to continue the work begun by the NUC. Formal talks between the government and the MNLF begin in October in Jakarta. An Interim Ceasefire Agreement is signed, along with a memorandum creating support committees to discuss substantive concerns. Alatas reports the progress of negotiations to the 21st ICFM (in Karachi). The MILF poses no objections to the talks. The OIC visits Sulu in December.

1994

Ramos issues Proclamation 347 granting amnesty to rebels and creating the National Amnesty Commission. A government-MNLF Joint Ceasefire Committee is established. Ramos organises executive-legislative discussions, to gain congressional support for a peace treaty. The second round of formal talks with the MNLF begins in September. Ramos visits Saudi Arabia in October and meets King Fahd and OIC Secretary General Hamid Alfigabid (of Niger). Minor military engagements take place before almost every important meeting of the peace process.

1995

Support Committees meet to discuss defence and a regional security force; education; economic and financial systems, mines and minerals; the functioning of a Legislative Assembly, Executive Council and representation in the national government and administrative system; and Shariah courts. On 4 April, armed men believed to be members of a new Islamic rebel group, Abu Sayyaf, raid the town of Ipil, killing 50 people and causing millions of pesos worth of damage in looting and burning. Both the government and the

MNLF issue separate statements calling for greater commitment to peace. The government sponsors a series of Mindanao Peace and Development Summits in key cities from May to November. The government panel briefs Libya on the progress of the talks in October. At the end of the year, the third round of formal talks resumes in Jakarta. An Interim Agreement is signed, containing 81 points of consensus. Predominantly Christian opponents throughout Mindanao denounce this Agreement. Political opposition increases. Vigilantes vow to attack if the Agreement is finalised.

January to June 1996

The government rushes to mollify politicians opposing the Interim Agreement. Consultations are held every month with local officials and members of Congress, with Ramos himself participating in some consultations. The government organises public meetings in Mindanao to promote the Interim Agreement. In June, Indonesia calls a consultation for the OIC Committee of Six. A meeting of the GRP-MNLF Mixed Committee results in agreement to establish the Southern Philippines Zone of Peace and Development (SZOPAD).

July to August 1996

Members of Congress express opposition to the Interim Agreement. The Senate organises public hearings, and calls on the executive to justify its actions and commitments. The Senate agrees to support the agreement, but only with nine substantial amendments, which dilute the powers and autonomy of institutions to be set up under the agreement. Six senators continue their opposition, and lead a group of politicians who file a 54-page petition asking the Supreme Court to nullify the Agreement. Catholic bishops express support for the agreement, subject to refinements in the text. Misuari announces his bid for the ARMM governorship. The 9th Mixed Committee meeting and 4th round of formal talks take place in Jakarta. Exploratory talks with the MILF begin.

September to December 1996

The Final Peace Agreement is signed on 2 September. The MILF distances itself from the Agreement, but commits not to stand in the way of peace. In the ARMM elections, Misuari runs for governor and wins, and six MNLF leaders are elected to the Regional Legislative Assembly. Ramos issues Executive Order 371, which departs from the Agreement on some significant points. The government forms a new negotiating panel for talks with the MILF in October. The MILF, in a display of strength, holds a huge assembly near Cotabato City from 3-5 December, and reaffirms commitment to independence.

1997

Government and MILF representatives meet and issue a joint press statement. Heavy fighting in Buldon leaves more than a hundred dead and mars talks. Another meeting in early February is suspended because of renewed fighting. The committees meet again in March and agree to form an Interim Ceasefire Monitoring Committee, with Fr Eliseo Mercado as chair. Meetings take place in April, May and June but are bogged down by continued fighting. The AFP

launches its biggest offensive in June. By July, an agreement on cessation of hostilities is forged. Further meetings between the two sides follow.

1998

A new president, Joseph Estrada, is elected. He has an electoral alliance with politicians who opposed the peace agreement. Anti-agreement politicians do well in the local elections. MNLF leaders, save for one, lose their bids for local positions. Ten congressional representatives draft a bill to amend the Organic Act on ARMM in accordance with the peace agreement's provisions. A new government negotiating panel is constituted to talk to the MILF.

1999

New outbreaks of fighting between MILF and AFP followed by re-establishment of ceasefire. Government recognises two MILF camps. ARMM elections are due in September. Three bills have been filed in Congress to amend the Organic Act on the ARMM, expanding it in accordance with the 1996 Peace Agreement. A plebiscite on the new autonomous region is due by the end of year, but may be deferred. ■

Profiles

Philippine Presidents

Ferdinand Marcos 1965-1986

In September 1972, shortly before the end of his second (and constitutionally, last) term as elected President, Ferdinand Marcos declared martial law — one reason he cited was the escalation of violence in Mindanao.

The regime's initial response to the MNLF rebellion was military. This failed with the added disadvantage of alienating the Islamic states of the Middle East on which the Philippines depended for oil and which were beginning to assert themselves internationally through OPEC. Negotiations between the Philippine government and the MNLF began in 1975 and led eventually to the signing of the Tripoli Agreement in December 1976. Although Marcos did not personally take part in the talks, his wife

Imelda played a prominent role in meetings with Middle Eastern governments, and in subsequent talks with Libyan leader Muammar Gaddafi, on implementation of the agreement.

Marcos's dictatorial rule provoked mass discontent all over the Philippines, expressed in the 1980s by huge demonstrations, general strikes and a rapid growth of support for the insurgents of the National Democratic Front. At the same time, by clinging to a monopoly of political power, Marcos had alienated his political and economic rivals. In February 1986, he was overthrown by a combination of popular uprising and military revolt.

