

**THE PHILIPPINES: LOCAL POLITICS IN THE SULU  
ARCHIPELAGO AND THE PEACE PROCESS**

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## THE PHILIPPINES: LOCAL POLITICS IN THE SULU ARCHIPELAGO AND THE PEACE PROCESS

### EXECUTIVE SUMMARY

Politics in the Sulu archipelago could be an unforeseen stumbling block for a negotiated peace with the Moro Islamic Liberation Front (MILF) in the southern Philippines. So far the presumed spoilers have been Christian settlers, conservative nationalists, and recalcitrant members of the other insurgency in the Muslim south, the Moro National Liberation Front (MNLF). The islands off the coast of Mindanao have been all but forgotten. But the provincial governors of Basilan, Sulu and Tawi-Tawi, although Muslim, are wary of any agreement that would allow the MILF, dominated by ethnically distinct groups from Central Mindanao, to extend its sway and jeopardise the patronage system they enjoy with Manila. The challenge for the government of President Benigno Aquino III is to find a way to offer more meaningful autonomy to the MILF and overcome differences between the MILF and MNLF without alienating powerful clan leaders from the Sulu archipelago with a capacity to make trouble.

The Aquino government's peace strategy is based on the principle of convergence, bringing three components together: a peace agreement with the MILF; reform of the dysfunctional government of the Autonomous Region of Muslim Mindanao (ARMM) which includes the three archipelagic provinces – Basilan, Sulu, and Tawi-Tawi – as well as Maguindanao and Lanao del Sur in Central Mindanao; and review of the 1996 final peace agreement with the MNLF. The latter two components are more acceptable to the elite of the archipelago than the first. They see ARMM as a corrupt and unnecessary layer of bureaucracy and administration between them and Manila but as long as they have equal access to leadership positions, they are willing to try reform. From their perspective, the danger of a peace agreement with the MILF is that it would ultimately replace ARMM with a new, expanded, more powerful regional government that would favour Central Mindanao, the MILF's stronghold, and its clans, over the archipelago and its politicians. At stake is access to power and money.

The governors from the archipelago need to be accommodated because the provinces of Sulu and Basilan are particularly prone to conflict. They are home to the violent

extremists of the Abu Sayyaf Group, armed elements of the MNLF that engage in periodic clashes with the government, and a handful of foreign jihadis. Sprawling extended families, often with private armies and ill-gotten wealth, dominate local politics, controlling towns and even provinces for years by securing the victory of their relatives in local elections. The interests of these politicians sometimes, but not always, overlap with the non-state armed actors.

Basilan poses less of a problem to the MILF peace process than the province of Sulu. President Aquino enjoys a good relationship with one of Basilan's clans, the Hatamans, but this has increased tensions with a rival family, the Akbars. Because Manila is partnering with the Hatamans to carry out its convergence strategy, it is empowering them at the expense of their rivals. This could raise the risk of violence between the two clans. But these dynamics are local and are unlikely to spill over in ways that could disrupt negotiations.

Sulu provincial governor Sakur Tan is more of a problem. In response to Manila's overtures, Tan has styled himself as the leader of the five provincial governors within ARMM. He is backing governance reform and the review of the MNLF agreement, while questioning whether a deal with the MILF will benefit the archipelago. The government hopes to conclude negotiations with the MILF by the end of 2012. In anticipation, traditional politicians are manoeuvring to protect their interests ahead of the 2013 mid-term polls. The provincial governors from the islands and the elite of Sulu province seem to believe their interests are best served by aligning themselves with Governor Tan, who is sceptical of a peace agreement that gives too much power to the MILF. If this alliance holds, the political landscape within ARMM may be less favourable to a negotiated peace and divisions among the Bangsamoro, as the Muslims of the southern Philippines are known, may become deeper than ever.

The clan-based politicians in the archipelago are among the most important players in the Muslim south. Despite the ties many of them have to non-state armed groups,

Manila needs their help in addressing the chronic security problems in the islands. Basilan, Sulu and Tawi-Tawi are also an integral part of the territory demanded by the MILF, and the scepticism of their governors towards the peace process undermines its objective: to grant the Bangsamoro true autonomy once and for all.

**Jakarta/Brussels, 15 May 2012**

## THE PHILIPPINES: LOCAL POLITICS IN THE SULU ARCHIPELAGO AND THE PEACE PROCESS

### I. INTRODUCTION

Without the support of the traditional politicians of the Sulu archipelago, it will be impossible to achieve peace in the southern Philippines. The government's strategy, however, is inadvertently pitting the interests of the Central Mindanao-based Moro Islamic Liberation Front (MILF) against those of the Sulu political elite, deepening divisions among the Muslims of the south, collectively known as the Bangsamoro.<sup>1</sup>

The obstacles to a comprehensive peace are formidable, and the resistance of influential clan leaders in the Sulu archipelago<sup>2</sup> to any agreement that would give power to the ethnically distinct MILF leadership at their expense is only one of many. But it reveals an important weakness in the government's peace strategy, which aims to give something to everyone and risks satisfying no one.

Historically, the most important political division in the south has been between the MILF, dominated by ethnic Maguindanaon and Maranao of Central Mindanao, and the organisation from which it formally broke away in 1984, the Moro National Liberation Front (MNLF). The MNLF,

now a much smaller, deeply fractured organisation, is strongest among the ethnic Tausug of Jolo, the largest island of Sulu province; there are also MNLF supporters and other factional leaders in Central Mindanao. Both insurgent groups are engaged in separate discussions with the government over essentially the same territory, an expanded version of what is now the Autonomous Region of Muslim Mindanao (ARMM).

ARMM was set up in 1989 and formed the basis for a peace agreement between the government and the MNLF in 1996. It originally consisted of four provinces: Maguindanao and Lanao del Sur on the Mindanao mainland, and Sulu and Tawi-Tawi in the archipelago. After a referendum on expansion in 2001, the other island province, Basilan, joined.<sup>3</sup> Each of these five provinces has a governor; there is also a regional governor who sits in the ARMM capital, Cotabato City, in Central Mindanao.

ARMM has been weak and dysfunctional since birth. Its governorship was offered to MNLF founder Nur Misuari, an ethnic Tausug/Sama from Jolo who took office in 1996.<sup>4</sup> Putting the MNLF in charge of the essentially powerless ARMM was a way of giving the rebels a government to run without threatening the traditional clan leaders who compete for control of the provinces. After nine years of MNLF misrule, even that rationale evaporated, and the regional governorship in 2005 went to an ethnic Maguindanaon from one of the most important clans in Central Mindanao.<sup>5</sup> Meanwhile, the MILF has been negotiating for a larger, more powerful "sub-state" that would replace ARMM. Misuari and the other MNLF factional leaders want the autonomous region to return to their control and are using a review of their 1996 peace agreement to press for amendments to a 2001 law to modify its terms on

<sup>1</sup> The MILF has tried to expand the definition of the Bangsamoro to include the Lumad (non-Islamised indigenous inhabitants of Mindanao) as well as Christians who support their cause. In this paper, Bangsamoro and Moro are used interchangeably. For previous Crisis Group reporting on the peace process, see Asia Briefings N°125, *The Philippines: A New Strategy for Peace in Mindanao?*, 3 August 2011; N°119, *The Philippines: Back to the Table, Warily, in Mindanao*, 24 March 2011; N°88, *The Philippines: Running in Place in Mindanao*, 16 February 2009; and N°83, *The Philippines: The Collapse of Peace in Mindanao*, 23 October 2008; as well as Asia Reports N°213, *The Philippines: Indigenous Rights and the MILF Peace Process*, 22 November 2011; N°152, *The Philippines: Counter-insurgency vs. Counter-terrorism in Mindanao*, 14 May 2008; N°110, *Philippines Terrorism: The Role of Militant Islamic Converts*, 19 December 2005; and N°80, *Southern Philippines Backgrounder: Terrorism and the Peace Process*, 13 July 2004.

<sup>2</sup> The Sulu archipelago stretches from the southern tip of the Zamboanga peninsula on the island of Mindanao towards Sabah in eastern Malaysia. It is composed of three provinces: Sulu, Basilan and Tawi-Tawi. See map in Appendix A.

<sup>3</sup> Except for Isabela City, the provincial capital, which to this day remains outside ARMM.

<sup>4</sup> Following the 1996 peace agreement and his election as regional governor, Misuari became even more authoritarian. Tired of him and his exceedingly poor management of ARMM, senior MNLF figures broke away and set up the Executive Council of Fifteen in 2001. Meanwhile, the terms of the 1996 deal were never fully implemented.

<sup>5</sup> Zaldy Ampatuan, the son of then Maguindanao Governor Andal Ampatuan Sr.

wealth-sharing and territory.<sup>6</sup> The Philippine government wants to satisfy both insurgent groups and clean up governance in ARMM in the process.

After the Aquino government took office in 2010, it devised the formula known as “convergence”, which has three components: a peace agreement with the MILF; completion of the review process of the 1996 agreement with the MNLF that would lead to some version of the desired amendments; and reform of ARMM by an appointed caretaker administration. If successful – a big “if” – Manila expected its formula to satisfy political claims from both insurgent groups while securing support from the five provincial governors by channelling positions and money their way.

In 2011, President Aquino appointed an ethnic Yakan from Basilan, Mujiv Hataman, to serve as caretaker governor of ARMM until elections in 2013.<sup>7</sup> He was an unusual choice as, since its inception, ARMM has been controlled by the largest, historically powerful ethnic groups: the Tausug from Sulu province or the Maguindanaon or Maranao of Central Mindanao.<sup>8</sup> Mujiv Hataman is a traditional clan-based politician but a reformist as well; his mandate is to do as much as he can to clean up the ARMM government. He was encouraged to appoint MNLF members wherever possible in the caretaker administration, alongside scions from the ruling clans of the five provinces and his reform-minded allies in civil society. This arrangement was only meant to be temporary. Manila intended to reach a final peace with the MILF as soon as possible, after which its Central Mindanao-based leadership would run the new sub-state for an interim period of undetermined length until elections could be held.

There are two big problems with this picture from the standpoint of the traditional elite in the Sulu archipelago. First, clan politics are infinitely complex, frequently violent and often zero-sum. The convergence formula presumed Manila could manoeuvre the provincial governors of the islands into supporting its policies, but the machinations of the archipelago’s elite are unpredictable and opaque and lie well beyond the national government’s control. On Basilan, for example, the dominant families now are the Hatamans and the Akbars, but the appointment of Mujiv Hataman as caretaker ARMM governor angered the provincial governor from the Akbar clan because of the bloody rivalry between them. Local politics pit clan against clan, family against family. No formula could possibly

accommodate them all unless the political culture undergoes fundamental changes. And no one thinks the vested interests of the clans can be ignored.

Second and far more important, the provincial governors of the Sulu archipelago are wary of any agreement with the MILF that leads to a more powerful, Central Mindanao-dominated regional government and possibly dilutes their authority. There is no Bangsamoro unity here. The provincial governorships are coveted by the traditional politicians as they guarantee direct access to Manila’s largesse. For clan-based politicians who rule the provinces and therefore gain from patronage politics, ARMM is an unnecessary layer of government standing between them and the capital. ARMM’s only virtue is its weakness – unless they or their allies control it. A stronger regional administration including the MILF would have few benefits and many costs as far as traditional politicians throughout ARMM are concerned. Historically, Manila has solved such problems by co-opting them. This might work with the traditional politicians in Central Mindanao, who share ethnic and kinship ties to the MILF. It will be much harder to overcome the scepticism of the provincial governors from the islands.

Yet, a negotiated peace in the southern Philippines is unthinkable without them because the Sulu archipelago is where some of the country’s most serious security problems lie. Basilan and Jolo are home to the Abu Sayyaf Group (ASG), an Islamist organisation that engages in banditry, kidnapping for ransom and terrorism, with the help of a handful of foreign extremists from elsewhere in South East Asia.<sup>9</sup> They are also home to factions of the MNLF who have kept their arms despite the 1996 peace agreement and to smaller numbers of MILF fighters, all of whom have kinship ties to each other and the ASG, and to members of the local government and security forces. The dynamics of conflict on Basilan and Jolo in recent years have more to do with military operations than developments in peace talks, whether with the MILF or

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<sup>6</sup> This is Republic Act (RA) 9054.

<sup>7</sup> The ARMM elections were scheduled for August 2011 and have been postponed until May 2013 to synchronise them with mid-term polls for national, provincial and municipal positions. The Yakan are indigenous to Basilan.

<sup>8</sup> He is also very young, only 39 at the time of the appointment.

