

# Mindanao (Philippines): The All Out War that is Hated by All

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## Counting the Days... Where have all the EFFORTS GONE?

Both the leaderships of the Senate and the Lower House have set their self-imposed deadline to finish and pass the proposed Bangsamoro Basic Law (BBL) bill by June 30, 2015. Both houses have promised that the version which they are going to approve will be constitutionally passable but not necessarily the version that has been mutually agreed by the peace panels of the Government of the Philippines (GPH) and Moro Islamic Liberation Front (MILF).

This kind of situation can bring the whole country (not only Mindanao) into heightened political chaos - that can even lead to war. The MILF has been explicitly showing clear signs from the start the BBL version which they have worked hard with the GPH Peace panel will be the only acceptable version for them to establish the Bangsamoro political entity. Other version for them (MILF) will be no different or even worst than the existing Autonomous Region in Muslim Mindanao (ARMM) which is a product of the peace process of the Government of the Republic of the Philippines and Moro National Liberation Front (MNLF) in 1996.

The political failure of ARMM has been benefitting the Moro traditional politicians who have been waiting for the chance of failure and exploit the broadest section of the peoples in the region, especially the Moro people. More than 50% of the provinces within the ARMM has identified as the poorest provinces of the country amidst the vast natural and human resources found in the region. The current ARMM leadership (chosen by the President of the country) continues to lead investors (foreign and domestic) to exploit these resources to the maximum in spite of the unconsummated peace process between GPH and MILF.

Obviously, the executive branch of the Government - through its Office of the Presidential Adviser for the Peace Process (OPAPP) and its peace panel, has failed to convince the MILF through its peace panel that the BBL version they have agreed should pass through different levels of democratic as well as judiciary processes. There are defined processes in different levels which will study and approve the version on their level. In the context of Mamasapano incident which makes everybody watchful and vigilant, there can never be a rubber stamping process nor shortcutting ways in the process. Therefore while it can be expected that both are open, especially the GPH peace panel, that at the end of the day a different version of BBL will be most likely the one to be approved.

From the start, it has been observed that the GPH is always outmaneuvered by the MILF peace panel. In many ways, the GPH panel has eagerly defended the BBL it crafted with the MILF that for them (GPH panel) one will be termed as anti-peace or peace spoilers if their version of BBL is put on

the critical scrutiny. It has been obvious that such one-sided outlook and defense of an exclusive BBL version by the GPH panel gets inspiration and support from the President of the Philippines. This is in spite of the knowledge that the BBL which they mutually agreed with the MILF has to go through Congress and the Supreme Court on its constitutionality.

The current attitude of the leadership of the MILF of not accepting a watered down version of the BBL is based on the signals they are getting from the President Noy Aquino.

It should be recalled that both panels with the approval of the two principals (President Aquino for the GPH and Al Haj Murad for the MILF) have laid down the time line for the signing of Comprehensive Peace Agreement that is after passing both houses of Congress, the President will sign it into law but it will be subjected in the plebiscite by the people in the identified areas in the region before it becomes a law which will be the legal foundation of the new Bangsamoro political entity.

### **Sowing the SEEDS of WAR**

There is a clear manifestation of the failure of the GPH panel to inform and always remind its MILF counterpart because the latter is always sure that their signed version of the BBL is the form that should be approved in the different levels of democratic processes. A scenario could be worst, if for instance, the results of the plebiscite will be contrary to the MILF's expectations. Another possible scenario, is that not all the areas, cities and provinces would want to be included in the Bangsamoro, the acceptability or openness of the MILF of this possibility is predictable. A case in point here is Cotabato City, the current seat of ARMM and the proposed center of the Bangsamoro political entity. The City Council passed a resolution late last year to be excluded in the Bangsamoro. It will be very difficult to imagine a situation where the political center of the Bangsamoro is not in Cotabato City. There are still other areas which expressed similar sentiments.