Corazon Aquino 1986-1992

President Aquino came to power on the wave of anti-Marcos protest triggered by the assassination of her husband, former senator Benigno (Ninoy) Aquino, in 1983. She had run for election under the Unido party, but broke with its leader, Salvador Laurel, soon after her inauguration. Her administration restored a system of electoral democracy. A new constitution was drawn up in 1987, by a commission whose members were appointed by the President. Although the new system was still dominated by a fairly narrow elite, it provided considerable space for urban civil society to operate. Media restrictions were relaxed, and the number of NGOs mushroomed.

Ferdinand and Imelda Marcos



Source: Philippines Resource Centre

Aquino also embarked on peace talks with the NDF and the MNLF. The president herself went to Sulu to meet MNLF leader Nur Misuari and members of her family were involved in subsequent meetings with MNLF leaders. However, while pursuing talks, the Aquino government was also establishing institutions purportedly designed to meet Muslim aspirations, without reference to the MNLF. The government insisted on keeping all discussion within the framework of the new constitution, ratified by referendum in 1987, which the rebel groups would not accept. Thus talks with both the NDF and the MNLF broke down, for similar reasons.

The Aquino government, despite massive popular support, was politically unstable. The main threat came from factions within the Armed Forces who were displeased with the reduction in their power and status since the heady days of martial law. Many soldiers were also alarmed at the government's peace overtures to the rebels, partly because they saw it as condoning what they had been taught to believe were

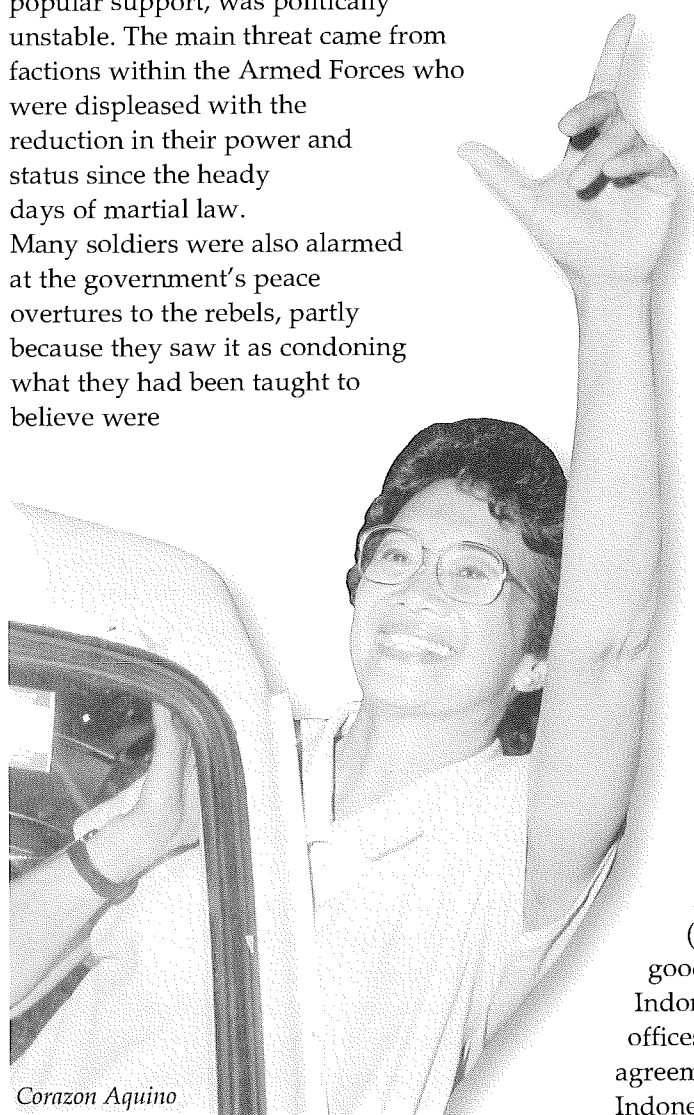
communist or secessionist threats to the nation's safety, partly because they feared further loss of power, money and status if insurgency was no longer a problem. The Aquino government survived seven military coup attempts.

Fidel Ramos 1992-1998

Ramos had run the Philippine Constabulary under martial law, but was one of the leaders of the military revolt, which ousted his cousin Ferdinand Marcos in 1986. He served the Aquino government, first as head of the armed forces and then as Defence Minister, and played a key role in suppressing the coup attempts. In 1992, he was elected president on 23% of the popular vote. His electoral vehicle was a merger of Lakas-Tao (People Power Party) and the National Union of Christian Democrats (NUCD).

Ramos had a clear programme of government, which aimed to restore political and economic stability. Under the slogan 'Philippines 2000,' he planned to turn the Philippines into a 'Newly-Industrialised Country,' while avoiding a thorough land reform. Industrialisation, financed by foreign investment, required peace, therefore a key part of Ramos's political strategy was to negotiate with the NDF, the military rebels and the Moro armed groups. For the Ramos government, peace negotiations were part of a wider agenda.

In foreign policy, Ramos emphasised political and economic co-operation in South East Asia, mainly through the Association of South East Asian Nations (ASEAN). This included developing good relations with President Soeharto of Indonesia. Ramos repaid Indonesia's good offices, in helping to negotiate a peace agreement with the MNLF, by supporting Indonesia over East Timor.



Corazon Aquino

Source: Piers Cavendish/Reflex

Source: Associated Press AP



Fidel Ramos

He was elected Vice-President in 1992, but being a member of the opposition to President Ramos, was kept at a distance from any position of real power. In the May 1998 elections, he won a landslide victory, on a populist campaign promising a government that would be more responsive to the poor. His electoral coalition, the LAMPP (Struggle of Nationalist Filipino Masses) included fierce opponents of the 1996 Peace Agreement with the MNLF. His vice-presidential running mate, former Senator Edgardo Angara, who voted against ratification of the 1996 Peace Agreement, lost the election.

