

THE MINDANAO THINK TANK

REVIEW OF THE MINDANAO PEACE PROCESS CONSULTATIONS

Monograph 2 of 4

A Project Supported by

“hd

Centre for
Humanitarian
Dialogue

Mediation for peace

Table of Contents

page 3 ... I. Introduction
Reading this Report

page 5 ... II. Critiquing the Consultation Initiatives

1. Konsult Mindanao
2. Dialogue Mindanao
3. GRP Peace Panel Consultations with Local Government Units
4. MILF Consultation with Indigenous Peoples Community Leaders
5. Consortium of Bangsamoro Civil Society Congresses and Assemblies
6. Policy Forums of the Institute of Autonomy and Governance
7. The Mindanao Think Tank Project

page 17 ... III. Cross-Cutting Critique and Observations

page 19 ... IV. Recommendations and Conclusion

Annex A. Presentation on Konsult Mindanao

Annex B. Presentation on Dialogue Mindanao

Annex C. Report on GRP Peace Panel Consultations
with Local Government Chief Executives

Annex D. Policy Forum Publication of the
Institute for Autonomy and Governance

Annex E. Presentation on the Mindanao Think Tank

I. Introduction

The Mindanao Think Tank comprises the following individuals:

*1. Hon. Linda Ampatuan
Cotabato City Councilor*

*2. Hon. Anwar Malang
Cotabato City Councilor*

*3. Mrs. Tarhata Maglangit
Executive Director of the
Bangsamoro Women's Solidarity
Forum*

*4. Mr. Rodel Manara
Chairman of the Regional
Agriculture and Fisheries Council,
Former Mayor of Cotabato City*

*5. Prof. Reydan Lacson
Director of the Notre Dame
University Peace Center*

*6. Fr. Jonathan Domingo, OMI
Chief Executive Officer of the
Mindanao Cross weekly newspaper*

*7. Ustadz Esmael Ebrahim
Director of the Halal Certification
Board*

*8. Mr. Edtami Mansayagan
Lumad Leader and Former
Commissioner of the National
Commission on Indigenous Peoples*

The Mindanao Think Tank is supported by the Centre for Humanitarian Dialogue, and is meant to contribute to addressing the need for greater engagement between and among the actors and stakeholders to the peace process in Mindanao. This helps ensure that the peace process is acceptable to the parties and as many of the stakeholders as possible, and that it truly addresses the relevant issues surrounding the conflict. Recently, the Mindanao Think Tank convened its third Workshop and Roundtable Discussion on 28th June 2010 in Cotabato City, participated in by the Mindanao Think Tank core group and invited civil society, academe, and Government leaders, officials and representatives. The aim of this roundtable discussion was to arrive at a fair and honest critiquing of some of the previous consultation initiatives conducted on the GRP-MILF peace process, the challenges to the Bangsamoro people and their aspirations, and to the pursuit of peace in Mindanao, in general.

For the HD Centre and the Mindanao Think Tank, this is a very timely and important topic, given that there have been observations that too many of these consultations have been taking place resulting in the raising of false hopes and expectations among the people, achievement of very few concrete recommendations for the peace process, duplication of efforts, and respondent fatigue. In addition to these concerns, no less than President Benigno Simeon Aquino's peace adviser, Secretary Teresita Quintos-Deles, has sought for a fair and honest critiquing of the various consultations, presumably in order for Government to be able to act accordingly.

As observers, actors and stakeholders to the peace process in Mindanao, we therefore need to find out if these consultations, so far, are already sufficient, or worse, have been one too many. On the contrary, is there a need for more consultations, and if so, focusing on what aspects? What have all these consultations resulted to? Where have they succeeded or failed? Have these consultations brought us closer to peace in Mindanao, or further away from it? The Mindanao Think Tank's third Workshop and Roundtable Discussion sought to answer these questions. In addition, it endeavoured to provide recommendations since clearly, with the numerous consultations already having taken place, there could be some findings that should already be used at the different levels of the peace process – the formal negotiations, confidence-building measures, maintaining the ceasefire on the ground, civilian protection, etc.

This report on the results of the Centre for Humanitarian Dialogue-Mindanao Think Tank's third Workshop and Roundtable Discussion on the various consultation initiatives presents the sentiments and opinions of key stakeholders in Central Mindanao. To some, especially those who may have directly organized or were somehow involved in the previous consultations, this report may prove to be quite critical. For this, the HD Centre and the Mindanao Think Tank kindly begs your indulgence, the critiquing process was undertaken in as professional a manner as possible, and only the best intentions of this exercise were in mind when those sentiments were shared. Furthermore, HD Centre and the Mindanao Think Tank acknowledge that while some of our participants may have standards that may be a bit high, this is perhaps what is needed if the right consultations processes are to take place and the attainment of peace in Mindanao given a chance. In a different light, perhaps the participants may have just been a bit weary of having survived the conflict too long, and having been asked the same questions too many times.

Yet, as a new Government takes over, there is always the hope that perhaps this time the elusive dream of peace may actually be attained. Critiquing previous consultation initiatives is an exercise in looking towards the past, so that hopefully the rights lessons may be learned, the mistakes not repeated, and the collective steps taken forward. After all everyone is in this effort towards peace together.

Reading this Report

This Report consists of four parts, including this one, "Part I. Introduction". It is then followed by "Part II. Critiquing the Consultation Initiatives", wherein seven such consultations will be discussed, namely: Konsult Mindanao, Dialogue Mindanao, GRP Peace Panel Consultations with Local Government Units, MILF Peace Panel Consultations with Indigenous Peoples community leaders, Consortium of Bangsamoro Civil Society congresses and assemblies, policy forums of the Insitute of Autonomy and Governance, and the Mindanao Think Tank Project.

"Part III. Cross-Cutting Critique and Observations" follows next. This section gathers comments aired during the roundtable discussion that may not have been attributed to any of the consultations, in particular, and were taken as critiques of all the consultations as one. Finally, "Part IV. Recommendations and Conclusion" wraps up this report. More importantly, Part IV lays out possible next steps on what may be done in light of the many consultations that have already taken place.

Annexes are attached that include presentations and reports on some of the consultations discussed in Part II. They are from the organizers and partners who undertook the consultations.



Photo of the Mindanao Think Tank conducting one of its workshops and roundtable discussions.

9. Ms. Hyriah Candao
Leading member of the United Youth for Peace and Development

10. Prof. Moner Bajunaid
Director of the MIND Center and Commissioner of the National Commission on Filipino Muslims

11. Mr. Guiamel Alim
Chairman of the Consortium of Bangsamoro Civil Society and Executive Director of Kadtuntaya Foundation

12. Prof. Abhoud Syed Lingga
Director of the Institute of Bangsamoro Studies

13. Atty. Ishak Mastura
Chairman of the ARMM-Board of Investments

14. Dir. Diamadel Dumagay
Director of the Regional Planning and Development Office-ARMM

II. Critiquing the Consultation Initiatives



Photo above - MTT workshop and roundtable discussion on the various consultations in the past.

The process of critiquing began with a presentation or a discussion of the particular consultation to be critiqued. This was then followed by opening the floor to whatever comments would like to be made on the consultation, be they positive or critical. Where the comments made were general in nature, the participant who made them were asked if that could also hold true for the other consultations. Similarly, if the sentiments aired were recommendatory in nature and they did not focus on the particular consultation being discussed, the same would be asked if the recommendation could apply to the other consultations, as well.

Photo below - Dr. Norma Gomez presents the Konsult Mindanao consultations to the MTT workshop and roundtable discussion.



1. Konsult Mindanao (Consultation Initiative of the Bishops-Ulama Conference)

The main recurring critique of the Konsult Mindanao consultation process was the very broad and general coverage of its topic, which consisted of theoretical questions regarding peace and one's attitude towards it. It is said to have failed to touch on concrete changes desired by the people and stakeholders of Mindanao, which are the central issues surrounding the GRP-MILF conflict. Although the coverage of Konsult Mindanao was impressive, and the levels of partnership it generated among stakeholders noteworthy, its inability to focus on items doable for Government and for the MILF, or which could be discussed at the negotiating table by the parties during peace talks, led some of the participants to feel that more should have been accomplished considering the amount of resources spent on this consultation process.

Nonetheless, looking at the Konsult Mindanao consultation process in relation to its effects on the people, other participants felt that it in fact did help in raising their awareness of the ongoing peace process and the possible repercussions arising from this. This also helped advocate with the people for a more open and accommodating attitude towards the peace process, which at the time these consultations were taking place was suffering tremendously from the failure of the MOA-AD signing and the hostilities that ensued.

Herein lay a basic dichotomy in the appreciation of the peace process in Mindanao. On the one hand, some see it as a process that involves a clear menu of changes that must take place in the manner in which governance and political freedom is practiced over a certain area, in relation to the rest of the Philippine Republic. On the other hand, others see the peace process as being more than a political question, and instead goes into the very attitude of peoples differentiated from one another by a host of factors, religion, way of life, 'minoritization', historical experiences, current biases, etc. The Konsult Mindanao consultation process seems to have addressed more of the latter. It also helped that it was a joint effort of the leaders of the different concerned religions – although there was a bit of a question as to the acceptability of this process to Muslim members of society, and Moros in general, given that it was primarily seen as a Government initiative. Participants recalled how Former President Gloria Macapagal-Arroyo constantly put forth the Bishops-Ulama Conference Consultations as the cornerstone of her administration's new peace agenda in the aftermath of the MOA-AD failure.

For some players and stakeholders, therefore, this consultation process really hit the nail on its head, but for others its results were of no use to the peace process. Still others who were doubtful of the sincerity of the Arroyo Government saw it as a means of conditioning the people to become more 'pro-Government' and more 'anti-Moro'.

While it is unfortunate that the results of this consultation might not be very useful to the formal peace negotiations, looking at the results of this consultation from the perspective of generating support for the peace process, it could definitely be utilized to help advocate for more support for it. What will be key in this regard is the manner of 'messaging' that should flow, taking into account that as a resource material for this purpose, this consultation could show that in fact many people are supportive of the peace process and are willing to lend a hand in it.

Quick Facts on Konsult Mindanao:

311 Focus Group Discussions (FGDs) conducted covering all regions in Mindanao

FGDs were participated in by a total of 4916 participants

FGD Questions:

1. What is your vision of peace in Mindanao?
2. What are your recommendations on the peace talks between the GRP and the MILF?
3. What are your recommendations on the broader peace process?
4. What can you personally contribute - or even sacrifice - for peace in Mindanao?

*See Annex A - Presentation on
Konsult Mindanao*

Quick Facts on Dialogue Mindanao:

Utilized a particularly designed process called reflective dialogue, aimed at an enhanced participation of the people

Conducted in 9 areas in Mindanao, 1 in Palawan, 1 in Visayas, 1 in Northern Luzon, and 1 in Metro-Manila including the rest of Luzon (from Dec. 2009 to Mar. 2010)

Consultation Questions:

1. How do you feel about the ongoing peace talks between the GRP and the MILF?
2. What issues are clear to you?
Unclear?
3. What issues are most important to you? How do you think these should be handled?
4. What other related issues do you think should be attended to?

See Annex B - Presentation on Dialogue Mindanao

2. Dialogue Mindanao (Reflective Dialogue process of OPAPP, during the leadership of Presidential Peace Adviser Annabel Abaya)

Deemed to be a possible off-shoot of the Konsult Mindanao consultation process, given that essentially both are connected to OPAPP (the Office of the Presidential Adviser on the Peace Process is the Government agency that actively supports the Bishops-Ulama Conference), it was thought that the desire to put concrete results to the consultation process gave rise to the Dialogue Mindanao consultations.

Immediately however, there were doubts as to the agenda of its organizers. There were clear concerns that because of the process pursued by Dialogue Mindanao, the organizers were actually 'constructing consent' to favour a particular position in the peace process, especially on some key and difficult issues. This stems from the observation of some of the participants that there could have already been a certain degree of 'framing' done by the organizers in the design of this consultation process, such as in the selection of participants (screening was done at the OPAPP level, together with partner local organizers), and the establishment of templates for the documentation of the process.

These preparations were, however, defended by one of the local organizers of the Dialogue Mindanao consultations who said that these were only necessary if a rigorous process, that includes a scientific research approach, is to be attained. They attested that there was by no means any 'leading' approach by OPAPP or by the partner local organizers.

However, it was reported that there was no consensus captured by this consultation process, and there were complaints from those who were not invited to the consultations. Furthermore, as observed by one of the local organizers, there was no mention in the outputs of the process regarding those opposing or with dissenting opinions against the Dialogue Mindanao consultation.

All these considered, this consultation nonetheless resulted in several concrete positions that are documented. In contrast with the previous consultation process, these can be used in formal peace negotiations, and can be the subject of more in-depth debate among stakeholders, adding to greater awareness and involvement in issues of concern to the conflict and that matter in finding solutions to it.

As expressed by one of the participants to the roundtable discussion, the results of the Dialogue Mindanao consultations are enough to make a concrete action plan. This takes note of the fact that as reported, this consultation delved into details of Government structure and governance, a specific case being the 'Maguindanao Massacre'. Another participant felt the Dialogue Mindanao consultation, which is not unlike many other consultations, could already suffice for the requirements of the Supreme Court on consultations. For this participant, the process should already now be allowed to proceed towards more meaningful discussions at the panel level, with due recognition of the results of this consultation and others like it.

A concern was however voiced that there has not been enough dissemination of the results of the Dialogue Mindanao. A case in point is why the results of these have been presented everywhere else, except in Central Mindanao where the heart of the matter lies. Perhaps it could be time to revisit the results of this consultation, and make known the same to the rest of the stakeholders.



Photo - MTT workshop and roundtable discussion on the various consultations in the past.

Quick Facts on the GRP Peace Panel Consultations with Local Government Units:

Conducted on four occasions with the active support and assistance of stakeholders (HD Centre/Mindanao Think Tank, Western Mindanao State University and Notre Dame University), and on several other occasions solely by the GRP panel and secretariat

The four occasions with stakeholders targeted the following areas:

1. LGUs from Region 9 and ARMM Island Provinces, participated in by approximately 40 LGUs (Dec. 2009)
2. LGUs from Region 9, participated in by approximately 60 LGUs (Jan. 2010)
3. LGUs from ARMM Island Provinces, participated in by approximately 20 LGUs (Jan. 2010)
4. LGUs from ARMM Mainland Provinces and Region 12, participated in by approximately 40 LGUs (Feb. 2010)

3. GRP Peace Panel Consultations with Local Government Units

In addition to OPAPP, the GRP Peace Panel for talks with the MILF likewise pursued its own consultation initiative with Local Government chief executives. These LGUs consisted of Provinces, Cities and Municipalities in the ARMM and other areas of conflict in Mindanao, who were gathered in a series of workshops to discuss the substantive issues of the GRP-MILF peace process. Special meetings were likewise held by the GRP Peace Panel with Provincial and Municipal LGU officials of North Cotabato Province, and City LGU officials of General Santos City, Zamboanga City, and Iligan City. These special meetings were meant to touch base with the leaders of these areas who were among those who voiced their strongest opposition to the MOA-AD in August 2008. This led to the Supreme Court issuance of a Temporary Restraining Order just before its scheduled signing, and the eventual declaration of unconstitutionality of the MOA-AD.

