

ROLE OF THIRD PARTIES IN MINDANAO PEACE PROCESS

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Introduction

The conflict in Mindanao between the Government of the Republic of the Philippines (GRP) and the Bangsamoro liberation fronts has been going on for more than three decades. Although it has been violent but most of the time the protagonists are engaged in peace talks. Every time shooting war between the protagonists erupts, which usually take place in short span of time; it is always followed by lengthy negotiations, though every time war break out the consequences is painful and the costs are tremendous.^[1]

Every time the GRP and the Bangsamoro liberation fronts talk peace, a third party is always involved. In the negotiations between the GRP and the Moro National Liberation Front (MNLF) the Organization of Islamic Conference (OIC) had been actively involved. In the on-going talks between the GRP and the Moro Islamic Liberation Front (MILF) Malaysia is the facilitator. Lately, the United States got the interest to be actively involved in finding peaceful solution to the Mindanao conflict. This paper attempts to find out the roles of these third parties in the peace process, specifically in the areas of peace making and peace keeping. The role of third parties in the peace building phase can be a subject of separate enquiry.

In this paper, peace process denotes the efforts of settling the conflict in Mindanao through peaceful means. This specifically refers to the negotiations between the GRP and the MNLF and the on-going peace talks between the GRP and the MILF, the two mainstream Bangsamoro liberation organizations.^[2] The negotiations between the Government and the MNLF started in January 1975 and lasted until September 1996. The peace talks with the MILF started after the conclusion of the GRP-MNLF negotiations and still going on as of this writing.^[3]

Third Party Intervention

Third party intervention is the usual response to violent and persistent conflicts when parties involved are unable to manage their differences. More often in the past, this was used in intervening inter-state conflicts. Third party intervention in intra-state conflicts was not welcomed because it was perceived

by states as interference in their domestic affairs. This attitude is changing as in recent years major violent conflicts originated at the domestic level within the state, rather than between states. These are conflicts “in the form of civil wars, armed insurrections, violent secessionist movements, and other domestic warfare.” (Harris and Reilly 2003: 9)

Pacific interventions of third parties are in various forms. Fisher and Keashly developed a classification of primary methods of intervention (see Fisher 2001:10-11) and produced a six-fold typology.

1. Conciliation – the third-party provides an informal communication line between parties to identify the issues, lowering tension and encouraging direct interaction, usually in the form of negotiation.
2. Consultation – the third-party facilitates creative problem-solving through communication and analysis.
3. Pure Mediation – the third-party facilitates a negotiated settlement on substantive issues through the use of reasoning, persuasion, effective control of information, and the suggestion of alternatives.
4. Power Mediation – includes pure mediation and use leverage or coercion in the form of promised rewards or threatened punishments. It may also engage the third-party as monitor and guarantor of the agreement.
5. Arbitration – the third-party “renders a binding judgement arrived through consideration of the individual merits of the opposing positions and then imposes a settlement which is deemed to be fair and just.”
6. Peacekeeping – the third-party makes available military personnel to monitor a ceasefire or an agreement between disputants, and may also conduct humanitarian activities designed to restore normalcy.

The use of these forms of intervention will not necessarily result to the same outcome because they are planned to produce particular outputs. For example, mediation is designed to produce agreement while third-party consultation is not. This makes the assessment of third party intervention complicated. Fisher (2003: 21) suggests that the evaluation of effectiveness must first consider the differing objectives of the forms of interventions.

On the whole, the obvious indicator of success is the outcome with respect to the satisfactory resolution of the conflict. In terms of outcome, settlement, compliance with agreements and satisfaction of disputants are important considerations. (Fisher 2003: 9) Other matters being taken into

account include the pace of settlement process, the cost of the course of action, and the savings from costs of continuing conflict.

Background of Mindanao Conflict

The core issue of the problem in Mindanao is the continuing assertion of the Bangsamoro people for restoration of their independence. Problems of land, mass poverty, neglect and underdevelopment and other social inequities are serious problems that need attention of the national government but it is the issue on the political relationship of the Bangsamoro people with the government that needs serious and immediate attention because aside from its historical roots it is being perceived as the major cause of other social, economic and religious problems (Lingga 2005b).