Estrada has said that he intends to continue the Ramos peace programme, and has kept on some of the relevant key officials of the previous administration rather than replacing them with his own followers. However, his populist approach to politics has led him to make sabre-rattling statements aimed at the NDF and the MILF. Unlike Ramos, Estrada seems to have no clear policy on Mindanao.

A peace agreement was reached with the military rebels in 1994 and with the MNLF in September 1996. A ceasefire was agreed with the MILF in 1997. Negotiations with the NDF resulted in an Agreement on Human Rights in 1998, which was supposed to be the first in a series of agreements on a range of issues, culminating in an overall settlement. The Ramos administration also set up a number of institutions to put its 'comprehensive peace programme' into practice.

Joseph Estrada 1998 -

A former film actor, Joseph Estrada rose to political prominence as Mayor of the municipality of San Juan in Metropolitan Manila. He was a member of the KBL — the New Society Movement established by President Marcos after the declaration of martial law. As a member of the Philippine Senate during the Aquino government, he campaigned to close US military bases in the Philippines.

Joseph Estrada



The Armed Forces of the Philippines (AFP)

The AFP consists of the Army, Navy and Air Force (all professional) and has 130,000 troops. Through most of its existence, it has been used for counter-insurgency rather than external defence. Under martial law, the AFP gained a taste for political power. Since the overthrow of Marcos in 1986, many military leaders have gone into politics. The most successful, of course, was President Ramos. There are former military officers in the Senate, the House of Representatives and the Cabinet.

Until the early 1990s, the Philippine Constabulary (PC – well-armed counter-insurgency troops) and the Integrated National Police were also part of the armed forces. In 1991, the police became civilian, and the PC was abolished, its members joining either the police or the army.

In the mid-1970s, about 70% of the AFP were deployed in Mindanao. For Army officers a Mindanao assignment, especially in a war zone, is regarded as a passport to promotion. The urge to win promotion is thought to be one cause of the intermittent 'pocket wars' between the AFP and the MILF.

Moro armed groups

By far the most significant organisations in terms of numbers, military power and ability to articulate a political agenda are the Moro National Liberation Front and the Moro Islamic Liberation Front. However, it is difficult to arrive at accurate estimates of their membership, or the number of troops under their command. Armed opposition groups have a tendency to inflate their numbers to boost their image, while government military reports usually underestimate them. Another difficulty in estimating numbers is an apparent overlap in membership in some areas, notably the Zamboanga peninsula. On occasion, members of one group have joined their friends and relatives in a military action led by the other.

Moro National Liberation Front

The MNLF was founded in 1969 with Nur Misuari as Chairman. He has led the MNLF ever since. Its first members were drawn from youth recruited by the traditional Muslim leaders for military training in Malaysia. Like Misuari himself, these young men had had a secular education, and some had briefly taken part in left-wing student politics. They were dissatisfied with the traditionalist leadership, which they felt lacked direction.

When it was founded, the MNLF's objective was an independent Bangsamoro homeland. However, under pressure from the Islamic states, it has accepted autonomy within the Philippine state.

The MNLF definition of the term 'Moro' includes any native inhabitant of Mindanao willing to accept that identity. The organisation

Nur Misuari



Source: Associated Press AP

has non-Muslim members, of whom the most prominent is a Protestant pastor, Absalom Cerveza, currently representing Christians on the Southern Philippines Council for Peace and Development. However, few Christians or Lumads are willing to call themselves Moro.

Officially, the MNLF's ruling body is its Central Committee. Although the charismatic and authoritarian Misuari has always been the dominant figure. He lived in exile in the Middle East from the early 1970s until 1996, making only a few brief visits to Mindanao after 1986. Owing to difficulties in communication with the exiled leadership, local field commanders in Mindanao had considerable independence in practice.

As a student, Misuari joined the leftist Kabataang Makabayan (KM – Nationalist Youth) led by Jose Maria Sison, who went on to establish the new Communist Party of the Philippines. But as the KM became more Maoist-oriented, Misuari dropped out. After the Jabidah massacre in 1968, he left his job as a lecturer at the University of the Philippines, and returned to Mindanao to lead the fight for Moro self-determination.

The MNLF's armed group is called the Bangsa Moro Army. In 1994, the Philippine military estimated that the MNLF had 14,080 fighters. The MNLF itself claims a much higher figure, as well as a considerable number of 'secret forces' or civilians in support roles.

The MNLF's main bases are in Sulu, Tawi-Tawi, Basilan and the Zamboanga peninsula. It also has a presence in parts of Lanao del Sur, Maguindanao, Sultan Kudarat, Sarangani and South Cotabato. The members are predominantly, but not exclusively, from the Tausug, Samal and Yakan ethnic groups.

After the Peace Agreement with the Philippine government in 1996, the MNLF entered civilian politics and government as a junior partner of the Ramos administration and Ramos's party, Lakas-NUCD (National Union of Christian Democrats).

MNLF leaders who ran in the 1998 congressional and local elections lost, with the exception of General Secretary Muslimin Sema, who was elected mayor of Cotabato City and Hassim Amin, who represents Jolo 1st Distribution in Congress. The Ramos' party had an electoral alliance with the United Muslim Democrats of the Philippines (UMDP) as well as with the MNLF, so felt obliged to declare 'free zones' in constituencies where both were running.

At time of writing, the MNLF heads the Southern Philippines Council for Peace and Development (SPCPD), a transitional institution established under the 1996 Peace Agreement. Misuari is also Governor of the Autonomous Region of Muslim Mindanao.

Moro Islamic Liberation Front

In 1978, shortly after the collapse of the Tripoli Agreement, a group led by Central Committee member Salamat Hashim broke away from the MNLF. At first, it called itself the 'New MNLF', but in 1984 it formally established itself as the Moro Islamic Liberation Front.

