



ASEAN Institute for  
Peace and Reconciliation

# LESSONS LEARNED

from a Process of Conflict Resolution between the  
Government of the Republic of the Philippines (GRP)  
and the Moro National Liberation Front (MNLF)  
as Mediated by Indonesia (1993-1996)



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from a Process of Conflict Resolution between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF), as mediated by Indonesia, from 1993-1996

**ASEAN-Institute for Peace and Reconciliation**

“Lessons Learned from a Process of Conflict Resolution between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF), as Mediated by Indonesia (1993-1996)”

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## Foreword

As the Indonesian representative to the Governing Council of ASEAN Institute for Peace and Reconciliation (ASEAN- IPR), I have the privilege to provide the foreword to its first Research Project on ***“Lessons Learned from a Process of Conflict Resolution between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF) as Mediated by Indonesia (1993 – 1996)”*** which I believe is one significant example of experiences involving ASEAN Member States in resolving conflict in the region. The origins of this project came about when the Organization of Islamic Conference (OIC) requested assistance from Indonesia to facilitate in the conflict between the GRP and the MNLF. These events form an important and unique case study as not many ASEAN countries are accustomed to using third parties to solve their conflicts.

As ASEAN-IPR is the only research institute within the ASEAN Political and Security pillar, we hope that presenting the results of this process will help facilitate the sharing of knowledge and raising of awareness for goals that are foundational to ASEAN: conflict prevention, conflict resolution, and peacebuilding. Thus, we see this publication as an opportunity to codify the kinds of lessons learned and best practices, as well as to share its experiences in the hope that others might benefit from the tactics utilized. We hope that the lessons learned and practices discussed might be of use as a possible model not only for countries in the region in addressing their own conflicts, but also for younger generations who might encounter similar issues in the future.

Finally, I am glad to acknowledge the different organizations and individuals who have contributed to this endeavor. For making this

entire project possible through their generous funding, I would like to first thank the Japan ASEAN Integration Fund (JAIF) Management Team for their instrumental support. Next, I would like to thank the research team for their untiring hard work in implementing this publication from beginning to end: Jamil Flores, Taj Ismail, Kathy, Irman, and Jannah. A word of thanks also is extended to the Executive Director of the ASEAN IPR Secretariat, Ambassador Jenie, as well as his able colleagues and staff for their valuable assistance in this endeavor. Last but not least, I would like to thank colleagues at the Directorate for Political and Security Affairs, Ministry of Foreign Affairs of Indonesia, for their vital support in helping this project come to fruition.

A handwritten signature in black ink, appearing to read 'Artauli Tobing', written in a cursive style.

**Artauli Tobing**

Indonesian Representative to the ASEAN-IPR Governing Council

## Preface

The countries of the ASEAN region have a wealth of wisdom acquired through experience in their efforts to bring about conflict resolution, reconciliation, and durable peace among themselves and with their constituent populations.

To cite a few examples of such efforts, there was the successful Cambodia Peace Process that resulted in the Paris Peace Accords of 1991; the Peace Talks between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF) in 1996; the Peace Process between the Government of the Philippines (GPH) and the Moro Islamic Liberation Front (MILF) that yielded the Comprehensive Agreement on the Bangsamoro (CAB) in 2014; and the work of the Commission of Truth and Friendship between Indonesia and Timor between 2005 and 2008.

The wisdom derived from the experience of these processes of conflict resolution and reconciliation is a form of wealth that must be preserved, enhanced and shared. And in sharing it, the ASEAN region contributes to the shaping of a world of greater peace, security and social justice.

The governments of the ASEAN region are therefore called upon to collect, preserve, and enhance this wealth, and to convert it into a form that can readily be used in practical ways by policymakers, diplomats, civil society organizations, and other peace workers.

For that purpose, ASEAN has established the ASEAN Institute for Peace and Reconciliation (ASEAN-IPR) with a mandate to research and compile the experiences and best practices of the countries of the region in promoting peace, conflict management, conflict resolution, and post-conflict peacebuilding. ASEAN-IPR is also

tasked to create a pool of experts on these topics. It is also expected to serve as a knowledge hub by establishing linkages with other institutions with similar missions, and to disseminate its findings as a way of promoting peace, conflict management, and conflict resolution in the ASEAN region and beyond.

In this spirit, ASEAN-IPR Indonesia launched a research and book writing project titled “Lessons Learned from a Process of Conflict Resolution between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF) as Mediated by Indonesia, 1993-1996.”

Being the first project of its kind to be planned and carried out for ASEAN-IPR, “Lessons Learned” is modest in scope and intentions: it is limited to the period during which Indonesia mediated the four rounds of Formal Peace Talks that led to the signing of the Final Peace Agreement of 1996. Its research methodology has been simply the use of recorded interviews with individuals involved in the peace process, and secondary research in libraries, archives, personal collections of books and scholarly papers, and on the Internet.