Before the arrival of the Spanish colonialists the Bangsamoro were already in the process of state formation and governance. In the middle of the 15th century Sultan Shariff ul-Hashim established the Sulu Sultanate followed by the establishment of the Magindanaw Sultanate in the early part of the 16th century by Shariff Muhammad Kabungsuwan. Their experience on state formation continued with the establishment of the Sultanate of Buayan, the *Pat a Pangampong ko Ranao* (Confederation of the Four Lake-based Emirates) and other political subdivisions. These states were already engaged in trade and diplomatic relations with other countries including China. Administrative and political systems based on the realities of the time existed in those states. In fact it was the existence of the well-organized administrative and political systems that the Bangsamoro people managed to survive the military campaign against them by Western colonial powers for several centuries and preserve their identity as a political and social entity.

For centuries the Spanish colonial government attempted to conquer the Muslim states to subjugate their political existence and to add the territory to the Spanish colonies in the Philippine Islands but history tells us that it never succeeded. These states with their organized maritime and infantry forces succeeded in defending the Bangsamoro territories thus preserving the continuity of their independence. That is why it is being argued, base on the logic that you cannot sell something you do not possess, that the Bangsamoro territories are not part of what where ceded by Spain to the United States in the Treaty of Paris of 1898 because Spain had never exercise effective sovereignty over these areas.

The Bangsamoro resistance against attempts to subjugate their independence continued even when U.S. forces occupied some areas in Mindanao and Sulu. Although at this time the resistance of the Bangsamoro governments was not as fierce as during the Moro-Spanish wars but the combined resistance of group-organized guerrilla attacks against American forces and installations and what remained of the sultans' military power, compelled the U.S. government to govern the Moro territories separate from other territories of

the Philippine Islands. Even individual Bangsamoro showed defiance against American occupation of their homeland by attacking American forces in operations called *prang sabil* (martyrdom operation).

When the United States Government promised to grant independence to the Philippines, the Bangsamoro leaders registered their strong objection to be part of the Philippine republic. In the petition to the United States President on June 9, 1921, the people of Sulu archipelago said that they would prefer being part of the U.S. rather than to be included in an independent Philippine nation (See Appendix C, Jubair 1999: 293-7). Bangsamoro leaders meeting in Zamboanga on February 1, 1924, proposed in their Declaration of Rights and Purposes that the "Islands of Mindanao and Sulu, and the Island of Palawan be made an unorganized territory of the United States of America" in anticipation that in the event the U.S. would decolonize its colonies and other non-self governing territories the Bangsamoro homeland would be granted separate independence. Had it happened, the Bangsamoro would have regained by now their independence when the United Nations decided in favor of decolonization of territories under the control of colonial powers. Their other proposal was that if independence had to be granted including the Bangsamoro territories, fifty years after Philippine independence a plebiscite be held in Mindanao, Sulu and Palawan to decide by vote whether the territory would be incorporated in the government of the Islands of Luzon and Visayas, remain a territory of the United States, or become independent. The proposed fifty-year period ended in 1996, the same year the MNLF and the Philippine government signed the Final Agreement on the Implementation of the Tripoli Agreement. The leaders warned that if no provision of retention under the United States would be made, they would declare an independent constitutional sultanate to be known as Moro Nation (See Appendix D, Jubiar 1999: 298-303). In Lanao, the leaders who were gathered in Dansalan (now Marawi City) on March 18, 1935 appealed to the U.S. Government and the American people not to include Mindanao and Sulu in the political entity to be organized for the Filipinos.

Even after their territories were made part of the Republic of the Philippines in 1946, the Bangsamoro people continue to assert their right to independence. Congressman Ombra Amilbangsa filed House Bill No. 5682 during the fourth session of the Fourth Congress that sought the granting and recognition of the independence of Sulu. When the bill found its way to the archive of Congress the then provincial governor of Cotabato, Datu Udtog Matalam, issued the Mindanao Independence Movement (MIM) manifesto on May 1, 1968 calling for the independence of Mindanao and Sulu.

When it became evident to the Bangsamoro leaders that it would not be possible to regain independence through political means because of lack of constitutional mechanism, the MNLF was organized to pursue the liberation of the Bangsamoro people and their homeland from the Philippine colonial rule through revolutionary means.

The repressive reactions of the government to a peaceful independence movement and the emergence of anti-Muslim militias that harassed Muslim communities triggered the violent confrontations between the Bangsamoro forces and the Armed Forces of the Philippines (AFP) in Mindanao.

