

# The Philippines: Dismantling Rebel Groups

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## Table of Contents

Executive Summary.....	i
Recommendations.....	iii
I. Introduction .....	1
II. Rethinking Assistance to Former Rebels .....	4
A. The Cautionary Tale of the MNLF .....	4
B. The Dubious Legacy of Buybacks .....	5
III. The Cordillera: Trial and Error .....	8
A. The History of the Conflict .....	8
B. The July 2011 Closure Agreement .....	11
1. The many faces of the CPLA.....	11
2. Terms.....	13
C. Implementation .....	14
1. Livelihood options.....	15
2. Infrastructure projects .....	17
3. Firearms and community security .....	18
D. Lessons.....	19
IV. Negros: Bandits as Beneficiaries .....	21
A. The Evolution of the RPA-ABB.....	21
B. Negotiating the Closure Agreement .....	24
1. Resettlement sites and “in situ” assistance.....	25
2. Firearms and community security .....	26
C. Lessons.....	27
V. Conclusion .....	28
APPENDICES	
A. Map of the Philippines .....	29
B. Glossary .....	30
C. About the International Crisis Group .....	31
D. Crisis Group Reports and Briefings on Asia since 2010 .....	32
E. Crisis Group Board of Trustees .....	35

## *Executive Summary*

The future of thousands of fighters is at stake following an historic deal with the Moro Islamic Liberation Front (MILF). The government, MILF leaders and donors worry that rebel soldiers could slip back into violence. Successful implementation of a pact that addresses the political grievances of the Muslim minority in the south may be enough for some, but others could take up guns again under the banner of another group, or because of criminal interests, land disputes or warlord politics. Often, post-conflict specialists prescribe disarmament, demobilisation and reintegration (DDR) – a process that secures weapons, returns ex-combatants to communities, and helps them find jobs – to promote reconciliation and build peace. In the Philippines, however, DDR is strongly associated with counter-insurgency. The October 2012 agreement with the MILF does not mention it. Elsewhere, the government is dabbling in DDR-esque socio-economic assistance to two smaller rebel groups with pre-existing peace agreements. Manila needs to think hard about whether DDR as practised internationally can be carried out.

The 1986 pact with the Cordillera People's Liberation Army (CPLA) and a deal signed in 2000 with the Revolutionary Proletarian Army – Alex Boncayo Brigade (RPA-ABB) are among the Philippines' many peace agreements that never lived up to their promise. Both times, the government tried to rehabilitate the rebels but in ways that did little to improve security. The military was given a free hand to repurpose the CPLA as paramilitaries, and the government looked the other way while the RPA-ABB freelanced as vigilante-style police and guns for hire. Programs that could have provided alternative sources of livelihood, such as agricultural cooperatives, either failed or never materialised. Both groups remained armed as their peace processes shuddered to a halt. Manila was lucky that despite their dissatisfaction, neither the CPLA nor the RPA-ABB had any interest in attacking the state; their priority was extracting benefits from the government to satisfy disgruntled members.

President Benigno Aquino III, who took office in 2010, breathed life into the MILF negotiations, without forgetting about other rebel groups. He was willing to spend time and money on the CPLA and RPA-ABB for two reasons. First, the Philippine government lacks credibility when talking peace, because Manila has repeatedly backpedalled on or did not implement core provisions in agreements with the MILF's predecessor, the Moro National Liberation Front (MNLF), as well as with the CPLA and RPA-ABB. President Aquino believed that one way he could prove his sincerity in the MILF process – the central pillar of his peace agenda – was to keep promises his predecessors had made to others. Secondly, the peace process office, which manages negotiations with non-state armed groups, wanted to incorporate DDR lessons from abroad as it wrapped up the loose ends of the CPLA and RPA-ABB agreements. A "closure agreement" was signed with the former in July 2011; negotiations with the latter are underway.

The Aquino government's closure processes with these two groups have been haunted by the mistakes of years past. The peace process office had no mandate to revisit the political terms of the old pacts. It tried to find new ways of delivering and monitoring socio-economic assistance, such as gathering data on beneficiaries. These improvements are real, yet implementation has been painstakingly slow. Meanwhile,

set ways of thinking about rebel weapons persist. For years, the military ran ineffective, stand-alone weapons buybacks for counter-insurgency purposes. Under Aquino, the civilian-led peace process office has more control, but struggles to escape this tainted legacy. It has moved away from a cash-for-guns model and towards livelihood support for ex-combatants. Government officials dealing with CPLA and RPA-ABB matters, and even some military officers, describe these changes in the language of DDR.

DDR is meant to focus on ex-combatants to create an environment conducive to building institutions to enforce the rule of law, protect human rights and foster development. Both the CPLA and the RPA-ABB cause problems, but it is hard to justify assistance to either group as a prerequisite to, for example, strengthening the judiciary and reforming the police. The Aquino government is interested in international best practices from DDR on some technical matters, but it has no strategy that connects assistance to former rebels to making communities more peaceful and secure in the long run. It did not integrate into the two closure processes the lax enforcement of gun laws and the public's lack of confidence in the military and police. The peace process office spent hours discussing CPLA and RPA-ABB weapons, while illegal firearms remain widely available, and private armies of local politicians operate with impunity. In the southern Philippines, the same problems exist, but in a much more explosive environment.

The MILF, because of its numbers and might, as well as the level of violence and international support to the peace process, is a case apart. Its fighters have good reasons to hold onto their guns until the government has a plan, including a timeframe, for scaling down the presence of the military and other state-aligned forces in Mindanao. The best way forward for the MILF and Manila may be to develop a shared vision for improving security. The government's attempt to draw inspiration from DDR for the two closure processes has so far led to middling results at best. Replicating this approach in Mindanao is unlikely to advance the peace process in a meaningful way.

## *Recommendations*

*To further the objectives of President Aquino's peace agenda*

### **To the government of the Philippines:**

1. Minimise the risks of former rebels working as hired guns for politicians by revoking executive order 546 (which permits the arming of civilian militias by local officials as "force multipliers" for the police) and develop a timeframe for dismantling the Civilian Armed Force Geographical Units (CAFGU).
2. Develop a policy on the disposition of CPLA and RPA-ABB guns that clarifies whether they will be destroyed.

### **To donors and external partners:**

3. Press the Philippine government to develop a timeframe for dismantling the CAFGU.
4. Assist the Philippine government in creating an environment conducive to the demilitarisation of the MILF, by offering support for:
  - a) training a new Bangsamoro police force;
  - b) reducing the availability of weapons in Mindanao; and
  - c) strengthening judicial systems.

*To remedy problems in the CPLA and RPA-ABB closure agreements*

### **To the Office of the Presidential Adviser on the Peace Process (OPAPP):**

5. Disclose the criteria used for verifying CPLA members and permit others who meet these same criteria but were not included on the list compiled in November 2011 to participate in programs offered under the closure agreement.
6. Limit strictly the arming of RPA-ABB members under the reservist law to as short a period as possible and state explicitly how long these "defense units" will be permitted to exist.
7. Clarify in writing the interim security arrangements for both CPLA and RPA-ABB members, and jointly review them on a regular basis until both closure agreements are fully implemented.

**Jakarta/Brussels, 19 June 2013**

# The Philippines: Dismantling Rebel Groups

## I. Introduction

The Philippine government has taken great strides towards peace on the impoverished, strife-ridden island of Mindanao, but needs to find ways to support insurgents as they build normal, civilian lives. In October 2012, President Benigno Aquino III signed a landmark pact with the Moro Islamic Liberation Front (MILF), the standard-bearer of Muslim grievances since the mid-1990s. To end decades of intermittent fighting, Manila has agreed to create a new, stronger autonomous region by 2016.<sup>1</sup> But this is not the first time that Mindanao has been on the cusp of peace. The MILF's precursor, the Moro National Liberation Front (MNLF), signed a pact for similar promises in 1996. The government failed to follow through on crucial elements, fighters remained armed, and talks reopened. This time around, the new deal, known as the framework agreement, commits the MILF to decommissioning its forces. If this happens – and the political provisions of the peace pact are implemented in full – Mindanao may have a better chance of escaping its cycle of conflict.

Around the world, programs that involve ex-combatants relinquishing or registering their weapons, while they receive livelihood and other assistance in return, have become de rigueur since the 1990s. Disarmament, demobilisation and reintegration (DDR) normally follow a formal political settlement and promote sustainable peace by providing direct support to former rebels and returning them to communities.<sup>2</sup> The focus is on the members of non-state armed groups, while the fate of government and state-aligned forces such as militias normally falls under “security sector reform”.<sup>3</sup> Together, these steps should support community-based development, weapons management and long-term institution building to consolidate peace. In practice, support to ex-combatants is politically sensitive and technically complex; the results of programs elsewhere have been mixed.<sup>4</sup> And DDR does not succeed in

<sup>1</sup> For background see Crisis Group Asia Reports N°240, *The Philippines: Breakthrough in Mindanao*, 5 December 2012; N°225, *The Philippines: Local Politics in the Sulu Archipelago and the MILF Peace Process*, 15 May 2012; N°213, *The Philippines: Indigenous Rights and the MILF Peace Process*, 22 November 2011; Crisis Group 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°103, *The Philippines: Pre-election Tensions in Central Mindanao*, 4 May 2010; N°88, *The Philippines: Running in Place in Mindanao*, 16 February 2009; N°83, *The Philippines: The Collapse of Peace in Mindanao*, 23 October 2008; Crisis Group Asia Reports 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> See the UN's Integrated DDR Standards, published in 2006, for more information.

<sup>3</sup> Ibid, module 2.20, for a discussion of DDR-SSR linkages.

<sup>4</sup> Despite the enthusiasm of policymakers for DDR programs, academic researchers are more circumspect about their impact on individual ex-combatants. See Macartan Humphreys and Jeremy M. Weinstein, “Demobilization and Reintegration”, *Journal of Conflict Resolution*, vol. 51, no. 4 (August 2007), pp. 531-567.

isolation; it is most likely to work if implemented in the context of a successful peace process.

The MILF and the government are still negotiating a supplementary annex to the framework agreement that is to contain more details on the future of the organisation's 11,000 to 12,000 fighters and the creation of a new regional police. The parties also need to discuss the role of the military and government-aligned actors such as paramilitaries and private armies. The framework agreement states that, in the interim, the MILF and state security forces will work together to maintain peace and order.<sup>5</sup> While these arrangements are worked out, some initial forays into socio-economic support to MILF areas have begun. In February 2013, "Sajahatra Bangsamoro", comprising basic health services, scholarships and cash for work projects, was announced.<sup>6</sup> Both sides avoid talking about the future of fighters in terms of DDR, because the MILF, like the country's other non-state armed groups, perceives these programs as serving the military's counter-insurgency purposes. Apart from the negative perception of DDR in the Philippines, there are other reasons why "traditional" DDR may never happen in Mindanao.

First, the government has a poor track record of implementing peace agreements and the MILF is understandably wary of weakening its formidable firepower too soon. Secondly, even if it did hand over some guns, these are unlikely to be destroyed, as per international best practice; military and police would rather keep the good ones, and there is a well-documented history of leakage into the black market from government sources.<sup>7</sup> Thirdly, Mindanao is awash in arms, in both civilian and rebel hands.<sup>8</sup> Enforcement of gun laws countrywide is weak, and legal loopholes are numerous. The reservist law sanctions the Civilian Armed Force Geographical Units

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<sup>5</sup> Framework Agreement on the Bangsamoro, Section VIII (Normalization), Articles 3, 4, 6 and 7. An independent policing commission will be convened to make recommendations. The parties agreed on its terms of reference on 27 February 2013.

<sup>6</sup> Details are available at <http://opapp.gov.ph/milf/sajahatra-bangsamoro>. See also the terms of reference, signed by the MILF and the government on 11 April 2013. In May the government and MILF task forces met and agreed that the program would target beneficiaries in all five provinces in the existing Autonomous Region of Muslim Mindanao (Maguindanao, Lanao del Sur, Basilan, Sulu and Tawi-Tawi) in addition to five neighbouring provinces: Lanao del Norte, North Cotabato, South Cotabato, Davao Oriental and Zamboanga Sibugay.