The presentation of the research findings in the form of this book also proceeds with simplicity. At its core is a story of two sets of people within one country moving towards their respective goals, which seem incompatible, until they find a convergence of means and purposes—with help from mediators from Indonesia and the Organization of the Islamic Conference (OIC).

It is hoped that the book as a whole, especially the last two parts of it, Chapter 5, “Analysis and Commentary,” and Chapter 6, “Some Lessons Learned,” will add to the existing body of knowledge and understanding of how conflict resolution, reconciliation and durable peace are attained and sustained.

Finally, we in the Project Team hope that more projects of a similar nature and purpose will be planned, funded and carried out in the future. And we thank all those who made the implementation and completion of this project possible, especially ASEAN-IPR Indonesia, the ASEAN Secretariat, the ASEAN-IPR Secretariat and the Japan-ASEAN Integration Fund (JAIF).

A handwritten signature in blue ink, appearing to read 'Jamil Maidan Flores', written over a horizontal line.

**Jamil Maidan Flores**

Author





## Acknowledgements

With gratitude, the Research Team acknowledges the support and assistance extended to us by the following institutions and bodies: the ASEAN Institute for Peace and Reconciliation (ASEAN-IPR) through its Governing Council (GC), its Board of Advisors (BA) and ASEAN-IPR Indonesia; the ASEAN Secretariat and the Japan-ASEAN Integration Fund (JAIF). We are also grateful to the ASEAN Senior Officials' Meeting (SOM), particularly the Indonesian SOM Leader, the ASEAN Council of Permanent Representatives for their support and the Directorate for ASEAN Political and Security Affairs of the Ministry of Foreign Affairs. The human faces of these institutions and bodies include Ambassador Jose Tavares, Director General for ASEAN Cooperation; Ambassador Artauli Tobing, Indonesian Representative to the ASEAN-IPR Governing Council; Ambassador Rezlan Izhar Jenie, Executive Director of the ASEAN-IPR Secretariat; Mr. Zin Aung Swe, Program Coordinator of the JAIF Management Team; Ambassador Ade Padmo Sarwono, Permanent Representative of the Republic of Indonesia to ASEAN; Ambassador Kazuo Sunaga, Permanent Representative of Japan to ASEAN; Ambassador Noel Servigon, Permanent Representative of the Philippines to ASEAN, and his predecessor Ambassador Elizabeth Buensuceso; and the Office of the Presidential Peace Adviser on the Peace Process in the Philippines.

We deeply appreciate the cooperation extended to us by Dr. Hassan Wirajuda, former Minister of Foreign Affairs of Indonesia, who served as Chair of the Mixed Committee during the Formal Peace Talks; and Ambassador Wiryono Sastrohandoyo, who presided over the four Formal Peace Talks in Jakarta. We send out special thanks

to former Foreign Minister Marty Natalegawa for sharing with us an interesting episode that he experienced during the peace process.

We are also indebted to Ambassador Pieter Damanik and Ambassador Abu Hartono, who were successively ambassadors to the Philippines during the course of the Peace Talks; Maj. Gen. Iwan Ridwan Sulandjana, who was Deputy Commander of the OIC Observer Team that monitored and supervised the Ceasefire during the course of the Peace Talks; Ambassador Yuli Mumpuni Sudarso, who ran the Indonesian Embassy-based Joint Secretariat during the Peace Talks; Ambassador Yuwono Putranto who assisted Dr. Wirajuda in the MFA-based Joint Secretariat of the Peace Talks from 1994 to 1996; Consul General Rahardjo Mustadjab, who chaired on behalf of the OIC the Support Committee on National Defense and Regional Security of the Peace Talks—for the relevant recollections that they shared with the Team.

We fervently thank the eminent individuals who graciously agreed to be interviewed for this project. These include Prof. Nur Misuari, founding Chairman of the Moro National Liberation Front (MNLF); Yusop Jikiri, current Chairman of the MNLF and Chief of Staff of the Front during the Peace Talks; Muslimin Sema, Secretary General of the MNLF today and during the Peace Talks; Atty. Nabil Tan, Member of the Bangsamoro Transition Authority (BTA) and member of the GRP Peace Panel during the Peace Talks; Prof. Rudy Rodil, historian and member of the GRP Peace Panel during the Peace Talks; Secretary Jesus Dureza, former Presidential Adviser on the Peace Process; Jimmy Labawan, former MNLF Vice Chairman; Secretary Teresita Quintos-Deles, former Presidential Adviser on the Peace Process; Prof. Miriam Coronel Ferrer, Chair of the GPH Peace Panel in the Peace Talks with the Moro Islamic Liberation Front (MILF); Senator Juan Ponce Enrile, Secretary of National Defense