Contrary however to what was the response expected by the GRP Peace Panel from the LGU chief executives, it was felt that there was lukewarm interest in the peace process. This was manifested in the very poor attendance of approximately just 15 to 20% covering all areas during all consultations. Notably, no representatives from Cotabato City, Marawi City, Lanao del Sur, and Maguindanao Province attended. There could have been a number of reasons for this: the ineffectiveness of the Department of Interior and Local Governments in summoning the LGUs to this series of consultations, timing – given that it coincided with the campaign season, the gun ban enforced during election season – because this led to the fear of the mayors to move around without their complete retinue of bodyguards, or simply disinterest in the peace process.

One of the possible causes for this disinterest is the reality of personality-politics in Mindanao, and its resulting dynastic politics. These translate into a lack of interest on issue or identity based changes as espoused by peace processes. Such was evident during all of the consultations when a general sense of detachment could be seen among the consultations' participants. Of the LGU chief executives and representatives who attended and had a clearer appreciation of the issues at hand, it was the mayors from PALMA (Pikit-Aleoson-Libungan-Midsayap-Alamada) Alliance who openly questioned what the consultation really was all about. They further asked whether the consultation was just a means of giving legitimacy to positions already taken by the National Government.

Another observation, however, posits that there could simply have been an error in the selection or alignment of areas meant to be covered by each consultation in the series. This could have resulted in an unwillingness to be more open about one's sentiments and opinions on the peace process.

In addition to these shortcomings of the GRP Peace Panel consultations with the LGU chief executives, these consultations also had an unhealthy prolonged focus on the ARMM, and what has been perceived to be its systemic and massive failures to deliver good governance to the people of the autonomous region. This was to the detriment of the quality of discussions that could have given rise to more positive or forward-looking ideas. Discussions consequently pointed at a possible flaw in the design of these consultations such that given the ARMM and its experience, automatically put in a bad light was the entire concept of autonomy and self-governance for Moros. Nonetheless the results were accepted given that they were sentiments aired by the LGU leaders.

Having said all these, the participants of the roundtable discussion assembled to critique the consultation initiatives had one clear thing to say about the GRP Peace Panel consultations with the LGU chief executives. This was that in light of the many criticisms hurled against the ARMM, it seems to be the most opportune time to really consider its faults seriously and comprehensively, and begin efforts to correct the same. One participant opined that seemingly no one has anything good to say about the ARMM, because everything said about it is negative. He added that it seems that the only people satisfied with it are those employed by it. With this said, Government should now really seriously consider initiating drastic changes to improve the ARMM.

Another participant however, reminded the roundtable of an appeal once aired by a member of the Mindanao Think Tank core group who is a senior ARMM Regional Government official, that during all the consultations and instances that the ARMM was heavily criticized, not once was the ARMM ever represented. The same holds true, he said, of the peace processes (whether GRP-MILF or GRP-MNLF), wherein not once was the side of the ARMM heard directly from any of its officials.

This led the roundtable's participants to consider that while it is true that the results of many previous consultations point to the need to implement changes in the ARMM, it must also be done properly and fairly, starting with consulting the ARMM Regional Government itself, its officials, employees, and partners from all the involved sectors.

Quick Facts on the GRP Peace Panel Consultations with Local Government Units (cont'd):

All four consultations were attended by either the GRP Panel Chairman, Ambassador Rafael Seguis, or GRP Panel Member Dr. Ronald Adamat, both of whom responded to difficult questions from the LGU leaders

Attended by HD Centre project officer Alberto Hamoy Kimpo who gave an introduction on the process

Attended by Mindanao Think Tank lead facilitator Prof. Eva Tan, and Mindanao core group members Guiamel Alim, Ustadz Esmael Ebrahim, and Edtami Mansayagan all of whom served as resource speakers

See Annex C - Report on the GRP Peace Panel Consultations with LGUs

Note: The grant of autonomy to the Bangsamoro as a government response to the conflict in Mindanao dates back to the administration of President Ferdinand Marcos, and was eventually made a part of the 1987 Constitution. Republic Act 6734, otherwise known as the Organic Act of Muslim Mindanao, pursuant to this constitutional mandate created the Autonomous Region in Muslim Mindanao. This was later expanded by Republic Act 9054 as called for by the 1996 Peace Agreement between the GRP and the MNLF.

Quick Facts on the MILF Consultation with Indigenous Peoples community leaders:

Conducted with the active support and assistance of stakeholders (HD Centre/Mindanao Think Tank and Consortium of Bangsamoro Civil Society) on February 2010

Attended by over a hundred IP community leaders from all over Mindanao

Attended by MILF Vice Chairman for Political Affairs, Ghadzali Jaafar, and other MILF officials

Attended by HD Centre mediation adviser David Gorman who gave updates on the formal peace talks

Attended by Mindanao Think Tank lead facilitator Prof. Eva Tan, and Mindanao core group members Guiamel Alim, Prof. Moner Bajunaid, and Edtami Mansayagan

4. MILF Consultation with Indigenous Peoples community leaders

This consultation initiative was well applauded by the roundtable discussion's participants, for the most part because it shows the largely increasing respect and engagement that now exists with the Indigenous Peoples (IPs) in Mindanao. The participants acknowledged that this is a vast improvement from the past, wherein IPs were generally marginalized from the peace process, and from the rest of society. To highlight this, one of the participants pointed to the shortcomings of the Indigenous Peoples' Rights Act, which though it is a landmark piece of legislation meant to emancipate the IPs from dispossession and abject poverty, it nonetheless faces stiff challenges in its implementation. Other Government policies meant to benefit the IPs were also mentioned and scrutinized, most notable is the cause of IPs in the ARMM and why its Regional Government has yet to evolve its OSCC-ARMM (Office of Southern Cultural Communities-ARMM) into NCIP-ARMM (National Commission on Indigenous Peoples-ARMM). This failure has resulted in the marked shortage of Government powers and initiatives to cater to the needs of IPs in the ARMM, as compared with IPs in other parts of the country.

With the developments in the peace process and the importance now being given to IPs as manifested by the MILF consultations with them, one of the participants, who himself is an IP leader, shared his hope that the future is now brighter for them. In support of this, a Moro participant stressed that the long historical relationship between IPs and Moros dates back to the pre-colonial era, even to folklore with the legendary brothers Mamalu and Tabunaway who were said to be the original inhabitants of Mindanao. One converted to Islam with the arrival of the Arab missionaries when the trade routes opened. The other remained in his indigenous ways. This led to the assertion by some of the other participants to the roundtable discussion that because it was the MILF itself conducting these consultations with the IPs, this showed that there indeed is a genuine concern among the Moros for the welfare of the IPs, especially in respect to the agreements entered into by the two brothers.

The IP participant spoke again at length about the commitments and shared vision resulting from the MILF consultations with the IPs, which he had attended, and which had a wide representation of IP community leaders from all over Mindanao. Most, if not all of these commitments and shared vision, he said, were directly in

line with the oral traditions of the IPs and responded to the centuries of repression of their aspirations as indigenous peoples. Because he spoke so much and so comprehensively about the desires of the IPs and what he thought were clear inroads into the peace process for their concerns and aspirations, he was urged in no uncertain terms by the other participants to get these commitments and vision into writing. Currently, they remain as unwritten desires that could only be fully expressed by so few IPs like him who have had the opportunity of education and exposure to national and global efforts to assist indigenous cultural communities. Given that fact that once written these aspirations would stand a better chance of implementation and enforcement, the roundtable discussion put forward the recommendation that the results of the MILF consultation with the IPs be documented and made part of a future consolidation of all results of all the consultations done on the peace process.

Photo below - MILF consultation with IP community leaders. Fourth from the right speaking into the microphone is David Gorman, the HD Centre's mediation advisor and Philippine country representative. Seated next to him in maroon shirt is the MILF Vice Chairman Ghadzali Jaafar.



Photo above - MILF consultation with IP community leaders. It shows the participating IP leaders who came in significant numbers to hear the MILF and share with them their sentiments.

While the event was well received by both the MILF and the IPs, this was only one event. More should be done in the IP areas and there should be broader discussions on women, women's issues, and other issues of concern to IPs. Furthermore, it was unclear how representative the IPs who attended were of all Lumads in Mindanao, and whether their views are to be included in the MILF negotiating positions.

5. Consortium of Bangsamoro Civil Society Congresses and Assemblies

About the Consortium of Bangsamoro Civil Society:

“The Consortium is a solidarity conference of Non – Government Organizations and Peoples Organizations (NGOs/POs) in Mindanao. It was organized to respond the need of enhancing and capacitating the heads and leaders of its network – member’s organization towards advocacy undertaking in Human Rights and Justice, Peace and Development and Good Governance and Right to Self – Determination of the Bangsamoro.”

“The Consortium serves as a mechanism of cooperation, coordination and sharing among the Bangsamoro ` civil society groups with operation mostly concentrated but not limited to ARMM areas or where the Bangsamoro are sizeable in terms of population and presence.”

“The Consortium was conceived after a series of consultations and fora with different Moro Civil Society Organizations coming from different parts of Mindanao. It was organized in February 2002.”

*From <http://www.cbcsi.org>
The Chairman of CBCS,
Mr. Guiamel Alim, is a
core group member of the
Mindanao Think Tank*

The assemblies and consultations of the Consortium of Bangsamoro Civil Society (CBCS) have been numerous and date back to 2003. Being a consortium of many civil society groups, the CBCS is able to gather the collective thoughts of their member organizations. Throughout the years, the CBCS claims that their initiatives have been continuing and the results of these constantly evolving. A clear example of this is the Bangsamoro Development Agenda which has been the product of their consortium’s many initiatives. For them this is a ‘live document’ that can still be improved and enhanced, and in fact among their consortium’s members, this is constantly being updated.

Not much critiquing could be done on the CBCS’ efforts, however, given that their congresses and assemblies in connection with the peace process were not actual consultations, but were instead gatherings meant at forwarding the cause of the Bangsamoro in general. The source of information for this was the Chairman of the CBCS who was a participant to the roundtable discussion. And his responses to the questions propounded were accepted and appreciated without question.

As observed, however, there seems to be a fine line delineating the positions of the CBCS from the positions of the MILF, the latter being one of the parties to the peace process. There are benefits to seeing the CBCS as a neutral organization with the Moro cause foremost in their agenda. After all, the member organizations of the CBCS directly serve the communities and the civilian populace. If anything, there is a lot to be learned from them that should be carefully considered by the peace process. This perhaps would be the recommendation coming out of this critiquing exercise of the CBCS’ efforts.

6. Policy Forums of the Institute of Autonomy and Governance

A very strong sentiment and criticism aired by one of the participants to the roundtable discussion focused on the policy forums of the Institute of Autonomy and Governance (IAG). In particular, it centered on the last IAG policy forum held in Manila prior to the August 2008 MOA-AD debacle. It was said that no representatives of the Moro people were present, and furthermore there were no participants who could defend the MOA-AD. As a result, the discussions were said to have only resulted in pre-empting the MOA-AD and leading to widespread opposition against it. This opposition was led, apparently, by those who participated in that particular IAG policy forum.

Because no one in the roundtable discussion could speak on behalf of the IAG, nor of this particular IAG policy forum that took place, one of the participants moved that discussions on this topic be suspended, in order to give ample opportunity to the concerned to air their side of the story. However, given that the sentiment was already raised, it has been included in this report without prejudice to the concerned stakeholders.

The conduct of this particular IAG policy forum, if true, should not be misconstrued, however, as a habitual practice of IAG. IAG, in fact, is one of the leading independent and neutral think tanks based in Cotabato City, that has been helping identify and pursue reforms and positions on matters of autonomy, governance and peace. Several of its policy forums have gathered opinions of key stakeholders from various allegiances, including those that are neutral.

For the purposes of this critique, however, a possible recommendation coming out of this experience is that whatever issues that may have arisen coming from the particular IAG policy forum mentioned, that these be laid out and addressed either directly by the concerned stakeholders, or as part of a future consultation initiative. This is important given that, if true, clearly those who were alarmed by this IAG policy forum had legitimate fears that resulted in no less than the Philippine Supreme Court giving them due process by issuing a Temporary Restraining Order based on their petitions. Furthermore, the events following the failure of the MOA-AD signing likewise point to the gravity of such issues and concerns. Clearly, these need to be identified, threshed out, and addressed if the peace process is to arrive at a just conclusion.

Quick Facts on the Policy Forums of the Institute of Autonomy and Governance (IAG):

The IAG, based in Notre Dame University in Cotabato City, has been conducting policy forums and roundtable discussions on peace in Mindanao. The results of these are published in individual reports covering each Policy Forum and in the Peace and Autonomy Review - IAG's quarterly publication.

See Annex D - A copy of the publication on the controversial IAG Policy Forum

7. The Mindanao Think Tank

Discussions on the Mindanao Think Tank (MTT) began with a comprehensive rundown of the many activities of the project. Because most of the participants of the roundtable discussion were MTT core group members, they had very little to critique about the MTT given that this has proceeded with their inputs and suggestions taken into consideration. Hence, the discussion of the MTT focused more on recommendations on what future steps the project can take.

This initially elicited the following comment from one of the participants: instead of pursuing consultations, the MTT should initiate a dialogue process direct with the parties and the communities. He continued by saying that the MTT has to define what directions it wants to pursue for itself, now that it has already accomplished a significant amount of consultations, and it has a significant advantage given HD Centre's involvement in the International Contact Group. The participant ended by asserting that the reality is that even for the Local Government Units, consultations will be the least of their priorities. What they and everybody else want now are ideas for agreement and next steps on implementation. First these would be more interesting, second these would be forward-looking in anticipation of the changes this peace process can bring to society.

Quick Facts on the Mindanao Think Tank (MTT):

The MTT began in June 2009 and has conducted the following activities, to date:

Survey of no less than twenty pieces of related literature

Twenty key informant interviews (includes eight with prominent observers to the peace process to elicit their recommendations to the new Philippine President)

Eighteen community consultations with Bangsamoro (6), Lumad (7), and Christian (5) communities

Twelve sectoral consultations with LGUs (4, in support of the GRP peace panel), Lumad leaders (1, in support of the MILF), agrarian reform beneficiaries (1), IDPs (1), youth and students (1), academe (1), women (1), Church leaders (1) and media (1)

Three internal MTT core group meetings

Three MTT workshops and roundtable discussions discussion the peace process from the perspective of Government and Civil Society, and to critique the various consultation initiatives



Photo on the right - MTT lead facilitator Professor Eva Tan conducting a community consultation with Lumad community members from Barangay Borongotan, Municipality of Upi, Maguindanao Province.



Photo on the opposite page - Kick-off of the MTT, wherein HD Centre's David Gorman briefed GRP peace panel Chairman Rafael Seguis (at the head of the table in white). Others from right to left are OPAPP Executive Director Romulo Halabaso, Gorman, Deputy Presidential Adviser on the Peace Process Nabil Tan, Seguis, OPAPP Assistant Secretary Camilo Montesa, and GRP peace panel Head of Secretariat Ryan Sullivan.