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<sup>9</sup> The ASG was founded in 1991 by Abdurajak Janjalani, a Basileño of mixed Christian-Muslim background. Once a supporter of the MNLF, Janjalani studied in Libya in the late 1980s and upon his return came into contact with the al-Qaeda cell in the Philippines. The military killed him and other senior leaders and curtailed the group’s reach, which at one point extended to Malaysia and Manila. Nevertheless, the ASG persists, albeit much diminished, in a looser structure centred on charismatic sub-leaders and largely confined to the provinces of Sulu and Basilan. The extent to which its current members are religiously motivated is much debated. See Crisis Group Report, *Counter-insurgency vs. Counter-terrorism in Mindanao*, op. cit.; Marites Vitug and Glenda Gloria, *Under the Crescent Moon: Rebellion in Mindanao* (Manila, 2000), pp. 192-222; and Eduardo Ugarte and Mark Macdonald Turner, “What is the ‘Abu Sayyaf’? How labels shape reality”, *The Pacific Review*, vol. 24, no. 4 (2011).

MNLF. But the present is not necessarily a guide to the future. How the various armed groups in these two islands would respond to an agreement with the MILF is another of the great unknowns of the peace process.

The politics of Basilan and Sulu is yet another factor that MILF and government negotiators need to take into consideration. This paper examines what the scepticism of the provincial governors from the archipelago means for the peace process. It does not look in detail at Tawi-Tawi, which is generally more peaceful and whose politicians wield less influence within ARMM. The focus is the complexities of clan politics of Basilan and Sulu and how these intersect with the government's efforts to negotiate for peace. Research was conducted in Manila and the southern Philippines between November 2011 and March 2012.

## II. AIMS OF CONVERGENCE AND STAKEHOLDER REACTIONS

The convergence strategy aims to unify the Bangsamoro to end the insurgencies, curb violence and improve governance in Muslim areas. Each component would contribute to this end.<sup>10</sup> Only a settlement with the MILF, however, would address the threat the insurgent group poses to the territorial integrity of the Philippine state.<sup>11</sup>

- ❑ The peace process with the MILF would lead to the end of one of the country's most intractable conflicts by creating a more genuinely autonomous region – a sub-state – which the MILF would rule on an interim basis pending elections.
- ❑ Review of the 1996 final peace agreement with the MNLF and amendments to the 2001 law would ease the MNLF out of the picture by fulfilling commitments made by previous administrations and freeing up Manila's attention to focus on the MILF.
- ❑ Postponing the elections in ARMM and appointing an inclusive caretaker administration until 2013, which has already happened, was designed to provide breathing space for the MILF peace process; placate the MNLF by appointing them to key positions; and demonstrate the commitment of the Aquino administration to partnership with all sectors of Bangsamoro society.<sup>12</sup>

### A. POLITICS OF THE CONVERGENCE STRATEGY

The government's strategy has, unsurprisingly, been best received by the traditional politicians, civil society and handful of MNLF personalities who have gained money and political power through the caretaker ARMM administration. Its reception from the leaders of the two insurgent groups has been lukewarm.

The MILF had misgivings about the convergence strategy from the outset. Its leaders argue the peace process should be the priority because it provides the only way of addressing the political roots of the insurgency. ARMM reform is irrelevant because the parties have agreed the existing regional government will be replaced, and the MNLF had

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<sup>10</sup> See earlier reporting on the strategy, Crisis Group Briefing, *A New Strategy for Peace in Mindanao?*, op. cit.

<sup>11</sup> The MILF no longer demands independence, but some of its supporters still yearn for it.

<sup>12</sup> There was also a political motive at work: the national political parties backing President Aquino, his Liberal Party and the left-leaning Akbayan, would have time to build support in the Muslim areas where they have historically been weak.

their chance to improve the plight of the Bangsamoro but failed.<sup>13</sup> The MILF perceives Manila's consultations with and outreach to clan-based politicians as a strategy of divide and rule. The Aquino administration says it is trying to engage all Bangsamoro in its approach, which involves partnership, not patronage, when it comes to the clans.<sup>14</sup>

Still, the MILF can be pragmatic, and it quietly supported the postponement of the 2011 ARMM elections. Its leaders believed it would be easier to lead the interim period they envision following a peace agreement if an appointed caretaker administration, rather than an elected government, were in charge of ARMM. Mujiv Hataman was an acceptable choice for caretaker regional governor because, according to the MILF negotiating panel, he has a "pro-people" outlook and could be a potential partner after a settlement.<sup>15</sup> The MILF knows its members could not run an interim administration alone and need to be inclusive.

The MNLF initially thought the convergence strategy would be to its benefit, but that enthusiasm has waned. The Aquino government's willingness to continue the review of the 1996 peace agreement was welcomed by founder Nur Misuari and the other factional leaders.<sup>16</sup> The best the MNLF leaders can hope for is to stay in the picture; they no longer command a unified rebel movement, and the MILF is clearly the more important player. Fear of be-

coming irrelevant is precisely what drives Misuari to drag out the review process and refuse to countenance the possibility that anyone other than he can advance the Bangsamoro cause. Other factional leaders are more realistic and open to working with the MILF in line with Manila's desire to see the two insurgent groups devise a joint strategy for the sake of Bangsamoro unity.<sup>17</sup>

The MNLF leaders also saw an opportunity in Manila's plan to appoint a caretaker ARMM administration. In June 2011, they and the government agreed to work together to reform the autonomous region; senior posts in the caretaker administration would go to MNLF figures.<sup>18</sup> Unsurprisingly, Nur Misuari's supporters put him forward as a candidate for appointed regional governor. Manila proceeded to appoint individuals with ties to the rebel movement to work alongside Mujiv Hataman, but the MNLF leaders were unhappy, having understood that the government would consult them first before anyone was selected.<sup>19</sup> They said that the individuals who had accepted positions in the caretaker administration had done so in a personal capacity only, not with the blessing of the MNLF. From Manila's perspective, there had been no promise of consultation.<sup>20</sup> As a senior government official observed,

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<sup>13</sup> The parties agreed in writing that the "status quo is unacceptable". GPH (Government of the Philippines)-MILF decision points on principles as of April 2012, available on the website of the Office of the Presidential Adviser on the Peace Process (OPAPP), [www.opapp.gov.ph](http://www.opapp.gov.ph).

<sup>14</sup> Crisis Group interviews, MILF members involved in the peace process, Cotabato City, 17 January 2012; members of the MILF negotiating panel, Manila, 21 January 2012; senior government officials, Manila, 27 January and 29 March 2012.

<sup>15</sup> Crisis Group interviews, members of the MILF negotiating panel, Manila, 21 January 2012. Mujiv Hataman also used to consult the MILF on Moro issues when he was a party list representative with Anak Mindanao (AMIN) in Congress from 2001 to 2010. Crisis Group interview, former ARMM official, Cotabato City, 25 March 2012.

<sup>16</sup> Because of the problems stemming from the incomplete implementation of the 1996 final peace agreement, the Gloria Macapagal Arroyo government initiated a review overseen by the Organisation of Islamic Cooperation (OIC). This process has dragged on for many more years than was expected. Crisis Group interview, OPAPP official, Manila, 29 March 2012. See Crisis Group Briefings, *Back to the Table, Warily, in Mindanao?*, op. cit., pp. 8-10 and *A New Strategy for Peace in Mindanao?*, op. cit., pp. 4-6. The OIC has also held meetings between the MNLF and MILF, most recently in December 2011, to try to encourage them to cooperate. At the March 2012 round of negotiations between the MILF and the government, the OIC secretary general was granted observer status. This may give the OIC's efforts to mediate between the two insurgent groups a boost. Crisis Group interviews, Manila and Cotabato, March 2012.

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<sup>17</sup> At a personal level, there are already many links between the two insurgent groups, especially with Executive Council of Fifteen members in Central Mindanao because of kinship ties. But at an organisational level, there has been little progress. Misuari's relations with the MILF are simply so bad they are unlikely to ever improve. In November, he met Commander Ameril Umbra Kato, who had broken away from the MILF to set up the Bangsamoro Islamic Freedom Movement. "Misuari holds talks with Kato", *Manila Bulletin*, 18 November 2011.

<sup>18</sup> A government official involved in the talks said that it was the MNLF that wanted to use the postponement and appointment of caretakers as an opportunity to work together. Crisis Group interview, political adviser, Manila, 29 March 2012. See also Report of the Ad Hoc High-Level Group, Solo City, Republic of Indonesia, 20-22 June 2011; and Crisis Group interview, OPAPP official, Manila, 29 March 2012.

<sup>19</sup> The most prominent MNLF appointee was Vice-Governor Bainon Karon, from Lebak, Sultan Kudarat province. She was actively involved in the MNLF and more recently in civil society. She is close with the presidential adviser on the peace process, Teresita "Ging" Deles. She is related to factional MNLF leader Randy Karon and her late husband was the brother of another factional leader, Muslimin Sema. See her profile in "13 Stories of Islamic Leadership", Asian Institute of Management, 2009. Another example is the ARMM Department of Labour and Employment Secretary Jann Jakilan, who is from Basilan and was formerly an MNLF commander in that province. He briefly held the same position under ARMM Governor Zaldy Ampatuan, who was in charge from 2005 until 2009 (when he was arrested after the Maguindanao massacre).

<sup>20</sup> Crisis Group interviews, MNLF adviser, 29 March 2012; senior government official and political adviser, Manila, 29 March 2012.



“the president needs to satisfy the majority, not the MNLF minority”.<sup>21</sup>

The Aquino government believes it has had some success in using the caretaker administration to bring together the different sectors in Muslim Mindanao to reform ARMM. Mujiv Hataman’s appointment as the caretaker governor has been broadly accepted, despite the grumblings of the MNLF and the rival Akbar clan on Basilan.

## **B. REACTION OF THE SULU-BASILAN ELITE**

The Aquino government knew from the start that it needed the five provincial governors within ARMM to support the convergence strategy. Of all the clan-based politicians, they are the most important because many of the mayors beneath them follow their lead. In the first half of 2011, Manila became aware that the governors of Basilan, Sulu and Tawi-Tawi were forming a bloc, supporting some elements of the convergence strategy while expressing reservations about others. The governors of Maguindanao and Lanao del Sur share some but not all of their concerns.

None of the five provincial governors, including the three from the islands, were ever that concerned about governance reform of ARMM and review of the 1996 peace agreement signed with the MNLF because even if successful, they would likely only yield incremental changes. As clan-based politicians who have fought their way to a governorship, they know how to get ahead in Muslim Mindanao’s bloody politics and any changes to the system they have mastered are not necessarily to their benefit. The MILF peace process is the only part of the convergence strategy that holds out the possibility of dramatic change to the ARMM government and its constituent parts, including the provincial and municipal governments beneath it.

Any reluctance from the provincial governors towards ARMM reform was relatively easy for Manila to overcome: more engagement from the national government was likely to mean more money. The Aquino administration needed votes in Congress to get the ARMM elections postponed, so this formed the initial basis for cooperation between Manila and the traditional politicians.<sup>22</sup> When it was time to appoint the caretaker administration, Sakur Tan, the

outspoken governor of Sulu, had emerged as the de facto leader among the five provincial governors. The slot allocated to them on the selection committee for the caretaker administration went to him. The Aquino administration also brought the five provincial governors along for its March 2012 discussions with the MNLF.<sup>23</sup> When the insurgents’ leaders were clearly unhappy with Manila over the appointments to the caretaker administration, the governors, acting on their own initiative, attempted to mediate. Once again, Governor Tan stepped forward, offering to support Nur Misuari for ARMM governor in the 2013 polls even though Misuari has not indicated that he plans to run.<sup>24</sup>

When it comes to the confidential and extremely sensitive negotiations with the MILF, Manila has fewer options for assuaging the fears of the provincial governors. No one knows what the terms of a comprehensive settlement will be, but the current governors of Basilan, Sulu and Tawi-Tawi do not believe they will be in their favour and are more worried than their counterparts in Maguindanao and Lanao del Sur. The island governors have two reasons, fear of a stronger regional government in Central Mindanao and mistrust of the MILF.

Unlike earlier phases of the negotiations that focused on territory, the MILF and the government are now aiming for a comprehensive settlement that would pave the way for a new Bangsamoro sub-state with more power vis-à-vis Manila than ARMM has ever had. One of the MILF’s many objections to ARMM is that it has little political or fiscal authority over the local government units within the region. The provincial governors currently enjoy considerable independence because a cash transfer known as the internal revenue allotment (IRA) comes directly to them from Manila.<sup>25</sup> The competition among clans during elections is driven by the desire to control the IRA and use it to pay off supporters. The mere possibility that the disbursement of the IRA could change after a peace agreement is enough to raise the hackles of traditional politicians.<sup>26</sup> The island governors are particularly worried be-

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<sup>21</sup> Crisis Group interview, Manila, 29 March 2012. As a compromise, the government offered to appoint Yusoph Jikiri, once Misuari’s chief of staff and a former governor of Sulu, as the region’s deputy governor for Muslims. ARMM has three deputy governors – one for indigenous people (Lumad), one for Christians and one for Muslims. Their role has been largely symbolic.