The Third Parties Involved

1. Immediately after the conflict flared up, OIC had taken interest in the resolution of the conflict. The Third Islamic Conference of Foreign Ministers (ICFM) in Jeddah, Saudi Arabia in 1972 took cognizant of the problem and decided “to seek the good offices of the Government of the Philippines to guarantee the safety and property of the Muslims” as citizens of the country. It authorized the OIC Secretary General to contact the Philippine government. From thereon until the final peace agreement was signed on September 2, 1996 in Manila, the OIC had been actively involved in the negotiations between the GRP and the MNLF. The involvement of Libya and Indonesia had always been part of the OIC engagement. Although Libya was active participant in negotiating the 1976 Tripoli Agreement but officially it acted as OIC representative. Indonesia’s involvement in crafting the 1996 Peace Accord was because it chaired the OIC Committee of the Eight.

OIC’s interest in the peaceful settlement of the Mindanao conflict that involves the Muslim minority and predominantly Christian national government, Wadi (1993) argues, was because part of its mandates as pan-Islamic organization are to promote Islamic solidarity and peaceful settlement of disputes. As reflected in its various resolutions, the OIC is of the opinion that peaceful settlement of the dispute will be to the best interest of the Muslims in South Philippines.

2. Malaysia’s involvement in Mindanao peace process started at the time when President Gloria Macapagal-Arroyo was consolidating her power after she assumed office in January 2001 when President Joseph Estrada was deposed by EDSA II people power revolution. President Arroyo sought the assistance of Malaysian Prime Minister Mahathir Mohammad and Indonesian President Abdulrahman Wahid to convince the MILF to resume the stalled negotiations. The MILF withdrew from the talks it had with the government after government forces launched an all-out war against the secessionist movement in the year 2000. The formal negotiations between the GRP and the MILF started in January 1997 after the conclusion of the peace talks between the GRP and the MNLF.

Kuala Lumpur responded positively to Manila’s request as peaceful and progressive neighbors will be to the interest of Malaysia’s fast developing economy. The Sipadan kidnapping by the Abu Sayyaf Group showed the capability of terrorists to cross borders and caused harmful effect to Malaysia’s tourism industry. The State of Sabah has been host to hundreds of thousand of

refugees from South Philippines since the war broke out in 1971 and this has caused security problem to the state.

3. Despite the long historical relations of the United States and the Philippines, the former did not have the interest in the Mindanao conflict other than seeing it as domestic problem. The post 9/11 developments made U.S. policy makers realized the danger that Mindanao might become a sanctuary of terrorists.^[4] U.S. interest is to deny the “terrorists” the condition they can exploit. President Bush’ remarks before the Philippine Congress on October 18, 2003 is clear on this: “As we fight the terrorists, we’re also determined to end conflicts that spread hopelessness and feed terror.” The U.S. strategic objective is to prevent terrorist infrastructure from developing in the dense jungles of Mindanao.

Auspiciously, MILF Chairman Salamat Hashim wrote President Bush on January 20, 2003 explaining the MILF position and requesting for the U.S. assistance in peaceful resolution of the Mindanao conflict. President Arroyo made the same request during her visit to the U.S. in May. On this basis, the State Department tasked the United States Institute of Peace (USIP) to play facilitating role in the negotiations between the GRP and MILF without supplanting the role of Malaysia. (Martin 2006)

Assessing Third Parties Involvement

Third parties have been helpful in bringing the GRP and the Bangsamoro liberation fronts to the negotiation table and keeping them in the course of negotiations even if situations where talks reached stalemates and hostilities broke up sometimes happened. It was through the mediation efforts of the OIC that brought representatives of the GRP and the MNLF in a meeting in Jeddah on January 18-19, 1975, which ushered in the start of the formal talks between the two parties. The persistent endeavor of the OIC and the diplomatic efforts of Libya kept the negotiations going until a milestone agreement, the Tripoli Agreement of 1976, reached on December 26, 1976. The 1976 Tripoli Agreement embodies the general principles for autonomy and its institutional mechanism that have to be established. The details were to be discussed later by a mixed committee composed of the representatives of the government and the MNLF. The succeeding discussions reached a deadlock and it was Indonesia, acting under the auspices of the OIC being the chair of the Committee of the Six, and later change to Committee of the Eight, that revived the stalled talks leading to the signing of the 1996 Peace Accord.

There was an attempt on the part of the GRP and MILF to do away with third party when they started formal talks in 1997 but as the talks progressed the GRP forces launched massive attacks against the MILF camps, including Camp Abubakare, in 200 that lead to the MILF withdrawal from the negotiations, and to the extent of disbanding its negotiating panel.