Another participant voiced a word of caution by saying that there obviously still remains a wide awareness gap among the stakeholders, about the peace process. Because of this, there is a need to map out the concerns and nature of this gap. Today, trending analysis can already be done to find out where the gaps are, but still a more accurate picture can be attained if a mapping exercise can be pursued. This will result in a more focused approach and strategy if a dialogue on the peace process (not a consultation) is to be implemented. As of now there are 'spoilers' and 'allies' to the peace process. If the MTT can help identify them, then the dialogue process previously recommended can be better defined and strategized.

Another participant agreed with the previous recommendations, but wanted to stress added focus on the importance of the 'communicative' nature of the MTT. This stems from the groundbreaking initiative of the MTT of providing inputs whenever it conducted any of its activities. It was recognized and acknowledged that very rarely do the stakeholders receive updates on the peace process, and this was one way in which the MTT has been very helpful.

The participant who made the initial recommendation tried, however, to bring back focus to what he felt should be the main pursuit today of the peace process, the identification and definition of what needs to be done now. For him, we must all work on this now – find out the bottom lines. When we find this out, then the MTT has something with which to popularize the peace process.

Quick Facts on the Mindanao Think Tank (MTT) (cont'd):

Results of the MTT are regularly fed to the parties through reports and activities done in partnership with the parties. These reports likewise serve as input into the formal negotiations through the HD Centre's participation in the International Contact Group

The results of the MTT are contained in four publications, including this one.

See Annex E - Presentation on the Mindanao Think Tank

III. Cross-Cutting Critique and Observations

“ ... A consolidation of all results of all these consultations be made, together with a summary.”

Some of the participants saved their critiques and observations for the end, after all seven consultation initiatives were discussed. These comments did not specifically address any particular consultation initiative, but instead cut across all seven, perhaps even including others.

One of the participants asked if with all the consultation initiatives done, has the requirement of the Philippine Supreme Court been met? Have there been enough consultations done? If so, can the peace process now resume. This participant asked this question wondering why no one seems to have taken this into consideration. If this is true, then a major benefit of having conducted the consultation initiatives may have been wasted.

Another participant asked if the various consultation initiatives changed the attitudes of the people towards the peace process. For this participant, it seems that the same people were invited over and over again. The same sentiments and ideas therefore surfaced, without anything new arrived at. This participant felt that what is needed is a proper orientation on what the peace process is about. This should first be made clear to the people, in order to win more people to the side of the peace process, and not against it.

One participant argued that as a people we seem to have a ‘pre-emptive’ nature. For this participant, the MOA-AD should have been allowed to be signed, and this would then be followed by a law to implement it, before it should have undergone the scrutiny of the judiciary. The same participant also questioned the consultations done with the Local Governments, stressing that the LGU leaders should have only re-echoed the position of the National Government to their constituents. This participant felt that it was not proper for the LGU leaders to have been the ones consulted. Finally, this participant questioned why there were so many consultations being conducted outside of the areas of concern. For him, this took away from the concerned stakeholders that opportunity to be heard. It was his opinion that enough consultations have been done outside of the area of concern, and these must have to end.

Contrary to the last point of the previous participant, another participant acknowledged that the views of people from Luzon and the Visayas are also important, especially given the fact that there are also many from these areas who have family, friends and interests from the conflict areas in

Mindanao. There are also many Muslims in Luzon and the Visayas. For this participant therefore, the views of people from outside of the area of concern must also be heard.

This participant also reminded the roundtable discussion that there are many other factors that need to be taken into consideration: economics, the multinational companies seeking to invest in Mindanao, the issues of land, mining and other resource-extraction ventures, etc.

One participant asked if enough doable recommendations have already surfaced. If so, could these be now translated into concrete action plans and programs? One immediate concern are the IDPs (Internally Displaced Persons). Can action now be expected to benefit them? For this purpose, it was recommended that a consolidation of all results of all these consultations be made, together with a summary. Related to this, another participant argued that consultations to be done after all these should already be agenda-setting in nature.

One of the participants based in the farming communities stated that the ordinary people are weary of the peace process. Peace, for them, is not merely a process, but a dream and an aspiration. For these people, what are needed now are people who will not only negotiate for peace, but will deliver it immediately. This participant echoed the exasperated voices of the people in the rural and remote areas who are often the first victims of conflict. For them, if the people put in charge of the process are incapable of delivering peace, then they have to be replaced immediately by those who can.

A participant working closely with the ceasefire process commented that amidst all the consultations already done, on the ground there is a clear lack of understanding of the peace process, especially its substantive issues. He cited two instances. First was that the MILF ground forces were under the misconception that with the signing of the MOA-AD, lands that previously belonged to their forebears would revert back to them. This was the central reason for the rampages done by the three rogue MILF commanders when the MOA-AD failed. Second was the 'pre-emptive' request for TRO (Temporary Restraining Order) filed by a local politician with the Philippine Supreme Court months into the reconvened formal negotiations process. When asked by the GRP Peace Panel what his basis was for his request, he could only point to news articles and statements made by then President Arroyo with the Malaysian Prime Minister during an ASEAN activity in Vietnam. This participant ended by saying that information dissemination, communications, and joint advocacy is needed. If the peace negotiations continue to be secretive, the threat of hostilities similar to the aftermath of August 2008 will always remain.

For one of the participants, it seems there is no longer any need for any further consultations. The bottom lines are known. We no longer need any new ideas. What we need is for the people to be consulted on what has been the result of the 'meeting of the minds' of the parties, as reflected in preliminaries or drafts that may have already been exchanged or agreed to by the parties. For him, surely this already 'meeting of minds' already exists given the amount of time already invested in this process. This must now be translated into preliminary or draft agreements and subjected to the people's scrutiny. It is these matters that need to be consulted with the people to get their approval or disapproval, their suggestions to improve these, or their vehement objections in order to change these entirely.

“ ... Amidst all the consultations already done, on the ground there is a clear lack of understanding of the peace process, especially its substantive issues ... This was the central reason for the rampages done by the three rogue MILF commanders when the MOA-AD failed.”

IV. Recommendations and Conclusion

Consolidate results of the consultations

Identify the 'doables'

Translate these into action plans

Understand the 'spoilers' and 'allies'

Popularize the peace process thru dialogue

Based on this workshop and roundtable discussion, the following recommendations have been arrived at.

1. A cross-cutting recommendation sought the consolidation of the results of all consultation initiatives, and the identification and harmonization of all 'doables' that have surfaced. Once drawn-up these should then be translated into concrete action plans, programs and agendas for use in the formal negotiation process.
2. Because there obviously still remains a wide awareness gap among the stakeholders about the peace process, the Mindanao Think Tank is also called upon to map out the concerns and nature of this gap by helping to identify the 'spoilers' and 'allies' to the peace process, and helping to understand their issues and concerns.
3. In addition to these, the Mindanao Think Tank is also called upon to add focus on the 'communicative' nature of its desired dialogue process. This stems from the groundbreaking initiative of the MTT of providing inputs whenever it conducted any of its activities, which builds more support for the peace process and helps popularize it.
4. The Mindanao Think Tank is called upon to initiate a dialogue process direct with the parties and the communities, especially now that it has already accomplished a significant amount of consultations and it has a significant advantage given the HD Centre's involvement in the International Contact Group. It is urged to focus on ideas for agreement and next steps on implementation.
5. Relative to the controversial IAG policy forum, if true, it is recommended that the issues raised during this forum be laid out and addressed since clearly those who were alarmed by this forum had legitimate fears that were important enough to warrant the issuance of a Temporary Restraining Order from the Philippine Supreme Court. These issues need to be identified, threshed out, and addressed, if the same disastrous consequences are to be avoided in the future.

6. The MILF consultations with the leaders of Indigenous Peoples communities greatly improved the respect given to, and engagement with, IPs in the peace process. However, the results of this consultation including the commitments made and the visions shared should be documented because only if written will these aspirations stand a better chance of implementation and enforcement.

7. There is a lot to be learned from the congresses and assemblies of the Consortium of Bangsamoro Civil Society that should be carefully considered by the peace process. Their documents should be studied for their positions vis-a-vis the peace negotiations since they present an alternative understanding of the Moro people and their issues.

8. The results of the Konsult Mindanao consultation process could be useful for advocating for support to the peace process, given that it had a strong focus and solid findings on the perceptions and attitudes of people towards peace and towards the peace process. What will be key is the manner of 'messaging' these results so that they will truly contribute to the achievement of peace in Mindanao.

9. The Dialogue Mindanao consultation process results have been presented everywhere except in Central Mindanao where the heart of the matter lies. Perhaps it could be time to revisit the results of this consultation, and make known the same to the stakeholders in the key areas of conflict, i.e. the cities of Cotabato and Marawi, and the provinces of Maguindanao, North Cotabato and Lanao del Sur.

10. One of the key results of the GRP Peace Panel consultations with the Local Government chief executives dealt with the perceived failed autonomy in the Autonomous Region in Muslim Mindanao. While it is true that the results of this and many previous consultations point to the need to implement drastic changes in the ARMM, it must also be done properly and fairly, starting with the need to also consult the ARMM Regional Government itself. Once attained, the ARMM must seriously undergo these changes if autonomy is still to be used as a means to achieve the political changes called for by the peace process.

Understand and address the fears that led to the TRO of the MOA-AD

Put the concerns of IPs into writing

Know the different positions of the Bangsamoro

Present results to the stakeholders

Address the question on the ARMM

ANNEXES

Annex A. Presentation on Konsult Mindanao



This presentation on the Konsult Mindanao consultation initiative was delivered by Professor Norma Gomez, a regular invited participant of the Mindanao Think Tank project activities, during an MTT workshop and roundtable discussion in February 2010, in Cotabato City.

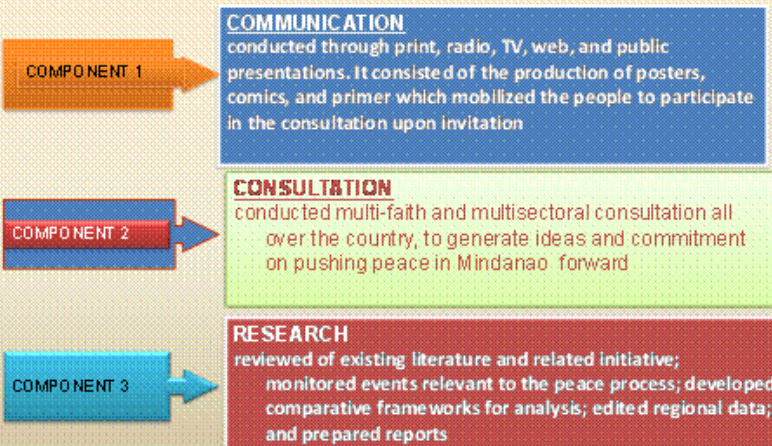
The inclusion of this presentation material in this publication is with the consent of the Office of the Presidential Adviser on the Peace Process.

What is Konsult Mindanaw?

- ✓ a sincere response to people's desire for participation in the Mindanao peace process
- ✓ a series of consultation-dialogues within various sectors regions
- ✓ conducted in an atmosphere where people feel free to speak and be listened to

- ✓ It promoted among groups a readiness to acknowledge past and present hurts, as well as commitment to explore ways of building peace.

Project Components

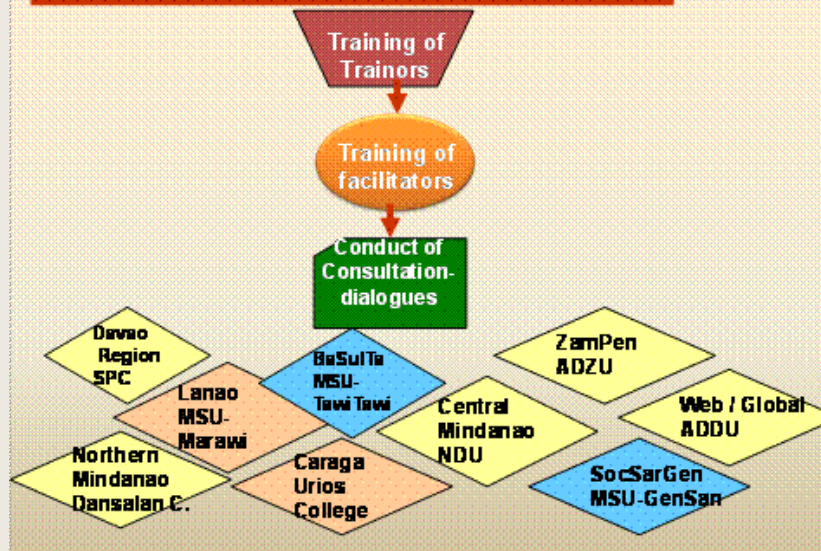


COMMUNICATION PROGRAM

- News and Features Generation
- TV and Radio and Print Media
- Video Production and Materials Development
- Special Events/School discussions
- Prayer campaigns in masjid and churches
- Website: www.konsultmindanaw.ph



Regional Grouping



Number of FGDs & Participants by Group

<i>GROUP</i>	<i>Number of FGDs</i>	<i>Percent FGDs</i>	<i>Number of Participants</i>	<i>Percent Participants</i>
Catholic	98	31.5	1502	30.6
Muslim	92	29.6	1486	30.2
Protestant	74	23.8	1150	23.4
Lumad	47	15.1	778	15.8
Total	311	100.0	4916	100

Number of FGDs by Sector

<i>Sector</i>	<i>Number of FGDs</i>	<i>Sector</i>	<i>Number of FGDs</i>
Professional	36	Ulama	9
Women	34	Farmers	8
Youth	32	Traditional Leaders	7
Academe	25	Madrasah	7
Business	25	Tribal Leaders	6
Urban Poor	25	Babaylan	3
NGO	22	Media	2
Rural Folks	23	GKK	6
IDP	18	Community leaders	2
Religious	13	Others	7

FGD Questions

1. What is your vision of peace in Mindanao?
2. What are your recommendations on the peace talk between the GRP and the MILF?
3. What are your recommendations on the broader peace process?
4. What can you personally contribute—or even sacrifice—for the peace in Mindanao?

FINDINGS

Vision of Peace

Very prevalent in vision of peace and commitment is the **horizon of spirituality**, which is a holistic view of society, that does not separate economic, ecological, social, and political aspects of communal living.

Many participants express their desire and **need for deeper rootedness in their own religious and spiritual traditions**. Some even alluding to their possible participation in the mistakes in the past.

There is also a growing expectation of a more **prominent and effective contribution from the religious leaders, Christian and Muslim and Lumad**.

“a world where poverty, racism and militarism, the ‘triple evils’, does not exist”

FINDINGS:

Clamor for People’s participation

People are just so happy to be consulted:

- ***They have complaints, but are optimistic, not hopeless on the peace process***
- ***Some are involved in group action for peace***
- ***Almost all express personal commitment to the general search for peace***

“Peace cannot be imposed... Peace cannot be forced upon because the moment you forced it is violence and not peace; Peace must be joyfully accepted and embraced for it to become a way of life” (ZamPen key informant)

ON THE GRP-MILF PEACE TALKS

Although many participants express their lack of sufficient information on the MOA-AD, the peace talks between the government and the armed groups are very much alive in the minds of the people.