<sup>22</sup> On 30 June 2011, President Aquino signed Republic Act 10153 which postponed the August 2011 ARMM elections and synchronised them with the May 2013 mid-term polls.

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<sup>23</sup> “ARMM governors back GPH peace”, *Tempo* (online), 10 March 2012.

<sup>24</sup> Crisis Group interviews, former government official, Davao City, 23 March 2012; OPAPP official, Manila, 29 March 2012; political adviser, Manila, 29 March 2012; individual close to Nur Misuari, 29 March 2012.

<sup>25</sup> The IRA is disbursed countrywide to local governments from the provincial level on down. The problem in ARMM is that this regional government was created before the current local government code was passed. This code subsequently granted so much power and discretion over spending to local governments that it in effect diluted the authority of the newly created ARMM.

<sup>26</sup> The parties to the peace process have never discussed this extremely sensitive issue. Crisis Group interview, individual close to the MILF, Cotabato City, 18 January 2012. The Aquino

cause a stronger regional government could mean greater centralisation of resources in Cotabato City, which would likely disadvantage them and their provinces, unless a politician from the archipelago was in power.<sup>27</sup>

As a new political set-up would be of the MILF's making, its leaders and others aligned with them would be the ones to benefit at least in the short term. This does not sit well with the provincial governors from the islands because they mistrust the MILF. For one thing, they do not believe its leadership knows anything about their provinces and the ethnic groups that live in them. For another, many are closer to the MNLF leaders, in part because of kinship ties, and are more comfortable with their vision of Bangsamoro autonomy than that promoted by the MILF. They take pride in the fact they are the elected representatives of their people, unlike the MILF leaders who lack any governance experience. Taken together, these fears have led the archipelago's three provincial governors to form a united front to express their scepticism.

The Aquino administration is concerned, because the logic of the MILF peace process is that a political settlement, if reached, will satisfy Bangsamoro demands for autonomy. The parties have negotiated on the basis that the existing ARMM would be at the core of a new sub-state. Even if the MILF does not have a presence in all areas, the government assumes that any settlement will be an improvement on the terms of the 1996 agreement with the MNLF and therefore all Bangsamoro will benefit.<sup>28</sup> The wariness of the islands' governors emphasises how shaky this assumption is.

One possible solution – two different Muslim regions, one in Central Mindanao and one in the Sulu archipelago – has been discredited ever since President Ferdinand Marcos tried it under martial law.<sup>29</sup> The MILF would never accept a sub-state with less territory than the current ARMM. The Sulu archipelago is a critical part of the imagined Bangsamoro community because it was once the Sulu sultanate, whose existence is central to the territorial claims.

Another option is to co-opt the recalcitrant governors and other politicians. To a certain extent, Manila is already trying to do so by spending money in Sulu and Basilan through PAMANA (PAyapa at MASaganang Pamaya-NAN or Peaceful and Resilient Communities), a program that builds the capacity of local governments in conflict zones. Money is channelled through the *barangays* (villages), municipalities and provinces for infrastructure and development projects.<sup>30</sup> In the islands, the program is targeting MNLF communities. The clan-based politicians support these projects which they control through their stranglehold on local government. When their constituents benefit, they can take the credit. For Manila, PAMANA is an effective way of showing the archipelago's elite how its peace strategy can work for them.

The resistance of the provincial governors from the archipelago matters for the peace process because without the islands, there will be no agreement with the MILF. The problem Manila faces, as the following case studies show, is that the dynamics of local politics in both Sulu and Basilan have responded to the convergence strategy in ways that have entrenched opposition to the peace process as currently framed and perhaps raised the potential for violence.

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no administration, however, is keen to more clearly delineate national, regional and provincial powers. Crisis Group interview, senior government official, Manila, 27 January 2012.

<sup>27</sup> As a former senior ARMM official admits, unless the regional governor is from the islands, the Sulu archipelago is often forgotten about when divvying up plum positions and the budget in the Cotabato City offices. Crisis Group interview, Cotabato City, 26 March 2012.

<sup>28</sup> Crisis Group interview, former member of the government panel for the MILF process, Manila, 27 January 2012.

<sup>29</sup> After signing an agreement with the MNLF in 1976, Marcos unilaterally set up two regional autonomous governments, one with a capital in Cotabato City, the other with a capital in Zamboanga City in 1979. They were replaced by ARMM.

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<sup>30</sup> PAMANA is countrywide and the money comes from the budget of the Office of the Presidential Adviser on the Peace Process, which partners with other departments in implementing the projects. The targeted communities are determined by the "security cluster" (the secretaries of the Department of Interior and Local Government, the Department of Foreign Affairs, the Department of National Defence, the Department of Justice, as well as the national security adviser and the presidential adviser on the peace process). Crisis Group interview, OPAPP official, Manila, 29 March 2012. There are also projects in MILF areas, but these are harder to implement as the insurgent group's leaders often denounce such initiatives as counter-insurgency.

### III. POWER SHIFT ON BASILAN

The Aquino government's policies may destabilise Basilan in the short term. In selecting Mujiv Hataman as the caretaker governor of ARMM, it has chosen one of two rival clans, the Hatamans over the Akbars, as its preferred partner for the convergence strategy. This increases the risk of violence between them and gives the Hatamans a boost for the hotly contested gubernatorial elections in 2013. In two of the last three elections, a member of the Hataman clan has competed against an Akbar candidate for governor and lost. But the power of the Akbars has been waning ever since provincial strongman Wahab Akbar was assassinated in 2007. The story of the rise and fall of Akbar influence illustrates the complexity of clan politics and the ways in which these intersect with the armed groups on Basilan. The Akbars and their advisers may not go quietly into political oblivion, and Basilan's guerrillas, bandits and thugs will not suddenly lay down their arms if a peace deal is reached. The story of the island's politics over the last decade underscores its volatility.

#### A. THE RISE AND FALL OF WAHAB AKBAR

Wahab Akbar was one of the key players on Basilan until his murder. In 1998, he was elected to the first of three terms as governor, replacing a former MNLF commander.<sup>31</sup> A charismatic politician, Wahab was born into poverty and used his hard-scrabble past, combined with religious training in Syria, to build popular support. He was once a deputy commander of the MNLF and flirted with the Abu Sayyaf Group; some even allege he was a co-founder.<sup>32</sup> In his early days as a politician, Wahab had the help of a young Mujiv Hataman.

After being re-elected as governor in 2001, Wahab Akbar had to reconfigure his relationship with Manila and the military. He had been closely associated with President Estrada who was ousted from power in January 2001. To cement his relationship with Gloria Macapagal-Arroyo, Estrada's successor, Wahab campaigned in support of Basilan's accession to ARMM in the referendum held later that year despite his initial reservations.<sup>33</sup> Faced with in-

creasingly daring operations by the Abu Sayyaf Group, including the kidnapping of tourists, and President Arroyo's cooperation with the U.S. government's "war on terror", Wahab also needed for political reasons to work with the military.<sup>34</sup> This was difficult because of his past ties to the Abu Sayyaf Group; he reportedly used to brag about killing soldiers.<sup>35</sup> But he supported the 2002 Balikatan operations with U.S. forces which pushed many senior figures of the Islamist group off the island. He also backed the security forces' use of warrantless arrests, causing a rift with Mujiv when Hataman relatives were detained.<sup>36</sup>

This rift had widened by the 2004 election. Jim Hataman, Mujiv's brother, stood for governor on the opposition Liberal Party slate, competing against incumbent Wahab Akbar, backed by President Arroyo's party. Around the same time, Wahab's relations with the province's representative in Congress, Gerry Salapuddin, the man he succeeded as governor – who was also with the president's party – were souring.<sup>37</sup>

The 2007 election was a watershed as both Wahab Akbar and Gerry Salapuddin had exhausted their terms as governor and congressman respectively. The Akbar family made a bid to consolidate their power. They were in a strong position as the year before Wahab had manoeuvred to carve out new municipalities in the island's south east, the most violent part of the province. This tactic is used by many ruling politicians to generate an additional internal reve-

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Wahab Akbar believed that it was better for him and the province to abide by her wishes to ensure continued access to national government coffers.

<sup>34</sup> One of the Basilan-based ASG's most notorious operations was the kidnapping of guests, including three Americans, from the Dos Palmas resort on Palawan.

<sup>35</sup> Crisis Group interview, senior military official who was stationed for many years in Western Mindanao and the islands, 22 January 2012.

<sup>36</sup> Crisis Group interview, March 2012. A civil society activist from Basilan also points to Mujiv Hataman's decision to cut ties with Wahab Akbar as a sign of his credibility. Crisis Group interview, Zamboanga City, 24 January 2012.

<sup>37</sup> Salapuddin also benefited from a close relationship with President Arroyo's executive secretary, Eduardo Ermita. Crisis Group interview, Manila-based journalist, Makati, 2 December 2011. During the 2005 ARMM elections, the two politicians adopted different positions on Manila's preferred candidate for regional governor, Zaldy Ampatuan, from the ruling clan in Maguindanao. Wahab Akbar supported him while Gerry Salapuddin opposed his candidacy, because he believed that the autonomous region should be run by the MNLF and because he was interested in the position himself. "Arroyo erred in choice of candidate, says MNLF", *Philippine Daily Inquirer*, 8 August 2005. Crisis Group interviews, member of the ARMM government, Makati, 16 January 2012; military official, Davao City, 28 March 2012.

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<sup>31</sup> Gerry Salapuddin, the former commander, was governor for most of the 1990s. After he served three terms, the maximum allowed by law, he ran for Congress and was elected, opening the way for Wahab Akbar.

<sup>32</sup> Wahab Akbar met ASG founder Abdurajak Janjalani in Libya. By one account, after the two men returned to Basilan, Wahab built support among his fellow Yakan, while Janjalani focused on recruiting the Tausug, his ethnic group. See Vitug and Gloria, *Under the Crescent Moon*, op. cit., pp. 209 and 300.

<sup>33</sup> "Out of the US incubator, into the ARMM", Newsbreak.com, 1 January 2003. Arroyo wanted Basilan to join ARMM and

nue allotment for their political allies.<sup>38</sup> Wahab sought Basilan's lone congressional seat, his first wife Jum Akbar stood for governor, and his two other wives stood for mayor in Isabela City and in Lamitan. Opposing the Akbars were Jim Hataman, who stood for Congress and Gerry Salapuddin, who was back standing for governor. It is unclear whether the Akbars had fallen out of favour with President Arroyo by this time, but it was the Hataman-Salapuddin bloc that allied itself with her party, while Wahab Akbar joined the opposition Liberal Party slate.<sup>39</sup> The Akbars prevailed in all the major contests, except in Lamitan. Jum Akbar became governor and Wahab Akbar went to Congress.

Less than two months after the polls, on 10 July 2007, a convoy of marines was ambushed in al-Barka, one of the new municipalities in the south east controlled by an Akbar ally.<sup>40</sup> The incident is widely believed to have contributed to Wahab Akbar's downfall and the repercussions from the clash continue to affect Basilan and the MILF peace process to this day. A firefight broke out between the soldiers and the community when one of their trucks got stuck in the mud in an area which is home to the majority of the MILF's fighters on the island. The marines had recently taken over from the army and were acting on information that a kidnapped priest was nearby. They could have coordinated with the MILF through the ceasefire mechanisms but did not.<sup>41</sup> Fourteen soldiers were killed and ten of the bodies were beheaded; on the MILF side, there were six dead. A local imam was also killed.

The government and the insurgents subsequently conducted a joint investigation and concluded that while the

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<sup>38</sup> In May 2006, Tipo-Tipo and Tuburan municipalities were divided to create four additional towns: Ungkaya Pukan, al-Barka, Haji Muhammad Adul and Akbar. "Creating more LGUs [local government units] prevents conflicts in ARMM", Newsbreak.com, 30 March 2008; "Basilan governor seeks help for towns without IRA", Mindanews.com, 15 January 2011. A senior military official explained that whereas before Wahab had to pay for the support of his backers in the south east out of his own pocket, after the new municipalities were created, he no longer had to because of the IRA. Crisis Group interview, 22 January 2012.

<sup>39</sup> "Basilan governor, mayor join Liberal Party", Mindanao Examiner, 1 February 2007.

