



Philippines Peace Process

An Update From 2012-2015

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List of Acronyms:

ARMM	Autonomous Region in Muslim Mindanao
BBL	Bangsamoro Basic Law
BIAF	Bangsamoro Islamic Armed Forces
BIFF	Bangsamoro Islamic Freedom Fighters
MILF	Moro Islamic Liberation Front
MNLF	Moro National Liberation Front
NPA	New People's Army

Background



The implementation of the Framework Agreement on the Bangsamoro between the Moro Islamic Liberation Front (MILF) and the Filipino government in the southern Philippines since its signing in 2012 has seen progress and setbacks in its implementation within Mindanao. This annex seeks to provide an update from the paper *Prospects and Problems for Peace in the Southern Philippines*¹ by the Democratic Progress Institute.

1 Democratic Progress Institute, 'Briefing Paper: Prospects and Problems for Peace in the Southern Philippines', Democratic Progress Institute, 21/12/12. [Accessed 27/05/15] <http://www.democraticprogress.org/briefing-paper-prospects-and-problems-for-peace-in-the-southern-philippines/>.

It aims to showcase what has happened in relation to the peace process since 2012 and will be split into two parts: the first part detailing the aspects and challenges of the Agreement, and the second addressing events on the ground that have highlighted the challenges faced in obtaining lasting peace.

The Framework Agreement on the Bangsamoro

The Framework Agreement on the Bangsamoro provided a general framework in which both parties could enter detailed peace negotiations. The successive peace negotiations are split into four parts; the first three parts give autonomy for Bangsamoro, while the final part, titled the Comprehensive Agreement on the Bangsamoro, signed on the 27th March 2014,³ looks to set out the ways in which the government and MILF will restore order in the region and is centred on autonomy and security considerations. The Comprehensive Agreement on the Bangsamoro looked to resolve a range of issues, from disarmament to autonomy, with the target of setting up a regional government by 2016.

2 Wikipedia, 'Bangsamoro', *Wikipedia Commons*, nd. [Accessed 26/05/15] http://en.wikipedia.org/wiki/File:Ph_locator_bangsamoro.png.

3 The Guardian, 'Philippines signs long-awaited peace deal with Muslim rebels', *The Guardian*, 27/03/14. [Accessed 26/05/15] <http://www.theguardian.com/world/2014/mar/27/philippines-muslim-rebel-peace-deal-aquino-milf>.

Under the 2014 Agreement, autonomy was redesigned from the unpopular Autonomous Region in Muslim Mindanao (ARMM), described by President Benigno Aquino III as ‘a failed experiment’,⁴ to a more autonomous Bangsamoro region. The new Agreement provides that the region will have a ministerial form of government, with voters directly electing parties.⁵ This directly elected government will have revenue raising powers such as the exploitation of natural resources.⁶ The framework lists 81 powers that are to be devolved, centralised or shared; of these, nine are still under the control of the government, 14 have been shared and 58 have been devolved, including financial powers, such as the creation of sources of revenue and budgeting.

Security Promises

The Agreement looks to provide security for the Bangsamoro region. Under the Agreement MILF is to decommission its 10,000-15,000 strong armed wing, the Bangsamoro Islamic Armed Forces (BIAF), and turn over its firearms to a third party, to be agreed upon by both the government and the rebels.

4 Benigno S. Aquino III, ‘Speech of President Aquino on the Framework Agreement with the MILF (in English)’, *Philippines Government*, 07/10/12. [Accessed 26/05/15] <http://www.gov.ph/2012/10/07/speech-of-president-aquino-the-framework-agreement-with-the-milf-october-7-2012-full-english/>.

5 Ana Marie Pamintuan, ‘A new deal’, *The Philippine Daily Star*, 03/02/14. [Accessed 26/05/15] <http://www.philstar.com/opinion/2014/02/03/1285987/new-deal>.

6 Ana Marie Pamintuan, ‘A new deal’, *The Philippine Daily Star*, 03/02/14. [Accessed 26/05/15] <http://www.philstar.com/opinion/2014/02/03/1285987/new-deal>.

This, however, will only happen once all the other groups in the area have been disarmed.⁷ This may well prove to be the greatest challenge for both parties due to the number of different groups operating in the area, from Communist guerrillas such as the New People's Army (NPA) to splinter MILF factions such as Bangsamoro Islamic Freedom Fighters (BIFF).