It was only after the GRP invited Malaysia to facilitate the negotiations that the MILF agreed to go back to the negotiation table. The shuttling diplomacy of Malaysia's representative broke the impasse. MILF chairman Salamat Hashim agreed to resume talks with the government when assured by the Malaysian representative that the issue of sovereignty and territorial integrity of the Philippines and other constitutional issues will not be raised in the negotiations, at the same time the MILF will not bring up the issue of Bangsamoro independence. He sent his top deputy Al-Haj Murad Ebrahim,^[5] the MILF Vice Chairman for Military Affairs and Chief of Staff of the Bangsamoro Islamic Armed Forces (BIAF), to Kuala Lumpur to meet the Philippine Presidential Adviser on the Peace Process Eduardo Ermita. The meeting was kept secret that even the chairman of the new Philippine peace panel was not informed.

As the talks moved forward, the Armed Forces of the Philippines attacked the MILF positions in Pagalungan-Pikit area in February 11, 2003, but despite of that breached on the existing ceasefire Malaysia was able to maintain communication line open and later was able to bring them together to talk in a creative manner called exploratory talks.

For more than three years of negotiations without third party participation, the GRP and the MILF had not discussed any substantive issue. Talks were just on implementation of the ceasefire reached on July 18, 1997 in Cagayan de Oro City. With the facilitation of Malaysia after the resumption of talks in April 2000, the negotiations inched higher towards substantive issues on rehabilitation and development of conflict-affected areas and ancestral domain.

Organization of Islamic Conference

The OIC used mixed methods of intervention in the Mindanao conflict. Wadi (1993) categorized them as employment of good offices, mediation, inquiry and conciliation, and sanction. After the news on the situation of the Muslims in South Philippines reached the Arab world, the OIC meeting in Jeddah on February 29 to March 4, 1972 passed Resolution No. 12 which expressed "serious concern for the plight of the Muslims living in the Philippines, to seek the good offices of the Government of the Philippines to guarantee the safety and property of the Muslims ..." Wadi (1993: 174) said that his use of the term good office is for the purpose of making a point of contact between two parties – the GRP in one hand and the representative organization of the Muslims in South Philippines on the other.

In its meeting the following year, the OIC decided to send to Mindanao a fact finding delegation composed of the foreign ministers of Libya, Senegal, Somalia and Saudi Arabia. It also urged Indonesia and Malaysia to exert their good offices to help find solution within the framework of the Association of Southeast Asian Nations (ASEAN). In August 1973, Saudi Arabian Foreign Minister Omar Al-Shakaff, Libyan Foreign Minister Abdulati Al-Obeidi, Somalian

Foreign Minister Arteh Ghalib and Senegal Ambassador to Egypt Moustapha Cisse visited the Muslim communities in Mindanao and Sulu. Foreign Minister Al-Shakaff was in Manila again on March 9-13, 1974 to follow up earlier efforts of the OIC delegation. President Ferdinand E. Marcos met President Suharto on May 29, 1974 in Menado, and among the issues tackled in the summit meeting of the two ASEAN leaders was the problem in Mindanao

The OIC started to assume mediation role after the Kuala Lumpur meeting on June 21-25, 1974. It also went to the extent of suggesting a framework of resolving the conflict, and that is through negotiation with the MNLF to arrive at political and peaceful solution within the sovereignty and territorial integrity of the GRP.

The OIC used also power mediation. During its meeting in Benghazi, Libya in 1973 the OIC created the Quadripartite Ministerial Committee^[6] with the mandate of looking into the conditions of the Muslims in South Philippines, a signal to the GRP that it was not taking the situation of the Muslims lightly. This was reinforced with the recognition of the MNLF as sole legitimate representative organization of the Muslims in the Philippines and its acceptance as observer in the OIC in 1977.

As incentives, the Islamic world body established in 1974 the Filipino Muslim Welfare and Relief Agency the purpose of which was to extend welfare and relief aid direct to Muslims in Southern Philippines so as to ameliorate their conditions and enhance their social and economic well-being. The Islamic Solidarity Fund provided one million U.S. dollars for the agency released to the government. There were also promises of more economic assistance once agreements were reached^[7].

Peacekeeping was also undertaken by the OIC. To monitor the ceasefire forged by the GRP and MNLF in January 1977, the OIC sent a small contingent coming from the Quadripartite Ministerial Committee. Probably because the OIC had no troops on the ground, the monitoring team failed to prevent resumption of hostilities in later part of 1977, and ultimately they all went home. When the GRP and MNLF renewed their ceasefire agreement, Indonesia sent small contingent to monitor the truce but they were scarcely visible.