<sup>7</sup> Crisis Group email correspondence, DDR expert, 12 June 2013. See Raymund Jose G. Quilop, "Small Arms and Light Weapons in the Philippines: Possession, Demand, Supply and Regulation", in *Primed and Purposeful: Armed Groups and Human Security Efforts in the Philippines* (Small Arms Survey, 2010).

<sup>8</sup> One estimate of the number of registered firearms (military, police and private citizens) is 1.25 million. Luz R. Rimban, "Overview" in *Democracy at Gunpoint: Election-related Violence in the Philippines* (The Asia Foundation, 2011), p. 11. The number of unregistered (illegal, smuggled, lapsed registration) may be as high as 4.2 million. See Quilop, op. cit. Roughly 15,000-16,000 of those are believed to be in the hands of non-state armed groups. Jennifer Santiago-Oreta, "The State of Affairs: Gun Proliferation in the Philippines", in *Gun Proliferation & Violence: Complicating Conflict Dynamics & Peace Building* (Ateneo de Manila University, 2012), p. 12. A study notes that the form and extent of disarmament often depends on the norms for gun use in a given society. Joanna Spear, "Disarmament and Demobilisation", in Stephen John Stedman, Donald Rothchild, and Elizabeth M. Cousens (eds.), *Ending Civil Wars: The Implementation of Peace Agreements* (London, 2002). The military's deputy chief of staff for intelligence in 2010 estimated there were 358,000 loose firearms in the Autonomous Region of Muslim Mindanao. Santiago-Oreta, op. cit., p. 12. Compared to some of its neighbours in the region, gun ownership is much higher in the Philippines. For example, the rate of civilian gun ownership in Indonesia per 100 people is 0.5 while in the Philippines it is 4.7. For more comparative statistics, see [www.gunpolicy.org](http://www.gunpolicy.org).

(CAFGU) under supervision of the army;<sup>9</sup> and executive order 546 permits the arming of militias by local politicians as “force multipliers” to support the police; the latter in particular encourages the formation of private armies.<sup>10</sup> Arms management rather than disarmament is probably a more realistic goal for Mindanao.<sup>11</sup> Fourthly, the government has limited experience in equipping fighters with new skills that could lead to legal employment in the local labour market – the usual centrepiece of the reintegration component.<sup>12</sup>

Another obstacle is that the peace process office (known as OPAPP) cannot shape a coherent policy that encompasses all these issues in negotiating with the MILF. Coordination with other government departments, the military, the police and local politicians is extremely difficult. Even in dealing with smaller, less well-armed rebel groups such as the Cordillera People’s Liberation Army (CPLA) in northern Luzon and the Revolutionary Proletarian Army-Alex Boncayo Brigade (RPA-ABB) in the western Visayas, the peace process office has had a hard time. Since 2010, the government has been negotiating socio-economic reintegration packages in exchange for the handover or registration of firearms. Although the political context is different, these cases shed light on some of the challenges in Mindanao, and the will and capacity in Manila to overcome them. They also illuminate the limitations of trying to implement DDR in the Philippines.

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<sup>9</sup> “An act providing for the development, administration, organization, training, maintenance and utilization of the Citizen Armed Force of the Armed Forces of the Philippines and for other purposes”, Republic Act no. 7077, 27 June 1991.

<sup>10</sup> The full text of the order is available at: [www.gov.ph/2006/07/14/executive-order-no-546-s-2006/](http://www.gov.ph/2006/07/14/executive-order-no-546-s-2006/). See the discussion of the CAFGU and militia in “Armed Violence in Mindanao: Militia and private armies”, The Institute of Bangsamoro Studies and the Centre for Humanitarian Dialogue, July 2011, pp. 17-21; and Crisis Group Asia Briefing N°98, *The Philippines: After the Maguindanao Massacre*, 21 December 2009. A commission on private armies completed a report in 2010, and recommended steps such as enacting a law against private armies. The report itself has not been made public. See “85 armed groups maintained by politicians – PNP”, Rappler.com, 24 November 2012.

<sup>11</sup> The October 2012 pact nods towards the reduction and control of guns held by civilians, other armed groups and private armies. Framework Agreement, op. cit., Article 8.

<sup>12</sup> The Philippine government has long recognised the need for reconciliation and rehabilitation of combatants, for example, in the report by the National Unification Commission, appointed by President Fidel Ramos in 1992. Miriam Coronel-Ferrer, “Philippines National Unification Commission: national consultation and the ‘Six Paths to Peace’”, *Accord 13*, Conciliation Resources, 2002. But it has no track record of implementation.



## II. Rethinking Assistance to Former Rebels

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President Benigno Aquino III took office in June 2010 with an ambitious peace agenda and a stated firm belief that sincerity matters when talking with rebels. This was the rationale for reviving discussions with the CPLA and RPA-ABB on deals signed with Manila in 1986 and 2000, respectively, even though neither poses a threat to the Philippine state. Aquino wanted to implement these long-forgotten agreements to make a point: he is a president who can be trusted.<sup>13</sup> This show of good faith, the thinking went, would spur the peace processes in which security was at stake: with the MILF in Mindanao and with the National Democratic Front of the Philippines, which negotiates on behalf of the Communist Party of the Philippines and its ragtag guerrillas in the New People's Army (the CPP-NPA).<sup>14</sup>

The CPLA and RPA-ABB processes were also an opportunity to test some new ideas about dismantling rebel groups, develop systems for administering assistance and boost government capacity ahead of hoped for peace pacts with the MILF and the CPP-NPA. The administration was willing to spend millions of pesos on the CPLA and RPA-ABB, but in return, the groups could no longer hold illegal, unregistered guns and call themselves "armies". Overseeing these efforts is Teresita Quintos-Deles, the presidential adviser on the peace process. The resulting "closure agreements" negotiated by her staff reflect efforts to learn from the past, integrate international standards for DDR, and determine best practices for the future. Two previous experiences with former rebels informed the Aquino government's thinking: support to MNLF fighters after the 1996 agreement and stand-alone weapons buybacks.

### A. *The Cautionary Tale of the MNLF*

After 1996, the Philippine government and its international partners poured money into programs to help MNLF communities. Meanwhile, the insurgent leadership mismanaged Muslim Mindanao's regional government, and politicians in Manila watered down legislation to enhance autonomy. This chapter of Mindanao's recent history is a cautionary tale for the MILF and President Aquino alike.

The 1996 agreement allocated slots for some of the MNLF's 17,000 fighters in the Philippine military and police (5,750 and 1,750, respectively); others were to join a special regional security force. Anyone not accommodated in one of these options was to benefit from socio-economic, cultural and educational programs.<sup>15</sup> The deal was silent on the MNLF's arsenal, although 4,875 firearms were voluntarily turned over by individuals joining the military and police. Most analysts agree that this integration was a qualified success, because many of those integrated were not hardened fighters, but relatives of MNLF members. In contrast, the special regional security force was never set up.<sup>16</sup>

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<sup>13</sup> Crisis Group interview, senior officials, OPAPP, Manila, 16-17 July and 4 September 2012.

<sup>14</sup> Peace talks with the National Democratic Front of the Philippines, which negotiates on behalf of the CPP-NPA as well, are stalled. For background see Crisis Group Asia Report N°202, *Tactics and Talks: The Communist Insurgency in the Philippines*, 14 February 2011.

<sup>15</sup> 1996 Final Peace Agreement, Sections 19 and 20, especially 20 (a). The estimate of 17,000 is drawn from Soliman M. Santos Jr, "MNLF Integration in the AFP and the PNP: Successful Cooptation or Failed Transformation? (Case Study)", in *Primed and Purposeful*, op. cit., chapter 7.

<sup>16</sup> On the MNLF integration, see Miriam Coronel-Ferrer, "Integration of MNLF forces into the PNP and AFP: Integration without demobilization and disarmament", unpublished paper for UP Center

Donors chipped in for socio-economic programs. The two major ones were the UN-led Multi-Donor Assistance Program centred on “peace and development communities” for both MNLF members and others, and the Livelihood Enhancement for Peace (LEAP) program, run by the U.S. Agency for International Development (USAID), which focused on agricultural production.<sup>17</sup> These and other similar efforts were not well-coordinated, lessening their impact even though they appear to have had positive effects.<sup>18</sup> No data on MNLF members was gathered at the outset, so it was impossible to monitor the impact of government and donor assistance at an individual level.

The MNLF experience also contains a sobering lesson about the risks of allowing insurgents to remain armed. Beginning in the mid-1990s, some fighters switched allegiance to the MILF; others joined the extremist Abu Sayyaf Group. Violence, both political and criminal, continued and in some areas escalated. In 2001, loyalists of the founder, Nur Misuari – who was disgruntled by Manila’s machinations to oust him from the leadership – attacked a brigade headquarters killing eighteen soldiers. To this day, MNLF camps exist in the jungles of Sulu province – its birthplace and stronghold.<sup>19</sup> A more concerted attempt at DDR might have helped prevent some MNLF fighters from reverting to violence. But Manila’s failure to implement the pact in good faith is equally to blame.

#### **B. *The Dubious Legacy of Buybacks***

For decades, the military sought to entice members of non-state armed groups to turn over their firearms for cash even before a peace agreement was reached. These stand-alone buybacks have instilled deep scepticism of Manila’s motives when offering assistance to former fighters.

After the repressive era of President Ferdinand Marcos ended in 1986, the democratically elected Corazon Aquino – mother of the current president – launched the National Reconciliation and Development Program. Her government bought rebel guns under Balik-BARIL (Bring A Rifle and Improve your Livelihood), while granting amnesty and providing financial and technical assistance.<sup>20</sup> Balik-BARIL has

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on Integrative and Development Studies project on the GRP-MNLF peace agreement; Santos, chapter 7; Robert Muggah, “The Prospects for the Disarmament, Demobilisation and Reintegration of the Moro Islamic Liberation Front”, a desk review commissioned by the UNDP, March 2004; Albert Caramés Boada, “Past, present and future in Mindanao: Analysis of the MNLF and MILF peace and reintegration processes”, Escola de Cultura de Pau, July 2009; Paul Oquist, “Policy Assessment Paper 6: Institutionalization of Peacebuilding”, in “Peacebuilding and Human Security”, UNDP, 2009; and Rosalie Arcala Hall, “From Rebels to Soldiers: An Analysis of the Philippine and East Timorese Policy Integrating Former Moro National Liberation Front and Falintil Combatants into the Armed Forces”, paper presented at the American Political Science Association Meeting, Toronto, September 2009.

<sup>17</sup> For more, see the entry on the 1996 agreement in the Peace Accords Matrix hosted by the University of Notre Dame at <https://peaceaccords.nd.edu/matrix/status/16/reintegration>.

<sup>18</sup> Muggah, *op. cit.*

<sup>19</sup> See Crisis Group Reports, *Local Politics in the Sulu Archipelago and the MILF Peace Process*, *Counter-insurgency vs Counter-terrorism in Mindanao*, *The Role of Militant Islamic Converts*, and *Terrorism and the Peace Process*, all *op. cit.*

<sup>20</sup> See “The Aquino Management of the Presidency: The President’s Report, 1986-1992”, presidential management staff, office of the president, June 1992, p. 12. The program had councils at national, regional and local levels. See “Constituting the National Reconciliation and Development

gone through various iterations – including a version used for the MNLF after 1996 – and eventually acquired, as its title implies, a livelihood component. Although the peace process office and the social welfare and development department (DSWD) became more involved, the military was the first point of contact and handled fire-arms retrieval. Turning in a gun was the core of Balik-BARIL because it was seen as tangible proof of rebel status and formed part of the “authentication” process.<sup>21</sup>

There has never been a comprehensive, independent evaluation of Balik-BARIL, but the anecdotal evidence is uniformly bad. Only low-quality weapons were handed in, and some were recycled into circulation. Emergency and livelihood assistance often did not materialise, partly because coordination among Manila-based departments was poor. Inadequate registration of “rebel returnees” meant some individuals re-applied for benefits. The program became a source of corruption within the military. The government at last acknowledged that Balik-BARIL was widely viewed as a counter-insurgency tactic and needed greater oversight at local levels.<sup>22</sup>

In 2007, President Gloria Macapagal-Arroyo launched the social integration program, housed within the peace process office, for rebels seeking to return to normal life before a peace agreement.<sup>23</sup> Under Aquino, the social integration program became the comprehensive local integration program; it now relies on mayors and provincial governors to deliver assistance in attempts to skirt inter-agency coordination problems in Manila.<sup>24</sup> Following the October 2012 agreement with the MILF, members of the CPP-NPA seeking to return to civilian life are its only target.