Hashim comes from an upper class Maguindanaon family. He was a leader of the Philippine Students' Union in Cairo in the

Salamat Hashim



Source: Filipijnengroep Nederland

1960s when studying at Al-Azhar, a prestigious centre of Islamic learning. After returning to the Philippines in 1970, he became a founder member of the MNLF, and eventually challenged Misuari for the leadership. Hashim was a member of the MNLF panels negotiating with the Marcos government in 1975 and 1976. The organisation puts much greater emphasis on Islam than the MNLF, and most of its leaders are Islamic scholars from traditional aristocratic and religious backgrounds.

In the late 1990s, the MILF claims to have 120,000 armed and unarmed fighters and many more supporters. Recent Philippine government estimates put the MILF strength at 8,000 while western intelligence sources put it at 40,000. Most members come from the Maguindanaon and Iranun ethnic groups, although Maranaw recruits seem to be increasing. Vice Chair for political affairs, Ghazali Jafaar, says that although the MILF respects the Organisation of the Islamic Conference (OIC), 'the Bangsamoro has the final say'.

Abu Sayyaf

Abu Sayyaf ('father of the sword') was founded in the mid-1980s to propagate Islam through *jihad*. Its founder and leader, Abdurajak Abubakar Janjalani, was an Islamic scholar and previously a member of the MNLF. He was killed in an encounter with the AFP in December 1998.

Few details are known about this group, whose main base is on the island of Basilan. They appear to have little popular support. Most non-members describe it as Islamic fundamentalist, and many violent incidents in Mindanao have been attributed to it. These include an attack on the town of Ipil in 1995 killing 50 people, several explosions in churches and a grenade attack in a Zamboanga department store just before Christmas 1998, injuring 60 people.

Its members are said to be former MNLF guerrillas who volunteered to fight in

Afghanistan against the Soviet-backed government in the 1980s.

Edwin Angeles, a convert to Islam who commanded Abu Sayyaf military operations in the early 1990s, was later revealed to be a police agent. He left the Abu Sayyaf in 1995, and was killed in January 1999, soon after Janjalani.

MNLF-Reformist Group

The Reformist Group, led by Dimas Pundato, head of the Ranao Revolutionary Committee of the MNLF, broke away from the rest of the organisation in 1982. At this time, following the failure of the Marcos regime to implement the Tripoli Agreement, Misuari had revived the demand for independence. Pundato believed the MNLF should continue to aim for autonomy, but Misuari rejected his proposals. It reached a settlement with the Aquino government, and its leaders received posts in the government's Office of Muslim Affairs.

Bangsa Moro Liberation Organisation

Founded in 1970 by Congressional Representative Rashid Lucman, who intended it to be an umbrella organisation for all liberation forces, the BMLO was dominated by Muslim traditional leaders with conservative policies. After losing to the MNLF in a competition to attract aid from the OIC, the BMLO agreed to co-operate with the Marcos regime, which recognised Lucman as Paramount Sultan of Mindanao and Sulu. It re-emerged in the late 1970s after the breakdown of the Tripoli Agreement. On Rashid Lucman's death, the leadership passed to other members of his family. Nothing has been heard from the group since.

Other groups

Smaller Moro armed groups include the Islamic Command Council, the Moro Revolutionary Organisation (see below under NDF), and most recently, the Maranao Islamic Statehood movement which came to public attention in January 1999 with a raid on the market in Marawi City.

The armed left

The National Democratic Front of the Philippines

The NDF is an alliance of organisations led or influenced by the Communist Party of the Philippines (CPP), including the CPP's armed wing, the New People's Army (NPA). The CPP, established in 1968, initiated the formation of the NDF in 1971 to build a national united front politically uniting all revolutionary forces. The declaration of martial law in 1972 brought a flow of recruits. The NDF is committed to a 'people's democratic war' against 'imperialism, feudalism and bureaucrat capitalism', and to the establishment of a 'national democratic state', as a stage on the path to socialism. It issued a 10-point programme (which later grew to 12 points) as the basis for unity and co-operation.

The NDF has sought alliances with the MNLF and the MILF. NPA fighters have often had some form of ground-level military co-operation with the two Moro fronts. There were at least two NPA guerrilla fronts in Moro areas in the Lanao-Misamis region. But the MNLF has purposely distanced itself, as an alliance with the communists would have jeopardised its relations with conservative Muslim countries. The MILF is relatively more open to co-operation with the left, and has at times sought assistance from NDF-influenced groups to learn community organising methods.

Shortly before the end of President Ramos's term in office, the Philippine government and the NDF signed a Comprehensive Agreement on Human Rights and International Humanitarian Law (CAHRIHL), which was supposed to be the first in a series of agreements on key issues leading to a final settlement. However, talks under the Estrada administration are proving difficult.

Since the early 1980s the NDF has sought to recruit Moros into its united front, with emphasis on building community and social activist organisations rather than on military

activity. The NDF's relatively clear programme and redistributive agenda attracted many young Moros, and resulted in the creation of a relatively autonomous, left-inspired Moro Revolutionary Organisation (MRO) in 1982. But the subordination of Moro national demands and Moro individuals in a majority Filipino organisation made it difficult to sustain momentum and membership.

Since 1992 splits and factionalisation have wracked the NDF. The CPP Central Mindanao Regional Party Committee (CMR), the body in charge of NDF organising and political work in the Moro areas, broke away from the leadership, as did several other NDF-affiliated organisations around the country. The government continues to negotiate with the NDF's leaders while trying to reach the breakaway factions. After the 1996 Peace Agreement, CPP leader Jose Maria Sison publicly denounced Nur Misuari and the peace deal.

The CMR meanwhile, has sought to redefine itself. The MRO expressed conditional support for the Peace Agreement and the SPCPD, but stressed the need to continue the Moro struggle.