It has been observed that the OPAPP has not been mentioning or proposing such possible votes to the MILF by the people in the affected areas. Furthermore, it would help to recall about the bloody reactions of the MILF (Umbra Kato and Bravo) in 2008 when the Supreme Court stopped on the eve of the signing of the Memorandum of Agreement on Ancestral Domain (MOA-AD) on its constitutionality. More than one hundred people in Mindanao had been massacred and until now have not obtained justice.

With Congress' self-imposed deadline of approving the BBL by the end of June 2015, the earliest that a plebiscite can be held will be on September 2015 which means fewer months are available for the Bangsamoro Transition Authority (BTA) to take over ARMM until May 2016 for Local and National Elections. Possibilities can be that the President's favorite and the incumbent ARMM Governor can prolong his term (the longest ARMM Governor if one counts the 2 years appointment period) while ARMM's election is postponed for more time (1 to 2 years) for the BTA to function and prepare the MILF to take over ARMM while preparing for the elections (after June 2016).

This kind of scenario has yet to consider the strong possibility that various groups will file reconsiderations or Temporary Restraining Order (TRO) to the Supreme Court to stop the implementation of the BBL on the basis of its constitutionality.

The incorrect handling of the Aquino government of the Mamasapano fiasco can further heightened the political situation and further delay the approval and passage of the BBL and in effect delays the consummation of the peace process within the legitimate term of the incumbent President.

At this stage the Board of Inquiry (BOI) – the body tasked by the President to investigate the January 25 incident asked for another postponement of the submission of the results of their investigation. It had promised to submit its finding last February 26, 2015 but failed to do so. Today, it asked for another postponement (at least for three (3) days). The longer it postpones to inform the public about the findings of its investigation the more people believe that it tries to white wash the results of its finding through the Office of the President. Demands for creating other independent investigating bodies have been gaining grounds.

In the abovementioned possibilities, it will be the new elected President of the country who will preside and face the MILF in the peace talks and the approval of the BBL. This is assuming that everything will be normal and the country will be politically stable.

With the alarming and diminishing political capital of President Noy Aquino, it will be most likely that the next President of the country will be coming from the opposition or not the anointed one of the President. This will definitely create another complicated scenario. The trust and confidence which the Aquino administration and the OPAPP have developed and nurtured with the MILF will surely be affected. A new peace panel can even be created.

### **ALL OUT WAR and the ALL OUT PEACE**

A few days after the Mamasapano bloody encounter, the Aquino government and its military machineries have launched all out offensives in the Maguindanao province and around the Mamasapano areas. Its justification for such massive military operations is to hit the Bangsamoro Islamic Freedom Fighters (BIFF) and the terrorist Basit Usman who survived the January 25, 2015 Mamasapano police operation.

The general reactions of people on the Mamasapano bloody massacre of the Special Action Force – Philippine National Police (SAF/PNP) has seemingly been hijacked and used to launch the offensives because people would want to hit back on the murderers of the forty four (44) butchered SAF/PNP. More than hundreds of thousands of the peoples in the areas have been dislocated and become Internally Displaced Peoples (IDPs). It is mostly the women, elderly and children who have been affected. The children have to stop schooling for their schools have been used as the evacuation centers.

It is very important to note that the Mamasapano areas have been part of the three (3) MILF Base Commands namely: the 105<sup>th</sup>, 106<sup>th</sup> and the 118<sup>th</sup>. Aside from the BIFF who has the same area with the MILF, around 200 members of an armed group belonging to the Ampatuan Clan and led by one of the suspects of the 2009 Maguindanao massacre (the grandson of Andal Ampatuan and the brother of the incumbent Mamasapano Mayor), is believed to be staying in the area.

These three armed groups have members coming from the localities – which mean that they have mastery of the terrain and have long been gone out of the Mamasapano areas before the military offensives. And as usual it will be the most vulnerable sectors who would be affected.

The projected armed clashes between the MILF and the BIFF in the Cotabato areas have been a running battle between the two big clans who accidentally belong to the MILF and the BIFF. It is the clan wars between the two groups and has nothing to do with Mamasapano fiasco.