As grouping of Muslim states carrying out its mediation tasks is a complex procedure. This was simplified by assigning the mission to small grouping of countries. But it is observed that results are assured if a member country is assigned to facilitate the negotiations. The GRP and the MNLF were able to agree on the terms of the 1976 Tripoli Agreement mainly through the diplomatic efforts of Libya. Indonesia's focused efforts were helpful to both the GRP and MNLF reached the 1996 Peace Accord.

The OIC mediation was fruitful in the sense that it was able to bring to conclusion the peace talks between the Philippine government and the MNLF. "The GRP-MNLF peace agreement is a trophy the OIC proudly holds", Vitug and Gloria (2000:7) commented. But the fruits of two decades of negotiations did not solve the Bangsamoro problem. This is the observation of the OIC Secretary General: ^[8]

"With regard to the Philippines, ten years have elapsed since the final peace agreement was signed by the Government of the Republic of the Philippines and the Moro National Liberation Front in 1996. Regrettably, this peace agreement did not bring real peace. Disagreement on the interpretations of some provisions of the agreement led to the resumption of hostilities."

The area of the Autonomous Region in Muslim Mindanao (ARMM) and other conflict-affected areas remain the poorest provinces in the country. In fact, average income of people in conflict-affected areas declined after the 1996 peace agreement was signed. According to the World Bank (2003: 11), "Without exception, all the conflict-affected areas experienced a fall in average per capita incomes from 1977 to 2000." The same report states that, with the exception of North Cotabato and Davao del Norte, "the incidence of people falling below the poverty line and depth of poverty in these provinces rose dramatically from 1977 to the year 2000."

As far as success in the resolution of the problem, the OIC intervention in the Mindanao conflict was a failure. It deserves the accolade for brokering the agreements but it was unsuccessful in making parties to comply with the terms.

The time spent before settlement was attained is utterly long. If we reckon from the time the OIC took cognizance of the problem in 1972, around twenty four years were spent before final agreement was inked in 1996. When counting starts from 1975, the start of the formal negotiations, that is around twenty one years. Judging from either calculation, it was indeed a lengthy negotiation.

The lesson learned from the OIC intervention is third parties should not be concern only of reaching agreements; equally important is the faithful compliance with the terms of the agreement. Salmi, Majul and Tanham (1998: 174) observe that in dealing with the problems of the Muslims in the Philippines, "the OIC did not spare funds, time, or effort to find a peaceful solution", but surprisingly, no extra effort was done to ensure that the provisions of the agreements were complied, or at least the implementations are closely monitored.

After an agreement is signed, a road map of implementation has to be worked out. It is a tedious work, but the parties have to do it to ensure success that whatever agreement reached will solve the problem that fuelled the violent

conflict. It will be useful if the conflicting parties, with the assistance of the third party intervener, can come out with benchmarks in determining if agreements are implemented or not.

Malaysia

Malaysia's third party involvement in the talks between the GRP and the MILF is mainly facilitation. Santos (2005: 23-24) describes this role as follows:

“Malaysia’s facilitation, aside from being host, usually involved the following functions: go-between conveying positions of the parties; providing a conducive atmosphere and facilities; presence in the talks as ‘referee’ and to witness commitments and understandings; help bridge differences by shuttling between the parties; administration of the talks; and record and keep minutes, to detail what had actually been agreed upon.”

While maintaining its facilitation role, Malaysia is at the same time doing mediation. This may not be obvious because of Malaysia's preference to “silent diplomacy”. Every time the GRP and MILF negotiating panels reached a point of disagreements that might lead to a stalemate Malaysia has been helpful in suggesting alternatives. Malaysia's mediation works not much during meetings of the two negotiating panels but more at a time when the peace panels are not talking with each other. These are observed in the frequent visits of Malaysia's representatives to Manila and Camp Darapanan^[9].

Malaysia has been creative in handling the negotiations. When the GRP Panel would not sign the implementing guidelines on the humanitarian, rehabilitation and development aspects of the GRP-MILF Tripoli Agreement on Peace of 2001, it used back channel negotiations to break the impasse. After government forces attacked the MILF positions on February 11, 2003, Malaysia invited the two parties to exploratory talks for the purpose of exploring new ideas on how the formal negotiations would resume. Instead of convening the resumption of formal negotiations it is now using exploratory talks as venue of discussions on substantive matters related to ancestral domain. Obviously, the intention is when formal talks resume there is assurance that an agreement will be reached since contentious issues were ironed out already during exploratory talks. It will also dispel impression that the negotiations bogged down when no agreement is reached since it is just exploratory in nature.

Another important role of Malaysia is leading and providing the biggest contingents in the International Monitoring Team (IMT) which is tasked to monitor the ceasefire and the implementation of other agreements. The smaller contingents come from Brunei and Libya.