during the negotiations towards the Tripoli Agreement of 1976; Fatmawati Salapuddin, Member of the Consultative Assembly of the Southern Philippines Council for Peace and Development and later, the Bangsamoro Transition Commission (BTC) during the administration of President Benigno S. Aquino III; Susan Palad, a Bagobo Princess who is now an active peace worker in the Tawi-Tawi area; Dr. Carlos Tabunda, Assistant Secretary for Special Concerns during the administration of President Gloria Macapagal Arroyo; and Mr. Norberto Gonzales, Executive Secretary in the administration of President Gloria Macapagal Arroyo.

We also acknowledge making use of records of early (2016) interviews with former Executive Secretary Eduardo Ermita, who was Vice Chairman of the GRP Panel during the 1993-1996 Peace Talks; former Executive Secretary Ruben Torres, who carried out back-channel talks with the MNLF Chairman during the Peace Talks; and Dr. Yusof Morales, a former MNLF fighter who was serving in the Philippine Commission on Filipino Muslims in 2016.

Finally, the author gratefully acknowledges the vital and essential role that the members of the Research Team carried out during the course of this project, particularly: Kathleen Quiaño-Castro, Senior Researcher; Mr. Irman Gurmilang Lanti, Researcher; Yuliana Natsir, Researcher; Mr. Tajuddin Mabaning Ismail, Information Systems Specialist; and Jannah Louise Marohombsar, Finance and Administrative Officer. The voluntary assistance of Mr. Delsy Ronnie in establishing contacts with interviewees in Mindanao is also sincerely acknowledged.

**Author's Dedication**

To my wife Noreen, light of my eyes, delight of my life;

To the memory of my son Jaime Tristan Jr., who has returned to the bosom of Allah;

And to my children Oliver, Percival, Karen, Minerva Liza, Jamaal and Jibryl

This endeavor at writing is fondly dedicated.

## Prologue: The Why and the How

This book is the second part of a two-part project. The first part was a research effort to examine the Peace Talks of 1993-1996 between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF). The purpose of research was to extract useful insights from the Peace Talks per se and from the dynamics of the international and national environments in which they took place. This book is an organized presentation of the findings of that research effort.

### **Research Objectives**

Specifically, the research effort aimed at achieving the following:

1. An evaluation of the policies and strategies carried out by the Philippine Government and the MNLF as negotiating parties and by Indonesia as mediator.
2. A review and critical appraisal of the Peace Talks and the resulting Final Peace Agreement as a way of addressing the problem of secessionism in Southern Philippines—insofar as this is possible without a detailed accounting of events that took place after 1996.
3. An assessment of the roles that third-country players took in the course of the Peace Talks, particularly the role of Indonesia as mediator on behalf of the Organization of the Islamic Conference (OIC).
4. A compilation of insights from the conduct of the Peace Talks that may be of use to future negotiators or mediators of conflict-resolution processes.

## **Framework Questions**

To achieve these objectives, the Research Team devised a set of basic questions that would be used in the course of the research.

1. What were the events and developments that may be considered antecedents to the 1993-1996 Formal Peace Talks and to the signing of the 1996 Final Peace Agreement between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF)?
2. What were the circumstances surrounding the 1993-1996 Formal Peace Talks and the signing of the 1996 Final Peace Agreement between the GRP and the MNLF?
3. What were the strategies and tactics carried out by the negotiators and the mediators to move the Peace Talks forward, leading to the signing of the 1996 Final Peace Agreement?
4. What insights can be gleaned from an appraisal of the conduct of the 1993-1996 GRP-MNLF Peace Talks that may be useful to future negotiators and mediators?

In practice, many other questions of a more specific thrust were directed to respondents who had played a role in the 1993-1996 Peace Talks. The answers to these more specific questions contributed to the body of findings that formed the answers to the framework questions.

## **Statement of Thesis**

In examining the conduct and circumstances of the 1993-1996 GRP-MNLF Peace Talks, the research adopted the following thesis:

The Peace Talks became possible and it concluded successfully because of a convergence of three main factors:

1. The realization by the parties in conflict that they could attain their respective political objectives through negotiations towards a fleshing-out of the 1976 Tripoli Agreement, resulting in a Final Peace Agreement. The political objective of the GRP under the administration of President Fidel V. Ramos was a legacy of lasting peace in Muslim Mindanao. On the other hand, the objective of the MNLF was self-determination through meaningful autonomy in which the Moro people could assert their collective identity and achieve development in a regime of peace.
2. The firm commitment of the Organization of the Islamic Conference (OIC), through its Ministerial Committee of the Six, was to promote the welfare and protect the human rights of the Muslims in Southern Philippines.
3. The skillful and well-organized mediation carried out by Indonesia at various levels during the peace process. The levels of the process were the following: (1) Head of State/Government [President Suharto]; (2) Ministerial [Foreign Minister Ali Alatas]; (3) Formal Peace Talks [Ambassador Wiryono Sastrohandoyo]; (4) Mixed Committee [Dr. Hassan Wirajuda]; (5) Support Committees, Working Group and Joint Ceasefire Committee (various Indonesian diplomats as Chairs)



## Methodology of Research

The research was conducted in the following manner:

### *1. Review and analysis of relevant literature and documents*

In the course of secondary research, a significant body of documents, archival materials and relevant literature were collected and subjected to content analysis. Where content turned out to be of special relevance, these were used as references in the writing of this book.

### *2. Field research, interviews with informants*

Researchers were deployed to three field areas to carry out secondary and primary research: Jakarta, Manila and Mindanao. Audio-recorded interviews with key informants were carried out and the recordings were summarized and transcribed. Existing records of previous interviews, including those with former Gen. Eduardo Ermita, Deputy Chairman of the GRP Peace Panel, and of former Executive Secretary Ruben Torres were retrieved from the personal collection of the author and used in this research. The data collected that were particularly relevant were used as references in the writing of this book.

Constraints and limitations have to be noted. Some of the principal actors of the Peace Talks, including former Indonesian Foreign Minister Ali Alatas; Ambassador Manuel T. Yan, Chairman of the GRP Peace Panel; and Gen. Guillermo Ruiz, Chairman of the GRP Panel of the Joint Ceasefire Committee (JCC), have passed away. There were those who simply could not be contacted although their residence addresses and home telephone numbers are well known, such as Gen. Alexander Aguirre, who served as Chairman of the Working Group on the Transitional Implementing Structure and

Mechanism, and his Deputy in the Working Group, Teresita de Castro, who recently retired as Chief Justice of the Philippine Supreme Court.

Further complicating research work in Manila and Mindanao was the preoccupation of key informants with the ongoing political transition in Muslim Mindanao. Notable among these were Muslimin Sema, the longtime Secretary General of the MNLF, who usually sat with Chairman Misuari on the MNLF Peace Panel during the Formal Peace Talks; and Al Haj Murad Ebrahim, at one time an MNLF field commander who became Chairman of the Moro Islamic Liberation Front (MILF) and is now Chairman of the Bangsamoro Transition Authority (BTA), the Provisional Government of the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM).

There was also the question of the safety of researchers as they moved from one point to another in Mindanao at a time when terrorists were active and the local political situation was volatile.

### **Existing Books on the GRP-MNLF Peace Talks**

There are probably more than a thousand titles of books and scholarly papers that touch on the peace process in Muslim Mindanao but most of these are only incidentally concerned with the GRP-MNLF Peace Talks from 1993 to 1996. There are, however, a few books that are outstanding for the light that they shed on the Peace Talks and on the events that led to the Peace Talks. They include the following:

**“Give Peace a Chance: The Story of the GRP-MNLF Peace Talks,”** by Abraham Iribani, Magbasa Kita Foundation/The Philippine Council for Islam and Democracy, 2006

Written by the official spokesperson of the MNLF and the Personal Emissary of Chairman Nur Misuari during the 1993-1996 Formal Peace Talks, this is the only book that offers a day-to-day, session-to-session account of the process. Although it occasionally makes use of data gleaned from other sources, such as the book of President Ramos on the same topic, it is written almost purely from the point of view of the MNLF. That may be a weakness in some sense but it is also the source of its unusual strength and value.

**“Break Not the Peace: The Story of the GRP-MNLF Peace Negotiations 1992-1996,”** by Fidel V. Ramos, Friends of Steady Eddie, 1996

This book gives a close-up view of the ideas that President Fidel V. Ramos developed and the strategies he pursued in order to bring about the signing of the 1996 Final Peace Agreement. One important aspect of the book is that it presents the evolution of a “Two-track Approach” to the issue of the Provisional Government mentioned in the Tripoli Agreement into a provision in the Final Peace Agreement establishing the Southern Philippines Council for Peace and Development (SPCPD) and its Consultative Assembly. It also presents how the provision was severely weakened by amendments made on the demand of the Philippine Senate. The book also offers an explanation on why there was no provision for disarmament and demobilization of MNLF forces that were not integrated into the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP).