<sup>40</sup> The mayor was Karam Jakilan, who was shot dead in January 2009. "Basilan town mayor killed in ambush", ABS-CBN News, 29 January 2009. Crisis Group interview, relative of the mayor, 2 December 2011.

<sup>41</sup> For more on the incident, see Crisis Group Report, *Counter-insurgency vs. Counter-terrorism in Mindanao*, op. cit., pp. 17-18. The ceasefire mechanisms consist of the Coordinating Committees on the Cessation of Hostilities (CCCH) and the Ad Hoc Joint Action Group (AHJAG). The latter is an intelligence-sharing and coordination mechanism used to arrest criminals in areas under MILF control. At the time of the incident, AHJAG's mandate had recently expired and had yet to be renewed.

MILF's 114th base commander and his men had shot the marines, the bodies were mutilated by four individuals associated with the Abu Sayyaf Group.<sup>42</sup> Although not included in the report, the hired guns of local politicians loyal to Wahab Akbar were also involved in the fight, embittering relations between the newly elected congressman and the marines.<sup>43</sup> On 31 July, in a speech in Congress, Wahab criticised them for entering al-Barka without coordinating with local officials. He also denied the presence of the Abu Sayyaf Group on Basilan, yet claimed 80 per cent of Muslims supported them.<sup>44</sup> More than a hundred named suspects, including MILF and Abu Sayyaf Group members, were charged with murder; hundreds more unnamed "John, Peter and Richard Does" were also included in the case.<sup>45</sup>

On 13 November 2007, Wahab Akbar was killed in a bombing at the House of Representatives in Manila, along with three others. Within two days, a raid by security forces on a nearby house killed an Abu Sayyaf Group member from Basilan who was known to have ties to the security forces, and two others.<sup>46</sup> Police announced that the evidence and information provided by individuals detained in the raid pointed to the involvement of Gerry Salapuddin and Mujiv and Jim Hataman.<sup>47</sup> The Hataman brothers were eventually dropped from the case but an arrest warrant was issued for Salapuddin, who remains in hiding to this day.<sup>48</sup>

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<sup>42</sup> The individuals named were Umair Indama, Nurhassan Jamiri, Buhari Jamiri and Suaib Kalibon. Joint Independent Fact-finding Committee Report, Government of the Republic of the Philippines and Moro Islamic Liberation Front Coordinating Committees on the Cessation of Hostilities, Cotabato City, 23 July 2007.

<sup>43</sup> Crisis Group interviews, government official and researcher from Basilan, Manila, 2 December 2011 and 23 January 2012.

<sup>44</sup> Privilege speech, Congressman Wahab M. Akbar, Lone district, Basilan, House of Representatives, 31 July 2007, accessible at <http://archives.newsbreak-knowledge.ph/2007/11/14/rep-wahab-akbars-privilege-speech-on-the-milf-the-abu-sayyaf-and-the-beheadings-in-basilan/>.

<sup>45</sup> Murder, Criminal Case No. 4578, Regional Trial Court, 9th Judicial Branch, Isabela City, Basilan, 4 December 2007.

<sup>46</sup> The ASG member with ties to the security forces was Alpaker Said alias Abu Jandal. Crisis Group interview, government official, Manila, 2 December 2011. Redwan Indama, a third cousin of the Hataman brothers, and his wife were also killed in the raid.

<sup>47</sup> See "Hatamans, Salapuddin now Batasan blast suspects", GMA Network, 29 November 2007; "Akbar's rivals sought to end monopoly", *Philippine Star*, 23 November 2007.

<sup>48</sup> There were seven initially accused in the case: Gerry Salapuddin, former Tuburan mayor Hajarun Jamiri, police officer Bayan Judda, Benjamin Hataman (a cousin of Mujiv and Jim), Adham Kusain, Ikram Indama and Caidar Aunal. "Batasan bombing: Court orders arrest of Basilan ex-solon Salapuddin, six others", *Philippines Today*, 20 August 2010.

Many believe that Salapuddin was framed. Conspiracy theories abound, pinning the blame on everyone from the Ampatuans, the ruling clan in Maguindanao, who were angry at Wahab Akbar's intention to run for regional governor in the 2008 ARMM elections, to the marines, who sought revenge for the ambush of their soldiers in al-Barka.<sup>49</sup> What is clear is that Wahab Akbar was a man with many enemies. His death left Basilan in limbo and deepened the divide between the clans.<sup>50</sup>

## **B. THE 2010 ELECTIONS AND ARMM REFORM**

The Akbars were able to cling to power in the next election despite the killing of the clan's patriarch. In 2010, Wahab's first wife Jum stood again for governor, this time on the Lakas-Kampi slate (the party of outgoing President Arroyo), facing off against Mujiv Hataman who had joined the Liberal Party (the party of winning presidential candidate Benigno Aquino III). The Hatamans overall fared well. Jim Hataman won the island's congressional seat and another brother, Boy, became the mayor of Sumisip, which restored the town – known as the hub of Abu Sayyaf Group operations on Basilan – to the family's control.<sup>51</sup> Jum Akbar, however, beat Mujiv for governor, although not by much. She not only had the advantage of being the incumbent, but also benefited from the support of relatives and allies controlling several municipalities, the family's war chest and possibly the sympathy vote after the murder of her husband.<sup>52</sup>

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<sup>49</sup> See "Death of a congressman: Basilan's complex currents", U.S. embassy Manila cable, 14 November 2007, as published by WikiLeaks.

<sup>50</sup> His death also increased tensions between his wives, notably between Cherrylyn and Jum. The former, the mayor of Isabela City, is allegedly under pressure to share her large internal revenue allotment with her deceased husband's relatives. Crisis Group interview, senior military officer, 22 January 2012.

<sup>51</sup> The Commission on Elections declared the May 2010 poll in Sumisip to be a failure; a special election was held in March 2011, which Boy Hataman won. The Hatamans controlled Sumisip from 2001 to 2004 (under Jim) and from 2004 to 2007 (under Boy). Between 2007 and 2010, the mayor was Haber Asarul, a rival to the Hatamans. On ASG activity in Sumisip, Crisis Group interview, military officer, Manila, 29 January 2012.

<sup>52</sup> Crisis Group interviews, senior military officer, 22 January 2012; researcher from Basilan, Manila, 23 January 2012. The year before the polls, President Arroyo's National Security Adviser Norberto Gonzales told the U.S. ambassador that Jum's weak leadership ability was aggravating the kidnapping problem on Basilan; he hoped she would not stand for re-election. "On a mission, national security adviser seeks new Malaysian peace negotiator", U.S. embassy Manila cable, 15 May 2009, as published by WikiLeaks.

Mujiv Hataman's chances may also have been damaged when another candidate alleged that he was involved in a series of bombings in Isabela City one month before the polls.<sup>53</sup> The attack, which killed fifteen, was unusually well-coordinated and involved members of the Abu Sayyaf Group.<sup>54</sup> On the morning of 13 April 2010, two bombs exploded, one in a van near the grandstand and another by the cathedral. As the police and marines responded, they were engaged in running gun battles with dozens of armed men wearing stolen uniforms from the Special Action Force, a specialised branch of the police.<sup>55</sup> Afterwards, another gubernatorial candidate claimed that the van that exploded in the first bombing, as well as a second that the attackers abandoned, belonged to Mujiv.<sup>56</sup>

The Hatamans may have lost the gubernatorial contest on Basilan but a much more enticing opportunity soon materialised. In early 2011, the Aquino administration's plan to postpone the ARMM elections and appoint a caretaker regional government came into focus. From the outset, Mujiv, as a friend of the president and politician with a progressive outlook that meshed with the administration's emphasis on reform, was a front runner among the candidates for caretaker ARMM governor.<sup>57</sup> The Akbars, who

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<sup>53</sup> Crisis Group interview, politician from Basilan, Zamboanga City, 24 March 2012.

<sup>54</sup> Many believe it was an attempt to replicate the 1995 attack on Ipil, on the Zamboanga peninsula, which was one of the first major operations attributed to the ASG. Others deny there was any political motive and suggest that the target was the Landbank in Isabela City. Crisis Group interview, politician from Basilan, Zamboanga City, 24 March 2012.

<sup>55</sup> A brother of Puruji Indama, one of the ASG leaders on Basilan, was killed in the first explosion. Investigation report re series of explosion and shooting incident at Isabela City, Basilan, Criminal Investigation and Detection Group (CIDG), Region IX, 28 April 2010; "Basilan erupts anew; pols seen behind violence", *Philippine Daily Inquirer*, 15 April 2010.

<sup>56</sup> This was Ungkaya Pukan mayor (a municipality in the south east) and gubernatorial candidate Joel Maturan. "Maturan urges swift probe of Isabela Tuesday attack", *ZamboTimes.com*, 17 April 2010. Mujiv refuted the accusation levelled by Maturan against him. "Hataman denies owning van used by rebels in Isabela City attack", *ZamboTimes.com*, 17 April 2010. Maturan himself had also been implicated by one of the gunmen, who later died. "2 cops link Maturan to Isabela attack", *ZamboToday.com*, 25 April 2010. In the months after the polls, several campaigners – the individuals who liaised between gubernatorial candidates and the *barangays* – were killed, and again suspicion has fallen on Joel Maturan and Mujiv Hataman. Crisis Group interviews, civil society activist, Zamboanga City, 29 November 2011; government official, Manila, 2 December 2011; military official, Davao City, 28 March 2012.

<sup>57</sup> Mujiv Hataman cut his political teeth organising leftist student groups while studying in Manila before he returned to Basilan. Crisis Group interview, former member of Bangsa (a leftist student alliance), Quezon City, 2 December 2011. In 2001, Mu-

continue to believe the Hatamans had a hand in Wahab Akbar's killing, were opposed.

The Akbars were under pressure from both Manila and local allies to agree to Mujiv Hataman's appointment. Al-Rasheed Sakkalahul, the popular three-term provincial vice governor and Jum Akbar's running mate in the 2010 polls, argued that it would be good for Basilan for an ethnic Yakan such as Mujiv to be in charge of the region.<sup>58</sup> His stance was important, among other things because of his support in Basilan's south east, where he once served as mayor and among the military, since he was once in the navy. In June, the provincial board passed a resolution in support of Mujiv's candidacy, and the Akbars were left politically isolated.<sup>59</sup>

In September, Governor Jum Akbar filed a petition for review requesting the Department of Justice to reconsider its decision to exclude Mujiv Hataman from the list of suspects in her husband's killing. It was her last card to play and when it failed, she attended the December 2011 hand-over ceremony which installed Mujiv as caretaker ARMM governor.<sup>60</sup> The Aquino administration was well aware of the bad blood between the families; Mujiv Hataman was reportedly told to build bridges with the Akbars and both sides were warned that violence would not be tolerated.<sup>61</sup>

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jiv entered Congress as the representative of the leftist Anak Mindanao (AMIN) party list group. He would serve three terms, becoming friends with Benigno Aquino III, then a congressman, later a senator and now president. According to a member of the Liberal Party, Aquino was impressed by Mujiv's conduct during the 2004 "Hello Garci" scandal in which wiretapped conversations between an election commissioner and President Arroyo became public. Unlike the other Muslim politicians in Congress, Mujiv did not bandwagon and support the embattled president but rather was in opposition. Crisis Group interview, Manila, 29 March 2012. Mujiv was also involved in united front work that brought together members of Balik Islam in Manila with the Moro leftist networks in the islands. See Crisis Group Report, *Philippines Terrorism: The Role of Militant Islamic Converts*, op. cit., pp. 18-20. For more on Mujiv's background see his profile in "13 Stories of Islamic Leadership", op. cit.

<sup>58</sup> Crisis Group interview, politician from Basilan, Zamboanga City, 24 March 2012.

<sup>59</sup> "Basilan leaders endorse Hataman's candidacy for ARMM governor", *ZamboangaToday.ph*, 3 June 2011.

<sup>60</sup> "ARMM's OIC Gov Mujiv Hataman: 'Kayo ang maghariharian dito'", *Mindanews.com*, 23 December 2011.

<sup>61</sup> Crisis Group interview, Liberal Party member, Manila, 29 March 2012. An individual from Basilan who is close to Mujiv Hataman says that relations are improving with some members of the Akbar family. Crisis Group interview, March 2012.

## C. THE AL-BARKA INCIDENT

The July 2007 ambush of the marines came back to haunt Basilan in 2011. On 18 October, an operation planned at short notice outside of the regular chain of command went awry in al-Barka. Nineteen soldiers, five MILF fighters and one civilian were killed in an hours-long gun battle.<sup>62</sup> The troops had entered the area without using the formal ceasefire mechanisms.<sup>63</sup> The targets were individuals with outstanding arrest warrants for the 2007 incident, all of whom also had bounties on their heads.<sup>64</sup> Flaws in the planning and conduct of the operation, such as the lack of a written mission order and the unauthorised use of trainees, among other problems, have led many to believe that the commanders involved were motivated by the rewards on the targets' heads.<sup>65</sup> President Aquino was quick to criticise the military, but the public outcry against the MILF was fierce.