Government institutions concerned with the peace process

The Ramos administration created several new institutions to address peace processes with the country's various rebel groups.

National Unification Commission

Shortly after being elected President in 1992, Fidel Ramos set up the NUC as an advisory body to formulate a general amnesty programme and outline a peace process, on the basis of consultations with various sectors of society. From October 1992 to July 1993, the NUC held public consultations at local regional and national level in 71 provinces. Discreet consultations also took place with rebel groups.

The NUC submitted its recommendations to the President in July 1993, acknowledging the profound poverty and inequality at the root of the country's conflicts. It defined 'six paths to

peace' which Ramos adopted as his declared strategy. The first was pursuit of social, economic and political reforms aimed at addressing the root causes of the armed struggle and social unrest. The second path was consensus building and empowerment for peace through continuous consultations at national and local levels. The third path was peace negotiations with rebel groups. The fourth was implementation of measures for reconciliation, reintegration into mainstream society and rehabilitation of former rebels, demobilised combatants, and civilian victims of armed conflict. The fifth path was conflict management and protection of civilians caught in armed conflict. The sixth aimed to build, nurture and enhance a positive climate for peace.

Office of the Presidential Adviser on the Peace Process

OPAPP, created in September 1993, is the lead government agency supervising the comprehensive peace process with all rebel groups. OPAPP co-ordinates government bodies specifically created to implement peace programmes, including the National Program for Unification and Development Council, the National Amnesty Commission and the Government Peace Negotiating Panels for the three main sets of rebel groups (NDF, military rebels and Moros). It has also provided staff support for the joint government and private sector Mindanao Initiative for Peace and Development.

The current head of OPAPP is Ambassador Manuel Yan, a former General who led the government negotiating team in talks with the MNLF under the Ramos administration.

National Program for Unification and Development Council

The NPUDC was established in January 1994 to provide programmes for reconciliation, rehabilitation and reintegration of former rebels, demobilised combatants and civilian victims of internal conflicts. It also provides funds to peace zones designated by the government. As of 30 June 1996, a total of 24,290,750 pesos had been released to seven

peace zones. The NPUDC is co-ordinated by a council with representatives from the departments of Interior and Local Government, National Defence, and Social Welfare and Development, as well as OPAPP.

National Amnesty Commission

The NAC is an entity under the Office of the President. It is responsible for receiving and processing applications for amnesty from insurgents, and from AFP or police personnel accused or convicted of certain crimes in connection with counter-insurgency operations. The NAC is also responsible for creating Local Amnesty Boards. The boards check that applications come from *bona fide* rebels who have not committed crimes which would exclude them from amnesty — 'crimes against chastity' (mainly rape) and common crimes committed for personal gain. Amnesty provisions exclude AFP or police personnel accused or convicted of human rights violations such as torture, arson, massacre, rape, and other acts committed for personal ends.

Philippine Congress

The Philippine Congress is composed of a 24-member Senate and a House of Representatives. It is dominated by wealthy and powerful political families whose political parties are largely coalitions of electoral convenience.

The Congress has two vital roles in implementation of the Peace Agreement: the Senate must ratify any agreement before it can go into effect; and Congress must approve the budget for any new government institutions established under the agreement. Dissent from both houses of Congress has complicated the finalisation of the Peace Agreement and its implementation.

Senate

Senators are elected on a national basis. When the terms of the 1996 Peace Agreement were announced, there were strong objections from the Philippine Senate.

Senate President Neptali Gonzales warned the executive that it could not ignore the Senate's opposition to SPCPD, because it would depend on Congress for funds. He also said the Senate would refuse to act on proposals to expand the ARMM to 14 provinces.

The protest from the Senate forced several amendments to the Peace Agreement, but even this was not enough for some. A self-styled 'Conscience Bloc' of six Senators voted against ratification of the agreement.

House of Representatives

Most of the 250 Representatives are elected in single-member constituencies, but 20% are elected through a 'party-list' proportional representation system.

This 'party list' system was intended to provide disadvantaged sections of the population with access to the House of Representatives, and to encourage the development of political parties based on programmes rather than personalities. First used in the May 1998 elections, it proved difficult to implement and ten months later, only 13 party list representatives had actually taken their seats.

Congress includes both supporters and opponents of the 1996 Peace Agreement.

Eduardo Ermita

A former Deputy Chief of Staff of the Armed Forces and Under-secretary for Defence who spent most of his military career in Mindanao, Ermita was Vice Chair of the Philippine government panel negotiating with the MNLF in Libya in 1976. He was in charge of drafting a government proposal to amend the law on the Autonomous Region of Muslim Mindanao in accordance with the 1996 Peace Agreement.

Daisy Avance-Fuentes

A lawyer from Koronadal who has risen from relative obscurity since 1992 to become one of the most powerful Mindanao politicians. She is now Deputy Speaker for Mindanao in the House of Representatives.

Maria Clara Lorenzo Lobregat

As a Congressional Representative in August 1996, Lobregat called on government officials to fly the flag at half mast for the 'death of democracy' when the Peace Agreement was signed. Lobregat's father was a pioneer of Zamboanga City, who made the Lorenzo family one of the wealthiest and most prominent in the country. Barred from running for a fourth consecutive congressional term, she chose instead to run (successfully) as mayor of Zamboanga City. Her son Celso has taken over her congressional seat.

Muslim politicians

As in the rest of the Philippines, wealthy political families tend to dominate electoral politics in Muslim areas. Many of them trace their ancestry to the pre-colonial aristocratic class of sultans and *datus*.

Abul Khayr Alonto

A founding member of the MNLF, Alonto was a member of its Central Committee until 1978, when he surrendered to the government. He then acquired a post in one of the regional autonomous governments established under President Marcos. His family is among the traditional Maranao elite and he remains one of the most powerful political leaders in Lanao del Sur.

