

# **Mindanao (Philippines): Whose Lives Matter? - A Reflection on the GPH-MILF Peace Talks, the BBL and the Mamasapano Incident**

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The residents and the Mayor of the fifth class municipality of Mamasapano of the province of Maguindanao have never in their dream considered their town to be so projected in the News both nationally and internationally.

Before January 25, 2015, unknown to many the municipality has been the key area of responsibility of the Moro Islamic Liberations Front's (MILF) Base Commands 105, 106 and 118. In its barangays and sitios the MILF and the Bangsamoro Islamic Freedom Fighter (BIFF) share territories and this is known to the residents but unknown to many others. And unknown to many more that Zulkifli bin Hir alias Marwan, Basit Usman and other international terrorists had been living comfortably and moving freely in the communities and territories claimed by MILF.

The January 25, 2015 bloody incident has changed the above mentioned unknowns. In the MILF claimed territories in Mamasapano it became known that they (MILF) shares the territories and communities with the BIFF. They are closely related by affinity and by marriages. In the past, there were incidents of armed clashes between the MILF Base Commands 105 against 106 but never against BIFF.

It has also become known that international terrorists like Marwan lived in the areas and communities shared by both the MILF and BIFF.

The mission to serve the warrant of arrest and the eventual neutralization of Marwan by the Special Action Force of the Philippine National Police (SAF/PNP) could not be implemented without getting serious reactions from both the MILF and BIFF.

The Mamasapano bloody encounter between the SAF/PNP and the MILF/BIAF and the BIFF resulted to the lost of lives of 44 SAF/PNP, 18 MILF and 5 civilians. Casualties from the BIFF were never known unless BIFF deaths were counted in the 18 BIAF dead.

The SAF/PNP mission to arrest top level terrorist was not coordinated with the MILF for obvious reason.

The MILF cried foul because the SFA/PNP did not coordinate with them prior to the operation and they (SAF/PNP) had violated the ceasefire agreement. The MILF has claimed the January 25 encounter as misencounter because of the abovementioned reasons. The PNP/SAF leadership reasoned out that there could have been no operation to serve the warrant if the MILF (because of the on-going peace talks) had not allowed the stay of Marwan and his assistants to their claimed communities. The more than half day bloody clash between the two forces could hardly be qualified as misencounter. In fact, when the video footages showing MILF/BIAF men finishing off at close range the wounded SAF/PNP men laying helpless on the ground, nobody would believe about the

January 25 bloody encounter as misencounter.

Outbursts of emotions and widespread sentiments were generated as a result of such massacre and inhuman treatment of the wounded. The deliberations of the Bangsamoro Basic Law (BBL) have been suspended by both houses of Congress. Serious questions have been raised on the trust and confidence in the MILF on the peace talks.

Before January 25, 2015 massacre, the President and the executive department have been pressuring everybody, including the Congress to fast track the discussion and pass the BBL so he (President) can sign it into law and 60 days after a plebiscite will be held in the identified Bangsamoro territory. By then, the Bangsamoro Transition Authority will be established replacing the existing Autonomous Region in muslim Mindanao (ARMM).

But just like the 2008 Memorandum Of Agreement on Ancestral Domain (MOA-AD), the Supreme Court had stopped the implementation of the Agreement on the eve of its signing on the basis of its unconstitutionality.

The BBL's approval is indefinitely postponed and the process for discussion of the last phase of the final peace agreement is stalled because of the Mamasapano bloody encounter.

For those who would like to have the peace agreement in whatever form and substance they argue that the approval of the BBL and the peace process should not be held hostage by the Mamasapano incident. This position is promoted by no less than the President of the Republic. To this day, the President maintained that the Mamasapano bloody encounter is a misencounter. He said that the deaths of 44 SAF/PNP would be in vain if the BBL and the peace with MILF will not be pursued.

Many others are saying that if the SAF/PNP did not make the mission to arrest international terrorists in the MILF/BIAF areas then who and when can this mission be done. If the BBL is approved and the Bangsamoro government is established it will have administrative control of the Bangsamoro Police Force whose head with a the rank of Chief Superintendent (or a one star general) will be nominated by the Chief Minister as contained in the BBL. Then many interior and not so interior areas and communities will be used freely by international terrorists like Marwan and these areas will serve as his base of operation. The BIFF can operate freely in the area of responsibilities of several MILF base commands and will be protected by the Bangsamoro Police Force and from there Marwan and his cohorts can launch operations as part of the Islamic State of Iraq and Syria or ISIS.