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<sup>62</sup> The clash occurred in *barangay* Cambug. Nearby *barangay* Guinanta was used as an "area of temporary stay" (meaning MILF members were confined to it) during operations to apprehend the individuals responsible for beheading the marines in 2007. However, the MILF maintains that the military must coordinate its movements in the wider area because other *barangays*, specifically Kailih and Cambug, are also populated by fighters and supporters. See BIAF General Staff Report: Attack of the Philippine Army Special Forces Against the 114th Base Command of the Bangsamoro Islamic Armed Forces – Moro Islamic Liberation Front (BIAF-MILF) at Barangay Cambug, al-Barka, Basilan on October 18, 2011, posted on the MILF website [www.luwaran.com](http://www.luwaran.com), 28 October 2011.

<sup>63</sup> A military officer claims the coordination is often informal and is done directly with the MILF on the ground rather than through the bodies that sit in Cotabato City. Crisis Group interview, Manila, 29 January 2012. The Malaysian-led International Monitoring Team led a verification mission in al-Barka to assess ceasefire violations. In March 2012, the MILF disclosed that the military had been cited for ten violations to its one.

<sup>64</sup> The Department of Interior and Local Government and the Department of National Defense publish a joint list of most wanted persons with rewards on their heads. The U.S. government runs a separate "Rewards for Justice" program which includes a number of Filipinos. See [www.rewardsforjustice.net](http://www.rewardsforjustice.net). One of the alleged targets, Dan Asnawi, is the deputy commander of the MILF's 114th base command. Not all accounts of the incident agree on this, however. The MILF claims that Asnawi was a target but some military officials have said he was not, and he became involved only because he lives in *barangay* Cambug.

<sup>65</sup> Crisis Group interviews, military officers, Zamboanga City, 29 November 2011; Manila, 28-29 January 2012. See the more comprehensive accounts of operational failures by Glenda Gloria, "Basilan: Failure of the 'elite command' structure", *Newsbreak.com*, 28 October 2011; and Maria Ressa, "Why the fiasco in Basilan", *Move.ph*, 26 October 2011. Four senior officers are in the process of being court-martialled.

The incident underscored once again the complexity of Basilan's volatile south. As in July 2007, the broader community joined in the assault on the soldiers which made it impossible for them to retreat.<sup>66</sup> Even when the organisational affiliation of the major figures in the MILF and Abu Sayyaf Group is clear, they may still join forces when under attack from the government.<sup>67</sup> The mechanisms that permit the military to conduct operations against extremists and criminals in MILF areas may work well in Central Mindanao but they do not on Basilan.<sup>68</sup> Military and local government officials acknowledge that MILF members on the island sometimes receive a cut of the ransom money from the many kidnappings carried out by other groups.<sup>69</sup> They emphasise that it is specific individuals who are profiting, not the organisation, but this nonetheless points to the limits of the Central Mindanao-based MILF leadership's authority over its fighters on Basilan.<sup>70</sup>

Sceptics doubt whether a peace agreement will change anything on the island. Officials involved in the peace process and local politicians disagree. They say that after a settlement, MILF members will have to work with the security forces against the Abu Sayyaf Group and other criminals; this would mean, for example, that such individuals could no longer hide in MILF-controlled areas.<sup>71</sup> But cooperation is based on kinship ties; a peace agreement will not change the fact that the insurgents have relatives who are involved in criminal and terrorist violence and that it is difficult to cooperate with the government against them. The MILF argues that the heart of the problem is that security forces under Manila's control are not respected

by the Bangsamoro and that if policing and judicial powers are transferred to the new sub-state, the police would have greater authority and could arrest these individuals.<sup>72</sup>

#### D. LOOKING AHEAD TO 2013

To succeed, politicians on Basilan need to court the support of voters, religious leaders, non-state armed groups, the military and, for those aspiring to be governor or in Congress, the government in Manila. Wahab Akbar was genuinely popular at the beginning of his political career. But his dealings with the Abu Sayyaf Group and the military were difficult, and missteps with them may have been his undoing. Nor was he an easy partner for Manila; his allegiance to President Arroyo appears to have been tenuous. The profile of the Hataman family is different. They are trying to combine the progressive rhetoric of the left, popular with civil society, with the skills of traditional politicians. Until 2010, the one thing the brothers lacked was access to money.<sup>73</sup> With Mujiv Hataman in control of the ARMM budget and his two brothers receiving their own internal revenue allotment, many believe that problem may be over.

The challenge for the Hatamans, as it was for Wahab Akbar, will be to balance the conflicting interests of their supporters. Mujiv Hataman has already had a falling out with some of his former allies on the left.<sup>74</sup> It will be tricky for him not to tarnish his image as a reformer while securing his family's position in the murky world of Basilan politics. Like many of the island's Muslim politicians, the Hatamans are related to members of non-state armed groups.<sup>75</sup> These ties are par for the course in the southern

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<sup>66</sup> The MILF says 70 of their fighters were involved, BIAF General Staff Report, op. cit. The military claims there were up to 400 attackers, see Affidavit-Complaint, 1st Lt Joy R Boli-guen, signed in Zamboanga City, [date illegible] October 2011. Crisis Group interview, military official, 28 January 2012.

<sup>67</sup> Crisis Group interviews, military official, Manila, 29 January 2012; politician from Basilan, Zamboanga City, 24 March 2012. This tendency to join the fight (known as *pintakasi*) is not necessarily unique to Basilan. A retired senior military official observed the same thing would happen in North Cotabato in Central Mindanao, where MNLF in the area would back up MILF fighters when they clashed with soldiers. Crisis Group interview, Manila, 27 January 2012.

<sup>68</sup> See Crisis Group Report, *Counter-insurgency vs. Counter-terrorism in Mindanao*, op. cit.

<sup>69</sup> Crisis Group interviews, military official, Manila, 29 January 2012; politician from Basilan, Zamboanga City, 24 March 2012.

<sup>70</sup> The MILF in early March announced that Dan Asnawi and two others involved in the 18 October 2011 incident had been suspended for three months.

<sup>71</sup> Crisis Group interviews, senior government official, Manila, 27 January 2011 and politicians from Basilan, Zamboanga City, 24 March 2012. Under the terms of the ceasefire, government and MILF forces need to coordinate before moving into areas controlled by the other. This creates difficulties for military and police trying to act on arrest warrants.

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<sup>72</sup> Crisis Group interview, member of the MILF negotiating team, Cotabato City, 17 January 2012.

<sup>73</sup> In 2009, Mujiv Hataman was among the ten poorest members of Congress according to his statement of assets and liabilities. "Rep Villar still lone billionaire in House", *Philippine Daily Inquirer*, 21 May 2009.

<sup>74</sup> Some members of the leftist Anak Mindanao (AMIN) accused Mujiv of diverting too much of the party's "pork barrel" funds to Basilan. See "Brief background of Anak Mindanao (AMIN) party list debacle", October 2007, at [www.europe-solidaire.org/spip.php?page=article\\_impr&id\\_article=8223](http://www.europe-solidaire.org/spip.php?page=article_impr&id_article=8223).

When the issue was cited by *Philippine Star* columnist Jarius Bondoc in the run-up to the appointment of the caretaker regional governor, Mujiv refuted the allegations in a letter dated 5 November 2011 accessible at <http://docrasul.wordpress.com/2011/11/12/former-cong-mujiv-s-hatamans-reply-to-philippine-star-columnist-jarius-bondoc-2/>.

<sup>75</sup> Specifically to Puruji Indama, one of the most senior ASG figures in the province. Military officials and other politicians say he is a cousin of the Hataman brothers. Crisis Group interviews, member of the ARMM government, Cotabato City, 1 July 2011; military official, Manila, 30 January 2012. Mujiv told journalist Jose Torres Jr that unlike his relatives, he and his

Philippines but they have periodically proven to be a political liability.

The 2013 polls will likely see a further decline in the power of the Akbars. The wild card is Vice Governor Sakkalahul, who has reached his three-term limit. Although he is not perceived to be as ambitious as the Hatamans and does not come from a political family, it seems likely that he will capitalise on his popularity and stand for either governor or congressman. Whether this would be worked out in agreement with the Hataman brothers remains to be seen.<sup>76</sup> Although Mujiv Hataman has said he will not run for any position in the next election, his brothers have no such commitments and can strengthen the family's hold on the island should they so choose. Reiterating the government's rhetoric of reform, Mujiv says he believes "we have to democratise the power, not centralise it in one clan", but admits that it is a long-term goal.<sup>77</sup> It will take more than good intentions to reform a deeply entrenched political system of which the Hatamans themselves have been beneficiaries.

#### **IV. CONSOLIDATING POWER IN SULU**

Sulu's traditional politicians see the MILF as largely irrelevant to the islands and have little reason to support the peace process when its fighters are barely present. As they see it, nothing in the convergence approach is geared towards addressing Sulu's most serious security risk: the collusion of hardline MNLF fighters with the Abu Sayyaf Group. But because the province is the one place in ARMM where the MNLF still really matters and the ruling families need good relations with the remnants of its network, they back the review of the 1996 agreement. It costs them nothing as the review will have minimal impact on either the ARMM or the provincial government's relationship with Manila.

Sulu is more stable now than it was a few years ago, and many believe the reason may be Governor Sakur Tan. He is a forceful, savvy politician whose growing power poses a serious challenge to the MILF's vision of a new Bangsamoro homeland. He opposes the movement's leaders taking charge of an interim administration which would oversee Sulu because he believes they lack governance experience and do not understand his people, the Tausug. He has consolidated his position in Sulu by mending relations with his rivals and proved himself a viable partner for Manila by supporting postponement of the ARMM elections and the appointment of Mujiv Hataman as caretaker regional governor. As a result, his views about the MILF peace process matter. He has used Manila's increased engagement with the traditional politicians of the autonomous region to style himself the leader of the five provincial governors. His assertiveness could put the Aquino government in a difficult position, as it needs to keep Tan on board while trying to meet the demands of the MILF.

##### **A. REALIGNMENT AHEAD OF THE 2010 ELECTION**

Power in Sulu alternates among a number of "elected warlords", as a Mindanao-based commentator describes them, who often shift allegiances.<sup>78</sup> The last few election cycles have featured a handful of colourful personalities:

- Sakur Tan, a successful businessman originally from Maimbung. He was in Congress under President Corazon Aquino (1986-1992) and became provincial governor during the 1990s. He was elected again as governor in 2007 and won a second term in the 2010 polls.

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siblings were sent to study in Manila: "We became the new leaders because we are educated. Our relatives remain warriors". "All in the family", Newsbreak.com, 1 January 2003.

<sup>76</sup> Crisis Group interviews, member of civil society, Zamboanga City, 29 November 2011; politician from Basilan, Zamboanga City, 24 March 2012.

<sup>77</sup> Crisis Group interview, Mujiv Hataman, Zamboanga City, 24 March 2012.

<sup>78</sup> Crisis Group interview, commentator, Davao City, 23 March 2012.



- ❑ Ben and Tupay Loong, brothers and both former provincial governors from Parang. In the 2010 elections, Ben was elected as the vice governor and Tupay as the congressional representative for the province's 1st district.
- ❑ Abdulmunir (Munir) Arbison, a former three-term congressional representative (2001-2010) for the 2nd district from Luuk.
- ❑ Yusoph Jikiri, formerly the MNLF chief of staff before he broke with Misuari in 2001. He served one term as governor (2001-2004) and one term as congressional representative for the 1st district (2007-2010).
- ❑ Nur-Ana Sahidulla, known as "Lady Ann", from Indanan. She was vice governor before becoming the congressional representative for the 2nd district in 2010.

The rivalries between these different politicians and many others, most of whom have armed followers, heat up with each election cycle. Backroom deals are struck not just in the province, but in Manila and with politicians elsewhere in the autonomous region.<sup>79</sup>

Sulu politics in the last three years have centred on a feud between Governor Sakur Tan and his rival Munir Arbison. The 2010 elections saw the incumbent Tan defeat his challenger Arbison, once a political ally.<sup>80</sup> Arbison mounted an impressive slate to oppose Sakur Tan and his allies, including Ben Loong, Yusoph Jikiri and Lady Ann stand-

ing for other positions.<sup>81</sup> These machinations reconfigured political alliances in the province.<sup>82</sup> Tan won a second term as governor but some of his candidates were defeated by the Arbison bloc.<sup>83</sup> This split the province's political elite into two.