In dealing with the CPLA and the RPA-ABB, the Aquino government has had to grapple with the poor precedent set by Balik-BARIL and the legacy of an MNLF peace agreement that left guns in disgruntled rebel hands. But one early, positive move by the president was his decision to ensure the peace process office was civilian-led – under Arroyo, retired generals were often at the helm – and give it greater control over programs in conflict areas.<sup>25</sup> Another was a decision by the peace process office

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Program as a Priority Program for the Government and for the Purposes”, Executive Order no. 103, 24 December 1986.

<sup>21</sup> Crisis Group interview, consultant to OPAPP, Manila, 10 September 2012; and Muggah, op. cit., pp. 27-28.

<sup>22</sup> A handful of competent provincial and municipal governments that were successfully implementing the program were exceptions. Comments by presidential adviser on the peace process, Avelino Razon, at the First International DDR Congress in Colombia, May 2009. Remarks published in “Discourses, Views and Experiences on Disarmament, Demobilization and Reintegration: International and Local Perspectives”, OPAPP, September 2009.

<sup>23</sup> Administrative Order 172, 23 March 2007, defined social integration as “the process involving the management of forces, arms and ammunitions of former rebels and their transition to civilian life, [and] is considered an integral part of the peace process and post-conflict security reform”.

<sup>24</sup> Confusingly, however, both names are still used. See, for example, “Leyte gov vows to support Social Integration Program”, SamarNews.com, 1 February 2013; and “NPA rebel surrenders”, *Sun-Star Davao*, 16 November 2012. There is talk of housing the program under the interior and local government department (DILG) rather than the peace process office. External experts consulted on the revamped program, however, are critical of relying on local governments too much; those in conflict-affected areas are rarely well run. Crisis Group interview, consultant to the peace process office, Manila, 10 September 2012. In the first half of 2013, the peace process office’s planning and monitoring unit carried out an assessment of the comprehensive local integration program. Crisis Group interview, government official, Manila, 26 April 2013.

<sup>25</sup> The military used to run the Kalayaan sa Barangay program, which built small-scale infrastructure, such as roads and schools in remote, conflict-affected areas. Its budget became a source for alleged corruption, and in 2010 the program was cancelled by Aquino and the money went to the

to suspend buybacks.<sup>26</sup> Secretary Deles and her staff had a broader remit to rethink government efforts to reach out to former rebels and ways of measuring success.

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peace process office instead. See Glenda M. Gloria, Aries Rufo and Gemma Bagayaua-Mendoza, *The Enemy Within: An Inside Story on Military Corruption* (Manila, 2011), p. 21.

<sup>26</sup> This was based on exposure to international best practice. Crisis Group email correspondence, DDR expert, 12 June 2013.

### III. The Cordillera: Trial and Error

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The Cordillera People's Liberation Army (CPLA), a regional offshoot of the country-wide communist movement championing indigenous rights, agreed to a ceasefire in 1986. Afterwards, it was given a new lease on life by the military, which tapped it for counter-insurgency operations. Eventually the group faded away, and enthusiasm for its pro-autonomy political agenda waned. In July 2011, it was suddenly back in the headlines when one faction signed a new pact that was to end 25 years of haggling over money and jobs that Manila promised but never delivered.

In trying to dismantle the CPLA, the peace process office had a difficult task. The group's leadership is weak because of internal disputes. It has little in the way of a coherent political agenda and even less credibility. Yet, the Aquino government was willing to offer compensation for weapons, new jobs or training, and cash to build roads, irrigation canals, and bridges. The response from local governments and civil society was lukewarm. Few thought the group warranted attention, especially when the problems facing the beneficiaries were hardly unique.

#### A. *The History of the Conflict*

The CPLA today is a shadow of its former self. Its roots lie in the rugged, sparsely populated provinces of the Cordillera in northern Luzon – Apayao, Abra, Kalinga, Mountain Province, Benguet and Ifugao. Roads are poor and regularly wash out during typhoons; remote communities have limited access to health care and other services. In the late 1970s, the indigenous tribes, referred to here as “highlanders”,<sup>27</sup> took up arms to oppose government-backed projects that would have disrupted traditional land tenure practices.<sup>28</sup> Resistance provided an opening for the Communist Party of the Philippines-New People's Army (CPP-NPA), which capitalised on anger at President Marcos to recruit among highlanders.<sup>29</sup> As the communist movement expanded into indigenous villages, it nurtured pan-Cordilleran consciousness and aspirations for regional autonomy.

Following the end of the Marcos period in February 1986, some highlander cadres concluded that the CPP-NPA's analysis did not apply to tribal communities; they also believed that the new president, Corazon Aquino, would be more receptive

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<sup>27</sup> When the Philippines was a U.S. colony, American administrators began using “Igorot” to refer to the non-Christian highlanders of the Cordillera. The U.S. created a sprawling Mountain province in 1908, which contained seven sub-provinces, one for each “tribe” as classified by U.S. officials. A scholar attributes the rise of pan-Cordilleran regional consciousness to these administrative decisions. See Gerard A. Finin, “‘Igorotism,’ Rebellion and Regional Autonomy in the Cordillera”, in Rosanne Rutten (ed.), *Brokering a Revolution: Cadres in a Philippine Insurgency* (Manila, 2008), pp. 80-82. However, not all of the Cordillera's indigenous peoples identify as “Igorot”. For a discussion of the varying meanings of the Cordillera and an explanation of why the province of Abra joined the region later, see Miriam Coronel-Ferrer, “Cordillera autonomy as a failed hegemonic project”, unpublished paper, pp. 1-2.

<sup>28</sup> These were the Cellophil logging and pulp project in Abra and a proposed dam on the Chico river, which spans Apayao, Kalinga and Mountain province.

<sup>29</sup> For more on the CPP-NPA, see Crisis Group Report, *The Communist Insurgency in the Philippines*, op. cit. In the words of one CPLA leader, the “goddamn NPAs took advantage of us”. Crisis Group interview, Andres Ngao'i, president of the Cordillera Bodong Administration (Balweg group), Tabuk, Kalinga province, 8 September 2012.

to their demands for greater independence from Manila.<sup>30</sup> By April 1986, the Lum-baya company, led by former priest Father Conrado Balweg, broke away to create the CPLA. Hundreds of other highlander cadres followed, particularly in Kalinga and Abra. This acrimonious split weakened the CPP-NPA in the region.<sup>31</sup>

In September 1986, Corazon Aquino and Father Balweg exchanged tokens in a traditional ceremony known as a *sipat* that ended hostilities.<sup>32</sup> A presidential directive, executive order 220, called for the creation of a regional security force and set up several interim administrative bodies.<sup>33</sup> These were stepping-stones to a full-fledged autonomous region, of which the 1987 constitution envisioned two: one in the Cordillera and one in Muslim Mindanao.<sup>34</sup> For each, Congress would have to pass a special law, known as an organic act, which would then be ratified through a plebiscite in the areas to be included.<sup>35</sup> However, two votes held in the Cordillera in the 1990s failed.<sup>36</sup>

<sup>30</sup> Highlander aspirations for regional autonomy chafed beneath the strictures of a countrywide movement centred on class struggle. The Manila-educated, but Cordillera-born CPP-NPA cadre in charge of recruitment and mobilisation in the region's rural villages began to see the indigenous political systems of the highlands, such as the *bodong* (a peace pact), as superior to modes of governance imported from the lowlands. See Finin, op. cit. For an assessment of the significance of the international indigenous rights movement for Cordilleran autonomy, see Jacques Bertrand, "Indigenous peoples' rights' as a strategy of ethnic accommodation: contrasting experiences of Cordillerans and Papuans in the Philippines and Indonesia", *Ethnic and Racial Studies*, vol. 34, no. 5, May 2011, pp. 850-869.

<sup>31</sup> For a discussion of other factors that affected the CPP-NPA's popularity, see Lynn Kwiatkowski, "Fear and Empathy in Revolutionary Conflict: Views of NPA soldiers among Ifugao civilians", in Rutten (ed.), op. cit., pp. 233-279.

<sup>32</sup> The ceremony, held at Mount Data in Mountain province, is often called the Mount Data *sipat*. The CPLA submitted a list of demands, one of which was for a peacekeeping force comprised of its members. Others were for cancellation of the Cellophil and Chico dam projects and creation of a "Cordillera Autonomous Socialist State". Fernando Bahatan Jr, "Cordillera Autonomy: Looking around and farther back", paper presented during the development and autonomy forum, University of the Cordilleras, Baguio, 23 July 2008.

<sup>33</sup> The executive order established a Cordillera Administrative Region encompassing Abra, Benguet, Ifugao, Kalinga-Apayao (later split into two provinces) and Mountain province, with Baguio City as the capital. A Cordillera Regional Assembly was to formulate policy; the Cordillera Executive Board was to implement it; and the Cordillera Bodong Administration was to oversee tribal issues. See Executive Order no. 220, 15 July 1987. These institutions were to prepare the region for autonomy, but they were abolished by the national government in 2000, after two failed plebiscites (see below).

<sup>34</sup> The CPLA and other rival highlander organisations (notably the Cordillera Peoples Alliance, CPA, which remained aligned with the communist movement) lobbied for a provision on Cordilleran autonomy. See 1987 Philippine constitution, Article X, Sections 15-21.

<sup>35</sup> The same process applies to the creation of an autonomous region in Muslim Mindanao.

<sup>36</sup> The first attempt in 1990 failed due to disagreements over what autonomy should mean. The Cordillera's representatives in Congress drafting the organic law were moderates who favoured the lowland political set-up, viewed indigenous institutions as backward and were unwilling to work with the region's leftist organisations, which had opposed Marcos. This led the CPLA and others like the CPA to mobilise the "no" vote in the plebiscite. Finin, op. cit., pp. 114-119; and David Hyndman, "Organic Act Rejected in the Cordillera: Dialectics of a continuing fourth world autonomy movement in the Philippines", *Dialectical Anthropology* (16), 1991, pp. 169-184. Only Ifugao voted in favour, and the Supreme Court ruled that one province alone could not constitute a region. A second plebiscite in 1998 yielded the same result. Again, one province voted in favour, this time Apayao. Another analysis suggests that autonomy only has meaning at the village level, because the Cordillera-wide "Igorot" identity was never fully embraced. Steven Rood, "Closure for the CPLA, Autonomy for Cordillera Villages", Newsbreak.com, 9 July 2011.

With autonomy foundering on a lack of support, the promised regional security force was the next best option. If created, the CPLA believed, it would grant members long overdue recognition for defending the Cordillera from the predations of the Marcos government. But the only option open was to join a new, countrywide auxiliary force established in 1991.<sup>37</sup> Known as the Civilian Armed Force Geographical Unit (CAFGU), it was a cheap way to boost the strength of a military stretched thin by counter-insurgency operations. This pitted the CPLA against the remnants of the CPP-NPA in the region.

The CPLA felt that being the junior partner to the military fell far short of its aspirations at the time of the 1986 *sipat*.<sup>38</sup> While some leaders pushed for integration into the army proper, others – notably Father Balweg – held out for the regional security force. This created lasting internal rifts. In 1999, the government signed a memorandum on the incorporation of some members into the military, but only one faction participated.<sup>39</sup> The same year, Father Balweg was killed, allegedly by his brother Jovencio, an NPA commander.<sup>40</sup> A half-hearted effort at unification among the CPLA factions followed, but went nowhere.