How Malaysia performs its facilitative and mediation roles have been working well. Under its facilitation the talks move towards discussions on substantive issues. There were agreements on the framework of the negotiations, ceasefire, and the rehabilitation and development of conflict affected areas. The important achievement so far is the ceasefire is now in place and holding. This is significant because as talks on substantive issues go on there is need for relative peace on the ground. The presence of the IMT reduced significantly hostile encounters between government and MILF forces. But whether Malaysia can broker a deal that will put an end to the Mindanao conflict remain to be seen.

Around nine years have passed after the start of the GRP-MILF peace talks. Unless Malaysia can find creative ways of fast-tracking the negotiations, it might also take twenty, or more years, to arrive at a settlement.

As Malaysia's involvement in the peace process is welcomed by both sides, Philippine civil society and media is grumbling on what they perceived as stringent rules on confidentiality. While this maybe normal in Malaysia but NGOs and media outlets in the Philippines find the strict rules on confidentiality unusual.

United States

Instead of the State Department or the U.S. Embassy in Manila being engaged in the peace process, the task is given to USIP. The reason for this, according to Martin (2006), is "because it would be difficult for the USG (United States Government) or its official representatives to play a neutral role between a government with which it has diplomatic relations (Manila) and a revolutionary organization like the MILF."

This is true but what the U.S. overlooked is third parties involvements in the peace process have always been at the official level. Introduction of Track II diplomacy is seen by many as downgrading the status of the peace process. When Libya and Indonesia were asked to mediate in behalf of the OIC, the foreign ministries of Libya and Indonesia were directly involved. At one time, President Qadhafy of Libya went to the extent of exchanging note verbale with President Marcos to resolve certain issues. Malaysia's involvement is at the level of the Office of the Prime Minister.

The U.S. Government decision to get involve came at a time when Malaysia is already engaged in the peace process. The decision not to supplant Malaysia was indeed appropriate. Since Malaysia employs Track I diplomacy, its hesitant to work with Track II is understandable.

The expectations from the U.S. when it decided to get involved in the peace process was it would bring in new formula to resolve the problem.

Chairman Hashim wrote President Bush to answer the points raised by Ambassador Ricciardone during his talk before FOCAP in January 2003 that the U.S. Government wants to know what the MILF wants or how the conflict would be resolved, and he looked forward to a U.S. initiative. The expectation from President Bush statement that the United States will provide diplomatic and financial support to the renewed peace process was more on official involvement rather than Track II initiatives. There was a \$32 million promised development aid once agreement is signed, but this was not received well because a political formula on how to end the conflict was not clear.

The U.S. commitment to the territorial integrity of the Philippines, and at the same time recognizing that the Bangsamoro people have serious legitimate grievances that must be addressed is a welcome policy initiative.^[10] It is seen by many as an opportunity to explore new formula. This was the first time the U.S. made clear where it stands in relation to the Mindanao conflict notwithstanding that the Philippines was a former colony and the U.S. had long historical engagement with the Bangsamoro people.

Insights

Involvement of third party, as experience in Mindanao peace process demonstrates, is valuable to bring together conflicting parties to talk peace. When negotiations are at a stalemate, third party intervention is useful to break the deadlock.

The role of the third party does not end at the signing of settlement. It is important to see to it that every provision is implemented not just for compliance but with the spirit of addressing the causes of the problem in order to avoid a relapse into conflict and to build and consolidate sustainable peace. Equally important, is a road map of implementation and benchmarks to guide parties to the agreement, third parties intervener and funding institutions in the implementation phase.

Recommendations

The GRP and MNLF submitted conflicting reports on the implementation of the 1996 peace agreement. When the OIC will convene the tripartite meeting,^[11] it will be useful if it will direct discussions towards coming up of implementation plan rather than allow the two parties hurl accusations against each other. To monitor compliance, it will be effectual to assign a member country to do it rather than assigning it to a collegial body like the Committee of the Eight.

Malaysia should continue its role of facilitating the GRP-MILF peace talks, as Secretary Albert noted, "Malaysia remains crucial to the search for peace in Southern Philippines,"^[12] and should continue its engagement up to the post-

conflict phase. It is imperative that Malaysia shall remind always the GRP and MILF on the importance of a road map and benchmarks in the implementation of whatever agreements reached. Equally important is a monitoring group that shall keep an eye on compliance with the terms of agreements and see to it that they are implemented in accordance with the road map. How to fast track the negotiations so it will not take as long as the GRP-MNLF talks is a valid concern that Malaysia, the GRP and MILF should seriously consider.