The Tan-Arbison rivalry was bitter long before the polls and worsened in the months afterward. Half a year before the elections, Arbison accused Tan of illegally owning two armoured personnel carriers equipped with 50 calibre machine guns.<sup>84</sup> There is no question that Tan commands a large armed following. The paramilitary forces on Sulu are known as the Civilian Emergency Force and can legally carry weapons in support of the police. In practice, they are under Tan's control.<sup>85</sup> He has reason to fear for his security, as on 5 August 2010 he was the target of a bombing, the second failed assassination attempt in as many years. The initial investigation focused on Arbison and two former mayors from Sulu, one of whom was pitted against Sakur Tan's son in the mayoral race in the municipality of Maimbung that year and lost. The charges for the bombing were eventually dropped for insufficient evidence.<sup>86</sup>

The first assassination attempt was also pinned on one of Tan's political rivals. On 13 May 2009, a bomb exploded in Patikul as the governor's convoy passed. That time, the suspect was Temogen "Cocoy" Tulawie, a civil society

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<sup>79</sup> This was apparent during the 2005 ARMM elections in which Sakur Tan did not support Zaldy Ampatuan for governor because his rival, Munir Arbison, was a protégé of Zaldy's clan. Crisis Group interview, civil society activist from Sulu, Manila, 22 March 2012. When Zaldy, who won in 2005, was up for re-election in 2008, however, Sakur did support him. "ARMM gov denies 'anointment' of Rep. Arbison as Sulu's gubernatorial bet in 2010", Balita.ph, 12 November 2009. On the role of the Ampatuans as kingmakers, see "Ambassador discusses elections, massacre and bilateral ties with interior secretary Puno", U.S. embassy Manila cable, 23 December 2009, as published by WikiLeaks.

<sup>80</sup> Tan won by roughly 24,000 votes, out of approximately 137,000 votes cast. "Sulu Governor Tan wins re-election", ZamboToday.com, 17 May 2010. In 2007, Arbison, at that time still standing for a position in Congress, switched his support to Tan late in the campaign. Arbison's shift caused his former ally and then Governor Ben Loong to lose his bid for a second term. During the 2007 election, there was serious fighting between the military and the MNLF as the truce that the two sides had struck to facilitate operations against the ASG collapsed. In the chaos, Albader Parad, one of the group's sub-leaders, kidnapped seven civilians and beheaded them when Governor Loong refused to pay ransom. This may have also affected perceptions of his capacity to manage security problems. See Crisis Group Report, *Counter-insurgency vs. Counter-terrorism in Mindanao*, op. cit., p. 16.

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<sup>81</sup> Ben Loong stood as vice-governor, and Jikiri and Lady Ann as the congressional candidates on Arbison's slate. "Sulu political leaders bolt ruling Lakas party", *Manila Bulletin*, 27 November 2009.

<sup>82</sup> They caused a split within the Loong clan, as Ben Loong's brother Tupay ran for Congress but aligned with Sakur Tan. On the early stages of the split, see "Sulu Lakas manifesto intended to destroy Loong clan? Ex-governor", *ZamboTimes.com*, 15 July 2009. A rift also emerged between Tan and Lady Ann, who had worked with him as vice-governor.

<sup>83</sup> Both brothers Loong were elected, as was Lady Ann. This left Yusoph Jikiri out of a job, along with Munir Arbison.

<sup>84</sup> Tan in turn announced that Arbison had received a shipment of 300 guns from the Ampatuans immediately following the November 2009 massacre. "Sulu politics heats up over armoured vehicles", *Philippine Daily Inquirer*, 7 January 2010.

<sup>85</sup> Throughout the Philippines, there are Civilian Volunteer Organisations (CVOs), which are ostensibly unarmed village defence units but can be legally armed when used as "force multipliers" for the police. For details, see Crisis Group Asia Briefing N°98, *After the Maguindanao Massacre*, 21 December 2009, p. 4; and "Armed Violence in Mindanao: Militia and Private Armies", Institute for Bangsamoro Studies and the Centre for Humanitarian Dialogue, July 2011. On Sulu, the CVOs are known as the CEF and in 2009 consisted of approximately 2,500 people. "Government urged to disarm political warlords", *Philippine Star*, 29 November 2009.

<sup>86</sup> "Prosecutor clears ex-Sulu rep Arbison in Zamboanga City Intl Airport bomb", *ZamboangaToday.ph*, 28 October 2010.

activist and member of another one of the province's powerful clans. The two have an antagonistic relationship, even though they are related and several of Tulawie's relatives work with Tan.<sup>87</sup> Tulawie has long defended individuals accused of being in the Abu Sayyaf Group as he reportedly has good access to and information about its members.<sup>88</sup> He went into hiding in October 2009 when an arrest warrant for the bombing was issued for him. After more than two years on the run, Tulawie was arrested in January 2012. He has always maintained that the case against him is politically motivated, a charge Governor Tan denies.<sup>89</sup>

## B. THE MNLF AND ASG FACTOR

Jolo, the largest island in Sulu province, is also home to heavily armed MNLF fighters who were never disarmed, demobilised or reintegrated after the 1996 peace agreement. Many of them remain loyal to the founder Nur Misuari. It is the only part of the autonomous region where the MNLF remains relevant because almost all the political elite in the province have ties to the movement.<sup>90</sup> These politicians tend to support Manila's efforts to placate Nur Misuari, even though they recognise he does not really control the hardline fighters on the ground.

Governor Tan has connections to the MNLF through his mother's side of the family.<sup>91</sup> Although Misuari has run against Tan in the elections and the MNLF network on Jolo does not back Tan at the ballot box, the two men are on good terms.<sup>92</sup> The governor has been reaching out to some of the fighters by including them in projects funded through the PAMANA program.<sup>93</sup> He has been adept at managing relations with the military, and some observers believe that he has managed security issues reasonably well.<sup>94</sup>

Yet the situation is precarious. In 2005, the MILF cooperated with the government to expel the ASG and foreign jihadis from Central Mindanao, in what remains one of the most significant achievements of the peace process.<sup>95</sup> This was bad news for Jolo, where the senior ASG leaders and several foreign terrorists fled and have been ever since. It has been a constant challenge to keep these extremists and the island's MNLF forces apart, exacerbated by that fact coordination between the MNLF and the military against the ASG is fitful at best and prone to break down.<sup>96</sup>

Two recent developments are worrying. First, a rift has developed between two MNLF commanders, Khaid Ajibon, MNLF state chair for military affairs, and Tahil Sali, his lieutenant. The falling out could push Tahil closer to the Abu Sayyaf Group – led on Jolo by his uncle, Radullan Sahiron.<sup>97</sup> Military and government officials know this is

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<sup>87</sup> His uncle Tambrin was with Tan at the time of the May 2009 bombing. The Tulawies used to be much more powerful than they are now although they continue to control Talipao, in Sulu province. Crisis Group interview Zamboanga City-based journalist, Zamboanga City, 25 January 2012. Tulawie's name also came up in the Zamboanga airport bombing but he was not included in the case.

<sup>88</sup> "The case of Temogen Tulawie", profile on Mindanao Peoples Causus website, www.mpc.org.ph, 25 November 2010. At the time of the bombing, Sulu was under a state of emergency as the security forces worked to secure the release of staff from the International Committee of the Red Cross who were being held by Albader Parad, a sub-leader of the ASG. Although Tulawie had been helping Tan and the military negotiate with the kidnappers, he opposed the state of emergency because it permitted warrantless arrests. Crisis Group interview, Davao City, 28 March 2012.

<sup>89</sup> It is widely rumoured, but impossible to substantiate, that the timing of Cocoy's arrest is connected to the consolidation of Tan's power in Sulu. Crisis Group interview, Zamboanga City-based journalist, Zamboanga City, 25 January 2012.

<sup>90</sup> Nur Misuari has run several times for governor and lost. The province's other card-carrying MNLF leader-cum-politician is Yusoph Jikiri, who became provincial governor but he generally does not contest the elections under the MNLF banner. Some of the other politicians, such as the Loongs, were part of the movement in the early days of the rebellion but switched to the government's side during President Ferdinand Marcos' time.

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<sup>91</sup> His father's family sided with the government. Crisis Group interview, Sakur Tan, Manila, 26 January 2012. There are also connections through Tan's wife, who is a cousin of Nur Misuari's wife and has a brother who was once on the MNLF central committee. Crisis Group interview, former senior MNLF member from Sulu, Manila, 29 March 2012.

<sup>92</sup> Crisis Group interview, Zamboanga City-based journalist, Zamboanga City, 25 January 2012.

<sup>93</sup> Crisis Group interview, Sakur Tan, Manila, 26 January 2012; OPAPP official, Manila, 22 March 2012.

<sup>94</sup> Crisis Group interviews, NGO worker active in Sulu, Manila, 29 March 2012; former senior MNLF member from Sulu, Manila, 29 March 2012.

<sup>95</sup> Their expulsion was an early success for AHJAG, which was the mechanism used to secure MILF cooperation. See Crisis Group Reports, *Counter-insurgency vs. Counter-terrorism in Mindanao*, *The Role of Militant Islamic Converts*, and *Terrorism and the Peace Process*, all op. cit.

<sup>96</sup> There is no equivalent of AHJAG with the MNLF. Also, any time military attention shifts to senior MNLF commanders, cooperation with the military suffers, as for example when an arrest warrant was issued for Ustadz Habier Malik, one of the MNLF's most respected fighters on Jolo. For an extensive discussion of operations between 2006 and 2008, see Crisis Group Report, *Counter-insurgency vs. Counter-terrorism in Mindanao*, op. cit.

<sup>97</sup> The split in October 2011 took place when some of the men under Tahil were killed in a clan conflict and suspicion fell on those loyal to Khaid. Both abandoned Camp Marang in Indanan,

dangerous and say they want a mechanism to cooperate with the MNLF to drive a wedge between them and the Abu Sayyaf Group.<sup>98</sup>

Second, an airstrike on Jolo that targeted but missed foreign jihadis may have shifted the alignment of forces on the island. On the morning of 2 February 2012, the Philippine military bombed a remote area of Parang municipality killing at least fourteen individuals, including Gumbahali Umbra Jumdail alias Abu Pula alias Dr Abu, a senior member of the Abu Sayyaf Group.<sup>99</sup>

The military also claimed that a Malaysian national, Zul-kifli Bin Hir alias Marwan, and a Singaporean, Abdullah Ali alias Muawiyah alias Manobo, had been killed. Both men have been in the Philippines for years, most recently with Dr Abu on Jolo. Marwan in particular is known to have had extensive contact with radical MILF members in Central Mindanao and with members of Jemaah Islamiyah, the group responsible for the 2002 Bali bombing.<sup>100</sup> The Philippines has a history of announcing the deaths of high-profile targets prematurely, and this time was no exception. Malaysian counter-terrorism officials say it has not been possible to confirm Marwan's death but believe he was injured.<sup>101</sup>

Dr Abu's death means that the foreigners he was hosting will need to find sanctuary elsewhere. Media reports suggest that Sahiron, as the other senior Abu Sayyaf Group leader on Jolo, did not want them in his area, which raises questions as to where they have gone.<sup>102</sup> In late March,

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Jolo, the MNLF's major base of operations, to prevent the situation from getting worse: Khaid stayed in Indanan, but Tahil went back to Patikul where both men are from. This has pushed Tahil back into the same areas as his uncle and he is increasingly isolated from the other MNLF on Jolo. Tahil commands particular respect because he is also the son of the legendary MNLF commander Usman Sali. General Teodulfo Bautista, the father of the current army chief Emmanuel Bautista, was killed by Usman Sali and his followers after he agreed to negotiate with them in October 1977. Crisis Group interviews, military official posted on Jolo, Zamboanga City, 24 March 2012; individual working with NGOs on Jolo, Manila, 29 March 2012.

<sup>98</sup> Crisis Group interviews, military official posted on Jolo, Zamboanga City, 24 March 2012; and senior government official, Manila, 27 January 2012.

<sup>99</sup> Crisis Group email correspondence, contact with access to police intelligence report on the airstrike, 3 February 2012.

<sup>100</sup> See Crisis Group Reports, *Counter-insurgency vs. Counter-terrorism in Mindanao, The Role of Militant Islamic Converts, and Terrorism and the Peace Process*, all op. cit.

<sup>101</sup> Crisis Group email correspondence, Malaysian counter-terrorism official, 12 March 2012.