People want the peace talks to continue and to be in Mindanao.

Sincerity of panel members has been mentioned by almost all of the FGD participants.

Peace panels should be seen as really concerned with the plight of those affected by the conflict.

ON THE GRP-MILF PEACE TALKS

People are confused on the diverging views, actions, and offices of the government in dealing with conflict and rebellion. Peace panels take an approach, military has another tack, and only to be junked by the higher authority. People are searching for credibility and sincerity. This may be manifested in policy cohesion and institutional strengthening.

On the same note, people get confused on the position of the different Moro groups and their supporters. People are not clear on the positions of the MNLF, MILF, and other groups and personalities.

BIASES & PREJUDICES

- Forms of discrimination range from non-access to government's basic services to unfair treatment in the workplace to militarization.
- Respect for culture and faith was also sought by the Muslim and Lumad group.
- The Protestant group stated the need to "reconcile with Muslims, understand their culture and learn to love and respect them."

- Biases and prejudices among the diverse groups are expressed profusely in many FGDs.
- Media contribute a lot to the perpetuation of these biases.
- Schools, museums, tourism projects may unwittingly help form these distorted images

SOURCES OF ARMED CONFLICT

The different regions and sectors have to also contend with unique sources of conflict

- Struggle with environmental conflicts** (Caraga, Northern Mindanao, Zamboanga, Davao Region and Southern Mindanao regions)
- Rido or clan conflicts** are a source of great anxiety in Central and Northern Mindanao, and the Basulta region
- Basulta area** has to solve kidnapping issues
- Many parts of Eastern & Northern Mindanao** are exposed to the New People's Army

Desire of the people for good governance as embodied in ethical leaders

Good leaders are:

- **those who are not corrupt**
- **those who deliver efficiently the basic services to the people**

Poverty is seen by many people as a result of corruption in the government

A widespread perception: Some of the corrupt practices and electoral fraud in Mindanao are connected and enhanced by top government executives

RECOMMENDATIONS

SINCERITY

- Acknowledging People's Mistrust and Confusion**
 - **Inconsistency of Actions**

- Responding with Concrete forms of sincerity**
 - **Policy Cohesion**
 - **Transparency through Public Consultation and Communication**
 - **Fulfill Previous Agreements**
 - **Strong Mandate for the Peace Panels**
 - **Good Governance in the ARMM**

Security

- Addressing People's Fears**
 - **Proliferation of guns**
 - **Existence of Private armies**
 - **Clamor of the 'Bakwits;**
 - **Fear for hunger**
 - **Of loss of the environment**

- Promoting Security by:**
 - **Sustaining Peace talks**
 - **Arms reduction and addressing the issue of war profiteering**
 - **Strengthening local Security Strategies**
 - **Employing peace lens in Economic and environmental projects**

Sensitivity

- Addressing People's Hurts**
 - Addressing biases and prejudices (personal & structural discrimination)
 - Losing Lands
 - Being Looked Down upon
 - Lumads being left out

- Developing Collective Sensitivity**
 - Respect the right to self determination
 - Clarifying the BJE
 - The Customary Laws
 - Multicultural Sensitivity

Solidarity

- Appreciating People's Desire and Demand for Participation**

- Supporting People's Desire for Solidarity**
 - Information, Education and Communication Program
 - Respect local Units of identity
 - Build social infrastructure that connects communities
 - Promote Social Consciousness among Corporations
 - Schools for Peace
 - Media and Civil Society Organizations

Spirituality

- Acknowledging People's Faith and Symbols**
 - Inner Peace
 - Peace as Spirituality
 - Peace as Religious Tolerance

- Harnessing Spiritual Resources for Peace**
 - Integrate Peace and Religious instruction
 - Apply Islamic Teachings
 - Promote Inter-religious and intercultural Understanding
 - Promote Intra-faith Dialogue leading to Forgiveness

Sustainability

☐ Strengthening Initiatives through Institutionalization

- Mainstream Peace Lens in Local Governance
- Align Development Institutions with Peace Efforts
- Professionalize Peace Institutions, e.g. OPAPP
- Strengthen NCIP and Indigenous People's Movement
- Correct Divisive and Unjust practices in the justice system,
- Strengthen Peace Education
- Activate the National Peace Forum

KONSULT MINDANAW

shares in this wisdom, culled from local initiatives and living insights from many parts of the world:

“that while governments and rebel groups may sign peace agreements, ultimately, it’s the people who have the burden – and the joy – of rebuilding schools and houses, re-trusting institutions, welcoming ex-combatants, looking for new breed of leaders, nourishing the environment, energizing tired bodies, bridging gaps across mindsets, healing painful memories, and appeasing the spirits of the land.”

Annex B. Presentation on Dialogue Mindanao



This presentation on the Dialogue Mindanao consultation initiative was delivered by Professor Norma Gomez, a regular invited participant of the Mindanao Think Tank project activities, during an MTT workshop and roundtable discussion in June 2010, in Cotabato City.

The inclusion of this presentation material in this publication is with the consent of the Office of the Presidential Adviser on the Peace Process.

BACKGROUND

DM WAS A SERIES OF CONSULTATIONS, COVERING KEY REGIONS in Mindanao and some parts of the country (Central Luzon, NCR, Southern Luzon), with a special focus on the Mindanao Peace negotiation, using a particularly designed process called Reflective Dialogue.

The **REFLECTIVE DIALOGUE PROCESS** involved the enhanced participation of the people, following the Supreme Court's declaration that the MOA-AD is unconstitutional due to lack of participatory mechanisms.

The Office of the Presidential Adviser on the Peace Process (OPAPP) implemented the DIALOGUE MINDANAW.



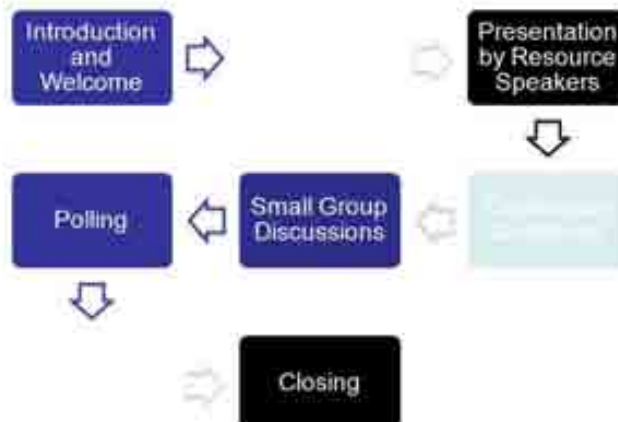
Objectives of Dialogue Mindanaw

Engage the people at all levels to inform them of the issues and secure their feedback

Create a space where people can express their sentiments

Create interest and participation in the prospective GRP-MLF Peace Process

Dialogue Process



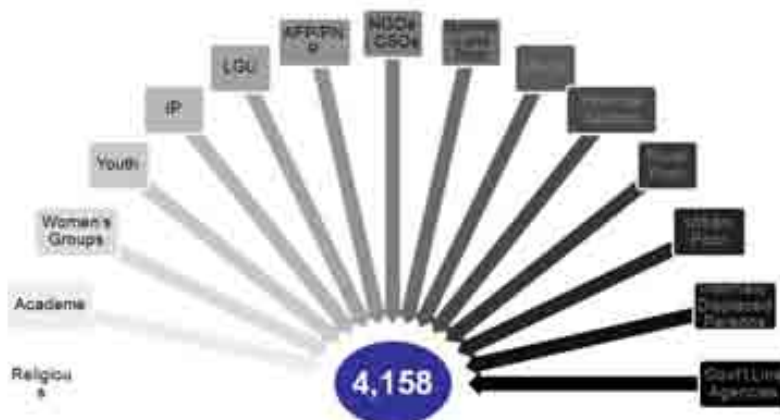
Questions for Group Discussions

1. How do you feel about the ongoing peace talks between the GRP and the MILF?
2. What issues are clear to you? Unclear?
3. Which issue is most important to you? How do you think it should be handled?
4. What other related issues do you think should be attended to?

Areas Covered by Dialogue Mindanaw



Sectors Involved in Dialogue Mindanaw



PARTNERS



BUONG PILIPINAS

Pakigdait, Inc.	Iligan
Notre Dame University	Cotabato
Notre Dame of Marbel University	Koronadal
University of Mindanao	Davao
Caraga Conference for Peace and Development	Butuan
Xavier University	Cagayande Oro
Ateneo de Zamboanga University	Zamboanga
Notre Dame of Jolo College	Jolo
Mindanao State University Tawi-Tawi	Bongao
Nagkakaisang mga Tribu ng Palawan	Puerto Princesa
Cordillera Network of NGO's	Baguio
Mindanao Solidarity Network	Metro Manila
Pax Christi, University of St. La Salle	Bacolod

CLARIFICATORY QUESTIONS

- On the Dialogue Mindanao
 - Results of Dialogue Mindanao (how objective-organizers not from the Bangsamoro people)
 - Mindanao-Wide consultation why not cover ARMM only
 - Opinion on CBCP on GRP-MILF Peace Talks
 - Assurance that the Bangsamoro will respect the IPs
- On IPs (Ancestral Domain)
- On GRP-MILF Peace Talks
 - Contents
 - Composition of MNLF panels
- Issues in Mindanao
 - MOA-AD
 - Bangsamoro Homeland
 - ARMM Governance
 - Armed-conflict
 - Territory



Results of SMALL GROUP DISCUSSIONS



QUESTION 1.

Attitudes toward the current GRP-MILF peace talks.

OPTIMISTIC, POSITIVE, HAPPY, AND HOPEFUL: GRP-MILF panel really need to talk in order to avoid conflict. Dialogue is important/ peace talks have already started and this should be continued/ there is a need to consult more stakeholders/sectors for the next peace talks. *Magtulongan para makamit ang kapayapaan; masaya dahil nag uusap sila.*

DOUBTFUL, APPREHENSIVE, AND DISAPPOINTED: *walang patutunguhan, walang pangkasegurohan; hindi seryoso ang GRP sa peace talks; matagalan pa ang sunod na peace process; baka di tanggapin ng sunod na presidente ang napag kasunduan; hindi ma-implimenta ang activities dahil sa gulo; because of the past experiences there is no trust anymore on the GRP-MILF peace talks; there is feeling of mistrust. Peace talks will collapse if the Philippine Government will not honor the consensus point. Malayo magkasundo, the GRP has its own way- gumagamit ng delaying tactics para di maibigay ang gusto ng MILF.*

QUESTION 1.

Attitudes toward the current GRP-MILF peace talks.

INDIFFERENT. *Ok lang.*

The IPs are more concerned about their participation on the peace process. They expressed that the government should respect their rights to Ancestral domain, social, cultural, and identity of IP. *Masakit sa parti naming mga IPs na hindi kami binibigyan ng pansin. Ang daming petisyon ang mga IPs pero hindi pansin ng gobyerno. Dapat igalang ang karapatan naming i-preserve ang aming kultura.*

QUESTION 2.

Issues on the GRP-MILF that are clear and not clear.

Issues on GRP-MILF Peace Talks that are CLEAR to some of the participants:

- Ancestral Domain boundary
- Intention of the MILF to establish independence
- Bangsamoro identity
- Bangsamoro Homeland
- Governance
- MOA-AD
- Presence of International Monitoring Team
- Right to Self-determination for the Bangsamoro people
- Resource Sharing between the National government and the ARMM
- Legitimacy of the Bangsamoro struggle
- Position of the MILF on Ancestral Domain, Territory, Resource sharing, governance

QUESTION 2.

Issues on the GRP-MILF that are clear and not clear.

Issues that are not clear

- Provisions in the MOA-AD
- Territory (Bangsamoro homeland)
- Constitutional change
- Ancestral Waters
- Sharing of Resources
- Ancestral Domain
- Relationship between the ARMM and the National Government
- Governance
- Sharing of political power, security forces in the Bangsamoro Juridical Entity
- Role of the International Monitoring Team and why replaced by International Contact Group

QUESTION 2.

Issues on the GRP-MILF that are clear and not clear.

Issues that are NOT CLEAR

- Self-determination
- Security/territory/identity
- Expansion of the autonomy
- Claim for Natural resources
- Structure of governance and leadership in the ARMM
- Provision on the ancestral domain of the Lumad that become part of the ARMM
- Position of the government on the Bangsamoro self-determination
- Position of the GRP on the territory and constitutional implication
- Relationship of national, regional and local governments on all aspects of governance

QUESTION 3.

Issues on the GRP-MILF that are considered most important and what should be done

Most responses focused on:

- (a) the signing of the MOA-AD and to proceed to compact agreement;
- (b) definition of the Bangsamoro homeland in terms of territory;
- (c) relationship with the National Government;
- (d) Governance and strong political power;
- (e) Constitutional change/amendments;
- (f) communication of issues and consultation with the grassroots regarding the Mindanao problem;

QUESTION 3.

Issues on the GRP-MILF that are considered most important and what should be done

- (g) address the economic issue;
- (h) armed-conflict/war in the area;
- (i) Autonomy and right to self-determination;
- (j) Civilian Protection Component;
- (k) Moro identity through legislative inclusion;
- (l) Development intervention;
- (m) governance and political system - how to govern the Moro people.

QUESTION 4.

Other Issues Related to GRP-MILF

- a. Human rights issues. Both parties should observe guidelines of the peace process.
- b. Maguindanao massacre
- c. Charter Change
- d. Security of land tenure of the ancestral domain of the Moro
- e. Representation of the women in the peace negotiation
- f. Land utilization policy
- g. Rido/clan conflicts
- h. Conduct a study on the Impact of the long-term peace negotiation among the people in the armed conflict - affected areas
- i. Political dynasty

QUESTION 4.

Other Issues Related to GRP-MILF

- j. Private armies
- k. Food security
- l. The role of Lumads after the peace talks (if ever completed)
- m. Spoilers of peace
- n. Implementation of the Final Peace Agreement of 1996
- o. OPAPP should lead the consultation on peace matters
- p. Advocacy to landowners in relation to Bangsamoro claims of Ancestral Domain
- q. Land occupation/land/ displacements/dislocations

QUESTION 4.