The U.S. should keep up its policy not to supplant Malaysia in its role in the GRP- MILF peace talks. Better still the United States Government shall raise to the level of the State Department its involvement in the peace process. By so doing, I guess Malaysia will be comfortable partnering with the U.S. in the search for peace given that their dealings will be on government to government level. Likewise, the MILF will feel confident that any agreement reached will be implemented given the strong political influence of the U.S. in the Philippine power structure. On the part of the GRP, involvement of the U.S. in the peace process will certainly be welcomed. The USIP, with its rich experience in conflict management will be indispensable in providing support to the State Department.

Many European countries have rich experience in assisting states that suffered from internal conflicts rebuild their societies. The involvement of these countries, either unilaterally or through the European Union, in the peace process will certainly add to chances of success in peace building efforts, particularly in the post-conflict reconstruction phase. And Japan, which has been invited to join the IMT, at least in the civilian component, should give favourable consideration to the request because it can contribute so much to the success of the peace process.

BIBLIOGRAPHY

Arguillas, Carolyn O. (2003) "The Cost of War Part 1: Economic cost of 'never ending conflict' is P30-M daily" *MindaNews*, 26 March. <http://www.mindanews.com/2003/03/26pep-cost1.html>

Fisher, Ronald J. 2001. "Methods of Third-Party Intervention." *Berghof Handbook for Conflict Transformation*. Berlin, Germany: Berghof Research Center for Constructive Conflict Management.

Guinard, Caroline. 2002. *From War to Peace*. Bangkok, Thailand: Nonviolence International.

Harris, Peter and Ben Reilly, eds. 2003. *Democracy and Deep-Rooted Conflict: Options for Negotiators*. Stockholm, Sweden: International Institute for Democracy and Electoral Assistance.

Jubair, Salah. 1999. *Bngsamoro: A Nation Under Endless Tyranny*, Kuala Lumpur: IQ Marin SDN BHD.

Lingga, Abhoud Syed M. 2002a. "Understanding Bangsamoro Independence as a Mode of Self-determination", *Dansalan Quarterly* 22:1-4, 100-109.

Lingga, Abhoud Syed M. 2002b. "Update on the Peace Talks Between the Moro Islamic Liberation Front and the Government of the Republic of the Philippines." Paper read during the Bangsamoro Women Conference on the Peace Process sponsored by the Regional Commission on Bangsamoro Women at Estosan Garden Hotel, Cotabato City, Philippines, September 7.

Lingga, Abhoud Syed M. 2005a. "The Muslim Minorities in the Philippines." In *Understanding and Managing Militant Movements in Southeast Asia*, Kamarulzaman Askandar, ed. Penang, Malaysia: The Southeast Asian Conflict Studies Network.

Lingga, Abhoud Syed M. 2005b. "Mindanao Peace Process: The Need for a New Formula." In *The Mindanao Conflict*, Kamarulzaman Askandar and Ayesah Abubakar, eds. Penang, Malaysia: The Southeast Asian Conflict Studies Network.

Martin, G. Eugene. 2006. "U.S. Interests in the Philippines Peace Process." *Bangsamoro Forum*. No. 2. This paper was delivered during the Institute of Bangsamoro Studies Forum on United States Interests in Mindanao peace process held at Cotabato City, Philippines on March 29.

Melin, Molly M. "Who Manages? Analyzing Third Party Identity, Methods, and Performance." http://polisci.uiowa.edu/news/workshop_papers/melin.pdf

Mitchell, Sara McLaughlin. "A Kantian system? Democracy and Third Party Conflict Resolution". Forthcoming in the *American Journal of Political Science*, 46(4).

Nichiporuk, Brian, Clifford Grammich, Angel Rabasa, and Julie DaVanzo. 2006. *Demographics and Security in Maritime Southeast Asia*. http://www.rand.org/pubs/reprints/2006/RAND_RP1219.pdf

Regan, Patrick M. 2002. "Complex Strategies: Interventions and the Management of Civil Conflicts." Paper prepared for presentation at the Annual Meetings of the International Studies Association, New Orleans, L.A.

Rodil, B. R. 2000. *Kalinaw Mindanao: The Story of the GRP-MNLF Peace Process, 1975-1996*. Davao City, Philippines: Alternate Forum for Research in Mindanao.

Salmi, Ralph H., Cesar Adib Majul, and George K. Tanham. 1998. *Islam and Conflict Resolution*. Lanham: University Press of America, Inc.