<sup>102</sup> "How 2 JI terrorists survived bomb attack", Rappler.com, 20 March 2012.

there were rumours that Marwan was in Lanao.<sup>103</sup> If he is back in Central Mindanao with the knowledge of the MILF, it could jeopardise the peace process. But it is highly unlikely that anyone in the MILF leadership would knowingly undermine negotiations in this way, and no one should question the MILF's proclaimed rejection of terrorism without unassailable evidence to the contrary.

Governor Sakur Tan is supportive of the Philippine military's efforts to weaken the Abu Sayyaf Group and has no issue with the roughly 500 U.S. troops who provide training, logistical and intelligence support as part of Operation Enduring Freedom – Philippines.<sup>104</sup> Likewise, he backs Manila's efforts to work with the MNLF through the tripartite review because he seems to think it might work in his favour.<sup>105</sup> But there is a disconnect, which seems poised to grow, between the more radical MNLF fighters on the ground and efforts to broker peace at higher levels. Several government officials say they are worried about the former because they have lots of weapons and little interest in politics.<sup>106</sup> Some of the energy that is being poured into governance reform and the MILF peace process should also be devoted to thinking about how to ensure hardline MNLF fighters have an incentive to disengage.

### C. GOVERNOR TAN AND THE CONVERGENCE STRATEGY

Governor Tan believes he understands Sulu's problems better than anyone else and is sceptical of grand ideas from Manila like the convergence strategy. But he is an adept politician and was quick to see that he should support the administration's plans to defer the ARMM elections. Postponement of the elections required passage of a new law; the Aquino government needed votes in Congress and support from the region. By March 2011, only one month after the bill had been tabled, Tan had rallied governors Sadikul Sahali of Tawi-Tawi and Jum Akbar of Basilan to the cause, building on the good relations he has with both.<sup>107</sup> He then worked to bring the governors of Magu-

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<sup>103</sup> Crisis Group interviews, government and military officials, Davao City and Cotabato City, 23 and 26 March 2012.

<sup>104</sup> Crisis Group interview, Sakur Tan, Manila, 26 January 2012. For one recent assessment of the U.S. presence, see Lt Col Brian Petit, "OEF-Philippines: Thinking COIN, Practicing FID", *Special Warfare*, January-February 2010, pp. 10-15.

<sup>105</sup> Crisis Group interview, individual close to Nur Misuari, 29 March 2012.

<sup>106</sup> Crisis Group interviews, senior government official, Manila, 27 January 2012; politician from the islands, Zamboanga City, 24 March 2012; former ARMM official, Cotabato City, 26 March 2012.

<sup>107</sup> At a consultation between national government officials and politicians and civil society from the islands in March 2011, Tan declared that seventeen out of nineteen mayors in Sulu

indanao and Lanao del Sur on board.<sup>108</sup> Other politicians in Sulu also seized on the appointment of the caretaker ARMM government to cosy up to Manila.<sup>109</sup>

Sakur Tan has charted a curious course through the ARMM reform process. He has long been a sceptic of the autonomous region. Despite putting his weight behind reform, he continues to say that Sulu should leave the autonomous region because it is so ineffective.<sup>110</sup> His criticism of the 2008 agreement on ancestral domain between the MILF and the national government, which envisioned plebiscites to be held to expand the autonomous region, is biting: why would anyone vote yes?<sup>111</sup> The simple explanation to Tan's stance is that he has done whatever was politically expedient. Manila knew this and opted to channel money allocated to ARMM through the governors

precisely to soften them up.<sup>112</sup> It has clearly been effective with Tan who in December declared, "we have never received such huge support from the national government ... and this is like a dream".<sup>113</sup> Even so, giving money directly to the governors proves Tan's point – the way to fix things is through him, not through the ineffective ARMM bureaucracy in Cotabato City.

Tan's improved relations with the Aquino government and growing regional influence are not good for the MILF peace process. He opposes MILF members leading an interim regional government following a peace agreement and the other governors have been echoing these sentiments, albeit less strongly. At a conference in Penang, Malaysia, in January 2012, Governor Tan, in front of a veritable who's who of Muslim Mindanao, was sharply critical of the MILF's capacity to govern.<sup>114</sup> In his eyes, it would be unwise to "venture into the unknown and let [the MILF] experiment on our people".<sup>115</sup>

But the MILF claims that officials like Tan rose to power through a fraudulent and violent electoral system and thus do not represent their constituents. As a member involved in the peace process said, "people are slaves, that is how politics are done in Sulu".<sup>116</sup> A civil society activist from Jolo points out that there are supporters of the MILF peace process scattered across the province.<sup>117</sup> It is true that Tan's position may not be representative, but because he is forceful, outspoken and the elected leader of one of the traditionally more important provinces within the region, his views cannot be disregarded.

#### **D. SCENARIOS FOR 2013**

Sakur Tan appears to have a lock on the race for provincial governor in 2013 if he runs for a third consecutive term. The bad blood between him and Munir Arbison has dissipated. The two men's wives, who are cousins, helped patch things up;<sup>118</sup> Mujiv Hataman may have also played

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supported postponement. "PNoy sincerity for reforms yields massive support for ARMM poll postponement – Gov Tan", press release, Government of Sulu website ([www.sulu.gov.ph](http://www.sulu.gov.ph)), 14 March 2011. Sahali, like Sakur, is Tausug. As for Jum Akbar, she is a much easier person for Sakur to deal with than her late husband Wahab Akbar. Crisis Group interview, civil society activist and academic from Sulu, Manila, 22 March 2012.

<sup>108</sup> Toto Mangudadatu of Maguindanao and Mamintal "Bombit" Adiong of Lanao del Sur. Mangudadatu was keen to play more of a regional role but has been distracted, in part by the ongoing Maguindanao massacre trial. Crisis Group interview, senior government official, Manila, 27 January 2012. One of Toto Mangudadatu's wives is related to Sakur Tan. Crisis Group interview, civil society activist and academic from Sulu, Manila, 22 March 2012.

<sup>109</sup> The slate of politicians who had run against Governor Tan in the 2010 elections announced in May 2011 that their preferred candidate for caretaker ARMM governor was Mujiv Hataman. See "Sulu leaders endorse Hataman's candidacy", *Zamboanga-Times.ph*, 27 May 2011. Tan did not endorse Hataman at this stage, and some observers speculated that he was angling to get his brother Nabil Tan, who is a longstanding civil servant and currently the undersecretary in the office of the executive secretary, appointed as the region's caretaker governor. Crisis Group interview, Cotabato City, 1 July 2011. Sakur Tan was not the likeliest champion of Mujiv Hataman. For one, Mujiv has ties with the governor's alleged would-be assassin Cocoy Tulawie through the left; for another, Tan's rival, Munir Arbison, has a son who is involved in Anak Mindanao, the party list group Mujiv represented in Congress. A quid pro quo was likely involved: in exchange for acquiescing to the Aquino government's pick for regional governor, Tan's preferred candidates would be appointed to the regional legislative assembly. Crisis Group interviews, Zamboanga City-based journalist, Zamboanga City, 25 January 2012; former ARMM official, Cotabato City, 25 March 2012; and senior government officials, Manila, 27 January and 29 March 2012.

<sup>110</sup> Crisis Group interview, politician from the islands, Zamboanga City, 24 March 2012.

<sup>111</sup> Crisis Group interview, Sakur Tan, Manila, 26 January 2012.

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<sup>112</sup> Crisis Group interview, senior government official, Manila, 27 January 2012.

<sup>113</sup> "Aquino's peace and development projects in Sulu praised", *ZamboangaToday.ph*, 22 December 2011.

<sup>114</sup> Crisis Group interviews, various participants at the conference, January 2012.

<sup>115</sup> Crisis Group interview, Sakur Tan, January 2012.

<sup>116</sup> Crisis Group interview, individual close to the MILF, Cotabato City, 18 January 2012.

<sup>117</sup> Crisis Group interview, civil society activist from Sulu, Manila, 22 March 2012.

<sup>118</sup> Crisis Group interviews, Zamboanga City-based journalist, Zamboanga City, 25 January 2012; civil society activist from Sulu, Manila, 26 January 2012.

a role.<sup>119</sup> An observer of Sulu politics commented of these latest developments and the governor's overtures towards the MNLF that they seem motivated by Tan's desire to eliminate the need for any opposition, following a model of "benevolent dictatorship".<sup>120</sup>

Tan may have bigger political aspirations, however. His outspokenness on issues related to the peace process was partly to protect his interests in Sulu, but it has also raised his profile in the region. This could help him if he or a relative plans to stand for regional governor in 2013 – notwithstanding the offer he made in March 2012 to support Nur Misuari. Several other factors have historically determined who wins the contest. Despite progressive rhetoric and the electoral process, it is clear that the Aquino government, like its predecessors, believes that it can decide who becomes ARMM governor. And at this stage, the administration has yet to "anoint" a candidate for 2013.<sup>121</sup>

Sakur Tan very much cuts the figure of a traditional politician, unlike Mujiv Hataman whom the Aquino administration finds a more comfortable partner. The fact that he did not back the president in the last election is one issue, another is his lack of reformist credentials. The dilemma for the administration and the Liberal Party is that they are weak in the autonomous region. Support from Muslim powerbrokers like Tan is important both for the convergence strategy and the party's electoral prospects, but the president's advisers are not willing to secure it at any cost. A senior government official described the approach: "We will deal with you because you are the leader, but there are [limits]".<sup>122</sup> So far Manila appears unwilling to address the most obvious potential source of abuse: Sakur Tan's private army. The president's advisers are also watching closely how the court handles Cocoy Tulawie's case.<sup>123</sup>

In the past, the provincial governors within ARMM have all joined the ruling party, switching sides following the election of a new president. With the mid-term elections only a year away, the Liberal Party has yet to induct any of them as members. An adviser explains that the president has misgivings: "If they misbehave, we welcome their

support, but they cannot join the party".<sup>124</sup> In response, the five provincial governors have agreed they will only join the Liberal Party if they are admitted as a bloc.<sup>125</sup> This pact could easily unravel. The governors from Central Mindanao know that they have more votes than the islands, and therefore their support matters more. They have let Sakur Tan speak out on their behalf, but they maintain their own channels to the presidential palace. As for the islands, it seems unlikely the Akbars of Basilan would be admitted to the Liberal Party given that the Hatamans are clearly the preferred family. The rift between the families is still too deep for them to put up a joint slate under the Liberal Party banner.

It is hard to predict what will happen in 2013 at the regional level because everyone, from the village heads, known as *barangay* captains, to politicians in Manila, is watching and waiting on the MILF peace process. Only these negotiations have the potential to change dramatically the balance of power in the autonomous region.

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<sup>119</sup> Crisis Group interview, politician from Basilan, Zamboanga City, 24 March 2012. By late March, Sakur Tan and Lady Ann Sahidulla had also come to terms. Crisis Group interview, civil society activist from Sulu, Manila, 22 March 2012.

<sup>120</sup> Crisis Group interview, NGO worker active in Sulu, Manila, 29 March 2012.

<sup>121</sup> Crisis Group interview, presidential adviser, Manila, 29 March 2012.

<sup>122</sup> Crisis Group interview, senior government official, Manila, 27 January 2012.

<sup>123</sup> Ibid. The case is being tried in Davao City rather than Sulu, as requested by Tulawie's lawyers.

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<sup>124</sup> Crisis Group interview, Liberal Party adviser, Manila, 29 March 2012.

<sup>125</sup> Ibid.

## V. CONCLUSION

The Sulu and Basilan cases show the complexity of local politics and the elusiveness of Bangsamoro unity. Two questions arise: is there any way the government can address the unhappiness of the Basilan, Sulu and Tawi-Tawi's governors with a possible MILF peace agreement, and if not what are the consequences?

The resistance of the archipelago's governors is a problem neither the MILF nor the government wants to deal with. The rebel movement insists that the clan-based politicians are Manila's problem, and that if the national government was serious about undercutting their power, it would disband the paramilitary forces that make up their private armies. The MILF is not so naïve as to believe this will actually happen and knows very well that a peace agreement is untenable without support from the islands. Its leaders are reaching out quietly to the traditional politicians who could be allies, and that includes the appointed ARMM governor Mujiv Hataman. Because he is from Basilan, he could be a potential partner if the MILF needed an emissary to the islands.

The Aquino government was surprised when the governors of Basilan, Sulu and Tawi-Tawi formed a united front to express their concerns about an agreement with the MILF. Advisers to the peace process say they hope the islands' opposition can be overcome by MILF guarantees to include at least some of the clan-based politicians in its proposed interim administration. It would be worse if Manila watered down the terms it is offering the MILF to try and placate the archipelago's governors. The parties to the peace process have agreed that territorial expansion would proceed via plebiscites in areas outside ARMM to allow them to opt in to the new sub-state. Governor Tan however says that he would like to have a referendum so his constituents could "opt out".<sup>126</sup> The MILF is unlikely to support this as it claims to be negotiating on behalf of all the Bangsamoro.