Zacaria Candao

Governor of Maguindanao in 1976 who resigned to join the MNLF Negotiating Panel in Tripoli as Legal Counsel. He became a close ally of Jose Cojuangco, the powerful brother of Corazon Aquino. He eventually became the first ARMM Governor in 1989, but lost to Liningding Pangandaman in 1993. He became governor of Maguindanao again in 1995 and 1998, and is the most important politician associated with the MILF.

Simeon Datumanong

A Maguindanaon traditional leader, Simeon Datumanong was one of the panel of Muslim leaders appointed by Ferdinand Marcos to conduct dialogues with rebel leaders in the

field in 1975. In the following year, he joined the Philippine government panel negotiating with the MNLF in Libya. Marcos later appointed him to the provisional government of the autonomous region in Central Mindanao, and in 1985 placed him at the head of the Ministry of Muslim Affairs. He was replaced under Aquino. He is currently Congressional Representative for Maguindanao.

Nur Jaafar

The Representative for Tawi-Tawi is known to be a close and trusted friend of top MNLF leaders. He served as adviser to the Philippine government panel in talks with the MNLF that led to the 1996 Peace Agreement.

Mahid Mutilan

One of the leaders of the Philippine Students Union in Cairo in the 1960s, together with MILF leader Hashim. He became president of the Ulama League of the Philippines, and in 1992 established the Ompia (Reform) Party, which aimed to end corruption and reform Maranaw politics. He became Lanao del Sur Governor in 1995, and was re-elected in 1998.

Liningding Pangandaman

Diplomat who figured prominently in Marcos initiatives to win over the Muslim world in the 1970s. He eventually became ambassador to Saudi Arabia. In 1994, with support from the Ramos party Lakas-NUCD, he became ARMM Governor.

Santanina Rasul

A former Senator and graduate of the National Defence College of the Philippines, Rasul was a member of the Ramos government's negotiating panel in talks with the MNLF.

Abdulgani 'Gerry' Salapuddin

A former MNLF member who went into civilian politics after the overthrow of Marcos, Salapuddin was the first provincial governor of Basilan to come from the island's ethnic Yakan majority. Having served three terms as governor, he is now Basilan's congressional representative.

Sakur Tan

Local Governor of Sulu, allied to the Ramos party Lakas-NUCD. He is the older brother of former ARMM Vice-Governor Nabil Tan and nephew of Jolo's former Mayor, Suod Tan.

Islamic states and international institutions

Twentieth-century communication between Muslims in the Philippines and Middle Eastern states goes back at least as far as the 1950s, when these states funded young Filipino Muslims to study at centres of Islamic learning. Some Middle Eastern Islamic organisations also sent missionaries to the Philippines. Since the mid-1970s, many Filipinos (not only Muslim) have gone to the wealthier Islamic oil-producing countries as contract workers particularly in construction, health and domestic services.

The Organisation of Islamic Conference

The OIC is an organisation of Islamic states that functions on several levels. The highest body is the summit of leaders (heads of state and government). After that comes the Islamic Conference of Foreign Ministers (ICFM), which meets more frequently. The OIC has a permanent secretariat based in Jeddah, Saudi Arabia.

Although founded primarily on principles of Islamic unity and the tradition of the *ummah* — the one Islamic community — the OIC is politically diverse and often appears fragmented. It includes national leaders with diametrically opposed ideological orientations and national interests. Divisions within the Muslim world have greatly undercut its power on the world stage. The Arab-Israeli conflict is the central preoccupation of the OIC, but is not its only concern.

The OIC's general objectives are: to promote Islamic solidarity among member states; to consolidate economic, social, cultural and other forms of cooperation; to enable mutual consultation; to eliminate social segregation and discrimination, and eradicate colonialism in all its forms; to take the measures necessary

to support international peace and security founded on justice; to consolidate efforts to safeguard holy places, to support the people of Palestine and help them to regain their rights and dignity, independence and national rights, and to create a suitable atmosphere for promoting cooperation and understanding among member states and other countries.

The OIC first expressed concern for the Muslims in the Philippines in 1972. In the following year, it created a Quadripartite Ministerial Commission to investigate the plight of Muslims in the Southern Philippines. The Commission, composed of Libya, Saudi Arabia, Somalia and Senegal, reported to the ICFM, and its role developed from one of investigation to one of mediation. It later became a Ministerial Committee of the Six. The two new members were Bangladesh and Indonesia. Also in 1973, the OIC created the Filipino Muslims Welfare and Relief Agency to extend aid directly to Muslims in the Philippines. The agency is financed and controlled by the Islamic Solidarity Funds an OIC subsidiary organ based in Jeddah.

In 1975, OIC finance ministers established the Islamic Development Bank to encourage 'economic and social progress' of member states and Islamic communities. The Bank provides interest-free loans to the poorest member states, encourages investments and joint ventures, and gives emergency aid and assistance for Islamic education.

The bank is not very well funded. The wealthier Islamic states prefer to distribute aid bilaterally, on terms conducive to their national interest. In December 1998, the Bank organised an investment seminar in the Southern Philippines Zone of Peace and Development, with a view to encouraging investment in the region from Islamic countries.

Libya

Libya has been the main external supporter of the MNLF over the years. The bulk of MNLF funds came from Libya, and many MNLF fighters were trained there.

Gaddafi was keen to export his version of Islamic revivalism. A Libyan payroll tax supports a *Jihad* fund, which distributes money to militant anti-Israeli Muslim groups, as well as Muslims in the Philippines and Ethiopia.

In 1971, shortly after the Manili massacre, Saleh Bouyasser, the Libyan Minister for Information and Foreign Affairs, visited the Philippines and met Muslim leaders. He recommended to his government that it should help the Moro people.