It should be noted that the arms of the PNP/SAF which the MILF have returned to the government as sign of good will, have their serial numbers already tampered which simply means that they have been disposed of and sold to the highest bidders in the nearby areas and provinces.

Even the machineries for special arm manufacturing by the MILF/BIAF have long been transferred to the safe areas just like the case in Camp Abubakar in 2000 All Out War by the Estrada Administration.

This is undeclared all-out war of the Aquino Administration against the Moro people in the guise of war against the BIFF and suspected murderers of the SAF/PNP. This is a war to win more leverage in the MILF dominated peace process. The Aquino administration has been campaigning for the passage of the BBL but all signs are leading to its (GPH) own version of the BBL which the MILF and the BIAF are forced to accept because they strongly believe that the President is sincere and the next President can be unsupported of the peace talks with the MILF. Besides big investment and substantial amount of money have already exchanged hands and more are still coming if the peace deal is consummated.

And for those who have been campaigning for all out peace, no voices from them could be heard against the all-out war of the Aquino government. For those groups, peace can be attained if the final agreement between GPH and the MILF will be finally sealed. They equated this process as the signing of the BBL and its passage in whatever formal substance in the different levels of democratic activities. For many of these groups, the signed peace agreement will be the best opportunity to partake substantial peace dividend for themselves.

In the open, just like the President Noy Aquino, they are campaigning that the approval of BBL and the continuation of the peace talks should not be stopped because of the Mamasapano fiasco.

Either they entirely miss the point, that getting justice to the SAF/PNP victims of the Mamasapano massacre is one of the most obvious indicators of the kind of peace one can have under the new political entity - Bangsamoro or the January 25, 2015 botched police operation has more to tell on the contents of the BBL specifically on the police and security concerns. The incident in Mamasapano can give lessons and help fill in the gaps in the normalization process.

The campaign for all out peace should be based on Justice - which means correcting the historical and current injustices done to the three communities (Moro, Lumad and the Christians) in Mindanao and creating the spaces for an inclusive peace in Bangsamoro and Mindanao. Justice here should never be selective and compartmentalized. Correcting historical injustice does not mean obtaining license to do new injustice to the weak and down trodden.

This kind of peace should be based on concrete conditions of peoples in the areas and their readiness to jointly resolve their differences and build unity. These peoples should work together to resolve the reasons why they have suffered from economic deprivation amidst a plenty of natural and human resources. They should work together to own the process of peace building and thus strengthening their own empowerment. And they must work together to stop the process of cultural alienation which those who have been oppressing and exploiting them have been using their differences to divide and rule them in their own communities.

This is the kind of peace which should not be based on the popularity or unpopularity of one person even if he or she is the most powerful person in the country. This is a sustainable peace which can bring the Bangsamoro, Mindanao and the whole country into a comprehensive and all-sided kind of development from backward and uneven levels of improvement of the urban and countryside to the economic and social equitability and political plurality and stability.

The all out war should be geared to help in the elimination of the economic deprivation, political isolation and cultural alienation of the three communities of people in Mindanao. It should not be used to destroy lives and properties but rather it should be used to build and improve lives with

dignity and humanely as possible.

Concretely, it should start with giving justice to the 2009 Maguindanao massacre and other massacres before that. Justice to Mamasapano murdered victims should be fast-tracked for its immediate impact on the on-going peace process. Indigenous method of attaining justice and effective governance should be strengthened to resolve the clan conflicts/wars which can be used to build effectively the Bangsamoro Justice System and should be made integral part of the BBL.

And lastly, all out peace should be geared towards building and strengthening the economic and political structures of the Bangsamoro to eliminate the role and functions of informal economic and financial institutions in the many areas of the Bangsamoro.

The all out peace should be geared towards making the all out war which is hated by all, become more and more irrelevant everyday.

**Raymund de Silva**, March 9, 2015

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**P.S.**

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