After President Gloria Macapagal-Arroyo assumed power in 2001, she signed administrative order 18. It stated that 264 CPLA members were to join the regular armed forces, fifteen as officers, the remainder as enlisted personnel. Most of those who were integrated were relatively recent recruits to the CPLA.<sup>41</sup> Another 500 were absorbed into six CAFGU companies, one for each province in the Cordillera. No one had to surrender a weapon, but those who turned over guns would be compensated according to Balik-BARIL. Meanwhile, an ill-conceived scheme, overseen by the army, to set up cooperatives for the remaining members faltered.<sup>42</sup> The CPLA then asked for thousands of additional slots for its members in the military.<sup>43</sup>

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<sup>37</sup> According to CPLA members, the original members of the Lumbaya company never joined the CAFGU; it was recruits who joined, after the split from the CPP-NPA. They also say that the Aquino government gave them 600 M-16s to assist in the counter-insurgency, many of which the organisation still has. Crisis Group interview, Juanita Chulsi, CPLA vice chief of staff (Balweg Group), Tabuk, Kalinga, 9 September 2012. In October 1987, the CPLA abducted and killed Daniel Ngayaan, an Igorot leader instrumental in the resistance to the Chico dam and vice chair of the rival CPA. “Remembering Ama Daniel Ngayaan (1922-1987)”, statement by the CPA, 3 October 2007, available at [www.cpaphils.org](http://www.cpaphils.org). CPLA abuses were also documented in “The Philippines, Violations of the Laws of War by Both Sides”, Asia Watch, 1990.

<sup>38</sup> A CPLA member said, “[we] sacrificed our communities”. Crisis Group interview, San Isidro, Abra, 31 August 2012.

<sup>39</sup> That of James Sawatang. For more details on the reconfigurations, see “Splits and internal squabble”, OPAPP website, 14 June 2011; and “Cordillera People’s Liberation Army (CPLA)”, in Soliman M. Santos, Jr., et al., *Primed and Purposeful: Armed Group and Human Security Efforts in the Philippines* (Geneva, 2010), pp. 318-325.

<sup>40</sup> Jovencio was arrested in May 2009, but all outstanding cases against him were dropped in July 2011. See “Couple nabbed for Balweg’s murder”, *Philippine Star*, 20 May 2009; and “Press Statement of the GPH Peace Panel Chair on the Release of Jovencio Balweg”, OPAPP website, 22 July 2011. Even though the group had already fractured by the time of his death, an observer commented of the CPLA that “after Balweg died, the magic was gone”. Crisis Group interview, academic, Baguio City, 30 August 2012.

<sup>41</sup> That Administrative Order 18 did not integrate bona fide CPLA members is widely acknowledged by its leaders and members of the security forces alike. Crisis Group interviews, Abra-based police commander, Bangued, 31 August 2012; CPLA members opposed to the 2011 closure agreement, Bangued, 1 September 2012; Juanita Chulsi, Tabuk, 9 September 2012.

<sup>42</sup> The livelihood program was meant to be managed by the national defence department. Administrative Order 18 mentions the creation of cooperatives, but what happened to these entities is un-

By the time President Aquino took office, almost a quarter of a century had elapsed since the Mount Data *sipat*. Isolated indigenous communities in the Cordillera were still poor, but the region had become much more peaceful.<sup>44</sup> Even if the CPLA was disgruntled with what had been achieved since 1986, its members never again took up arms against the Philippine state. The founders died, younger ones joined the military and auxiliary forces, and others supported themselves through criminal means. The CPLA's political clout had evaporated.

## **B. The July 2011 Closure Agreement**

Compared to the other files on presidential peace adviser Secretary Deles's desk, the political stakes of negotiating with the CPLA were low. But the government erred in excluding a faction well positioned to cause problems. And without extensive local consultation, there was little support for the closure agreement on the ground.

### **1. The many faces of the CPLA**

The government chose to deal with Arsenio Humiding, who is from Ifugao and joined the CPLA in the early 1990s. He emerged as the leader of one faction in late 2009 and is supported by Marcelina Bahatan, the president of the Cordillera Bodong Administration (CBA, a political wing of the organisation).<sup>45</sup> A rival group is based primarily in Kalinga and is chaired by Mike Sugguiyao, and Andres Ngao-i, the president of a competing CBA.<sup>46</sup> In Abra, Mailed Molina, a contemporary of Father Balweg, retains a significant following, though he is generally distrusted by other senior figures.<sup>47</sup>

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clear. For example, reports from 2007 suggest two million pesos (\$47,650) were channelled from the military to them. "OPAPP heads Task Force for CPLA concerns", Philippine Information Agency, 22 September 2007. CPLA leaders in Abra said they received money from the Armed Forces of the Philippines (AFP) to set up a cooperative, but that their members thought the money was a personal grant and did not have to be pooled in the cooperative. Crisis Group interview, Bangued, Abra, 1 September 2012.

<sup>43</sup> For further details see Soliman M Santos Jr, "DDR and 'Disposition of Forces' of Philippine Rebel Groups (Overview)", in *Primed and Purposeful*, op. cit., pp. 145-147. One explanation of what happened is that the CPLA and the government agreed that those who were going to receive livelihood assistance would be integrated instead. Crisis Group interview, Arsenio Humiding, Baguio City, 15 July 2012.

<sup>44</sup> The exception was Abra, which has extremely high levels of political violence. See Artha Kira Paredes, "Abra: Bloody struggle for control of public funds", in Yvonne T Chua and Luz R Rimban (eds.), *Democracy at Gunpoint: Election-related violence in the Philippines* (Manila, 2011); and Paredes, "Where guns rule: Private armies in Abra", in *Primed and Purposeful*, op. cit.

<sup>45</sup> Humiding had become political affairs officer during a short-lived unification of the CPLA following the death of Father Balweg's widow in April 2008. At the time, he was a few pegs below the chair, a contemporary of Father Balweg in the Lumbaya Company by the name of Mailed Molina, and the vice chair, Mike Sugguiyao. Molina and Sugguiyao are from Abra and Kalinga, respectively; other senior positions likewise went to members from these provinces, the CPLA's traditional strongholds. Molina stepped down as chair in October 2009.

<sup>46</sup> The Humiding faction was set up on 22 October 2009. The Sugguiyao-Ngao-i faction responded by issuing protests, such as the "Chairmanship of the Cordillera Peoples' Liberation Army (CPLA)", a memo to all units, 5 December 2009. Ngao-i originally became involved in the movement after the 1986 Mount Data *sipat* through the various administrative units created by Executive Order 220.

<sup>47</sup> He was arrested on drug-trafficking charges in 2007, but these were dropped. He resigned as chair of the unified CPLA in 2009 because other senior members did not trust him with the group's funds. See "Gonzales frees Abra drug pusher", *Northern Dispatch Weekly*, 29 July 2007.



Humiding and Bahatan were amenable to a closure agreement and had not previously been Manila's main interlocutors. In contrast, Sugguiyao and Ngao-i were well known to the peace process office and had repeatedly rebuffed the Arroyo government's attempts to wrap up matters on the basis of administrative order 18.<sup>48</sup> The military advised Secretary Deles's staff that the Humiding-Bahatan faction was more powerful and had "moral superiority" over the others,<sup>49</sup> but in practice, the rank and file have backed whomever Manila was talking to.<sup>50</sup>

As preliminary overtures gave way to more formal negotiations in late 2010 and early 2011, the peace process office assumed that the other incarnations of the CPLA were unlikely to derail the discussions. Yet, the Kalinga faction was emboldened by the Philippine army's 5th infantry division, which commands the brigades stationed in the Cordillera. Its commander had sided with Sugguiyao and Ngao-i. In April, as the closure agreement was almost complete, he signed on to a "one government, one CPLA policy" that affirmed the Kalinga-based duo as the legitimate leaders in the eyes of the military.<sup>51</sup> The provincial governor served as a witness. There was little the peace process office could do to undo the damage.

In June, at the opening festivities for Cordillera month in Kalinga, Sugguiyao and Ngao-i's supporters publicly criticised the closure as a betrayal of the 1986 *sipat*. Secretary Deles became more worried about the implications of sidelining them, and tested the waters through an unofficial envoy.<sup>52</sup> With the signing of the closure agreement at the presidential palace set for 4 July, it was impossible to restart the talks from scratch. The peace process office proposed the dissenters sign a separate annex. This had little appeal for Sugguiyao and Ngao-i, who bolstered their arguments with some cultural one-upmanship: they not only hold the tokens Corazon Aquino gave to Father Balweg at the 1986 ceremony, but, they also pointed out, the *sipat*, as a traditional peace pact, exists in perpetuity.<sup>53</sup> In their eyes, the closure agreement was both pointless and a betrayal.

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<sup>48</sup> They suspect this led the peace process office to conclude that it was only worth talking to Humiding and Bahatan. Crisis Group interview, Andres Ngao-i and Mike Sugguiyao, Tabuk, Kalinga, 8 September 2012. Sugguiyao and Ngao-i said they were aware of the negotiations with their rivals by early 2011, but thought little of it at the time because Humiding and Bahatan had no legitimacy.

<sup>49</sup> Crisis Group interview, senior OPAPP officials, Manila, 16-17 July 2012. It is unclear how the Philippine military in Manila arrived at that conclusion, as the regional police say there are no hard numbers on the different factions. Crisis Group interview, PNP official, La Trinidad, Benguet, 30 August 2012.

<sup>50</sup> Crisis Group interview, Baguio City-based journalist, Baguio City, 14 July 2012; and chapters from *Primed and Purposeful*, op. cit.

<sup>51</sup> "Declaration of a one government-one CPLA policy, preparatory to the celebration of Cordillera Day on April 24, 2011", signed in the provincial capital, Tabuk, Kalinga. This was hardly the first time the army had meddled in the internal affairs of the CPLA; it kicked in funds for the October 2009 meeting at which Molina had been pressured to step down. Crisis Group interview, Andres Ngao-i and Mike Sugguiyao, Tabuk, Kalinga, 8 September 2012.

<sup>52</sup> In the first six months of 2011, Secretary Deles reached out to Teddy Baguilat, the congressman from Ifugao and a member of the ruling Liberal Party, to mediate between the factions. "Baguilat to mediate OPAPP and CPLA factions", *Northern Dispatch Weekly*, 10 July 2011. Crisis Group interview, Teddy Baguilat, Quezon City, 4 September 2012.

<sup>53</sup> See Secretary Deles's explanation of the semantics of closure in "Peace deal with militia in Cordillera snagged", *Philippine Daily Inquirer*, 25 December 2011.

## 2. Terms

The July 2011 closure agreement contains six elements:<sup>54</sup>

- ❑ final disposition of arms and forces, capping the number of those newly integrated into the military at 120 (plus an additional 48 slots left over from administrative order 18) and committing the CPLA members to register or surrender their firearms in exchange for compensation. All must participate in a profiling exercise;
- ❑ economic reintegration of CPLA members, with options such as joining the military, becoming a forest guard or receiving training in entrepreneurship;
- ❑ community development in 57 areas where the CPLA has an established presence;
- ❑ inter-municipal and inter-*barangay* (village) development projects;<sup>55</sup>
- ❑ documentation of the armed struggle; and
- ❑ transformation of CPLA into a socio-economic organisation, entailing legal registration and a name change.

Autonomy, the *raison d'être* of the CPLA, is not mentioned in the 2011 pact. The peace process office argued that President Aquino could not grant autonomy; that was up to Cordillerans themselves, who would have to vote “yes” in a plebiscite as per the 1987 constitution.<sup>56</sup> The negotiators took this line with the CPLA without fear of talks bogging down, because the group had been on the margins of regional politics for years; whatever residual support there is for autonomy, no one turns to the CPLA to champion the cause. A bid for a third plebiscite was underway at the time, but it was spearheaded by local politicians.<sup>57</sup> Even if the Aquino government was right to think a closure agreement could be reached without getting stuck in the quagmire of autonomy, however, the issue could not be avoided entirely. It played into broader perceptions of Manila’s dealings in the Cordillera among civil society and became ammunition for the discontented in Kalinga.

Andres Ngao-i fired the first shot. In mid-August 2011, he made a speech at the Regional Development Council, which brings the Cordillera-based directors of all government agencies together with local chief executives, civil society groups and business leaders. The council was swayed by his rhetoric and fear-mongering that

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<sup>54</sup> The agreement’s official title is a memorandum of agreement “Toward the CPLA’s Final Disposition of Arms and Forces and Its Transformation into a Potent Socio-Economic Unarmed Force (Closure Agreement)”, available on OPAPP’s website, [www.opapp.gov.ph](http://www.opapp.gov.ph).