In 1972, MNLF Chair Misuari went to Libya together with his deputy, Hashim Salamat. They persuaded Libyan officials to give aid for the Moro movement directly to the MNLF, rather than to Muslim traditional politicians. Libya's new, revolutionary government preferred young, energetic leaders like Misuari to the older traditional elite, who also had something of a reputation for dishonesty.

Libyan support helped the MNLF to establish a regional network in Mindanao very quickly. The MNLF central committee was based in Libya from 1974.

Libya helped Philippine Muslim leaders present their case to the OIC and became chair of the OIC Quadripartite Ministerial Commission (also including Saudi Arabia, Senegal and Somalia) on the situation of Muslims in the Philippines. Libya continued as chair for 20 years until Indonesia took over in 1993. Libya also sponsored the negotiations leading to the 1976 Tripoli Agreement, which became the main basis for subsequent negotiations.

Although Libya was the main foreign supporter of the MNLF, the Philippine government developed bilateral relations of mutual benefit to both countries. Libyan interest in the Philippines was not only economic (labour force needs and trade) but also political (against international isolation and US sanctions).

Indonesia

Although Indonesia does not consider itself an Islamic state, it is a member of the OIC. It is a neighbour of the Philippines and a fellow member of the Association of South East Asian Nations (ASEAN). Indonesia is also a partner in the East ASEAN Growth Area (EAGA) that includes parts of Brunei, Malaysia, and the Philippines.

The north of the Indonesian island of Sulawesi has had historic cross-border links of trade, residency and kinship with Muslim Mindanao.

Multi-ethnic Indonesia has always hesitated to support secessionist movements. In the words of Ambassador Wiryo, who facilitated negotiations between the Philippine government and the MNLF in the 1990s, 'We have our own fear of letting go... We don't want to be seen as adopting the right to secede... We have many islands and ethnic groups'.

Initially, Indonesia, like Malaysia, supported the Philippine government's position against the MNLF position in OIC forums. At the ICFM in Kuala Lumpur in 1974, Indonesia and Malaysia pushed for the 'framework of the national sovereignty and territorial integrity of the Philippines' to balance the call for the Philippine government to negotiate with the MNLF.

At the 6th Islamic Summit in Dakar in 1991, Indonesia and Bangladesh joined the OIC's Ministerial Committee of the Six (formerly the Quadripartite Commission) working on the dispute between the Philippine government and the MNLF. It became chair of that committee in 1993.

Jakarta hosted the talks between the Philippine government and the MNLF that led to the 1996 Peace Agreement. Indonesian Foreign Minister Ali Alatas presided over the consultation meeting called by the OIC's Ministerial Committee of the Six in June 1996 to try to achieve consensus between the Philippine government and the MNLF on the proposed SPCPD.

Malaysia

Like Indonesia, Malaysia is a neighbour of the Philippines and a fellow member of ASEAN. The Malaysian state of Sabah (in North Borneo), 1,000 miles from peninsular Malaysia, is ethnically, historically and geographically linked to Sulu. In the late 1960s, the Philippine government laid claim to Sabah as part of Philippine territory.

When the war in Mindanao began in the 1970s, Sabah's Chief Minister was Tun Mustapha, an ethnic Tausug whose family came from Sulu. He gave aid and logistical support to the MNLF. The Malaysian government, irritated by reports of a Marcos government plan to invade Sabah, turned a blind eye, although it remained wary of Tun Mustapha's political ambitions.

Throughout the war, most of the aid sent to the MNLF from the Middle East was smuggled through Sabah, and the biggest MNLF military base was there.

But although it allowed this state of affairs, publicly and within the OIC, the Malaysian government always supported the national sovereignty and territorial integrity of the Philippines. ■

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Collaborating institutions

Research and Development Center Mindanao State University-General Santos City



The Research and Development Center (RDC) is the research arm of the Mindanao State University – General Santos City (MSU-GSC). As such, it conceptualises, coordinates and implements research projects aimed at supporting the mandate of the MSU-GSC as a unit of the Mindanao State University system. This mandate includes among others, the provision of equitable educational opportunities especially among the minoritized populations in Mindanao, e.g. the Lumad (indigenous highland groups) and the Moro (Muslim) communities.

Aside from doing research projects, RDC also publishes a bi-monthly university newsletter, a semi-annual research journal and the university's annual report. It is also a partner of the United Nations Development Programme in implementing a human resource development program for mainstreaming Moro National Liberation Front (MNLF) combatants as part of the Mindanao peace process.

Research & Development Center (RDC/MSU-GSC), Mindanao State University, Fatima, Gen Santos City, Republic of the Philippines 9500

Peace Education Center Notre Dame University



Notre Dame University is the main centre for Peace and Development Studies in Mindanao. It grants degrees (MA, PhD, EdD) in Peace and Development. The Peace Education Center provides training for peace education teachers and helps other educational institutions with curriculum development and peace-related research. It also offers skills training in facilitation, dialogue, mediation and other non-violent, pro-active and creative ways of resolving conflict and building peace. The Peace Education Center serves as secretariat to bodies working directly with the peace process in the Southern Philippines, especially the ongoing talks between the government and the Moro Islamic Liberation Front: the Independent Fact-Finding Committee (IFFC), a civil society initiative that monitors the implementation of

the Ceasefire Agreement and the Quick Response Team (QRT) composed of members of the IFFC, the government and the MILF tasked to intervene in 'hot spots' of tension and fighting. A desk for Muslim-Christian dialogue is involved directly with inter-cultural and inter-religious dialogue initiatives in Mindanao and the rest of the country. The center establishes linkage with government and non-government agencies and other groups that serve communities in conflict through confidence-building projects and Peace and Development activities for the affected populace.