In the short term, the provincial governors in the islands need do nothing as the MILF and the government are still a long way from an agreement. Their scepticism will just add to the many reasons why Manila is nervous about signing a deal that is likely to be opposed by many stakeholders, both within and outside ARMM. This means a continuation of the status quo: no peace agreement, but no higher levels of violence than exist at present.

If a deal is reached, and the islands' leaders are united in opposition to its terms and cannot opt out, both the MILF and the national government would be in a very difficult

position. The MILF has no capacity to enforce the terms of a settlement in areas where it is hardly present. Jolo island in Sulu province would pose the biggest problem, because the clan-based politicians as well as the MNLF forces loyal to Nur Misuari would be unhappy and, between the two of them, have plenty of ways to cause problems. The scenario on Basilan where there is a small MILF contingent is harder to predict. The Aquino government has the support of the Hataman clan, but the rival Akbar family is already feeling disadvantaged by the convergence formula. The clans in the province often tap the armed actors, especially the Abu Sayyaf Group and criminals, as assassins of their political rivals. How these relationships would shift in response to a peace agreement is unclear, but the potential for violence is there.

Proponents of the peace process downplay opposition from the archipelago's governors, saying that Manila can pressure or co-opt them into supporting an agreement. Maybe, and in any case, a peace pact still seems a long way off. But the explosive mix of armed groups and clan-based politics of the Sulu archipelago make opposition to a deal with the MILF cause for concern.

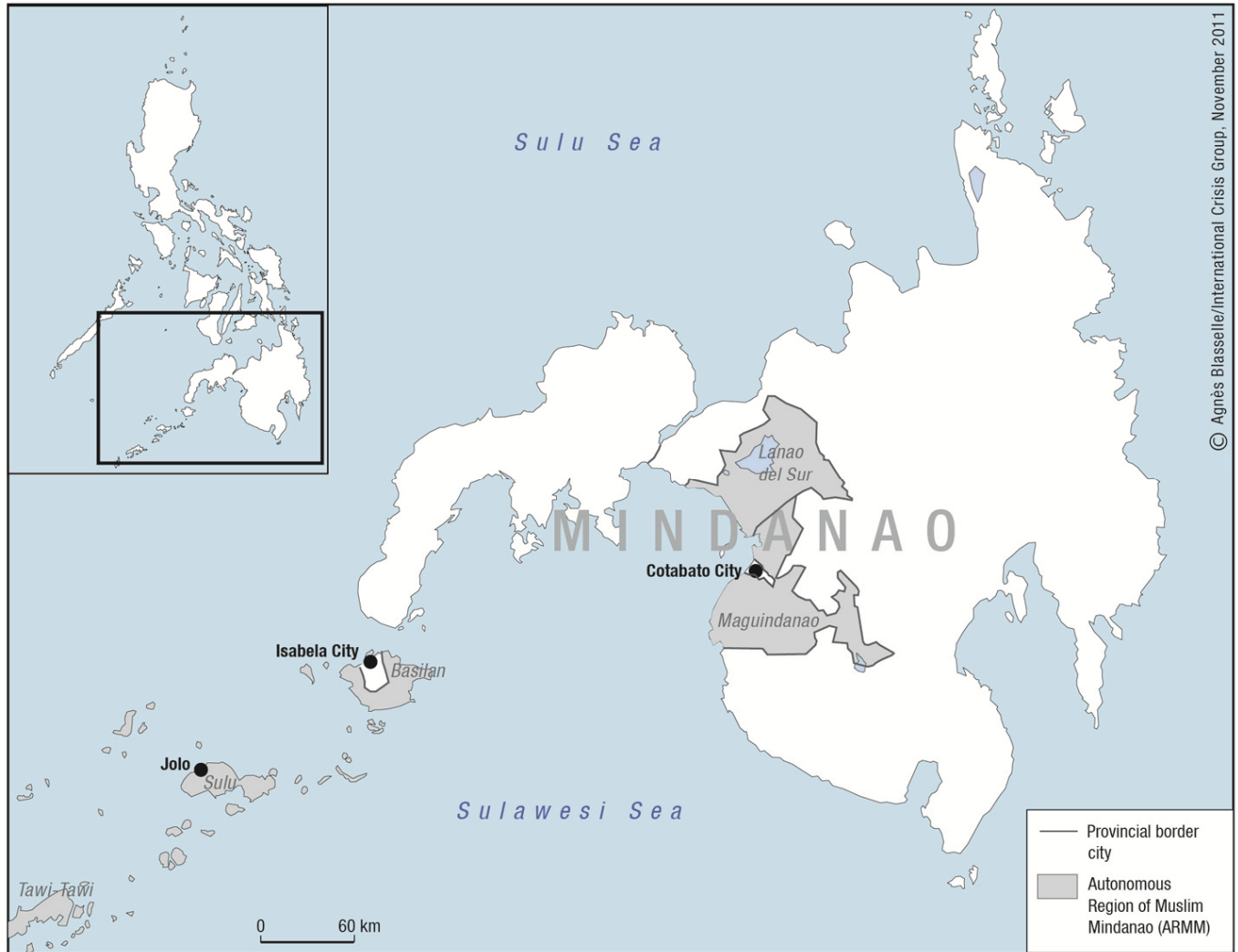
**Jakarta/Brussels, 15 May 2012**

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<sup>126</sup> Crisis Group interview, Sakur Tan, Manila, 26 January 2012.

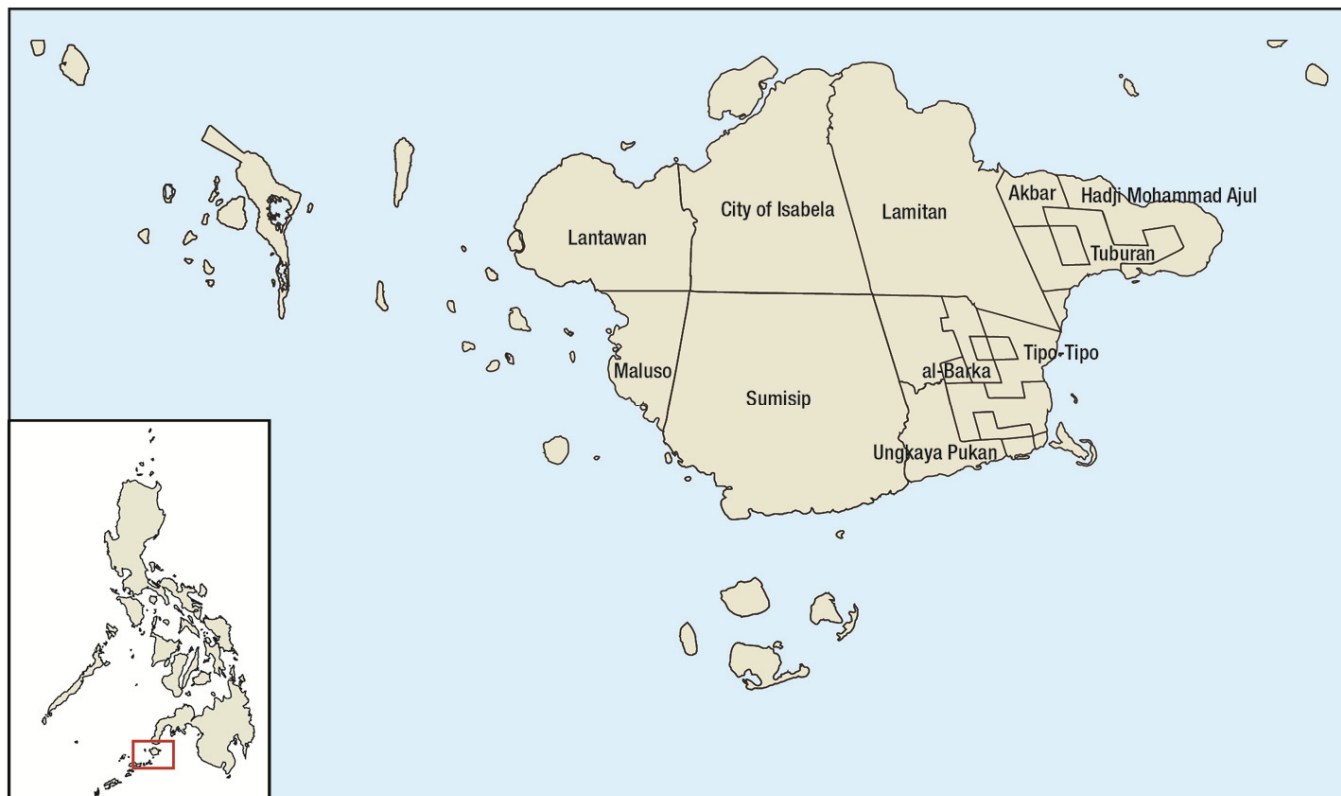
## APPENDIX A

### MAP OF THE SOUTHERN PHILIPPINES



## APPENDIX B

### MAP OF BASILAN

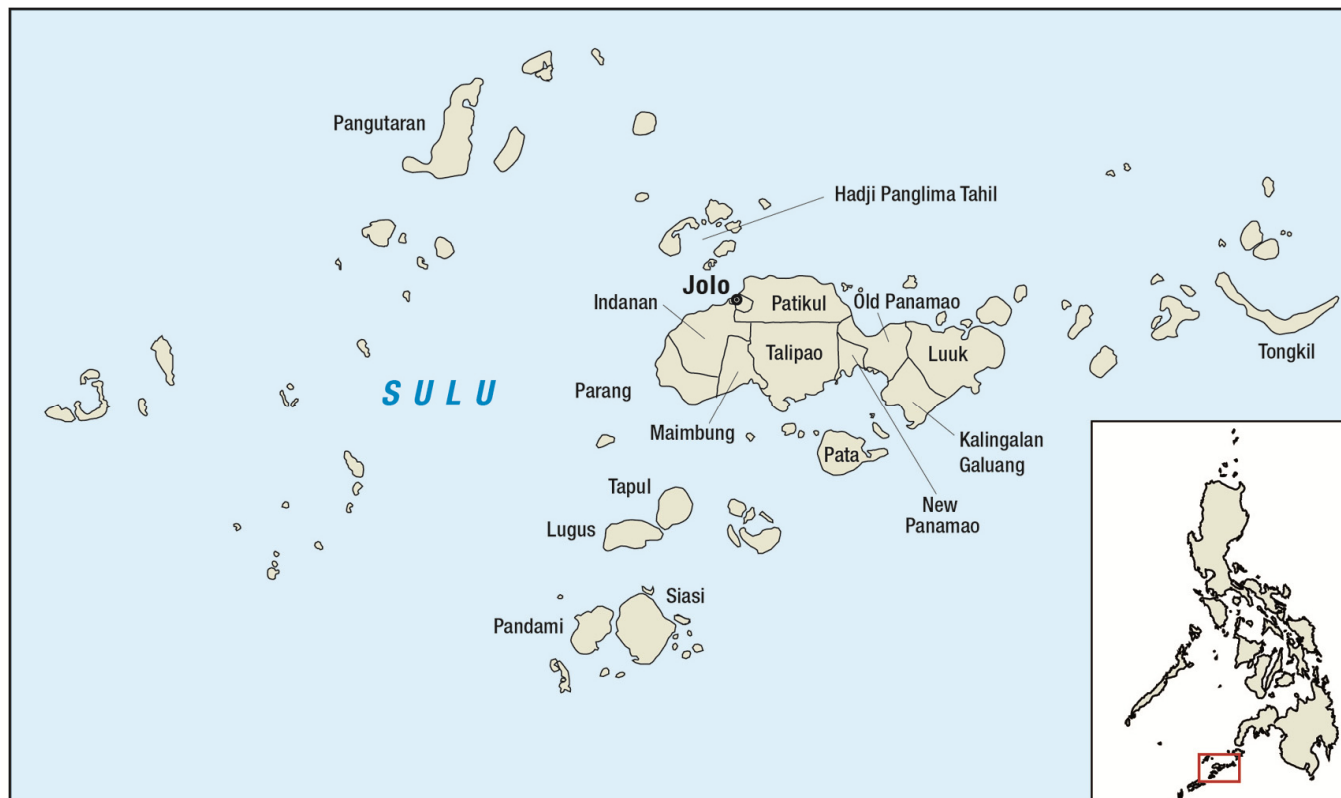


*Boundaries between municipalities are approximate.*



## APPENDIX C

### MAP OF SULU



*Boundaries between municipalities are approximate.*

## APPENDIX D

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