<sup>55</sup> A *barangay* is the smallest administrative division in the Philippines.

<sup>56</sup> Administrative Order 18 also did not mention autonomy; however it was not framed as the final text to be signed with the CPLA.

<sup>57</sup> The mayor of Baguio City and four of the six congressional representatives from the Cordillera were among them. Some observers are sceptical of this latest attempt, perceiving it as little more than a “boondoggle” for additional government funds. Crisis Group interviews, academics, Manila, 10-11 July 2012; Baguio City, 30 August 2012. There is credence to this view, particularly because the bill proposes a budget of 10 billion pesos (\$283 million) a year for the new autonomous region, over and above funding allocated to the regional offices of national agencies and the local governments. See draft bill no. 3115 submitted to the Senate in February 2012, section 167, available at [www.senate.gov.ph/lis/bill\\_res.aspx?congress=15&q=SBN-3115](http://www.senate.gov.ph/lis/bill_res.aspx?congress=15&q=SBN-3115). It was first submitted to the house of representatives in late 2011. There also appears to be little demand for autonomy from Cordillerans themselves; community-level consultation only began in earnest after the bill had been submitted to Congress, and the organisations which opposed the last two plebiscites will again campaign against a third, if held.

“closing” the 1986 *sipat* would make the region less rather than more peaceful; council members voted to suspend the presidential order directing government agencies to implement the closure agreement.<sup>58</sup> This caught Manila off guard, and the bureaucrats who had been at the meeting were promptly ordered to recant. The debacle made clear which faction was savvy and had access to local politicians.

In mid-September, Secretary Deles met Ngao-i, who laid down four conditions for future discussions: autonomy must be the main objective; livelihood and integration were also important; the CPLA would exist until the Cordillera was autonomous; and it would need 170,000 pesos (\$4,050) for an information and education campaign. Talks hit an impasse when the government would not meet these demands.<sup>59</sup>

While Manila worried about Ngao-i’s posturing, it missed the real problem with the closure agreement: few in the Cordillera thought it necessary; many thought it a bad idea. An academic said that even if the group had lost its way after Father Balweg’s death, if the closure agreement meant the CPLA would no longer exist, it would be the death knell for autonomy.<sup>60</sup> This is why Ngao-i’s deft arguments about the group’s legacy resonated with the Regional Development Council. The peace process office also struggled to grasp why Cordillerans disenchanted with the CPLA and the shady dealings of some its members did not support the agreement. As civil society activist in Abra explained, Manila did not understand how the closure process was shifting the power balance in communities toward CPLA members who had been up to no good for years.<sup>61</sup> Attendance at the signing ceremony in the presidential palace was a further indication of the lack of local support: of the region’s six governors and six congressional representatives, only those from Ifugao – Humiding’s home province – were present.<sup>62</sup>

### C. *Implementation*

Progress has been painfully slow. The more symbolic aspects – a history of the struggle and the renaming of the Humiding-Bahatan group as the Cordillera Forum for Peace and Development – are complete, but the deadline for the weapons hand-over came and went. Livelihood programs were still being worked out during the first half of 2013. The CPLA is disgruntled but has little choice but to wait while the peace process office coordinates with other government agencies. A joint committee

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<sup>58</sup> “Cordillera leaders defy gov’t deal with Balweg militia”, *Philippine Daily Inquirer*, 15 August 2011; “Development council backs Ngao-I’s view”, *Sun-Star Baguio*, 12 August 2012. Only one member of the council did not vote for the suspension, the regional director of the agrarian reform department. Apart from Kalinga Governor Jocel Baac, the council chair, none of the other provincial governors were present at the meeting, and they tried to distance themselves from the vote. Crisis Group interview, Teddy Baguilat, Quezon City, 4 September 2012.

<sup>59</sup> Crisis Group interview, Mike Suguiyao and Andres Ngao-i, Tabuk, Kalinga, 8 September 2012.

<sup>60</sup> Crisis Group interviews, academic, Baguio City, 30 August 2012; member of a civil society organisation, Bangued, Abra, 1 September 2012; congressman from the Cordillera, Quezon City, 4 September 2012.

<sup>61</sup> Crisis Group interview, civil society activist, Bangued, Abra, 31 August 2012.

<sup>62</sup> “Cordillera leaders defy gov’t deal with Balweg militia”, *Philippine Daily Inquirer*, 15 August 2011. Many government officials in the Cordillera were oblivious to the negotiations; many either read about the closure in the press or only heard about it when requested to attend the signing ceremony. Crisis Group interviews, police and Commission on Human Rights officials, Baguio City, 30 August 2012. Even coordination among Manila-based offices seems to have been lacking, according to other senior members of the Aquino administration who were only given the text days before it was to be signed. Crisis Group interview, senior official in another office, Manila, 11 July 2012.

comprised of two government representatives, two CPLA representatives and a civil society group, the Concerned Citizens of Abra for Good Governance, is overseeing implementation.<sup>63</sup> In May 2013, almost two years after the signing of the agreement, the peace process office set up a monitoring mechanism.<sup>64</sup>

### 1. Livelihood options

As many original members of the CPLA have died, sceptics of the closure agreement questioned who would benefit.<sup>65</sup> Most joined after the 1986 Mount Data *sipat*, including Humiding himself. During the Arroyo years, the group claimed to have 5,000 members.<sup>66</sup>

Fewer are involved this time. Humiding says that upon taking charge in 2009, he “cleansed” the ranks of anyone involved in criminal activities.<sup>67</sup> According to the commanders under him, this removed roughly two fifths of the membership in Abra (from 500 to 300) and four fifths in Kalinga (from 1,500 to 300), the two provinces where the CPLA was once strongest.<sup>68</sup> The list Humiding submitted to the Aquino government and the criteria for verification were never publicly disclosed, although civil society groups and the military appear to have been involved.<sup>69</sup> The police say that no one facing criminal charges is included, although they assert that some of the local politicians in the region, especially in Abra, use CPLA members as hired guns.<sup>70</sup>

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<sup>63</sup> On the government side, OPAPP Undersecretary Gettie Sandoval, along with a representative from the interior and local government department; on the CPLA side, Arsenio Humiding and Gabby Ganggangan, CBA secretary general under Marcelina Bahatan. A separate technical working group handled the issues related to the weapons buyback. CCAGG is a well-respected, Abra-based organisation with a focus on corruption and budget monitoring. Its chairwoman had previously worked with Secretary Deles when she was still running her own group, INCITEgov. Article II, Sections 9 and 10 of the closure agreement addressed implementation.

<sup>64</sup> “Mechanism for transparent implementation of peace pact with former Cordi rebels set”, posted on [www.opapp.gov.ph](http://www.opapp.gov.ph) on 24 May 2013.

<sup>65</sup> Of the Lumbaya company, the nucleus of the CPLA, there are only around 30 members still alive, Mailed Molina being the most prominent. According to the Kalinga-based faction, only two are with Humiding and Bahatan. These are Modesto “Ka Jet” Sagudang, the chief of staff of the CPLA under Humiding and a member of the technical working group for implementation of the closure agreement; and Armando Watil, the zone commander for Abra. Both are from Luba, a municipality in the extreme south of Abra.

<sup>66</sup> Santos, “DDR and ‘Disposition of Forces’”, op. cit., pp. 145-146. Commenting on the number of members the organisation still claims to have, a politician from the Cordillera said, “this could be a racket”. Crisis Group interview, politician from the Cordillera, September 2012.

<sup>67</sup> The accusations of criminality are hard to substantiate. The name of the CPLA has often been used by members to legitimise their actions and by others seeking to discredit it, hence the government’s insistence the Humiding-Bahatan group change its name as part of the closure process. Because of such abuse, the shine has been off the CPLA name for quite some time, especially in Baguio, where the group is associated with the city’s squatters. Crisis Group interviews, government official, Baguio City, 30 August 2012. Baguio City declared Mailed Molina persona non grata in 1999, after he paraded fully armed through its streets.

<sup>68</sup> Crisis Group interview, Tirso Iwangga, zone commander for Kalinga, and Armando Watil, zone commander for Abra, Baguio City, 15 July 2012.

<sup>69</sup> A copy also found its way into the hands of the factions opposing the closure, which discovered that some individuals they thought had sided with them were in fact participating. Crisis Group interviews, civil society members and CPLA members who oppose the closure agreement, Bangued, Abra, 31 August and 1 September 2012.

<sup>70</sup> Crisis Group interviews, police officer involved in implementation of the closure agreement, La Trinidad, Benguet, 30 August 2012; police commander, Bangued, Abra, 31 August 2012. For exam-

Critics also point out that the CPLA has never been held accountable for crimes its members committed, at the height of the counter-insurgency campaign in the late 1980s and early 1990s, as members of the CAFGU.<sup>71</sup>

In November 2011, 1,327 CPLA members were profiled using an hour-long questionnaire designed by the peace process office.<sup>72</sup> The results revealed that 92 per cent of the members are male; the average age is 38.9 years, and the average monthly income is 6,370.66 pesos (\$153).<sup>73</sup> More than half had joined the CPLA between 1991 and 2000. Yet 7 per cent of those profiled were between the ages of nineteen and 23, and 1.6 per cent said they had joined in 2011. There was no question regarding their willingness to hand in firearms, but only 5 per cent reported feeling unsafe. More than half reported that they perceived the police as the institution that provides for their security. 41.2 per cent either did not answer or replied “none” when asked what problems they envisioned with living a civilian life. 658 respondents said they wanted to join the military.<sup>74</sup>

The government intends to use the data gathered through the questionnaire to gauge the effectiveness of livelihood programs.<sup>75</sup> There are three options: joining the military (168 slots), becoming a forest guard (325 slots) or participating in entrepreneurship training.

Integration into the military is the furthest along. Processing of prospective candidates only began eighteen months after the closure agreement was signed, apparently due to delays in transferring the budget.<sup>76</sup> The peace process office wanted the new slots to go to individuals who were still young enough to have a real career with the military. The CPLA eventually agreed that candidates for integration would be between eighteen and 36 years old and could be relatives of the group’s members.<sup>77</sup> Hundreds of candidates sat a preliminary exam in mid-2012, and the 5th infantry division began to assess 292 of them in January 2013. According to the government,

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ple, in August 2003, three CPLA members allied with Mailed Molina were shot dead from ambush in Manabo, Abra. The suspected shooters are also CPLA members, but whether the killings were prompted by a dispute over integration or local politics is unclear. Crisis Group interviews, civil society activist and CPLA members opposed to the closure agreement, Bangued, Abra, 31 August and 1 September 2012; Juantia Chulsi, Tabuk, Kalinga, 9 September 2012.

<sup>71</sup> Crimes they have been accused of include hostage taking, indiscriminate shooting and killings. See “The Philippines, Violations of the Laws of War by Both Sides”, Asia Watch, op. cit. Also “On the People’s Cordillera Day and Genuine Regional Autonomy”, CPA, 13 July 2012; “CPLA ‘closure’”, editorial, *Northern Philippine Times*, 26 September 2011; and Crisis Group interviews, Baguio City-based journalist and researcher, Baguio City, 13 July 2012.

<sup>72</sup> According to “CBA-CPLA: Results of the Profiling Project 2011”, PowerPoint presentation made available to Crisis Group, 9 May 2012. The peace process office’s website, however, says 1,600 members participated. See <http://opapp.gov.ph/cpla/progress-p-noys-administration>.

<sup>73</sup> This is below the country’s average monthly income of \$279, as calculated by the International Labour Organisation in 2012. “PH at bottom of 3 ‘world’s wages’”, Rappler.com, 1 May 2012.

<sup>74</sup> Ibid. The survey was designed by OPAPP but carried out by social workers with local language capacity.

<sup>75</sup> Crisis Group interview, senior OPAPP official, Manila, 17 July 2012.

<sup>76</sup> The delay stemmed partly from the Aquino government’s desire to tighten criteria for integration. CPLA members who joined the military during the Arroyo administration were often within a few years of the mandatory retirement age of 56. Many then left without serving the twenty years required to qualify for a pension.