**“Indonesia and the Muslim World: Islam and Secularism in the Foreign Policy of Soeharto and Beyond,”** by Anak Agung Banyu Perwita, NIAS Reports, 2007

Although this book, as the title indicates, covers a wider subject—the impact of Islamism on Indonesian foreign policy—a large portion of it is devoted to the role that Indonesia played in the Peace Talks in its capacity as the Chair of the Ministerial Committee of the Six of the Organization of the Islamic Conference (OIC). It makes the case that Indonesia approached the task of mediating the Peace Talks not as a Muslim state, although it happens to be the country with the largest Muslim population in the world. Rather, Indonesia carried out its mediation mandate as a secular state imbued with the spirit of ASEAN solidarity and cooperation. The book argues that although there were aspects of the conflict that were ethno-religious in nature, Indonesia’s involvement in the Moro problem stressed “the national integrity of the Philippines and the regional unity of Southeast Asia.”

**“Revolt in Mindanao: The Rise of Islam in Philippine Politics,”** by TJS George, Oxford University Press, 1980.

Although this book does not go beyond the era of the presidency of Ferdinand E. Marcos, it probably has no equal in providing a comprehensive historical as well as socio-economic, cultural and political background to the Moro rebellion. It also provides an accurate account of the events that led to the 1976 Tripoli Agreement, the framework agreement that formed the foundation of all future peace agreements between the GRP and the Bangsamoro Movement. Finally, it boasts an excellent narrative of the efforts of the Marcos Government to implement the Tripoli Agreement in its own way.

**“Muslim Rulers and Rebels: Everyday Politics and Armed Separatism in the Southern Philippines,”** by Thomas M. McKenna, Anvil Publishing, Inc., 1998

Described as “the first convincing explanation of a major insurgency that continued on its bloody course for nearly a quarter century” that

is presented in the framework of ethno-nationalism, this book offers a detailed view of the changing directions of Muslim politics in the Philippines during the time that the 1996 Final Peace Agreement was being negotiated. However, because of its focus on the Cotabato area, it says little about the conduct of the GRP-MNLF Peace Talks.

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

A well-researched narrative on the Bangsamoro rebellion as waged by both the MNLF and the MILF, this book offers a harsh but evenhanded critique of the 1996 Final Peace Agreement and Phase I of its implementation. It presents in detail the dysfunctions of an ill-conceived Southern Philippines Council for Peace and Development (SPCPD) and an Autonomous Region in Muslim Mindanao (ARMM) government that had been hampered by corruption since the day it was built from the ground. It also presents some solutions to the problems of development and governance in the area of autonomy.

## **The Writing of the Book**

### ***Synopsis and Treatment of the Narrative***

At the beginning of this project, a series of focal points of analysis were identified to guide the conduct of the research. As these focal points of analysis were fleshed out with data findings, they began to look like segments of a story that was moving forward to a culmination. This means that actually, the chaptering of the book was more or less decided while the research was still being organized.

The narrative of the book begins with an account of the Moro Wars between the Manila-based Spanish colonial government and the

Muslim Sultanates of the Southern Philippines that lasted from 1571 to 1895. Then the narrative moves on to the period of American rule when policies were adopted that were highly prejudicial to the Moros, to the era of the Philippine Commonwealth that continued these policies of inequity against the Moros, to the era of the Philippine Republic in which, until recently, they continued to suffer unabashed prejudice, injustice and neglect.

This series of developments leads to the founding of the MNLF in a foreign country, the 1972 outbreak of the Moro rebellion with help from abroad, the frustrated bid of the MNLF for OIC membership and the issuance of OIC Resolution No. 18 of 1974 calling on the Government of the Republic of the Philippines (GRP) and the MNLF to negotiate towards a peaceful and just solution to the conflict “within the framework of the sovereignty and territorial integrity of the Philippines.” This resolution provided the impetus toward the signing of the Tripoli Agreement of 1976, which prescribed wide-ranging autonomy to the Muslims of Southern Philippines, subject to constitutional processes, as provided within the Agreement itself. This landmark event was followed by years during which President Marcos and his successor, President Corazon C. Aquino, tried to implement the Tripoli Agreement in ways that neither the MNLF nor the OIC found acceptable.

In 1992, a new Philippine President, Fidel V. Ramos, sought resumption of negotiations with the MNLF. (It was about that time that the OIC expanded the Ministerial Committee of the Four by adding two members from Asia, Indonesia and Bangladesh, thereby making it the Ministerial Committee of the Six.) The First Round of Exploratory Talks between the Philippine Government and the MNLF was held in Libya in which both parties decided only one thing: to talk again. The OIC then requested Indonesia to host the

Second Round of Exploratory Talks and Indonesia agreed. At the Second Round of Exploratory Talks, held in Cipanas, West Java, the two sides signed a Statement of Understanding on holding Formal Peace Talks with an agenda based on the letter and spirit of the Tripoli Agreement. After that, Indonesia was formally elected Chair of the Ministerial Committee of the Six.