Peace Education Center (PEC-NDU), Notre Dame University, Notre Dame Avenue, Cotabato City, Republic of the Philippines 9600, <http://www.ndu.fapenet.org>

The Accord Series

Accord: An International Review of Peace Initiatives is published by Conciliation Resources (CR). It provides detailed narrative and rigorous analysis on specific war and peace processes, combining readability with practical relevance. The *Accord* series is financed by issue sales and contributions from DG1A of the European Commission and the UK Department for International Development.

Back issues:

The Liberian Peace Process

Issue 1 October 1996

This issue documents the six years of military 'peacekeeping' and negotiations which led to the Abuja Accord of August 1996. It focuses on regional interests, the weaknesses and strengths of the settlement and the ongoing challenge of rebuilding a shattered nation.

Negotiating Rights:

The Guatemalan Peace Process

Issue 2 November 1997

Negotiations for social justice, political pluralism and the rule of law were at the heart of Guatemala's national peace process. This issue describes the successes of regional and civic actors in promoting democratic principles, while highlighting the formidable forces seeking to dilute their impact.

Spanish language edition: "Guatemala 1983-1997 ¿Hacia dónde va la transición?"

FLACSO-Guatemala, Fax: +502 332-6729, e-mail: flacso@concyt.gob.gt

The Mozambican Peace Process in Perspective

Issue 3 January 1998

This issue revisits key aspects of the Mozambican peace process five years on from the negotiated settlement between the Frelimo government and Renamo. Highlighting the difficulty of 'crafting' peace where a multiplicity of interests are involved in sustaining war, it also underlines that important forces exist at all levels of societies which can and should be harnessed to promote peace.

Portuguese language edition: ARQUIVO, Fax: +258 1 423-428, e-mail: zumbo@mail.tropical.co.mz

Demanding Sacrifice:

War and Negotiation in Sri Lanka

Issue 4 August 1998

Since independence, Sri Lanka has been plagued by ethnic/national conflict which degenerated into war in 1983. This issue documents the cycles of conflict and negotiation since that date and outlines fundamental issues which need to be confronted if a future peace settlement is to be achieved and maintained.

Tamil and Sinhalese language editions forthcoming

Safeguarding Peace:

Cambodia's Constitutional Challenge

Issue 5 November 1998

In July 1997, barely six years on from the 1991 Paris agreements which 'officially' brought to an end Cambodia's long war, the country's governing coalition collapsed violently. Recent experiences suggest the need for a rethinking of international responses to Cambodia's problems, with a greater emphasis placed on monitoring and supporting the functioning of its constitutionally-mandated political institutions.

Khmer language edition (1999)
The Khmer Institute of Democracy,
Fax +855 23 4-27521,
e-mail: kid@camnet.com.kh

Forthcoming issues

Georgia/Abkhazia
Issue 7 1999

Northern Ireland
Issue 8 1999 ■



conciliation resources

An international service for conflict resolution and prevention

Conciliation Resources (CR) was established in 1994 to support the activities of those working to prevent or transform violent conflict into opportunities for social, political and economic change based on more just relationships. To achieve this objective CR draws on a pool of skilled staff and programme associates to:

- ◆ **assist** organisations in the development of indigenously-rooted, innovative solutions to short- and long-term social, economic and political problems related to armed conflict or communal strife;
- ◆ **encourage**, wherever possible, the inclusion of previously marginalised groups in community and national peacebuilding processes;
- ◆ **promote** organisational transparency and accountability, as well as inclusive decision-making;
- ◆ **participate** as fully as possible in the local and international development and dissemination of conflict resolution practice and theory.

Programme areas (in addition to the Accord Programme)

Fiji

CR's programme partner in Fiji, the Citizen's Constitutional Forum (CCF), has played a lead role in promoting dialogue and discussion aimed at reforming Fiji's race-based constitution in ways broadly acceptable to all sectors of Fijian society. CCF/CR initiatives since 1994 have focused on community and national political education related to democratisation, human rights and conflict prevention.

West Africa

CR has been active in West Africa since 1995. Activities have included providing support for community-based and national organisations engaged in mediation, demobilisation, reconciliation, human rights, democratisation, youth issues and conflict reporting activities. Partners have included the Liberian Women Initiative, the Sulima Fishing Community Development Project, the Bo Peace and Reconciliation Movement, and the Sierra Leone Association of Journalists.

Caucasus

CR's activities in the Caucasus have mainly focused on the conflict over Abkhazia. CR is collaborating with United Nations Volunteers and local partners in Abkhazia, especially the Centre for Humanitarian Programmes on a number of capacity-building initiatives for NGOs and journalists. Along with other regional and international NGOs, CR has also been collaborating with the Caucasian Institute for Peace, Democracy and Development in Tbilisi.

Media in Conflict

Media and conflict activities have primarily focused on West Africa to date, but have also included workshops in Fiji and Abkhazia. Conflict analysis and reporting, election coverage, and professional skills development are key aspects of programming carried out in collaboration with local media organisations including: Press Union of Liberia, Gambia Press Union, West Africa Journalist Association, and Nigeria Union of Journalist.

Other areas

Consultancies have been carried out for the London School of Economics, Life and Peace Institute, the Netherlands Institute of International Relations, UNICEF, ActionAid, the Foundation on Inter-Ethnic Relations, the King Baudouin Foundation, the Heinrich Böll Foundation, IWPR, WRITENET, and others.

Co-directors

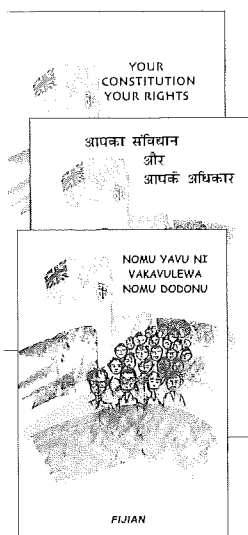
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