<sup>77</sup> A brother, sister, niece or nephew.

once the 168 for integration are selected from the pool, they will each have to surrender a firearm before beginning training.<sup>78</sup>

The other two options are taking shape slowly. As with integration slots, the 325 jobs as forest guards with the environment and natural resources department are likely to be oversubscribed; the job pays roughly 8,000 pesos (\$197) a month.<sup>79</sup> Remaining CPLA members will take part in a “community-driven enterprise development” program run by the social welfare and development department that aims to assess potential business opportunities in the Cordillera and equip individuals with necessary skills.<sup>80</sup> The government has budgeted 17 million pesos (\$420,000) for training and an additional 44 million pesos (\$1 million) to support entrepreneurial schemes. The program will be run through the CPLA’s new organisation, the Cordillera Forum for Peace and Development (CFPD).<sup>81</sup> The CFPD may not have the capacity to administer the livelihood assistance, and letting it do so could create more problems. A senior figure is concerned the entrepreneurship program could go the way of the ill-fated CPLA cooperatives of the Arroyo years: members borrowed and never paid money back.<sup>82</sup>

## 2. Infrastructure projects

One of the signature initiatives of the peace process office is PAMANA (PAYapa at MASaganang PamayaNan or Peaceful and Resilient Communities), which builds infrastructure in areas stricken by conflict. The program is countrywide, but in the Cordillera it forms part of the closure agreement. This marks a considerable departure from the narrower remit of previous government’s engagements with the CPLA, which focused on integration and livelihood assistance.

The peace process office controls the budget but relies on other agencies to carry out the work at the *barangay* (village), municipal and provincial levels. Partnership with local governments is crucial. Ostensibly, members of the cabinet in the so-called “security cluster” determine the areas to be targeted by PAMANA, but in the Cordillera, the 57 sites were selected by the Humiding-Bahatan group, which prioritised communities that support them and excluded ones that do not.<sup>83</sup> The extent to which these areas were affected by conflict is unclear.<sup>84</sup>

The Aquino government was eager to depict the CPLA not just as its partner for peace but – through the PAMANA projects – also for development. But as a local activist from a highland municipality in Abra asked, “why turn them into development workers if they have no capacity?”<sup>85</sup> Apart from CCAGG – which has been deeply in-

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<sup>78</sup> Crisis Group interview, government official, Baguio City, 26 January 2013.

<sup>79</sup> Crisis Group interview, government official, Manila, 23 January 2013.

<sup>80</sup> According to the peace process office, Humiding’s faction was given a range of options for the livelihood component, and opted for community-driven enterprise development. Crisis Group interview, government official, Manila, 26 April 2013.

<sup>81</sup> Humiding said the forum is not intended to be engaged in politics or organising communities; rather, it is meant to equip its members with the skills to “uplift the people”. Crisis Group interview, Baguio City, 15 July 2012.

<sup>82</sup> Crisis Group interview, January 2013.

<sup>83</sup> Crisis Group interview, Fernando and Marcelina Bahatan, Manila, 14 July 2012.

<sup>84</sup> The list drawn up as part of the closure agreement also appears to differ considerably from the conflict-prone areas that were receiving support through the military’s old Kalayaansa Barangay program that PAMANA has replaced.

<sup>85</sup> Crisis Group interview, member of civil society, Bangued, Abra, 31 August 2012.

volved in the closure process from the outset – few civil society groups wanted to act as third-party monitors for infrastructure projects.<sup>86</sup>

Manila has had similar problems with local governments. Although all the PAMA-NA projects were subject to community approval, in some cases the local governments did not even attend and then objected after the fact.<sup>87</sup> In Kalinga, the governor was unwilling to use the money that had been transferred to his budget because he sympathised with the dissenting CPLA faction; eventually, the funds were transferred to the regional office of the interior and local government department, which is working with individual municipalities thus bypassing provincial officials.<sup>88</sup>

### 3. Firearms and community security

The Humiding-Bahatan group agreed to disband and either register or sell back their guns within eight months, a deadline that has long since passed.<sup>89</sup> Known as the “disposition of forces” in Philippine parlance, these provisions were a priority for the Aquino government, but subsequent negotiations to clarify the terms of the turnover and compensation have been fraught.

Buyback programs were previously unsuccessful in the Cordillera; miniscule numbers of firearms were collected after 1986.<sup>90</sup> The peace process office says that because the CPLA wanted a buyback, the Aquino administration agreed to update its existing pricelist so the guns would not be undervalued.<sup>91</sup> Eventually, a new pricelist with higher values than Balik-BARIL was agreed.<sup>92</sup> A province-by-province inventory of CPLA weapons occurred between October and December 2012, open only to those individuals profiled the previous year. The 443 weapons presented have been valued at just over six million pesos (\$147,500).<sup>93</sup>

Those who turn in their guns will be compensated on an individual basis. Payment was originally to be in cash but now is likely to be in kind.<sup>94</sup> Humiding says that he asked to explore non-cash alternatives, such as farm implements, but the peace pro-

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<sup>86</sup> Crisis Group interview, senior OPAPP official, Manila, 16 July 2012.

<sup>87</sup> Crisis Group interview, OPAPP officials, Baguio City and Manila, 14 and 16 July 2012. The projects are furthest along in Apayao, Abra and Ifugao, where the local executives are more amenable, either because they genuinely support the closure or because they are keen to access extra funds and take credit for the new roads. In some of the more remote communities, the state institutions are still weak, so the local government wields considerably less authority than traditional decision-making structures that fall along tribal and clan lines. This further complicates implementation. Crisis Group interviews, OPAPP officials, Baguio City and Bangued, Abra, 14 July and 31 August 2012.

<sup>88</sup> Crisis Group interview, government official, Baguio, 26 January 2013.

<sup>89</sup> “All firearms shall be properly registered under the guidelines of the Philippine government’s firearms registration rules, and/or turned in, in return for the economic reintegration. Firearms that cannot be registered under the government’s rules shall be surrendered and compensated ...” Closure Agreement, section 2.

<sup>90</sup> Between March 1987 and December 2004, the CPLA turned over 160 weapons. Santos, “DDR and ‘Disposition of Forces’”, *op. cit.*, p. 146.

<sup>91</sup> Crisis Group interviews, senior OPAPP officials, Manila, 16 July and 4 September 2012.

<sup>92</sup> Crisis Group interview, police officer, Baguio, 25 January 2013. The prices take into account black market value and may subsequently be used to buy back the CPP-NPA’s weapons as well. Crisis Group interviews, senior OPAPP official, Manila, 16 July 2012; police officer, La Trinidad, Benguet, 30 August 2012.

<sup>93</sup> Statistics made available to Crisis Group by the Philippine National Police, January 2013.

<sup>94</sup> The Aquino government’s enthusiasm for buybacks has waned, on the advice of external experts. Crisis Group skype interview, 30 April 2013.

cess office is uncertain whether the members themselves agree. The sequencing of the turnover is also under debate; the government wants the firearms handed over before the benefits start to flow, while the CPLA insists on the opposite.<sup>95</sup>

Government officials say they believe that CPLA members do not need to be armed to be productive members of society, and that the closure agreement is a way to take their guns out of circulation.<sup>96</sup> But not all members felt ready to give up their guns. A long-time member explained, “we will give up our weapons, but there needs to be a process. A firearm is not just security for the CPLA but security for the community”.<sup>97</sup> After the closure agreement was signed, the group’s leaders backpedalled. They raised the spectre of the CPP-NPA, even though it has in recent years generally spewed vitriol rather than bullets at the CPLA. Some may retain guns legally through individual licences, while others may simply hold on to illegal weapons.

Manila is also set to rearm some CPLA in CAFGU companies, which still support the army in remote areas where there is intermittent CPP-NPA activity. Although the Aquino government did not include joining the auxiliary forces in the text of the closure agreement, the army was quick to propose recruitment into the CAFGU as a means of protecting the villages where CPLA members would be surrendering weapons. While this is ostensibly about securing communities, it also placates the military, which claims to have been short on auxiliary forces in the region since the early 2000s. The gap will now be plugged with the CPLA members and their relatives.<sup>98</sup> This is despite the Aquino government’s commitment, as per its internal peace and security plan, to phase out the CAFGU by the time the president leaves office in 2016.<sup>99</sup>

This means that some of the same individuals who surrender guns and undergo entrepreneurship training as part of the closure agreement may also choose to (re)join the CAFGU and will receive a military-issued weapon. These firearms are meant to be kept in the detachment rather than private homes, and the work is only part-time,<sup>100</sup> but using the CPLA to bolster the army undercuts the peace process office’s work with former rebels and creates an escape clause in the closure process. It also perpetuates the idea that the CPLA – rather than state institutions – should be in charge of security. Senior officials in the peace process office have reservations about the continued use of the auxiliary forces by the military, but they have little say in the matter.<sup>101</sup>

#### D. *Lessons*

The closure process proves that the Aquino government has some new ideas for dismantling non-state armed groups, but some practices that sunk previous efforts persist. On the positive side, the military’s role has diminished but remains problematic. There has been a decisive shift away from weapons buybacks toward livelihood assistance, and agencies with relevant experience are in charge of implementation,

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<sup>95</sup> Crisis Group interviews, CPLA and government officials, Baguio, 25-26 January 2013.

<sup>96</sup> Crisis Group interview, senior OPAPP official, Manila, 4 September 2012.

<sup>97</sup> Crisis Group interview, Modesto Sagudang, San Isidro, Abra, 31 August 2012.

<sup>98</sup> The Humiding-Bahatan group had concerns about the CAFGU, as payments to members who were previously recruited were often late, but the military and the peace process office are confident these issues have been addressed and persuaded them otherwise.

<sup>99</sup> “Paramilitary force out in 4 years, says Army commanding general”, *Philippine Daily Inquirer*, 31 May 2012.

<sup>100</sup> The work also pays only a subsistence monthly wage, approximately 2,000 pesos (\$48).

<sup>101</sup> Crisis Group interviews, senior OPAPP officials, Manila, 16 July and 4 September 2012.



with oversight from the peace process office. While there are clear advantages to offering pre-existing programs – the forest guards and community-driven enterprise development – this limits the government’s ability to offer customised support to CPLA members. The profiling exercise is an opportunity not just to monitor impact, but also to cater livelihood options to beneficiaries.

On the negative side, the peace process office was bent on securing a closure agreement, irrespective of perceptions in the region. Rather than improve relations between the CPLA and communities, it seems to have reinforced a widespread belief that the group consists of fraudsters unworthy of government distributions. The verification of members was not transparent, and this has bred resentment. The process was further delegitimised because of the exclusion of the Kalinga-based faction. Because the Aquino government wanted to spread the benefits around, a substantial amount of money went to infrastructure projects under PAMANA. But these were not perceived as community-driven and have done little to rehabilitate the CPLA’s image. Manila did not find a way to communicate clearly its objectives to the puzzled or indifferent residents of the region.

#### **IV. Negros: Bandits as Beneficiaries**

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President Aquino's peace agenda faces even greater challenges with the Revolutionary Proletarian Army-Alex Boncayo Brigade (RPA-ABB). Originally a splinter group of the communist movement, most of its 700-odd members live in Negros Occidental, a province in the Visayas famous for its sprawling sugar plantations. Although the group reached a deal with the government in 2000, the peace process has languished. In the interim, some individuals in the RPA-ABB found another way to earn a living: working as the hired guns of local politicians. As in the Cordillera, the Aquino government is negotiating a closure agreement, but one has yet to be signed, though its contours are clear.

The peace process office admits mistakes were made in the Cordillera and does not want to repeat them in Negros. One advantage is that the RPA-ABB is smaller than the CPLA and concentrated in a more developed and accessible area, which will make it easier for the government to deliver programs and keep tabs on beneficiaries. Yet, the RPA-ABB poses a much stiffer test. It retains a coherent command structure, and its members are actively involved in political violence in Negros Occidental. The government needs to devise programs that provide the incentives to change the RPA-ABB's *modus operandi* while ensuring that its members cannot use the peace process to shield themselves from the law.

##### **A. The Evolution of the RPA-ABB**

The dismantling of the RPA-ABB is part of a long story about the rise and fall of the communist movement in Negros Occidental.