It is on this context, that the lives of the forty four (44) SAF/PNP really matter. These heroes paid a very high price to give everyone the needed time to reflect and to build a genuine, sustainable and justice based peace. They did a supreme sacrifice so more lives could be saved.

The impasse and the lull period the unfortunate incident has created and unfolded situations whereby the real interests of those who want the BBL's approval and the peace talks consummated have come in the surface.

Investors from the multi-national companies have began to invest in Mindanao especially in petro and agri-chemical industries and the giant mining companies. Billions of dollars have been initially invested even as the BBL and the Peace agreement have not been finalized. These multi-national investors are coming mainly from Malaysia, Indonesia and several Middle East countries. These investors want the BBL and the Peace Accord to be approved and finalized so that they can use then as their right to exploit the vast and very rich natural resources in Mindanao with the Philippine government and the MILF as partners.

The World Bank (WB) has expressed its outmost concerns on the delay of the approval of BBL and the indefinite postponement of the peace process because the implementation of its new country partnership strategy will be delayed. This new strategy is implemented in support of the peace process in Mindanao. It has allocated P14 Billions this year (2015) to boost community driven development projects and build rural infrastructure and expand livelihood opportunity to farmers and the fisherfolks in Mindanao. In that, the WB has been scaling up its activities to socially prepare Mindanao for the entry of large scale agribusiness, mining and logging operations.

The same concerns have been expressed by the Mindanao Business Council (MinBC). The postponement of the approval of the BBL and signing of the Peace Agreement will definitely affect the ongoing business activities of Malaysian and Indonesian investors in banana, oil palm and pineapple large scale farms. They have also invested on ducks and poultry raising. They have started the exploration of the Liguasan Marsh and Lake Lanao for Petrochemical developments. Initial results of studies, these areas have billions of barrels of oil and natural gas beneath them.

The Chair of Bangsamoro Development Agency, Dr Saffrullah Dipatuan, has been worried of the delay of the implementation of the Bangsamoro Development Plan if the approval of the BBL is delayed.

The integration of Mindanao as one market is a requirement for its role in the economic integration of Brunei, Indonesia, Malaysia and Philippines – East Asian Growth Area or BIMP-EAGA. Stable political situation in Mindanao will greatly help the realization of the market and economic integration of the region. Peace talks with the different revolutionary groups like the MILF are compulsory requirement.

These are the most interested sector behind the push to have the BBL approved and the establishment of the Bangsamoro government. They do not concern themselves whether the peace will result to the political settlement and really resolve the various underlying reasons why more than half of the peoples on Mindanao are living in abject poverty.

This kind of people is just after the fulfillment of their interest that they do not mind if the national oppression suffered by the Bangsamoro and the Indigenous Peoples (IPs) for centuries is effectively addressed. In fact it is obvious that they (investors) are happy if peoples are divided so as to easily control and manage them. The basic democratic issue of territories or the ancestral domain issue, the Bangsamoro as led by the MILF would not explicitly pronounce or even write in the BBL the inherent right of the IPs to their Ancestral Domains and as distinct people they have the right to develop and practice their own Indigenous Political Structure (IPS) since time immemorial.

The IPs in the core Bangsamoro territories are struggling for genuine autonomy within the arrangement of Bangsamoro autonomy. They (IPs) have been struggling for this inherent right within and without the struggle for right to self-determination of the Bangsamoro led earlier by the earlier Moro National Liberation Front (MNLF) and now with the MILF.

It should concern us all that the struggle of the IPs for their Ancestral Domain has been subjected to extreme political harassments. It intensifies all the more when the IPs have began to protest the mineral exploitations of their territories. Nine of them have already been assassinated and more are coming with several dozens of the leaders and members are placed in the hit list.

In pursuing just and lasting peace, the lives of the majority of the three peoples in Mindanao are really the ones that matter.

The lives of the 44 SAF/PNP, 18 MILF, 5 civilians and the 9 IPs have been offered as supreme

sacrifice not for the multinational investors and those who have their selfish interests with having the peace.

For the continuation of the deliberations of Congress in the BBL, everyone should be concerned that the supreme sacrifice of our new heroes should be put in the context of the BBL.

Let us all work for Peace based on Justice and centered in the interests of the three peoples in Mindanao. Let us not allow the politicians, multi-national corporations, those unseen policy makers and those who claim to be in the revolutionary and peace organizations to craft the issues of the present and future generations without their active involvement in all phases of the peace process.

It is and will always be their lives that matter. Let us make the Mamasapano incident as a light to always illuminate us on the road of having an inclusive peace.

**Raymund de Silva**, February 2015

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