Santos, Jr., Soliman M. 2005a. "Peace negotiations Between the Philippine Government and the Moro Islamic Liberation Front: Causes and Prescriptions." Working Papers No. 3. East-West Center Washington.

Santos, Jr., Soliman M. 2005b. "Malaysia's Role in the Peace Negotiations Between the Philippine Government and the Moro Islamic Liberation Front." In *The Mindanao Conflict*, Kamarulzaman Askandar and Ayesah Abubakar, eds. Penang, Malaysia: The Southeast Asian Conflict Studies Network.

Wadi, Julkifli M. 1993. "Islamic Diplomacy: A Case Study of the O.I.C and the Pacific Settlement of the Bangsamoro Question (1972-1992)." Master of Arts thesis, Institute of Islamic Studies, University of the Philippines.

Vitug, Marites Danguilan and Glenda M. Gloria. 2000. *Under the Crescent Moon: Rebellion in Mindanao*. Quezon City: Ateneo Center for Social and Public Affairs and Institute for Popular Democracy.

NOTES:

^[1] It is estimated that more than 100,000 people died and hundreds of thousand more were injured. More than 2000,000 Bangsamoro sought refuge in the Malaysian state of Sabah and have not yet returned home.

For a period of 26 years (1970-1996) the government spent around 76 billion pesos in fighting the Bangsamoro secessionist movement. In year 2000 alone when the Armed forces of the Philippines attacked the MILF strongholds, the government spent no less than six billion pesos.

Former Presidential Assistant for Regional Development Paul Dominguez, quoting “very preliminary” findings from a World Bank study, revealed that “the present value of the economic cost of a never-ending conflict would be at least US\$2 billion over the next ten years.”

^[2] The MNLF was once a monolithic organization. In December 1997 a faction headed by Salamat Hashim broke off from the mainstream MNLF and that faction evolved into what is now the MILF.

^[3] On December 1, 1993 Salamat Hashim issued this statement: “The MILF is maintaining a consistent policy towards the peace process. We will reject any attempt by the Philippine Government to open separate negotiations with the MILF unless the GRP-MNLF talk is finally concluded.”

^[4] Nichiporuk, Grammich, Rabasa, and DaVanza (2006) identify the U.S. economic and security interests in maritime Southeast Asia, where Mindanao is strategically located, as follows: “First, the United States seeks to maintain open sea lanes through the region, especially through the Straits of Malacca, through which much Persian Gulf oil is shipped to East Asia. Second, the moderate Islam practiced in the region can help offset radical Islamist movements elsewhere. Third, Washington seeks to prevent terrorist infrastructure from developing in the dense jungles of the region. And fourth, the United States needs to build strong strategic relationships in the region to assure access for American air and naval forces.”

^[5] He succeeded Salamat as chairman of the MILF central committee after the latter’s death in July 2003.

^[6] The members were Saudi Arabia, Libya, Senegal and Somalia. Later the membership was increased to six, thus the name was Committee of the Six. Now there are eight members and is called Committee of the Eight. The member

countries are Saudi Arabia, Libya, Somalia, Senegal, Bangladesh, Indonesia, Malaysia and Brunei.

^[7] The use of power mediation by Libya was vividly described by Rodil (2000: 36-37) in his account of one incident during the official trip of the First Lady Mrs. Imelda Romualdez Marcos to Libya in 1976. Very revealing also how Libya used power mediation is found in the official impressions of the GRP Panel of what transpired during the December 1976 negotiations in Tripoli, Libya. (Rodil 2000: 45-49)

^[8] Opening speech of OIC Secretary General Prof. Ekmeleddin Ihsanoglu during the 33rd Session of Foreign Ministers at Baku, Azerbaijan on June 19-21, 2006. See <http://www.luwaran.com/modules.php?name=News&file=article&sid=210>

^[9] One of the major MILF camps where MILF leaders receive visitors.

^[10] In reply to the second letter of Chairman Salamat Hashim to President Bush dated May 30, 2003, Assistant Secretary of State James A. Kelly, on behalf of the United States Government and upon the instruction of President Bush, wrote Chairman Hashim. In that letter Secretary Kelly outlined the U.S. policy on the Mindanao conflict.

^[11] Meeting of the three signatories to the 1996 peace agreement – the OIC, GRP and MNLF.

^[12] Lecture by the Hon. Delia Domingo Albert, Secretary of foreign Affairs, for the Third University of the Philippines Public Lecture on the Philippine Presidency and Administration, UP Faculty Center Conference Hall, February 23, 2004.

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