The fortunes of non-state armed groups in the province have depended on their ability to forge alliances with elites. The traditional powerbrokers are sugar plantation owners, who from the late nineteenth century onwards dominated the local economy and wielded near complete control over their workers.<sup>102</sup> In the late 1960s, the leadership of the nascent communist movement believed the province was ripe for revolution. But the mass mobilisation efforts by CPP-NPA cadres bore fruit only after tactical alliances were forged, first with church groups in the hills to the south and then through unions that granted access to plantation workers in the lowlands.<sup>103</sup> After President Corazon Aquino took power in 1986, these alliances began to fray. Union organisers turned their attention to promoting workers' rights rather than raising funds for the revolutionary cause, which left the guerrillas short on cash.

An ideological split in the early 1990s cleaved the countrywide communist movement in two, on one side the "reaffirmists", on the other the "rejectionists". In Negros Occidental, only one platoon stayed with the hardline reaffirmists committed to rural armed struggle.<sup>104</sup> Almost everyone else in the province, neighbouring Negros Oriental and the adjacent island of Panay – the guerrillas, plus political cadres and sympathetic aboveground organisations – sided with the rejectionists, who wanted to pursue revolutionary goals through reform and political engagement. Arturo

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<sup>102</sup> For an incisive analysis of the Negros elite, see Peter Kreuzer, "Domination in Negros Occidental: Variants on a Ruling Oligarchy", Peace Research Institute Frankfurt, Report no. 112, 2011.

<sup>103</sup> Rosanne Rutten, "Regional Dynamics: Rise and Decline of the CPP-NPA in Negros Occidental", in *Brokering a Revolution*, op. cit., pp. 280-347.

<sup>104</sup> *Ibid*, p. 315.

Tabara, the one-time head of the CPP-NPA Visayas Commission, was in charge of this formidable breakaway group.

The guerrilla forces under Tabara became the RPA, which, for a time, absorbed rejectionists in Nueva Ecija in northern Luzon and the southern island of Mindanao. He also forged links with Manila-based ideologue Filemon “Popoy” Lagman, who brought along the Alex Boncayo Brigade (ABB), a hit squad operating in the capital. But in 1998, differences between Tabara and Lagman reached breaking point. The spat left Tabara with most of the muscle – including the urban guerrillas of ABB – but he was cut off from the unions, civil society activists and community organisers under Lagman’s control. This included the progressive civil society groups in Negros Occidental that had once had ties to the underground armed struggle.<sup>105</sup>

Tabara faced a dilemma: he had hundreds of trained fighters under his command but no longer wanted to wage war against the Philippine state. Because of the falling out with Lagman, he had also lost access to funding that flowed through aboveground organisations. The forces in the countryside were left to their own devices with predictably bad results: they turned to banditry.<sup>106</sup> Meanwhile, the reaffirmist CPP-NPA was trying to regain a foothold in Negros Occidental and took deadly revenge on some of the rejectionist RPA-ABB members.<sup>107</sup>

The dynamics at the other end of the political spectrum were also changing. By the mid-1990s, the new kingmaker in the province was Eduardo “Danding” Cojuangco, a prominent Marcos ally who had fled the Philippines during the democratic transition in 1986 only to return as a Negros Occidental-based tycoon in 1991. As his power grew, that of the plantation owners declined. Cojuangco also forged a relationship of convenience with the RPA-ABB. As peace talks between the government and the political wing of the group, the RPM-P (Rebolusyonaryong Partido ng Manggagawa ng Pilipinas, or Revolutionary Workers’ Party of the Philippines), were collapsing in late 2000 amid efforts to impeach President Joseph Estrada, Cojuangco stepped in and used his clout to help secure a deal.<sup>108</sup>

The peace agreement included a ceasefire, but because the RPA-ABB was not actively fighting the government, it was hardly the most important provision. That was the following:

In order to assist in the maintenance of peace and order within the areas controlled by the RPMP/RPA/ABB and those affected and serviced by the Development

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<sup>105</sup> On these reconfigurations, *ibid*, pp. 317–318, and “Rebolusyonaryong Partidong Manggagawang Pilipinas (Revolutionary Workers Party of the Philippines) and its Revolutionary Proletarian Army–Alex Boncayo Brigade (RPM-P/RPA-ABB)”, in *Primed and Purposeful*, *op. cit.*, chapter 12. The most detailed account is Dominique Caouette, “Persevering Revolutionaries: Armed Struggle in the 21st Century, Exploring the Revolution of the Communist Party of the Philippines”, PhD thesis, Cornell University, 2004.

<sup>106</sup> Crisis Group interview, senior member of the RPA-ABB, Bacolod, 6 September 2012. As a former political cadre in Negros explained, “when someone lacks discipline and carries a rifle, he’s a dangerous person”. Crisis Group interview, Bacolod, 6 September 2012.

<sup>107</sup> The CPP-NPA sent back Ka Frank (Frank Fernandez) in 1994 to rebuild the movement’s strength in the province. He had been in Luzon at the time of the split. Crisis Group interview, former member of the CPP-NPA, Bacolod, 6 September 2012.

<sup>108</sup> On Cojuangco, see Rutten, “Regional Dynamics”, *op. cit.*, pp. 319–320; Kreuzer, *op. cit.*, pp. 26–28; and Earl G Parreño, “The New Guerrillas”, *Newsbreak*, 1 April 2002. He is a signatory to the peace process, under the title “Intervenor for the Peace Process”.

Projects, certain officers and members of the RPMP/RPA/ABB, not exceeding one hundred (100), shall be given a special license and permit to carry firearms ...

This was coupled with vague language committing the group to undertake “the disposition of arms and forces ... within a reasonable time”. Other terms included the release of political prisoners, a reintegration fund of ten million pesos (\$200,000 based on exchange rates at the time) and 500 million pesos (\$9.85 million) for development projects. Under President Arroyo, who took power after Estrada resigned in January 2001, the RPA-ABB received only a fraction of the money.<sup>109</sup>

But the benefits were not what mattered most in the peace agreement; its real significance was that it legitimised the group as an armed presence in Negros Occidental. In the early 2000s, the RPA-ABB was widely known to conduct arrests in upland areas and hand over its “detainees” to the police.<sup>110</sup> Only a few members ever received a licence to carry their firearms, as stipulated, but the group as a whole used the peace agreement to justify why its people were armed. This also provided cover for members working as hired guns for local politicians. To this day, RPA-ABB leaders merely describe the deal reached in 2000 as a “confidence-building measure” that did not encompass the surrender of arms.<sup>111</sup> Civil society activists and the Catholic Church strongly criticised the peace agreement. Whatever interest Arroyo had in implementing its terms dissipated as her presidency became mired in controversy.

The transformation of the RPA-ABB into lackeys of the security forces and the provincial elite put the group increasingly at odds with its former comrades. By the early 2000s, the CPP-NPA was resurgent in Negros Occidental and elsewhere. In 2004, it claimed responsibility for killing Tabara, one of the victims in a spate of assassinations of rejectionist leaders. His death demoralised the lower ranks and gave them a strong incentive to stick together for fear of further CPP-NPA attacks.<sup>112</sup>

Then, in 2007, yet another leadership dispute occurred. The one-time head of the ABB in Manila, Nilo de la Cruz, tried to oust Tabara’s widow, Veronica, and the Negros-based RPA-ABB commander Stephen Paduano (better known by his nom de guerre, Carapali Lualhati). This created two factions, one centred on de la Cruz, the other led by Veronica Tabara and Paduano. The latter two have reached their current positions through attrition. Veronica’s authority derives from her status as Arturo’s widow, unlike other high-profile women on the hard left who are known as ideologues or leaders in their own right.<sup>113</sup> Paduano has dubious pedigree; he was once allegedly a member of the “dirty jobs unit” of the Visayas Commission under Arturo Tabara, which is said to have raised funds through kidnapping and other nefarious activities.<sup>114</sup>

<sup>109</sup> By 2006, the group had received 2.1 million pesos (\$50,000) for the reintegration fund, and the government had spent only 6.6 million pesos (\$156,000) on the development projects. *Primed and Purposeful*, op. cit., p. 284.

<sup>110</sup> Over time, the RPA-ABB stopped carrying out these arrests. Crisis Group interview, senior OPAPP official, Manila, 4 September 2012; civil society activist, Bacolod, 7 September 2012.

<sup>111</sup> Crisis Group interview and telephone interview, senior RPA-ABB members, Bacolod, 6-7 September 2012.

<sup>112</sup> Crisis Group interview, former member of the communist movement, Bacolod, 6 September 2012.

<sup>113</sup> Namely Wilma Tiamzon, the wife of Benito Tiamzon, who was instrumental in the rapid expansion of the CPP-NPA’s strength in the Visayas. The Tiamzons sided with the reaffirmists during the split and remain underground in the Philippines leading CPP-NPA activities there. The founder, Joma Sison, and other senior figures are based in Utrecht, the Netherlands.

<sup>114</sup> Crisis Group interview, former member of the communist movement, Manila, 10 September 2012.

## **B. *Negotiating the Closure Agreement***

The Aquino government inherited a peace agreement gone badly wrong. Rather than ending the RPA-ABB's existence as a non-state armed group, it encouraged abuses. The president asked the peace process office to find a way to dismantle the group, but two factors impinge upon prospects for success: the strength of the CPP-NPA; and the demand for hired guns. The RPA-ABB is entwined in political violence in Negros Occidental in a way that makes it much harder to design and implement a closure agreement that offers socio-economic assistance in exchange for the surrender of weapons.

The government is negotiating with both factions of the RPA-ABB, but discussions are further along with the Tabara-Paduan group.<sup>115</sup> Its 700-some district commanders and foot soldiers live mainly in Negros Occidental, Negros Oriental, and the island of Panay.<sup>116</sup> The peace process office is mindful that the context is different than with the CPLA in the Cordillera. As a senior official observed, the RPA-ABB has a "worse record of lawlessness" and a higher profile.<sup>117</sup>

Even though the closure agreement is still under negotiation, the government has already profiled the RPA-ABB members, inventoried their weapons as a first step in an eventual turnover, and launched consultations with local government and civil society.<sup>118</sup> In addition, under the auspices of PAMANA, the government has committed to development projects in 37 municipalities on Negros and Panay.<sup>119</sup> The group has also formally changed its name to Kapatiran para sa Progresong Panlipunan (Brotherhood for Social Progress).<sup>120</sup>

The differences from the CPLA are striking. The Tabara-Paduan group is more united and security provisions will figure much more prominently in the closure agreement (discussed below).<sup>121</sup> Local governments in Negros are supportive, and the peace process office has kept police and military commanders there better informed of the talks. A senior military official observed that RPA-ABB members do not really need to be reintegrated into society, because they are already "mainstreamed"; for him, the closure process is a way of getting most of their weapons back.<sup>122</sup> Civil society groups are more sceptical; not everyone is confident the closure agreement will lessen the RPA-ABB's violent tendencies; an activist emphasised that the peace pro-

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<sup>115</sup> OPAPP has several pages on the RPM-P/RPA-ABB process on its website, [www.opapp.gov.ph](http://www.opapp.gov.ph). In particular, see "Under the PNoy Administration", 1 November 2011; "The Tabara-Paduan Group", 14 June 2011; and "The Nilodela Cruz Group", 14 June 2011.

<sup>116</sup> According to the profiling exercise, there are 496 members in Negros Occidental, 58 in Negros Oriental, and 111 in Panay. Only 28 members remain in Mindanao since the departure of the group based there. Very few (23) are left in the Manila area, PowerPoint presentation made available to Crisis Group by the Philippine National Police.

<sup>117</sup> Crisis Group interview, senior OPAPP official, Manila, 4 September 2012.

<sup>118</sup> OPAPP has posted resolutions by various provincial and municipal offices in support of the closure agreement on its website.

<sup>119</sup> These all appear to be in initial stages, according to information available at [www.pamana.net](http://www.pamana.net) as of June 2013.

<sup>120</sup> "RPM-P/RPA/ABB begins transformation into legitimate, mainstream organization", posted on [www.opapp.gov.ph](http://www.opapp.gov.ph) on 17 April 2013.

<sup>121</sup> The RPA-ABB maintains that its members are worried, but basically united in giving up their guns. Their leaders emphasise they were not obliged to surrender them under the 2000 peace agreement: "Our members are still armed, but they are trying their best to adjust to a life that is not violent". Crisis Group telephone interview, Veronica Tabara, 7 September 2012.