Other Issues Related to GRP-MILF

- r. Possibility of internal conflict (Moro-Christians) once the agreement will be approved
- s. Poverty/education/justice
- t. IPs issues on Ancestral Domain and other needs/budget for IPs
- u. Women's rights
- v. Interfaith Dialogue
- w. Environment of the marginalized sector (farmers, fisherfolks, laborer)
- x. Economic condition of the IDPs
- y. Children rights
- z. Role of the Academe in peace advocacy

POLL SURVEY RESULTS

1. When you hear the word 'Bangsamoro people', who do you think are referred to?	
•All the natives and inhabitants of Mindanao upon the Spanish conquest of the Philippines (including the Lumads)	46.7
•All the 13 ethnolinguistic tribes professing Islam.	30.7
•All the inhabitants of the present ARMM (Muslims, Christians, Lumads)	10
•All the inhabitants of the present ARMM, including those of the neighboring communities who agree to be part of the Bangsamoro.	8
•I do not know	4.5
TOTAL	100

POLL SURVEY RESULTS

2. What is your attitude toward the proposal to change the Philippine Constitution in relation to the search for peace in Mindanao?		
•Yes, I support the proposal to amend the constitution, if necessary		52.8
•No, do not change the Constitution.		16.7
•Look for other options.		21.2
•I do not know.		7.6
•Missing		1.5
TOTAL		100

POLL SURVEY RESULTS

3. Are you in favor of expanding the geographic coverage of the Autonomous Regional Government of Muslim Mindanao to include predominantly Muslim municipalities and barangays?		
•Yes, I am in favor of expanding the areas of ARMM		47.5
•No, I am not in favor of expanding the area of ARMM		39.5
•I do not know.		10
•Missing		3
TOTAL		100

POLL SURVEY RESULTS

4. What do you think is the appropriate relationship between the Autonomous Regional Government and the National Government?		
•Present ARMM Structure		22.4
•Federal state, like USA		31.1
•Special administrative region, like Hongkong		9.1
•Other options		12.5
•I do not know		15.2
•Missing		9.5
TOTAL		100

POLL SURVEY RESULTS

5. What kind of control over coastal waters do you think is appropriate for the Autonomous Regional Government?

•The Autonomous Region Government has the only administrative authority within 15 km from the coastline	32.6
•The Autonomous Region Government has sole control and authority within 15 km from the coastline and joint management of waters beyond 15 kms.	31.5
•I do not know	23.9
•Missing	11.7
TOTAL	100

POLL SURVEY RESULTS

6. What do you think is the appropriate sharing of the revenues from the natural resources in the Autonomous Regional Government?

AUTONOMOUS REGIONAL GOVERNMENT		NATIONAL GOVERNMENT	
100%	4.5	0%	4.5
75%	28.1	25%	28.1
60%	7.9	40%	7.9
50%	20.1	50%	20.1
40%	3.8	60%	3.8
25%	4.5	75%	4.5
I do not know	30.7	I do not know	30.7
TOTAL	100	Total	100

POLL SURVEY RESULTS

7. How do you think the Autonomous Regional Government and the National Government should share in the control of the strategic minerals found in the region? (ex: uranium, petroleum, other fossil fuels, mineral oils, all sources of potential energy RA 9054)

•Sole control by National Government	18.6
•Joint management by the Autonomous Regional Government and National Government	57.0
•I do not know	14.4
•Missing	9.8
TOTAL	100

POLL SURVEY RESULTS

8. How confident are you that the current peace negotiation will help bring peace to Mindanao?		
• Very confident		31.1
• Somewhat confident		35.3
• Not confident		25.4
• Missing		7.9
TOTAL		100

INSIGHTS/LEARNINGS

1. People are happy to be consulted particularly on matters affecting them, their families and their communities.
2. The Moro people and Lumads have their own specific concerns:
 - Moro people: self-determination, identity and territory
 - Lumads: Ancestral Domain, Cultural Practices
3. Role of the Academe in Peace Advocacy and Inter-religious Dialogue
4. Sincerity of all stakeholders (General public/peace advocates/Peace Panel)
5. Role of media to inform the general public on issues/concerns affecting in Mindanao

Annex C. Report on GRP Peace Panel Consultations with Local Government Chief Executives

This presentation on the GRP Peace Panel Consultations with Local Government Chief Executives was delivered by Alberto Hamoy Kimpo, project officer of the HD Centre, during an MTT workshop and roundtable discussion in February 2010, in Cotabato City.

The HD Centre was requested by the GRP Peace Panel to assist in the design and implementation of this series of consultations.

INTRODUCTION

Acting on the Philippine Supreme Court's implicit requirement that the peace process needs to undergo a far reaching consultation process, the Government of the Republic of the Philippines Peace Negotiating Panel for talks with the Moro Islamic Liberation Front sought to conduct a series of consultative meetings with Local Government Unit chief executives from the concerned areas of the GRP-MILF peace process. Initially targeted were municipalities in Region 9 (Zamboanga Peninsula), the ARMM island provinces (Sulu, Basilan and Tawi-Tawi), Region 12 (Central Mindanao), and the ARMM mainland province (Lanao del Sur and Maguindanao). In pursuing this, partnerships were established with the Centre for Humanitarian Dialogue, the Western Mindanao State University Center for Peace and Development, and the Notre Dame University Peace Center.

To-date, four consultations have already been accomplished covering the months of December 2009 to February 2010. These were: December 15-16 with LGU chief executives and representatives from the Cities and Municipalities of Region 9 and the ARMM island provinces; January 7-8 with LGU chief executives and representatives from the Cities and Municipalities of Region 9; January 11-12 with LGU chief executives and representatives from the Cities and Municipalities of the ARMM island provinces; and February 3-4 with LGU chief executives and representatives from the Cities and Municipalities of Region 12.

During each consultation, participants were divided into workshop groups and were each asked to discuss a total of six workshop topics. Following were their results.

SUMMARY OF RESULTS OF WORKSHOP TOPIC I

The first workshop dealt with the GENERAL QUESTION OF IDENTITY, and specifically how do we improve Muslim-Christian-Lumad relations. Through probing questions the workshop sought the opinions of the participants on who the 'Moro' is, who comprises the 'Bangsamoro', what the differences and commonalities are among the Tri-Peoples (Muslims, Christians, and Lumad) of Mindanao, and what can be done to improve the situation and veer away from the conflict that has plagued Mindanao for decades.

There were two basic schools of thought as regards Moro identity. On the one hand, participants mostly coming from the ARMM Islands referred to the Tri-People of Mindanao (Muslim, Christians and Lumads) or in other words all who live in Mindanao as being Moro, and therefore comprising the Bangsamoro. This for them was directly related to the single biggest challenge which is that non-Muslims in Mindanao do not want to be identified as Moro. They added that things would greatly improve if everyone shared in this Moro identity, because it would pave the way for due respect to be given to the ARMM, trust between peoples especially in matters of governance and resources, and the consideration of other instruments of the peace process such as the 1996 GRP-MNLF Peace Agreement.

On the other hand, participants mostly coming from Zamboanga Peninsula referred to only the Muslims as the Moros, and therefore the only people who comprise the Bangsamoro. They added that the term 'Moro' connoted exclusion of Christians, and the term 'Bangsamoro' is aimed at creating a political subdivision rooted in the struggle for a political territory – a territory in which Islamic Law is practiced coinciding with Philippine Laws. Some of the participants went further and argued that the insistence on a Moro identity or a Bangsamoro was divisive, countering that it would be best if everyone focused instead on being Filipino and being united under this identity, which given the realities today is more practical and useful. Still some participants challenged the argument that Muslims want to insist in this Moro identity, citing Muslims in their respective LGUs who live as peacefully and as progressively as their non-Muslim neighbours without sharing the

clamour and aspirations of the MILF and other like-minded groups.

Somewhat related to this response, participants from Central Mindanao insisted on the fact that "We are all Filipinos". This was such a unifying common assertion among the participants from this region given that they strongly believed our one Filipino identity has been forged a long time ago, and this is something they demand the peace talks should respect and maintain.

The participants deemed the Tri-People as different in matters of culture, practices, way of life, traditions, customs, mindsets, religions and beliefs. To the participants from Region 9 and Region 12, 'Bangsamoro' identity should only be reflective of one group's religious difference from the rest – which to them was acceptable, in as much as the Christians are also different from the Moros in this respect. Amidst these realistic differences, they also identified commonalities in terms of the desire for peace, the need to respect each other's uniqueness and differences, the need to be human and to see each other as human, and that all are victims of the same situation. Some participants even pointed out commonalities between Islam, Christianity and the other faiths of the Lumads, stressing that they really cannot be very different. Finally, some participants also stated that all of the Tri-People are Filipinos under one Constitution.

With this, participants had a wealth of opinions on how to improve Muslim-Christian-Lumad relations and put an end to the conflict that has plagued Mindanao for decades. These could be categorized into two general areas: interventions on the peace process and improvements in existing structures. For interventions on the peace process, the participants called for a continuation of the peace process, but together with it more representation from the LGUs, some even calling for representation from each of the Tri-Peoples within each LGU. They also called for more dialogue and consultations with the LGUs throughout the process to ensure that their constituencies and concerns are properly taken into consideration.

For improvements in existing structures, the participants cited amendments to existing laws including the Philippine Constitution, the Local

Government Code, and local government policies in the ARMM. They called for improved delivery of basic social services, livelihood services, and most especially education services in the ARMM. Participants from Zamboanga Peninsula (outside the ARMM) and the ARMM Islands (inside the ARMM) thought National Government should do more for the ARMM, in as much as the ARMM has plenty to do to improve itself. Finally, and perhaps most telling, all participants agreed that in as much as the peace process proposes a plebiscite to determine those who want to be included in any future expansion of the ARMM, this plebiscite should also allow those already within the ARMM the opportunity to vote themselves out of the ARMM.

SUMMARY OF RESULTS OF WORKSHOP TOPIC II

The second workshop dealt with the GENERAL QUESTION OF GOVERNANCE. Through probing questions the workshop sought the opinions of the participants on how they saw the present autonomous region, what changes should be made to its governance functions, how a 'highest form of autonomy' could be attained, what role and contribution the LGUs should have in the peace process, and whether or not the LGUs were open to being part of the proposed expanded ARMM/BJE.

All of the participants cited very poor governance in the ARMM. According to them there is weak delivery of basic services and there are very few projects. Political leadership is also very poor and often elective officials in the ARMM abuse power. Furthermore, governance in the ARMM was criticized as being highly centralized and defined along tribal lines. Government employees, especially public school teachers, are not paid their salaries on time and there is no transparency on how public funds are utilized since auditing procedures are not followed and programs are not monitored. For the participants, the ARMM is actually autonomy in reverse, given that it is just a mere duplication of the National Government structure. As a result, LGUs now had to contend with an additional bureaucratic layer, the Regional Government. Some participants blamed the National Government for encouraging mismanagement and corruption in the ARMM, saying it never had the political will to make the ARMM work.

Majority of the participants, including those from inside the ARMM, recommended the conduct of a plebiscite in ARMM areas to determine whether or not they still want to remain as part of the ARMM. For the participants from Zamboanga Peninsula (outside of the ARMM) they strongly opposed the expansion of the ARMM beyond its present territory, strongly arguing that their LGUs do not want to be included in it. This sentiment was shared by participants from Central Mindanao. Some of these participants who are Lumads stressed that they are not in favor of being under the ARMM, since they argued that Lumads have their own system of governance, which are more effective.

Majority of participants pushed for improving governance by strengthening local autonomy, although this was mostly in regard to autonomy for LGUs. Many argued that the Local Government Code actually granted many devolved powers to LGUs. While those from Zamboanga Peninsula thought this served their areas well, those from the ARMM Islands (and some critics from outside of ARMM) thought that the ARMM Regional Govt took away a lot of the devolved powers and made it its own, hence an additional bureaucratic layer for those inside the ARMM. Some of the participants suggested that a Local Government Code for the ARMM be legislated in order for LGUs there to have a better handle on the services that they should be responsible for, and get the necessary support/funding. Others suggest streamlining the bureaucracy in the ARMM, commenting that it is bloated and inefficient. Some participants from Central Mindanao (all of whom are outside of the ARMM) suggested that the present autonomy set-up be retained, supported and allowed to improve, arguing that they are agreeable to the concept of associative relations. However, they felt that the ARMM is not ready for this unless it has shown maturity in terms of governance. They even suggested the need for a transition period (a specific period) where performance of the ARMM will be evaluated whether it has passed standards prescribed by the national government. In case of failure, the ARMM should be abolished.

Some thoughts were shared on Shariah Law, with quite a number of non-Muslim participants arguing that these should be implemented only when the two parties involved are Muslims. On Governance by the LGUs in relation to the peace process, participants from Central Mindanao insisted that the LGUs must have first hand information of any proposed peace agreement, both before and after signing, so they can properly communicate the peace agreement to their constituents and conduct education campaigns on it so that any possible conflict arising from it can be avoided. Inevitably, Charter Change was also put on the floor several times. Some argued for federalism, citing that whatever additional powers the ARMM (or expanded ARMM) gets, everyone should get. On the other hand, some argued against federalism saying that weak regions (or states) would only pull down their neighbouring regions. For them, what the National Government should do instead

given the current set-up is intensively support these weak regions (like today's ARMM), but not because they are populated by Moros or because the MILF is clamouring for it, but because these regions are poor and weak and they need all the help they can get.

SUMMARY OF RESULTS OF WORKSHOP TOPIC III

The third workshop dealt with the GENERAL QUESTION OF CONTROL OVER RESOURCES. Through probing questions the workshop sought the opinions of the participants on whether they were amenable to giving the ARMM power and authority over natural resources, what percentage sharing in revenues from resources they recommend, and whether they were open to joining the ARMM if this meant more control over resources for their constituency (for LGUs outside the ARMM) and what changes they recommend in RA 9054 with regards to control of resources (for LGUs inside the ARMM).

Linked with the desire for strengthened local autonomy, the participants felt that one, there is a need for more powers to be devolved, and two there is a need for more LGU control over resources. For the participants, if true progress and development is to be achieved in their areas, they need to have more control over their resources, and benefit more from these. Some participants stated that currently the National Government gets 60% of Govt's share from the revenues from resources, and only 40% goes to the LGUs. This can rise in favour of the National Government on a case-to-case basis. The 40% is further divided among the different LGU levels (Provincial/City, Municipal, and Barangay). For the ARMM, this is even further divided given that the ARMM Regional Government also has its share. In addition, revenues from business operations of the companies harvesting these resources are reported in their headquarters, mostly in the National Capital Region. Business taxes are therefore filed and paid in the NCR and not in the LGUs where the resource extraction takes place. Examples given by the ARMM Islands participants are the fishing vessels operating in the Sulu Sea, but doing their formal transactions and tax payment in the NCR, General Santos, or Davao. No part of the revenue is shared with the ARMM LGUs or the ARMM Regional Government.

For the participants, the meagre share of LGUs out of total Government share is too insignificant for them to spearhead development in their constituencies. Even the 20% mandated development fund from their IRA

(Internal Revenue Allotment) is not enough given that so many LGU concerns arise and need to be addressed with funds sourced from this fund alone. The participants were united in arguing that only with decentralization of certain services of Government, beginning with the Department of Environment and Natural Resources (DENR) that is not devolved in both the ARMM and in the rest of the country, could the resources in the different constituencies throughout the country be made truly beneficial to the constituents from those areas.

The participants wanted either an equal 50-50 share between National Government and the LGUs, or 60-40, 70-30, 75-25, 80-20, or 90-10 in favour of the LGUs. Participants from Region 12 insisted that the share for the LGUs remain with them or be paid directly to them to ensure that these will be used for the LGU's purposes and not for the purposes of National Government. It wasn't certain what part (if any) the increased LGU share would be allocated for the ARMM. Obviously, the participants were prioritizing their LGUs share. Those from the ARMM Islands only said they (the ARMM) would also have a part. Perhaps this is something a proposal on sharing should study further, given that the sides interested cannot be limited to the National Government and the ARMM/BJE, but should also factor the clamour of the LGUs as well.