The account of this peace process—from the holding of the Exploratory Talks in Cipanas on 14 April 1993 through Four Peace Talks, nine Mixed Committee Meetings, and 71 meetings of the five Support Committees and one Working Group, plus an unknown number of emergency meetings of the Joint Ceasefire Committee, all of them chaired by Indonesian diplomats—that narrative and the account of the initialing and signing of the Final Peace Agreement form the heart of this book. Here, the telling can get very detailed, which is appropriate, since this is after all a story of real people in a mixed situation of clash and collaboration, and not just an encounter of political positions. Names of participants who played minor roles are mentioned; some of these are occupying important positions today.

This particular treatment was possible because much of the chapter on the Peace Talks was based on the personal notes of Abraham Iribani, the MNLF Spokesperson for the Peace Talks. Other sources were recollections of the same events by former President Fidel V. Ramos, Gen. Eduardo Ermita, former Executive Secretary Ruben Torres, and former GRP Peace Panelist Nabil Tan—but none of them kept and made available to readers a diary as Abraham Iribani did.

## *Chaptering*

A narrative covering events from the Moro Wars to the signing of the Final Peace Agreement is told in a more or less straightforward manner from Chapter 1 to Chapter 4. An Analysis and Commentary are presented in Chapter 5.

The first part of Chapter 5 consists of the answers to five questions of Why? (1) Why Misuari failed as an administrator; (2) Why the GRP negotiated; (3) Why the MNLF negotiated; (4) Why the OIC mediated; and (5) Why Indonesia mediated on behalf of the OIC. This is followed by a look into the preparations made by the MNLF and the GRP as negotiators, and by Indonesia as mediator. Then, the Chapter makes an analysis of the negotiating strategies that the GRP and the MNLF resorted to during the Peace Talks. After that, it reviews the discussions by the two Peace Panels on three much-debated concepts during the Peace Talks: “Constitution”, “Sovereignty”, and “Autonomy.” The Chapter is capped with a reflection on how the Spirit of ASEAN unity and solidarity served as an inspiration that helped bring about the signing of the Final Peace Agreement of 1976.

Chapter 6 contains eight “Lessons Learned” from the experience of the 1993-1996 Formal Peace Talks between the GRP and the MNLF as mediated by Indonesia on behalf of the OIC. The Lessons Learned are self-explanatory.

The book concludes with an Epilogue, which argues that although there were many deficiencies in the implementation of the FPA, it also brought about some significant benefits. It also cites the need for corrective interventions to save the FPA. These corrective interventions would come a number of years later.



Thus, the great bulk of the “Lessons Learned” would emerge at a much later time, in the course of a Tripartite Implementation Review Process on the Final Peace Agreement. That process would commence in 2006, a time that is very much beyond the purview of this project.

## Chapter 1 The Historical Background

In 1571, the Spanish conquistadores seized Manila and made it their base in overpowering and colonizing the rest of the country. Within a couple of decades, they had largely succeeded: the colonial government ruled with an iron hand over Luzon and the islands of Central Philippines, the Visayas. But the southern part of the country, mainland Mindanao, the Sulu and Tawi-Tawi archipelago and most of Palawan Island, remained firmly in the hands of the sultanates and the traditional rulers.

Armed with a royal mandate to enslave the peoples of these sultanates, whom they called Moros, the Manila-based colonial government waged war against them, an intermittent series of wars that lasted for about 300 years. The first battle of the so-called Moro Wars was a failed attack against the Maguindanao sultanate in 1596. The last was the second battle of Marawi in 1895.

In waging the Moro Wars, the Spaniards were driven by religious fervor, a lust for conquest, and a hunger for vicarious revenge, as they associated the Muslims of Southern Philippines with the Moros of Northern Africa who crossed over the Strait of Gibraltar in 711 and invaded the Iberian Peninsula. These were the Arabs and Berbers of Morocco and Mauritania. They ruled most of Spain and Portugal for most of seven centuries. The memory of that subjugation still rankled in the collective consciousness of the Spaniards when they encountered the Muslims of Mindanao, Sulu and Palawan, the southern part of what is now the Philippines.

The Muslims, on the other hand, fought to defend their faith, their culture and their identity. Later, they fought also to avenge the devastation wreaked on them by the Spanish soldiery who sank their

boats, cannonaded and torched whole villages and farms in the effort to break the fighting spirit of the Muslims.

In the course of the wars, the Spaniards conscripted the able-bodied among the Christianized men from Luzon and the Visayas to join them as soldiers in their fight against the Muslims. Over the decades, a deep sense of mutual enmity grew in the consciousness of the Christianized Malays of the north and the Muslims of the south, a reciprocal animosity that was carried over well into the 20<sup>th</sup> century.