<sup>122</sup> Crisis Group interview, senior military official, Bacolod, 5 September 2012.

cess office should focus on breaking up the command structure and weakening the influence of district commanders over foot soldiers.<sup>123</sup> The CPP-NPA and sympathetic legal organisations on the left predictably oppose the group receiving more government aid.<sup>124</sup>

Critics in the Cordillera say the CPLA's poor reputation is why they should not receive further government help, but in Negros the dirty dealings of the RPA-ABB prove why the Aquino government should right the wrongs of the 2000 peace agreement. For example, in 2012, five RPA-ABB members killed a regional trial court judge, Henry Arles, in an apparent hired killing. Explaining why the incident did not scuttle the closure process, a journalist said, everyone in Negros Occidental knows the group is up to no good.<sup>125</sup> The peace process office tried to make clear that one of the objectives of the closure process is precisely to end the RPA-ABB's abuses rather than legitimise its violence. It is possible that prior charges against RPA-ABB members, particularly for the illegal possession of firearms, may be quashed in the closure agreement.<sup>126</sup>

More serious crimes, like those in the Arles case – which, unusually, was investigated by the National Bureau of Investigation (under the justice department) rather than the local police – will still be subject to prosecution. The government is adamant that RPA-ABB members who find themselves on the wrong side of the law will not be able to hide behind the closure agreement.<sup>127</sup>

The package the Aquino government appears poised to offer to the RPA-ABB also differs considerably in other respects from that agreed with the CPLA.

#### 1. Resettlement sites and “in situ” assistance

RPA-ABB members can choose between moving to a resettlement site and receiving livelihood aid “in situ”. Roughly half will move to “peace and development communities” in the upland fringes of municipalities in three provinces; the rest will be scattered among seven designated urban areas.<sup>128</sup> The idea is similar to the peace and development communities where some MNLF live in Mindanao, but the Negros resettlement areas are likely to be home to a larger concentration of RPA-ABB members; current residents will not be displaced.<sup>129</sup> According to Paduano, those interested in moving are from the platoons and companies, many of whom are farmers. The peace process office has had difficulty acquiring the land under existing tenurial instruments, which has delayed the closure agreement for months<sup>130</sup> and put the RPA-ABB leadership in an awkward position.<sup>131</sup> The areas are so remote that they lack decent roads, water and housing. The RPA-ABB leaders say they want to create self-sustaining economic communities. Other members who stay in cities and villag-

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<sup>123</sup> Crisis Group interviews, civil society activists, Bacolod, 6-7 September and Manila, 10 September 2012.

<sup>124</sup> For example, “The peace pact with the RPA-ABB”, *Bulatlat.com*, 24 May 2012.

<sup>125</sup> Crisis Group interview, local journalist, Bacolod, 6 September 2012.

<sup>126</sup> Crisis Group interview, Stephen Paduano, Bacolod, 6 September 2012.

<sup>127</sup> Crisis Group interview, government official, Manila, 25 April 2013.

<sup>128</sup> Crisis Group telephone interview, senior RPA-ABB leader, 28 January 2013.

<sup>129</sup> Crisis Group interview, government official, Manila, 25 April 2013.

<sup>130</sup> Crisis Group Skype interview, 30 April 2013.

<sup>131</sup> Crisis Group Skype interview, 30 April 2013.

es will receive livelihood assistance only. The government has budgeted roughly 50,000 pesos (\$1,185) per person for the latter.<sup>132</sup>

If the government manages to foster productive communities for the relocated RPA-ABB members, then it is possible that the lure of working as a hired gun will diminish. But many observers in Negros are sceptical. As a local journalist reasoned, the problem with the RPA-ABB is that it acts as the muscle for politicians during elections and can continue to do so from its new locations.<sup>133</sup>

## 2. Firearms and community security

The threat of CPP-NPA attacks against RPA-ABB members is real, and the government needs to find a way to protect individuals who hand over their guns as part of the closure process. Paduano argues that “the government cannot secure communities that are threatened by the NPA”. Proving his point, in January 2013, an NPA unit in Negros Occidental fired on a truck carrying police, members of a *barangay* peacekeeping action team, and villagers, killing nine.<sup>134</sup> The incident underscored the serious violence plaguing the province and the inability of state security forces to stop attacks.

The RPA-ABB’s leaders say the peace process office has agreed to let some of their members join new “defence units” that will be supervised by the military, but cannot be used in counter-insurgency operations. Although these units will not be called CAFGU, their existence will be legalised under the same reservist law. Equipped with government-issued weapons, they will patrol the resettlement sites, although the details of these new units, their size, where they can move and how long they will exist is still under negotiation.<sup>135</sup> The peace process office and the military believe the CPP-NPA threat necessitates the arming of the RPA-ABB; they do not see any alternative means of securing them given how remote the resettlement sites are.<sup>136</sup>

Civil society activists worry these “defense units” will turn the resettlement sites into armed enclaves. The best way to address their concerns, and reassure the people living in and around the sites that they will be safe, is to set out local security arrangements as part of the closure agreement. These should be jointly reviewed – by the RPA-ABB and the government, with input from civil society and the communities – on a regular basis and adjusted as necessary.

First, however, the RPA-ABB is set to turn over or register the guns in its arsenal. Individuals will not be compensated directly – in cash or in kind. Rather, the group as a whole will participate in exchange for the benefits offered by the government. According to Paduano, the members will give up their firearms without compensation because “guns are the last symbol of being a revolutionary”; therefore, selling

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<sup>132</sup> Crisis Group telephone interviews, senior RPA-ABB leader, 7 September 2012 and 28 January 2013.

<sup>133</sup> Crisis Group interview, local journalist, Bacolod, 7 September 2012.

<sup>134</sup> The NPA claimed responsibility. See “Negros attack a ‘legitimate’ NPA operation – NDF”, *InterAksyon.com*, 8 February 2013.

<sup>135</sup> Crisis Group interview, Stephen Paduano, Bacolod, 6 September 2012; and telephone interviews, senior RPA-ABB leader, 7 September 2012 and 28 January 2013. By April 2013, the peace process office anticipated they would exist for two years. Crisis Group interview, government official, Manila, 25 April 2013.

<sup>136</sup> There will be AFP outposts in each resettlement site. Crisis Group interviews, government official, Manila, 25 April 2013; and senior military official and police officer, Bacolod, 5 and 7 September 2012.

the guns back would be “selling your principles”.<sup>137</sup> It is still unclear what will happen to the firearms that were licensed under the 2000 peace agreement; the RPA-ABB would like the licences to remain valid.<sup>138</sup> The guns turned over after the closure agreement is signed may or may not be destroyed.<sup>139</sup> The fact that there is still so much to be decided shows how urgently the Philippine government needs clearer policies on the disposition of rebel arms.

### C. *Lessons*

The RPA-ABB became a menace in Negros because of a poorly conceived peace agreement. Few question the Aquino government’s impulse to set things right. The decision to focus on targeted assistance to members rather than infrastructure, like in the Cordillera, that would benefit the broader community is sound. Some of the RPA-ABB’s weapons will be taken out of circulation or registered. But the real test will be whether the group’s members stop doing the dirty work of local politicians. The planned livelihood assistance may not be enough.

Sceptics doubt that the RPA-ABB is being offered the right incentives to change its ways. The resettlement sites could further entrench divisions between the group’s members and the rest of Negros society. Yet, one of the objectives of the reintegration component of DDR, as understood by conflict specialists, is to encourage former fighters to develop new social networks in the interests of enhancing community security.<sup>140</sup> Most worryingly, the security arrangements envisioned are double-edged. While the RPA-ABB has proved its sincerity by offering to exchange its weapons for livelihood and other assistance, it is agreeing because the Aquino government will in effect re-arm a smaller number of members. The defence units may be a necessary evil as long as the CPA-NPA remains a potent threat, but they must be closely supervised by the military and should not be allowed to exist in perpetuity.

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<sup>137</sup> Crisis Group interview, Stephen Paduano, Bacolod, 6 September 2012.

<sup>138</sup> Crisis Group telephone interview, senior RPA-ABB leader, 28 January 2013.

<sup>139</sup> A police officer said he thought non-U.S.-made guns would be destroyed, while U.S.-made ones would be turned over for verification by the national defence department, as many likely originated with the military. Crisis Group interview, police officer, Bacolod, 7 September 2012.

<sup>140</sup> As the UN’s Integrated DDR Standards notes in module 4.30, p. 6: “The important thing is to ensure that the receiving communities are adequately consulted, and that they understand and accept that specifically designed support given to ex-combatants will increase their own security. In this sense, reintegration support for ex-combatants is not to be regarded as special treatment for ex-combatants, but rather as an investment in security for the population as a whole”.



## **V. Conclusion**

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The closure agreements are not a watershed moment for conflict resolution in the Philippines. President Aquino proved his mettle in signing a final pact with the MILF, but the trajectory of discussions with the CPLA and RPA-ABB shows the limits of his peace agenda. Negotiations and implementation have been glacially slow. Despite a history of leakage of arms from government sources, there is still no clear policy on what will happen to the guns collected. Sceptics in the Cordillera and Negros have good reasons to doubt whether the closure agreements will have positive effects for their communities.

The peace process office has tried hard with the two closure agreements, but some issues lay beyond its purview. This is most obvious in the security arrangements for the CPLA and RPA-ABB members surrendering weapons, where the peace process office has felt constrained by the options the police and military were willing to put forward. As long as the army continues to rely on the CAFGU, and legal loopholes and a weak judicial system enable politicians to maintain private armies, it will be difficult to prevent former rebels from using their gun to earn money. This is why Secretary Deles and her staff, in trying to carry out DDR-esque programs for the Cordillera and Negros, have come up with imperfect solutions. DDR makes sense when assistance to ex-combatants is designed to stabilise a fragile, post-conflict environment in order to create space for the state to begin functioning again. But the CPLA and RPA-ABB closure agreements were primarily about cleaning up the mess previous administrations had left behind; their scope was limited, as was the peace process office's mandate.

When it comes to the southern Philippines, at least the thinking in Manila is more ambitious. The October 2012 peace agreement does refer to private armies and includes provisions on justice and the role of the police and military. Unlike in the Cordillera and Negros, negotiations between the government and the MILF on security matters will be tied to the broader institutional changes envisioned for Mindanao. Another important difference is that donors seem willing to provide money and technical expertise. It is hard to envision the MILF committing to anything resembling DDR – given its strong associations with counter-insurgency – any time soon, but there are other steps that can be taken to encourage its eventual demilitarisation. The establishment of a new regional police force that is widely perceived as effective and legitimate and support to weak judicial systems would help. Only then might the framework agreement succeed in making communities more secure, in addition to silencing the MILF's guns.

**Jakarta/Brussels, 19 June 2013**

## Appendix A: Map of the Philippines



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## Appendix B: Glossary

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ABB	Alex Boncayo Brigade
AFP	Armed Forces of the Philippines
Balik-BARIL	weapons buyback program (Bring a Rifle and Improve your Livelihood)
CAFGU	Civilian Armed Force Geographical Units
CBA	Cordillera Bodong Administration
CCAGG	Concerned Citizens of Abra for Good Governance
CPLA	Cordillera People's Liberation Army
CPP	Communist Party of the Philippines
DDR	disarmament, demobilisation and reintegration
DILG	Department of Interior and Local Government
DSWD	Department of Social Welfare and Development
LEAP	Livelihood Enhancement for Peace
MILF	Moro Islamic Liberation Front
MNLF	Moro National Liberation Front
NPA	New People's Army
OPAPP	Office of the Presidential Adviser on the Peace Process
PAMANA	PAYapa at MASaganang PamayaNan (Peaceful and Resilient Communities)
PNP	Philippine National Police
RPA	Revolutionary Proletarian Army
RPM-P	Rebolusyonaryong Partido ng Manggagawa ng Pilipinas (Revolutionary Workers' Party of the Philippines)
USAID	U.S. Agency for International Development

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## Appendix C: About the International Crisis Group

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Former Board Members who maintain an association with Crisis Group, and whose advice and support are called on (to the extent consistent with any other office they may be holding at the time).

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