Some participants also shared ideas as regards land disputes, given that though this is usually a central conflict issue at the level of the individual or the family, it exacerbates the political conflict as seen in many instances. For these participants, should land conflicts arise, they stress that the concerned only bring these to the proper court and let the courts decide, and not take justice into their own hands. For lands with multiple titles, they suggest that government buys these lands back from all those with titles, given that the likelihood that cases of these nature will be resolved is minimal.

Finally, should this increase in LGU share be sooner realized in the ARMM than outside, the participants from outside the ARMM still insisted on their desire not to become part of the ARMM, while those from inside the ARMM still wanted the option to leave.

SUMMARY OF RESULTS OF WORKSHOP TOPIC IV

The fourth workshop dealt with the GENERAL QUESTION OF RESTITUTION. Through probing questions the workshop sought the opinions of the participants on how past injustices, human rights violations, and pains are dealt with, and what can be done to address the conflict and, if possible, begin healing from it.

The participants agreed that assessments and fact finding missions on causes of injustice must first be initiated. This came after a realization that injustices were viewed differently from the points of view of Muslims, Christians, and Lumads, such that what was an injustice for some may have been perfectly legal and justified for others. The participants preferred that the full truth of the incidences in question first be established. This is crucial especially since conflicting positions on such historical incidents and developments can be expected, especially from people with possible conflicts of interest issues over matters such as property, death of a family member, or sentimental attachment.

If and when an injustice is fully established, the participants felt that the National Government must lead in the addressing of such. Because their appreciation was mostly focused or translated in economic terms, most of the participants wanted this National Government intervention to be in the form of addressing the poverty suffered by the victims of injustice, either through livelihood programs, reconstruction, redistribution through Agrarian Reform and full implementation of the Indigenous Peoples Rights Act for the Lumads, investments in the targeted areas, and education for the children of the victims. Another program suggested by the participants that the National Government could implement is the identification of lands taken in bad faith by the settlers, followed by a mechanisms aimed at settling these types of conflict.

To address more current experiences of injustice, the participants opined that there needs to be more improved state intervention, such as in the judiciary. This is in order for people to allow the legal processes to take its course. In some areas, this could also be in the form of the Barangay justice

system. For other concerns, this could also mean more improved military and police interventions, services, and cooperation with the aim of maintaining order, enforcing gun-ban programs, disarming the insurgents and criminal and terror groups, and abiding by government's no-ransom policy. The participants likewise insisted that a massive strengthening of the criminal justice system is needed. Stemming from this were the ideas of some participants in regard to police auxiliary units and government militias (CAFGU) who can serve as 'force multipliers' to the Government authorities and security forces – although much care is needed in implementing these given the possible misuse of such armed groups.

Related to this, the participants also wanted government to address the different insurgencies using all methods available. For the insurgencies already resolved, such as the MNLF, the participants coming from the ARMM Islands insisted that more focus and attention be given to the implementation of the 1996 Peace Agreement, citing that the MNLF remains to be more relevant in the ARMM Islands over the MILF.

In all these initiatives, the participants wanted government to practice transparency and to put in place appropriate public information campaigns. They likewise insisted that good governance be put in effect by ending corruption, putting an end to the 'lagay' (grease-money) and 'palakasan' (influence) systems, and ending discrimination and biases.

SUMMARY OF RESULTS OF WORKSHOP TOPIC V

The fifth workshop dealt with the GENERAL QUESTION OF SECURITY. Through probing questions the workshop sought the opinions of the participants on how should the ARMM be granted power and authority over policing and internal security, and what powers should be granted to address the proliferation of firearms, who should be armed, and who should be disarmed.

A clear majority of the participants declared that they can best protect their communities if local authorities are strengthened. They said this could start with more LGU control over the local PNP assigned in their areas. They also desired that security problems in their areas be addressed by the LGUs themselves, suggesting better coordination of AFP efforts in their area. They wanted the Barangay Tanods (village watchmen) and Bantay Dagat (guards of coastal and municipal waters) to be strengthened, and were open to the organization of police auxiliary units and government militias (CAFGUs), and even the deployment of PNP and AFP intelligence operatives in their areas.

They were unanimous in saying that officials in authority should be issued licenses to carry firearms, although subject to strict guidelines. To some participants, only law enforcers and barangay police should be allowed to carry guns. There were recommendations for more rebel and gun amnesty programs, saying that rebels should always be given the opportunity to come back to the mainstream. The participants wanted the disarmament of rebels, but in addition, also suggested disarming members of the community who possess unlicensed firearms. They also demanded that henceforth the authorities should be stricter about the issuance of licenses for firearms and especially permits-to-carry-firearms. Those with standing warrants of arrests or who are known to be connected in any manner with illegal drugs should be forbidden from being issued these licenses.

Some participants from Zamboanga Peninsula frowned on the GRP Panel's consideration of the MILF still maintaining their armed groups even during the process of negotiations, and potentially even after signing an agreement. They saw this as a possibility should the agreement allow internal police forces

and even religious police forces for the so-called 'Moro Homeland'. They questioned why Govt was open to having more than one armed force in our country other than the AFP, and having more than one police force other than the PNP. The sentiment of disarmament was echoed by participants from the ARMM Islands when they said that whatever the Govt agrees to with the MILF, it has to consider the MNLF in Sulu because Govt didn't disarm the MNLF after signing the 1996 Peace Agreement – and this continues to cause a lot of problems for the authorities, especially the LGUs in the concerned areas.

In addition to these concerns, everyone agreed that the Abu Sayyaf and other criminal and extremist groups add to the confusion because it is impossible to tell who is a plain criminal, a terrorist, and a legitimate revolutionary. For this reason, they insisted on the AFP and PNP doing their job better, limiting the gun licensing to the authorities, and declaring all else as outlaws. To help address extremism, several participants advocated for interfaith dialogue among religions and faith-based groups to address security issues.

SUMMARY OF RESULTS OF WORKSHOP TOPIC VI

The sixth workshop dealt with GENERAL CROSS-CUTTING QUESTIONS, specifically how we can achieve enduring peace, and how do we make peace work. Through probing questions the workshop sought the opinions of the participants on what would help make the peace process successful, what opportunities does this peace process bring, what mechanisms should be put in place for this process to continue as regards other concerns, what role do religious leaders and trust play in this peace process, and what would convince them to live in an area covered by the peace process.

Sincerity and trust were seen by all the participants as playing a key role in the peace process. They felt that it is only with these two that a successful agreement can be reached and implemented. Sincerity and trust, for them, will translate into a process that is both transparent and representative of the stakeholders concerned. These will bring forth the desired changes, bring help to the needy, and deliver tangible projects once implemented. These would also result in the respect and obedience of the parties and stakeholders, as well as generate support from allied communities.

In relation to this, the participants coming from the ARMM Islands couldn't help but complain that the autonomous region they are now in, that is a product of the 1996 Peace Agreement, is far from the promises perceived to be in the letter and spirit of that agreement. They clamoured for full autonomy for the ARMM, and questioned, in hindsight, whether there was any sincerity and trust shared by the parties to that agreement. One participant reiterated his opinion that this only means that for any agreement involving a Moro revolutionary group like the MILF to be successful, Government's previous agreement with the MNLF has to be better implemented – and this focuses centrally on improving the ARMM. He even posits that should these take place, these developments will be so relevant to the peace talks with the MILE, that it might even diffuse some of the urgency from the current peace process.

Participants from Zamboanga Peninsula were very vocal in their desire for everyone to be united, regardless of tribe, religion and ideologies. They

reiterated that everyone should work hard for progress under 'One Filipino Identity'. Some from the same area opined that if everyone would only follow the rule of law, then peace will be achieved. Others reiterated the need for more security in the conflict affected areas and again called for more AFP and PNP presence and services.

Other participants, mostly from the ARMM Islands, persistently recommended the pushing of the peace process forward, stressing that there is no alternative to peace, and that we cannot allow this problem to prolong endlessly. They added to this by saying that peace in Muslim areas is not impossible if only the Shari-ah Law were enforced, the needs of the community were truly addressed by Government, the traditional leaders were involved, dialogue was made the central conflict resolution technique, and a more peace-oriented and historically accurate education was given to every child.

However, in striving hard for the success of the peace process, participants from Central Mindanao urged the parties to not be in a hurry, given that this is a negotiation and so there should be no pressure with regards time. Some opined that maybe a peace agreement is attainable after the May 2010 elections, but definitely not this type of rushing up. They further asked, addressing the GRP Peace Panel member in attendance: what's the purpose of rushing; the process should be straight to the point on the issues of MOA-AD and so why are we entertaining the same menu in the peace talks; what is the assurance that this process of consultations is not a mechanism to railroad the agenda of the National Government Chief Executives?

Annex D. Policy Forum Publication of the Institute for Autonomy and Governance

This contains the publication of the Institute of Autonomy and Governance (IAG) from their controversial Policy Forum held just prior to the failure in the signing of the MOA-AD.



Policy Forum

July 31, 2008

"Signing of the MOA for the GRP-MILF Peace Talks: Good News or Bad News?" was the topic of a panel discussion organized by the Konrad-Adenauer Stiftung and the Cotabato-based think-tank, Institute for Autonomy and Governance (IAG).

Among the participants were Atty. Benedicto Bacani - Executive Director, IAG, Mr. Klaus Preschle - Country Representative, KAS, Fr. Eliseo R. Mercado, Jr, OMI - IAG Senior Policy Advisor and Chairman, Kaseg Mindanao, Emmmanuel Piñol - Vice Governor, Cotabato Province, Archbishop Romulo Valles - Archbishop, Archdiocese of Zamboanga, Atty. Zairudin Malang - Moro Law Policy Center, Atty. Soliman Santos - Independent Peace Advocate, Atty. Isradlio Torreon - Chairman, Integrated Bar of the Philippines, Devao del Sto Chapter, Sr. Erlinda Hsug, OND - Oblates of Notre Dame, Cotabato City, Prof. Mirraon Coronel Ferrer - UP Diliman, Atty. Bai Israhcyda Sinsuat - Regional Assembly, ARMM, Prof. Ponciano Benragan - Indigenous Peoples, Ms. Marites Vitug - Newsbreak, Mr. Reynaldo Dang - Citizens Movement for Federal Philippines, Ms. Estrellita Juliano - Mindanao Business Council, Ms. Norma Jean Viebland - UCANews, Atty. Camilo Montesa - Policy Adviser, IAG, Isagani de Castro - ABS-CBN News.

Isagani De Castro Jr

Peace advocates raise concerns over ancestral domain draft accord with MILF

Introduction

As in other peace accords, the initialing of the Memorandum of Agreement (MOA) on Ancestral Domain by the Philippine government (GRP) and the Moro Islamic Liberation Front (MILF) would be the easy part. The really difficult task would be how to win public support for the accord and in actually implementing it.

This became evident during a July 21 panel discussion, "Signing of the MOA for the GRP-MILF Peace Talks: Good News or Bad News?," organized by the Konrad-Adenauer Stiftung and the Cotabato-based think-tank, Institute for Autonomy and Governance (IAG).¹

Among the major concerns raised by the participants, mainly well-known peace advocates, on the MOA were:

- Lack of consultation of stakeholders, including Christian leaders, indigenous peoples in Mindanao, and peace advocates themselves;
- That the MOA on ancestral domain effectively grants belligerency status to the MILF, which the group may use later to declare independence;
- That the accord's plan to hold a plebiscite to expand the Autonomous Region of Muslim Mindanao (ARMM) even before a final peace agreement is reached with the MILF may not be the best way to move the peace process forward.

¹ Established in 2001, the Institute for Autonomy and Governance, Inc. seeks to provide research, training, and technical assistance to promote meaningful autonomy and governance in the southern Philippines. The Institute is at the Alumni Center, Notre Dame University, Notre Dame Avenue, Cotabato City, Philippines, telefax (644)21-2071.

The Konrad-Adenauer-Stiftung (KAS) is on 3rd floor, ALPAPI Building, 140 Lermite Street, Salcedo Village, Makati City, Metro Manila, Philippines, telephone 894-3501.

What is the MOA?

In his summary of the GRP-MILF MOA on ancestral domain, Camilo Miguel Montesa, policy adviser of the Institute for Autonomy and Governance (IAG), said the Philippine government agrees to:

- Recognize the Bangsamoro people as "distinct from the rest of the national communities";
- Grant the Bangsamoro people their own "distinct territory";
- Grant the Bangsamoro people their own "government"; and,
- Concede international recognition to the Bangsamoro people.

The Bangsamoro people refer to "those who are natives or original inhabitants of Mindanao and its adjacent islands including Palawan and the Sulu archipelago at the time of conquest or colonization and their descendants whether mixed or full native blood."

"They are the 'First Nation' with defined territory and with a system of government having entered into treaties of amity and commerce with foreign nations."

"The Bangsamoro homeland encompasses ancestral communal and customary lands, maritime, fluvial and alluvial domains as well as all natural resources therein that have inured or vested ancestral rights on the basis of native title."

Who are the Bangsamoro

The Bangsamoro people refer to "those who are natives or original inhabitants of Mindanao and its adjacent islands including Palawan and the Sulu archipelago at the time of conquest or colonization and their descendants whether mixed or full native blood."

Spouses and descendants, including the Lumads, he said, are also classified as Bangsamoro "unless they choose otherwise."

"They are the 'First Nation' with defined territory and with a system of government having entered into treaties of amity and commerce with foreign nations," Montesa said.

Bangsamoro territory

Under the MOA, the Bangsamoro territory comprises the following areas:

- the present Autonomous Region of Muslim Mindanao (ARMM);
- the municipalities of Baloi, Munai, Numungan, Pantar, Tagoloan, and Tangkal in the province of Lanao del Norte, which voted for inclusion in the ARMM during the 2001 plebiscite;
- additional geographic areas in the provinces of Sultan Kudarat, Lanao del Norte, and North Cotabato, "subject to plebiscite."

Montesa said that under the MOA, the Bangsamoro homeland did "not form part of the public domain." Thus, it is "not within the jurisdiction of the Philippine government."

The Bangsamoro homeland, he added, "encompasses ancestral communal and customary lands, maritime, fluvial and alluvial domains as well as all natural resources therein that have inured or vested ancestral rights on the basis of native title."

Bangsamoro government

The Bangsamoro territory will be governed by the Bangsamoro Juridical Entity (BJE).

Montesa said the "relationship between the Philippine government and the BJE shall be associative characterized by shared authority and responsibility with a structure of governance based on executive, legislative, judicial and administrative institutions with defined powers and functions."

The BJE's purpose is to "establish a system of governance suitable and acceptable to them as a distinct dominant people."

Montesa said the public still does not know about the MOA. He said peace will not work if people are not informed about the agreement and why it should be supported.