### **Muslim heroes**

The Moro wars produced many heroes among the Muslims. Two of the most celebrated were Sultan Mohammad Dipatuan Kudarat of Maguindanao and Datu Aqadir Amai Pakpak of Lanao. In successfully resisting several military expeditions to conquer Mindanao, Sultan Kudarat was able to unite most of the southern Muslims in a *jihad* against the Spaniards. He reigned between 1619 and 1671.

Datu Aqadir Amai Pakpak led the defense of Marawi, the center of the Lanao region in central Mindanao, in two battles against vastly more powerful Spanish forces, the first in 1893 and the second in 1895, in which he lost his life.

The Spaniards were able to establish coastal settlements in Mindanao, in such places as Zamboanga, Cagayan de Oro, Iligan, Davao, Surigao and Agusan, but they were never able to impose their rule in the heartland of the Muslims.

In 1896, the Christianized Malays of northern Philippines rose against the Spanish colonial government. By then, they were already asserting their identity as Filipinos and had rejected their

identification as “Indios,” a term imposed by the colonial government. The term “Filipino” had been earlier reserved for Spaniards born in the Philippines to distinguish them from those born in Spain.

On the other hand, the Muslims of the south still considered “Moro” a pejorative word and identified themselves as Muslims. Or else they identified themselves by their ethnicity—as Tausug, Maguindanaon, Maranao, Samal, Yakan, etc. There are 13 Islamized ethnolinguistic groups in Mindanao and its islands.

By 1898, the Filipinos of the north were already forming the very first republic in Asia and they reached out to the Muslims of the South whom they invited to join in this great political undertaking. By then, however, so much distrust had piled up in the minds of the Muslims that they could only spurn the invitation. The continued separation between the northern Filipinos and the southern Muslims was a great loss for both sides.

### **The American invasion**

In that year, Spain lost two wars: first, the revolutionary war that the Filipinos waged against the colonial government, and second, the Spanish-American war that saw the destruction of the Spanish armada on Manila Bay. At that time, the Filipino revolutionaries had tightly cordoned Manila and already had the confined Spaniards at their mercy. Pretending to be sympathetic to the revolution, the Americans lulled the Filipinos into delaying the siege of Manila so that the Spaniards could surrender the city to them. The Spaniards fired one ceremonial cannon shot, so that it could not be said that they gave up without a shot being fired, and then presented the key to the city to an American officer.

On 10 December 1898, the United States and Spain signed the Treaty of Paris by virtue of which Spain ceded the entire Philippine archipelago, including the Muslim-held territories of Mindanao and the Sulu-Tawi-Tawi archipelago and southern Palawan. Both the Filipinos of the north and the Muslims of the south fought the Americans but they did not fight as one force.

First, the Americans signed a peace treaty with the Sultan of Sulu, the so-called Bates Treaty, and then when they had overwhelmed the fledgling Philippine Republic by 1904, they unilaterally abrogated the treaty and proceeded to “pacify” their “Moro Province.” Under American administration the Moro Province consisted of the districts of Davao, Cotabato, Lanao, Zamboanga and Sulu, which at that time included the Tawi-Tawi Islands. The area more or less coincided with the territories of the sultanates of Sulu, Maguindanao and Buayan, and the Muslim principalities of the Lanao area.

The pacification campaign that the Americans carried out was as brutal as the Philippine-American war, and it produced one atrocity that shocked the world, the Massacre of Bud Dajo, in which 800 Tausugs, many of them women and children, perished in an extinct volcanic crater under relentless artillery fire.

Because the northern Filipinos were Catholics and therefore Christians, the Americans, who were Christians themselves, considered them more prepared for governance than the Moros and the non-Muslim, non-Christian indigenous peoples of Mindanao, who are known today as Lumads. This led to lopsided policies that tended to marginalize the non-Christian peoples.

## **Decades of injustice**

Laws were passed, regulations were issued and other measures were taken that governed the registration, acquisition and use of land. This had the effect of encouraging an influx of Christian settlers from the north, and at the same time depriving the Muslims of their ancestral lands. One factor that led to the deprivation of the Muslims was their lack of orientation to registering the lands that they tilled, since they had cultivated these lands and possessed them simply on the say-so of the local datu.

The deprivation and marginalization of the Muslims only got worse when the Philippine Commonwealth was established in 1935, and got even worse when, after an interlude of about four years during which Japanese invaders ran a military government in most of the Philippines, the Americans restored Philippine independence in 1946.

Although at various times in the first half of the 20<sup>th</sup> century, groups of Muslims in Mindanao and Sulu petitioned the US Government in Washington DC for the Muslims to be governed separately or to remain under American rule once independence was restored to the Philippines, the independence that the Americans restored was to a Republic of the Philippines that included the provinces where the Muslims were predominant.