In return for disarmament, the government has agreed to grant an amnesty to MILF fighters facing charges and has agreed to reduce the number of government troops present in Bangsamoro, while a new police force under the authority of the new regional government is to be established.

Legal Complications

Diplomacy has largely carried the peace process forward, yet legal challenges remain. A draft of Bangsamoro Basic Law (BBL) was passed the Filipino House ad hoc committee on 20th May 2015 and took an unprecedented 50 hearings and the participation of hundreds of lawmakers to get the draft through.⁸ Although it has passed through the drafting process, it has yet to pass the upper and lower house. This process will take time due to the need to debate the bill and discuss any amendments put forward. Although both

7 Economist, 'The biggest fighter among many', *Economist*, 27/01/2014. [Accessed 26/05/15] <http://www.economist.com/blogs/banyan/2014/01/peace-southern-philippines>.

8 Louie U. Navarro, 'House panel approves Basic Law for the Bangsamoro Autonomous Region', *CCN Philippines*, 21/05/15. [Accessed 26/05/15] <http://cnnphilippines.com/news/2015/05/20/BBL-draft-approved.html>.

House and Senate leaders had agreed to approve the bill by the end of the second regular session of the Filipino legislature, House Majority Leader Neptali Gonzales II said it was ‘wishful thinking’ to believe that it could pass before adjournment on 11th June 2015. At the time of writing, it remains to be seen whether the legislation will be passed in time before the upper and lower house adjourns for elections for 2016.

One of the main concerns is that the establishment of the new region could be challenged in court. There is a possibility that those who stand to lose in the peace process could seek legal avenues to see the BBL dropped, if it were to go against the Filipino constitution. This was the case in 2008, when the peace deal between the government and MILF was dismantled by the Filipino Supreme Court for being unconstitutional.⁹

Zamboanga City Crisis

Despite the fact the Agreement in 2012 has provided a step forward towards peace, it has seen a number of setbacks. One of the largest unintentional consequences of the Agreement in 2012 has been anger felt by another group operating in the area, the Moro National Liberation Front (MNLF). MNLF are a secessionist group founded in 1969, which seek independence from the Philippines.

⁹ GMA News, ‘Supreme Court rules domain agreement ‘unconstitutional’, *GMA News*, 14/10/08. [Accessed 26/05/15] <http://www.gmanetwork.com/news/story/126956/news/nation/supreme-court-rules-domain-agreement-unconstitutional>.

MNLF signed a peace Agreement with the Filipino government in 1996, but the new peace Agreement with MILF looked to supplant that Agreement and the MNLF-supported ARMM. This angered the MNLF, and resulted in the group attempting to file a petition with the Supreme Court to question the constitutionality of the Agreement. When this failed, Nur Misuari, the leader of MNLF, proclaimed the independent state of Bangsamoro Republic on the 12th August 2013. This proclamation was widely unrecognised both internationally and by the Filipino government.

On September 9th 2013 MNLF entered the city of Zamboanga, located on the south-western side of Mindanao, captured hostages and attempted to raise the flag of Bangsamoro Republic at the city hall. Referred to as the Zamboanga crisis, for the next 20 days, violent clashes occurred around the city between MNLF and government forces, causing the displacement of 100,000 people and the occupation of several villages by MNLF forces. While all of the hostages were recovered and the self-proclaimed Bangsamoro Republic ceased to exist, the fighting caused economic damage as well as the deaths of 12 civilians.

Amid this new rise in tensions, President Aquino stated that he remained willing to discuss the peace Agreement with MNLF. MNLF leaders have since endorsed the BBL,¹⁰ seeing it as the

10 GMA News, 'MNLF chairman asks Congress: Pass BBL now', *GMA News*, 18/05/15. [Accessed 26/10/15] <http://www.gmanetwork.com/news/story/488994/news/nation/mnlf-chairman-asks-congress-pass-bbl-now>.

best current option for a peaceful transition,¹¹ while still seeking non-violent ways to obtain independence.¹² This incident has not distracted from the peace process with MILF. However, it does highlight that MILF is not the only group operating in the area, and there are others that may see the derailment of the peace process as beneficial to their own ambitions.