Pinol to oppose MOA before SC

The MOA is expected to encounter rough sailing right after its initialing.

North Cotabato Vice-Governor Emmanuel Pinol said the Arroyo government has not been "forthright" in its talks with the MILF on "what is achievable and what is doable."

He said the MOA will require several other steps, including charter change and another plebiscite "only to face stumbling blocks along the way."

Pinol, also former governor of North Cotabato for nine years, said he expected various leaders and groups to oppose the MOA.

He said he has already asked the Office of the Presidential Adviser on the Peace Process (OPAPP) for an official copy of the draft MOA and its annexes so he can question its legality before the Supreme Court (SC).

Pinol said his complaint will not be entertained by the SC unless he gets an official copy of the MOA. If he fails to get an official copy, he will ask the SC to compel the OPAPP to give him an official copy.

"By Monday [July 28], we should already be in the Supreme Court," he said.

No consultation?

Pinol decried the fact that local officials like himself were not even consulted on what barangays will be included in the plebiscite that will determine the new Moro homeland.

He warned the government was courting trouble with the MOA, especially in "warrior towns" of North Cotabato like Pigkawayan.

"When the leaders themselves are not aware of this, then you are courting trouble," he said.

But Benedicto Bacani, executive director of IAG, stressed that the people have the final say on whether to join the new Moro homeland by casting their votes in the plebiscite. "Let them say no," he said. "Perhaps, it's a matter of explaining to them also."

Pinol said the government was "trying to raise false hopes" with the MOA.

Aside from possible legal obstacles, Pinol said he does not believe President Arroyo will be able to implement the MOA since she will be a "lameduck president by 2009." New national and local elections are scheduled in May 2010.

*The BJE's purpose is to
"establish a system of
governance suitable and
acceptable to them as a
distinct dominant
people."*

"We were not even to pass cha-cha at a time when Gloria was very influential, and she had the mayors, governors, congressmen all toeing her line. How much more in 2009, one year before the end of her term?"

"We have failed to realize that had there been greater scrutiny on what really ails the area, we would have discovered that it is the poverty of the people and corruption that prevail in the area."

"We were not even to pass cha-cha at a time when Gloria was very influential, and she had the mayors, governors, congressmen all toeing her line. How much more in 2009, one year before the end of her term?" he asked.

Pinol said the GRP negotiating panel has "misjudged the sentiments of the people of Mindanao."

"We don't like this [MOA]. We were never consulted about the plebiscite," he said.

When told that the OPAPP conducted consultations with various stakeholders including himself, Pinol said the proposals he made in these meetings called by former OPAPP chief Jesus Dureza were never adopted in the MOA.

He said the people of Mindanao want peace and are tired of war. In the past several years, when there was relative peace, Pinol said North Cotabato became more progressive.

Instead of trying to reach a political solution with the MILF, Pinol said the government should concentrate on economic projects that will eliminate the roots of the conflict in Mindanao.

"We have failed to realize that had there been greater scrutiny on what really ails the area, we would have discovered that it is the poverty of the people and corruption that prevail in the area," Pinol said.

Pinol said there was no need to hold another plebiscite in North Cotabato since 98% of those who voted in the 2001 exercise chose not to join the ARMM.

"If they want to fast-track the peace process, this is the wrong way of doing it," he said.

He said he and the North Cotabato governor have already talked to local officials and have passed a resolution against the MOA.

"We want peace but we are not willing to sacrifice a lot of things in the name of peace because the peace that you have in mind will create a lot of trouble for us," Pinol said.

Fr. Eliseo Mercado OMI, head of the peace advocacy group, Kusog Mindanao, lamented that even civil society groups, including the Bishops-Ulama Conference, who have been in the forefront of peace advocacy in Mindanao, were also not adequately consulted on the MOA.

But he downplayed this problem, saying it shouldn't be difficult for influential leaders, such as Catholic bishops, to get a copy of the MOA from the Office of the President.

IPs, other sectors not consulted, either

Ponciano Benmagen, a member of the 1987 Constitutional Commission representing indigenous peoples, also lamented that key stakeholders in the peace process in Mindanao were not adequately consulted and given access to the MOA on ancestral domain.

Due to this drawback, he proposed that various mechanisms be established to discuss the MOA with the stakeholders, including Christian political leaders.

"We haven't heard from the Lobregats yet," he said. "We need to address the question of transparency and then the education of the communities, the direct stakeholders."

He said even peace advocates who may be in favor of the MOA will find it hard to campaign in the plebiscite if they are not adequately informed about the agreement.

Bennagen also questioned why in the MOA, indigenous peoples are being given the freedom to choose whether to join the BJE "when they have already made their choice, and they don't want to be part of the BJE."

He said there is an "indigenous peoples representative in the technical working committee and his voice has not been registered in the entire process."

"Where is our voice? They have sent communication to both panels but they're not registered in all of these," he said

Other sectors complain, too

Estrellita Juliano, vice-president for Mindanao of the Philippine Chamber of Commerce and Industry, said she supports Pinol's plan to question the MOA before the Supreme Court due to lack of consultation and transparency.

Peace advocate Miriam Coronel, a professor of political science at the University of the Philippines Diliman, advised the panel discussants to come up with "mechanisms that will address the issue of transparency and lack of information."

She said the MOA is not clear on the role of other peace stakeholders. "Everything is dependent basically on the goodwill of government. All the different voices, which may be for or against this agreement, there is no mechanism for them."

Bacani said the government has promised to undertake an advocacy campaign for the MOA on ancestral domain after it is signed. He acknowledged, though, that this does not address the issue of lack of participation of the stakeholders in the accord.

Sr. Linda Hisug, a peace worker in Mindanao, said the concept of freedom being pushed by the MILF is not clear to women religious groups in the south. She said they were also not consulted on the MOA on ancestral domain.

"Even this issue you're talking about now, it is something that is hidden to us and we even ask why this is hidden to us. I believe this question will be answered if things are more clear and issues are more defined," she said.

Israelito Torreon, president of the Integrated Bar of the Philippines-Davao del Sur chapter, said the people of Davao were surprised about the agreement on ancestral domain since they were also not consulted. He also raised the issue of lack of transparency on the accord.

"We haven't heard from the Lobregats yet," he said. "We need to address the question of transparency and then the education of the communities, the direct stakeholders."

"indigenous peoples representative in the technical working committee and his voice has not been registered in the entire process."

"Everything is dependent basically on the goodwill of government. All the different voices, which may be for or against this agreement, there is no mechanism for them."

"Even this issue you're talking about now, it is something that is hidden to us and we even ask why this is hidden to us. I believe this question will be answered if things are more clear and issues are more defined."

"Up to now, officially we don't have a copy. We, other leaders and stakeholders would feel the same. We are kind of deceived, deprived of a voice. So it's an uphill battle. I guess one cardinal principle for stakeholders to start well, but this one, at the very start, it's a bad step," Valles said.

MILF belligerency

Another major point discussed by panelists was that the MOA allegedly grants the MILF the status of belligerency.

If the Arroyo government signs the MOA, Pinol said it would "open a new door" for the MILF and allow it to claim that they "have already established a state."

Montesa agreed, saying the MOA already contains the elements of the state—government, people, territory, and "concedes international recognition."

Fr. Eliseo Mercado, a former member of the government negotiating panel, said the essence of the agreement on ancestral domain is not on territory but on its concept.

"This is the first time that I've seen a document as such. Because there... you have all the elements of a state," Mercado said. "That entitles the Bangsamoro to a self-declaration. Because it's all there: you've been recognized, you have territory, you have self-determination, your ancestral domain is your birthright, it's not part of the public domain."

He praised the MILF negotiators for doing a good job pushing its agenda in the MOA.

Mercado said the MOA is not just a "symbolic recognition" of the Moro people and state but "a real recognition." He said the government may have agreed to grant this as "restitution of historical injustices" against the Moro people or it could be a "formula for peace and development."

Must show good faith

In order to avoid a situation that would push the MILF to declare independence, Mercado said the Arroyo government must be able to implement the next steps of the accord on the plebiscite that would expand the ARMM.

Otherwise, it would give the MILF the chance to say the government "negotiated in bad faith" which will "open the MILF to go for a self-declaration [of independence]."

While President Arroyo may be able to convince Congress to support a plebiscite, Mercado said the more difficult part of the next phase is the need to change the constitution that would legitimize the Moro homeland through a shift to a federal system of government.

Mercado said it may not be feasible to have this shift under Arroyo, and he said the MILF may be willing to wait for the next president instead of going to war to achieve its goals.

Montesa had the same view as Mercado's. He said: "If GRP fails to convince Congress

The MOA is not just a "symbolic recognition" of the Moro people and state but "a real recognition."

to go on a campaign for cha-cha, then the MILF has two decisions: either they will let it pass, wait for the next President; or, they will break the talks and do a self-declaration ala Kosovo. Why? Because as I've shown you, the elements of a state are already agreed upon in the MOA."

No to war mongering

Zainudin Malang, Bangsa Moro Center for Law and Policy, an analyst of the peace process, warned Christian leaders of Mindanao against war mongering

"By raising the spectre of armed opposition to the MOA, that already generates even more fears and apprehensions. We have to look at things from both perspectives," he said. "We will keep going back to 1960s. We should not engage in war mongering."

Looking at the other side of the coin, Malang said the Moro peoples have also said that they were never asked to join the Christian homeland through a plebiscite:

Pimol denied he was anti-Muslim and had called for armed struggle. "We could come up with a better deal," he said. "I'm not looking for war. I'm not looking for trouble."

He said the elements of the MOA on ancestral domain "would create more problems than solutions."

One way to address the roots of the conflict, Pimol said, is to define which of the Moro lands were acquired through forced dispossession. "We should come up with a mechanism there," he said. Once these forcibly-acquired lands are defined, these should be "rightfully returned to the Moros."

Federalists' concerns

Reynaldo Deang, secretary-general of the Citizens Movement for a Federal Philippines, expressed concern that the MOA defined the Moro territory along the concept of race.

Based on studies in Eastern Europe, he said federalism can be a "solution for multi-racial questions but only if you do not equate culture with politics."

"Where race boundaries coincide with territorial boundaries, there is inherent instability in the federations. It exacerbates rather than solves the problems," Deang said.

"The federalist movement is apprehensive of the definition of the territory coinciding with the concept of homeland and race. This is one of the things we in the federalist movement would like to avoid," he said.

Deang said the MOA on ancestral domain, based on classical international law, would grant belligerency status to the MILF. He said the government may be risking a war if it signs the MOA.

"No government, in the name of peace, can inaugurate a war in this kind of situation. I'm really very worried. I hope it doesn't happen," he said.

"If GRP fails to convince Congress to go on a campaign for cha-cha, then the MILF has two decisions: either they will let it pass, wait for the next President; or, they will break the talks and do a self-declaration ala Kosovo. Why? Because as I've shown you, the elements of a state are already agreed upon in the MOA."

"Where race boundaries coincide with territorial boundaries, there is inherent instability in the federations. It exacerbates rather than solves the problems."

"No government, in the name of peace, can inaugurate a war in this kind of situation. I'm really very worried. I hope it doesn't happen."

He said the peace process in Mindanao should not exacerbate divisions in the country.

Opportunity to help peace process

Soliman Santos, a peace advocate and an expert on peace talks with Moro separatists, stressed the need for a national discussion that would help clarify and educate the people on the peace process, including the ancestral domain agreement.

He said the signing of the MOA on ancestral domain represents an opportunity to finally settle the armed conflict with Moro rebels in southern Philippines.

"We've had this Bangsamoro problem with us for so long, and maybe this is the opportune moment," Santos said. "This could be some kind of a watershed for taking stock of things."

He suggested that the period between the signing of the MOA on ancestral domain and the final comprehensive peace agreement with the MILF is the "critical period" for a national discussion on the peace process.

Santos supported Ferrer's proposal for a mechanism that would include discussions on issues such as lack of consultation and transparency.

He said the national discussion can also help define the final peace agreement. "Let even the final content of that comprehensive compact benefit from such kind of a discussion."

"In questions of process, questions of substance—is this granting belligerency status to MILF, is this a prelude to a Kosovo-type solution, let's clear the air on this and try to focus energy and concerns in getting clear about what are problems, what are solutions, how we should go about this as much as possible without a return to arms, or a return to war, even on the MILF side,"

"In questions of process, questions of substance—is this granting belligerency status to MILF, is this a prelude to a Kosovo-type solution, let's clear the air on this and try to focus energy and concerns in getting clear about what are problems, what are solutions, how we should go about this as much as possible without a return to arms, or a return to war, even on the MILF side," Santos said.

He suggested that the issues discussed in the panel discussion be sent to both negotiating panels to help them in the peace process.

Lessons from MNLF accord

Pinol acknowledged that there was an "early process of consultations" conducted by then Presidential Adviser on the Peace Process Jesus Dureza.

In those consultations, he suggested that the government learn from its 1996 peace agreement with the Moro National Liberation Front (MNLF). One of the proposals he made was for "total disarmament" in the peace agreement with the MILF. There was no disarmament in the MNLF peace accord.

"We don't mind if they double their territory for as long as they don't have arms, and then we can live side-by-side as brothers and sisters," he said.

In addition to disarmament, Pinol proposed in those early consultations that instead of focusing the talks on the political apparatus that will govern the Moro peoples, the

concentration should be on economic development and poverty alleviation.

He alleged that the current ARMM has not been able to address poverty among the Muslims because of bureaucratic corruption.

MILF links with terror groups

Pinol also warned that giving the BJE 75% share of the income from exploitation of resources in the Moro homeland is a big risk to peace in the area. He said this would give the bad elements in the MILF the funds to buy more arms.

"Nobody can deny that the MILF, for some time, was connected with the JI [Jeemah Islamiyah] and the Al-Qaida. What are our fears?" he asked. "With the vast resources that they will get from their share of natural resources, i.e., oil, gas, whatever, they could buy arms. What's going to happen to us?"

But Malang allayed "fears" that the creation of an expanded Moro homeland will lead to oppression of the Christians by Muslims. He said the Moros will not be "treating Christians as unjustly as the Christians have treated the Moros."

He also defended the ARMM from Pinol's criticism that it has failed in governance. Malang said ARMM's autonomy is just on paper and that it still relies heavily on the national government for resources.

Malang said "fears" of both sides should not be used to block the peace process but should be an opportunity to "seek clarification."

"Let's not use it as basis to oppose any signing. Nothing has been signed yet. If we don't see anything good in it, then let the people decide. Because a plebiscite, after all, is an expression of sovereignty, which can only be exercised by individual members or society and the polity, not by their elected leaders or their representatives," he said.

Can Arroyo deliver?

Mercado said President Arroyo's call last Tuesday for a postponement of the ARMM elections on August 11 is a sign that the government is serious about implementing the MOA. This is because the leaders of the two factions of the Moros—the MILF and the MNLF—had asked that the ARMM polls be postponed to help move the peace process forward.

On whether President Arroyo can really deliver on what the government has promised the MILF, Mercado said "the president will deliver what is deliverable on the part of the president."