Rebel Groups

Despite the signing of the peace Agreement, events on the ground have demonstrated the difficulties faced in achieving and more importantly, maintaining, long lasting peace in the Philippines. While MILF is still the largest rebel group operating in Bangsamoro, it is not the only group and at least four rebel groups are viewed actively by some as potential ‘spoilers’.

Other smaller criminal gangs are also invested in derailing the stability and order in the region to hinder the peace process. While the clashes between the police and MILF rebels have slowed the political pace of the process, the largest challenge to peace relates

11 GMA News, ‘Leader of MNLF faction reiterates support for Bangsamoro Basic Law’, *GMA News*, 15/05/15. [Accessed 26/05/15] <http://www.gmanetwork.com/news/story/487974/news/nation/leader-of-mnlf-faction-reiterates-support-for-bangsamoro-basic-law>.

12 Philippine Daily Enquirer, ‘MNLF proposes three options for Bangsamoro independence’, *Philippine Daily Enquirer*, 18/05/15. [Accessed 26/05/15] <http://newsinfo.inquirer.net/692009/mnlf-proposes-3-options-for-bangsamoro-independence>.

to the disarmament of other rebel groups; Bangsamoro Islamic Freedom Fighters, a splinter group from MILF, for example, opposes the peace process and plans to keep on fighting in the name of independence from the Philippines. Additionally, the Maoist NPA has operated in the area for a generation and shows no signs of dissipating. Furthermore, the MNLF, which concluded its own peace deal for autonomy in 1996, is angered by the new Bangsamoro Agreement and has looked to supplant the ARMM, as seen during the Zamboanga City crisis in September 2013. Along with the larger groups are kidnappers and extortionists, and extremists; all of which threaten to complicate the disarmament process.

The Mamasapano Incident

Despite the 2014 declaration being signed, clashes between MILF and the government have occurred. On 25th January 2015, 44 Filipino police officers were killed in Mamasapano, Mindanao, in pursuit of a member of the BIFF, a MILF splinter group not involved in the peace process. This created difficulties of trust for both sides; on the government side, there was a sense of distrust and anger over the death of 44 police officers. MILF, on the other hand, were angered at the government presence in Mamasapano, as under the Agreement, government forces should coordinate with MILF fighters when entering rebel territory.

There was general anxiety on both sides over how this incident might affect the peace process. In the end both sides concluded that

this incident was an accident and reconfirmed their commitment to the 2014 Agreement, with MILF offering to help find Zulkifli Abdir and Abdul Basit Usman, the two targets of the operation that the government forces were looking to capture. One of the largest repercussions of the Mamasapano incident has been the suspension of the work needed to create a Bangsamoro Basic Law in the Filipino Senate. The Mamasapano incident is arguably the biggest obstacle in the Senate in passing the Bill, something which is essential if the peace process is to move forward. Nonetheless, as mentioned before, the legislation has still not passed and there are now doubts that an autonomous region will be created by the desired deadline of 2016.

Conclusion

Overall, maintaining lasting peace in the Philippines is likely to continue to be challenging. The Framework Agreement on the Bangsamoro in 2012 has set the outline for peace talks which have been adhered to, and has culminated in the Comprehensive Agreement on the Bangsamoro in 2014. However, long term and short term challenges remain. Perhaps the largest long-term challenge to the peace process is the disarmament of rebel groups there; this will prove to be immensely difficult due to the high numbers of armed groups operating in the area and will rely on close communication between government forces and MILF. At the time of writing the short term challenge will be the question of whether the BBL will be passed by the House and the Senate

before adjournment. Recent incidents between government forces and MNLF and MILF demonstrate how events on the ground can hinder the progression of a peace process. However the leaders of these groups have shown commitment to the process, indicating that it has now gone too far to reverse.

While implementing the Agreement has and will remain challenging, ramifications will be felt beyond the Philippines; it has acted as an inspiration for conflict resolution elsewhere in South-East Asia. Thailand has started talking with its own Muslim rebels while armed groups in Myanmar have visited Bangsamoro to learn from the experiences of MILF, and the Philippines continues to be a rich example of a difficult but ultimately continuing peace process that could be studied by governments of South East Asia and beyond.

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