However, he said the president will not guarantee the deliverable that needs an act of Congress, such as a law calling for a plebiscite and the eventual shift to a federal form of government. "That depends on Congress. Congress should do the best effort."

Mercado said he believed that the Arroyo government was negotiating with the MILF in bad faith since it doesn't appear that it will be able to deliver on its promises.

"Let's not use it as basis to oppose any signing. Nothing has been signed yet. If we don't see anything good in it, then let the people decide. Because a plebiscite, after all, is an expression of sovereignty, which can only be exercised by individual members or society and the polity, not by their elected leaders or their representatives,"

"The government has no social capital, it is unpopular. So that means, if they sign now, I'm asking government, are they signing this MOA for a feather in their hat but they will not deliver? If there is no intention to deliver, then the government has negotiated in bad faith, and the MILF will be on high moral high ground, then they will declare a Kosovo type-independence."

He said the Arroyo government is now so unpopular and incapable of fulfilling its commitments in the MOA.

"The government has no social capital, it is unpopular. So that means, if they sign now, I'm asking government, are they signing this MOA for a feather in their hat but they will not deliver? If there is no intention to deliver, then the government has negotiated in bad faith, and the MILF will be on high moral high ground, then they will declare a Kosovo type-independence," Mercado said.

He said it is not the MILF that will go to war but the government. "But that will happen only if the government will not deliver and if government really negotiated in bad faith. From the looks of it now, if you will ask me, government is negotiating in bad faith, not because I'm now in the opposition but it looks like it," Mercado said. (Manila, July 23, 2008).

Annex E. Presentation on the Mindanao Think Tank

**The MTT Project: A
Partnership for Peace in
Mindanao**



- ▶ The overall objective of the MTT Project is to mobilize stakeholders in Mindanao to contribute to the formation of a Paradigm for Peace and Development as input to the on-going peace process and the eventual peace agreement between the GRP and the MILF

- ▶ Specifically, the MTT is expected to be a venue for dialogue between the MILF/MNLF and the stakeholders, whereby political changes pursued by the Bangsamoro could be appreciated more by the stakeholders and conversely, the individual concerns of the stakeholders could also be taken into consideration by the Bangsamoro Groups. These took place during interviews with key informants, community/sectoral consultations, and workshops/roundtable discussions.

- ▶ During each of these workshops and roundtable discussions, all of the results of MTT Project, plus updates on the peace process, were discussed in depth. The problems identified were thoroughly analyzed and provided with recommendations. In addition to the workshops and roundtable discussions, there were three internal meetings of the MTT core group.

MTT Core Group Meetings

The first meeting was an organizational one where the members defined their role and function in relation to the peace process. This was held on August 26, 2009. The group decided on the following roles for the MTT:

- ▶ The MTT should not only focus on the GRP–MILF peace process (the immediate need), but should also consider looking at the MNLF and the Lumad dialogue with the government in the future
- ▶ The MTT should be expanded to count among its members residents of other areas in Mindanao

- ▶ The MTT should convene regularly to discuss any issue resulting from the GRP–MILF dialogue
- ▶ Each member should be given a chance to consult their peers regarding substantive issues to be discussed, so that they can come prepared for discussions in the MTT
- ▶ The results of studies such as the Bishop–Ulama Conference, and the Consortium of Bangsamoro Civil Society should be presented in the MTT meetings to enrich the data already gathered from the community consultations

Core Group of the MTT

Names	Position
▶ Linda Ampatuan	Cotabato City Councilor
▶ Anwar Malang	Cotabato City Councilor
▶ Tarhata Maglangit	Executive Director, Bangsamoro Womens Solidarity Forum
▶ Rodel Manara	Chairman, Regional Agriculture and Fisheries Council
▶ Reydan Lacson	Director, NDU Peace Center
▶ Fr. Jonathan Domingo	CEO, Mindanao Cross
▶ Ustadz Esmael Ebrahim	Director, Halal Certification Board

- ▶ Edtami Mansayagan Former Commissioner, National Commission on Indigenous Peoples
- ▶ Hyriah Candao Member, United Youth for Peace and Development
- ▶ Moner Bajunaid Executive Director, MIND Center
- ▶ Guiamel Alim Chairman, Consortium of Bangsamoro Civil Society
- ▶ Abhoud Lingga Director, Institute of Bangsamoro Studies
- ▶ Ishak Mastura Chairman, ARMM Board of Investments
- ▶ Diamadel Dumagay Director, ARMM Regional Planning and Development Office



Photo taken during the first MTT core group meeting, showing (l to r) Prof. Reydan Lacson, former Mayor Rodel Manara, Mrs. Tarhata Maglangit, Hon. Anwar Malang, and Mr. John Unson.

- ▶ A second meeting was called on October 7, 2009 for the MTT core group wherein the group discussed the proposed Joint Advocacy Initiative which was recommended during the first meeting. The JAI document was finalized and was sent to both panels for action.

- ▶ The third internal MTT core group meeting took place on January 15, 2010 and touched on the talking points of the GRP-MILF talks. This was decided on since the MTT Project is now an adjunct of the International Contact Group - the HD Centre being a member of the ICG. The group decided to use develop an appropriate conceptual framework for discussions, to depart from the usual consultations conducted by other groups.

Community Consultations

- ▶ In between meetings, the MTT project conducted eighteen community consultations with Bangsamoro (6), Lumad (7), and Christian (5) communities. The results of these consultations have been written up and will be published to serve as a baseline study on perceptions of stakeholders in the peace process.



Photo above was taken during a Lumad community consultation in August 2009 in Datu Odin Sinuat, Maguindanao. Conducting the consultation is Prof. Eva Tan (gesturing), lead facilitator of the Mindanao Think Tank.

Photo below was taken during a Christian community consultation in August 2009 in Upi, Maguindanao. Conducting the consultation at left is Mrs. Shiela Acquiatan, finance officer of the Mindanao Think Tank.





Photo above was taken during a Lumad community consultation in March 2010 in Carmen, North Cotabato. Conducting the consultation is Prof. Eva Tan (at left).

Sectoral Consultations

- ▶ In addition to the community consultations, the MTT project likewise conducted twelve sectoral consultations with the leaders of local governments (4), Lumad community leaders (1), agrarian reform beneficiaries (1), Internally Displaced Persons (1), youth and students (1), the academe (1), women (1), Church leaders (1), and the media (1). The consultations done with the LGUs and the Lumads were in partnership with the GRP and MILF, respectively.



Photo above was taken during a sectoral consultation with an Agrarian Reform Beneficiary community in April 2010 in Isabela, Basilan. Conducting the consultation is Mr. Alberto Hamoy Kimpo (at left), program officer of the HD Centre.

Photo below was taken during a sectoral consultation with a community of IDPs (Internally Displaced Persons) in March 2010 in Datu Anggal Midtimbang, Maguindanao. Conducting the consultation at right is Mr. Harun Al-Rasheed Baraguir.



MTT Workshops and RTDs

- ▶ The first MTT Workshop/Round Table Discussion was held on February 20, 2010 at Notre Dame University with 40 participants coming from the MTT core group, Notre Dame University academic community, and student leaders. Partner organizations such as the Bangsamoro Development Agency, Bantay Ceasefire, and Non-Violence Peace Force also attended the workshop, which was entitled: "Updates on the GRP-MILF Peace Process from the Perspective of the Government." A member of the GRP panel - Dr. Ronald Adamat - was the main resource person.

Photo below was taken during the Mindanao Think Tank workshop and roundtable discussion in Cotabato City on 20th February 2010. Shown speaking is Mr. David Gorman, mediation advisor of the HD Centre.





Photo above was taken during the same Mindanao Think Tank workshop and roundtable discussion. Shown at the middle of the head table is Dr. Ronald Adamat, member of the GRP peace panel.

Photo below was taken during the same Mindanao Think Tank workshop and roundtable discussion. Shown are the participants who include MTT core group members and invited guests.



- ▶ The second MTT Workshop/Round Table Discussion was held on February 26, 2010 at Sardonyx Restaurant in Cotabato City, participated in by 32 participants. In addition to the MTT core group members, leaders from the youth sectors and various NGOs came. The workshop was entitled: “The GRP–MILF Peace Process from the Perspective of Non–Government Organizations.” The speakers were Prof. Abhoud Lingga of the IBS, Prof. Norma Gomez of Konsult Mindanao, and Maj. Carlos Sol of the Ceasefire Committee (CCCH).



Photo taken during the Mindanao Think Tank workshop and roundtable discussion in Cotabato City on 26th February 2010. Shown speaking is Prof. Abhoud Syed Lingga, a member of the MTT core group. Prof. Lingga presented his paper on possible reasons for the breakdown in the peace process.



Photo taken during the same Mindanao Think Tank workshop and roundtable discussion. Shown speaking is Dr. Norma Gomez who presented the results of the Konsult Mindanao consultation initiative.

- ▶ The third MTT Workshop/Round Table Discussion was held on June 28, 2010 at Estosan Hotel in Cotabato City, which had 25 participants. In addition to the MTT core group members, there were participants coming from the various NGOs, concerned Government agencies came, and even from MILF affiliated groups. The workshop was entitled: “RTD of Peace Consultations” and it sought to provide an honest critique of the various consultation initiatives done in pursuit of the peace process in Mindanao.

Assisting the GRP and MILF Consultation Initiatives

- ▶ In direct support to the needs of the GRP and MILF peace panels, the MTT project responded to the request of the GRP peace panel to help design and provide resource persons, facilitators and documentors to the series of LGU consultations with Local Chief Executives from the conflict areas.

- ▶ These were undertaken during the following dates and venues:
 - Zamboanga City on December 15 and 16, 2009 with 40 participants
 - Dipolog City on January 7 and 8, 2010 with 60 participants
 - Zamboanga City on January 11 and 12, 2010 with 20 participants
 - General Santos City on February 3 and 4, 2010 with 40 participants

- ▶ Members of the MTT core group agreed to be resource persons during the consultations. These were Guiamel Alim, Esmael Ebrahim, Edtami Mansayagan, and Reydan Lacson. These were conducted in partnership with the Western Mindanao State University–Center for Peace and Development of Zamboanga City, and the Notre Dame University Peace Center of Cotabato City.

- ▶ The MTT project also responded to the request of the MILF to assist in their consultations with Indigenous Peoples community leaders. This was held on February 28, 2010 at Crossing Simuay in Maguindanao. More than 100 leaders and representatives of Indigenous Peoples from all over Mindanao participated. HD Centre's mediation advisor David Gorman, Prof. Moner Bajunaid, Guiamel Alim, and MTT lead facilitator Prof. Eva Tan were the speakers and facilitators. MILF Vice Chairman for Political Affairs Ghadzali Jaafar chaired the consultation.



Photo taken during the MILF consultation with Indigenous Peoples community leaders in Crossing Simuay, Sultan Kudarat, Maguindanao in February 2010. Shown speaking is Mr. David Gorman. At Mr. Gorman's right, in red, is MILF Vice Chairman Ghadzali Jaafar.



Photo taken during the same MILF consultation with Indigenous Peoples community leaders. Shown speaking is an IP community elder.

- Due to the initiatives of the MTT Project, it has been able to generate the interest, support and trust of the MTT core group members – who are acknowledged experts and important players in the peace process, the regular invited guests to the workshops and roundtable discussions, the key informants who were interviewed, and the communities and sectors with whom the project had consultations. They all contributed extensively in the discussion of peace issues, and some were even tapped as resource persons in various other consultation initiatives.

- A very key result of the MTT Project that benefits the formal negotiations process are the sentiments and ideas emanating from the people on the ground and in the conflict areas. Given the involvement of the HD Centre in the formal negotiations as part of the International Contact Group, these sentiments and ideal all made their way to the peace panels and others actors in the peace process

- Four publication are currently being prepared by the HD Centre and the MTT Project facilitators covering the results of the MTT Project. These shall be disseminated to the parties and the stakeholders, with the aim of helping restart the peace process under the new administration of President Benigno Aquino.

Recommendations to the New Administration

- ▶ With the change in leadership from President Arroyo to President Aquino, the MTT Project has been requested to make recommendations on how to continue the peace process. Eight prominent observers were interviewed plus three sectoral consultations conducted to get recommendations.
- ▶ Furthermore, the MTT Project has also been requested to make a critique of the various consultations. The results of these will be included in the publications coming out in August 2010.

ENDS

Acknowledgements:

The European Commission in the Philippines for funding the Mindanao Think Tank as part of the HD Centre's initiatives under the European Union's Instrument for Stability Program

Mr. David Gorman, the HD Centre's Mediation Advisor and Philippines Country Representative

Mr. Alberto Hamoy Kimpo, HD Centre Project Officer for the Mindanao Think Tank

Mrs. Milagros Son, Manila Office Secretary and Administrative Support Staff of HD Centre

Professor Eva Tan, Lead Facilitator of the Mindanao Think Tank

Mrs. Shiela Acquiatan, Finance Officer of the Mindanao Think Tank

About the HD Centre

The Centre for Humanitarian Dialogue (HD Centre) began operations in August 1999. From its beginning as a venue in Geneva, Switzerland, where discreet discussions took place among those who had a practical impact on humanitarian policy and practice, the HD Centre has evolved into an independent global mediation organisation, with a presence in Europe, North America, Africa and Asia. Its aim is to help alleviate the suffering of individuals and populations caught up in both high-profile and forgotten conflicts, by acting as mediators and by providing other mediators with the support they need to work effectively.

HD Centre in the Philippines

The HD Centre began work in the Philippines in February 2004 when the Royal Norwegian Government requested for the HD Centre's active involvement in support of their role as third party facilitator to the peace process between the Government of the Republic of the Philippines and the National Democratic Front.

In 2005 the HD Centre became involved with the peace process between the GRP and the Moro National Liberation Front (MNLF) when Presidential Adviser on the Peace Process, Teresita Quintos-Deles requested the HD Centre's involvement in resolving a crisis in Sulu Province between MNLF and AFP forces. The HD Centre held five rounds of informal talks between the two parties and in August 2005, established the GRP-MNLF Peace Working Group. In 2008, the

HD Centre established the Armed Violence Reduction Initiative which is a multistakeholder response to non-conflict related violence that has been prevalent in Sulu. In 2009, the HD Centre established the Tumikang Sama Sama, a group of six eminent persons in Sulu, that attempt to resolve local conflicts and in 2010, it established the Prevention of Election Related Violence initiative, a group of 25 volunteers who monitor and report on election related violence in Sulu.

In 2007, the HD Centre began involvement in the current Mindanao peace process that involves peace efforts between the GRP and the Moro Islamic Liberation Front (MILF). HD Centre is a member of the International Contact Group (ICG), providing advice to both parties and civil society through eminent persons and experts from around the world. On the ground, the HD Centre established the Mindanao Think Tank, a multi-stakeholder consultative effort aimed at creating an opportunity for communities in Mindanao to be more involved in the peace process. The group conducts consultations at the community level as well as among local experts and officials from key sectors to solicit their advice for the MILF and GRP panels and to keep them abreast of the peace process.

The HD Centre also conducts research through support to the Institute of Bangsamoro Studies.

You may visit us at www.hdcentre.org

*Funded by the
European Commission*