Over the decades the grievances of the Muslims accumulated. They now included political marginalization, as very few qualified Muslims were appointed to positions in the national government, and the disregard of their economic welfare as the Muslim dominated provinces remained among the poorest of the poor provinces in the country. Their share of the national budget was a mere pittance although they contributed much to the national revenue through the

exploitation of their natural resources by Manila-based corporations and multinationals. At the same time the national government turned a blind eye to rampant corruption, criminality, and the impunity of warlords in those provinces.

Meanwhile, the demographic structure of Southern Philippines had changed. During the heyday of the sultanates, the Muslims probably accounted for 70 percent of the total population of Mindanao and its islands. Towards the end of the 20<sup>th</sup> century, the proportion had been reversed. The Muslims now constituted only about 20 percent of the total population, while the non-Muslim, non-Christian ethnic groups, also called Lumad communities, formed a constant 10 percent of the total. The descendants of Christian settlers from the north as well as new Christian settlers now constituted 70 percent of the population.

Although the grievances of the Muslims should be enough to provoke a massive rebellion, this did not happen. The Muslims of Southern Philippines could not unite, as they remained divided along ethnic lines—until a controversy that began in ancient times caught up with them and complicated contemporary events.

### **The Sabah controversy**

This was the Philippine claim to sovereignty over the territory of North Borneo, which is today known as Sabah. To understand the controversy, one must go back in history to events in 1658 when the Sultan of Brunei ceded the territory of northeastern Borneo (also known as Sabah) to the Sultanate of Sulu in gratitude for the latter's help in a bloody civil war.

The complication began when the Sultan of Sulu signed a contract in 1878 with the British North Borneo Company. Soon the company

claimed that the contract was an act of cession; the Sultanate has maintained until today that it was rental of land.

At a time when Sabah was being groomed to become a state in the Federation of Malaysia in 1962, the Philippine Government filed a claim to the territory with the United Nations, the Sultanate of Sulu having ceded to the Philippine Government its sovereignty over Sabah.

The issue of sovereignty over Sabah should have been settled when the people of the territory, in a political exercise witnessed by the UN, chose to join the Federation of Malaysia. But a segment of Philippine military intelligence had other ideas.

In 1968, on Corregidor Island in Manila Bay, a group of young Moros were being trained by the Philippine military to infiltrate Sabah. The unit of would-be infiltrators was code-named Jabidah and its personnel were all of Tausug and Samal ethnicity. The scheme collapsed when the military trainers suspected that their wards were plotting a mutiny; they solved the problem by massacring at least 23 trainees. A lone survivor exposed the atrocity. The political opposition made political hay out of it. The media sensationalized it.

And there was an outpouring of grief and outrage among Muslims of various ethnic groups in the Southern Philippines. They gave vent to the sense of enmity that was nurtured over centuries and grievances that accumulated over decades of discrimination, neglect, and misrule. And at last, they were united in grief and anger.

The flames of separatism began to burn fiercely. The Mindanao Independence Movement (MIM) in Cotabato, founded by former Governor Udtog Matalam largely out of personal grievances, and initially half-hearted, began to swell with new adherents. The



foremost Muslim politician in Mindanao at that time, Rashid Lucman, who was also the Sultan of Bayang, began to organize the Bangsa Moro Liberation Organization (BMLO); its youth arm attracted hundreds of Muslim students and young professionals.

And the Muslims of Southern Philippines were now keen to call themselves Bangsa Moro, a name that they bear with pride today.

The movement promptly enjoyed foreign supporters. One was the Tausug-born Chief Minister of Sabah, Tun Mustapha bin Harun, who already had a longstanding friendship with Rashid Lucman. Another was the mercurial leader of Libya, President Muammar Khadaffy, who first heard about the Moros while listening to a BBC newscast of a massacre of 70 Muslims in a mosque in Carmen, Cotabato.

Out of this ferment would rise a new leader of the Bangsa Moro<sup>1</sup>, a former left-leaning student activist, and a political science professor at the University of the Philippines: Nurullaji Pinang Misuari.

In the early 1970s, Misuari would lead a massive rebellion against the Philippine government that almost succeeded in establishing a separate and independent state in Southern Philippines. That rebellion would bring about the death of an estimated 150,000 Filipinos—Christians, Muslims and Lumads-- and the displacement of some one million Moros.

This book tells the story of that rebellion and the first major efforts to resolve it through peaceful negotiations.

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<sup>1</sup> At this stage of the history of Muslim Mindanao, “Bangsa Moro” was still almost strictly in use as two words. Thus: “Bangsa Moro Liberation Organization” (BMLO). In later years, especially after the Moro Islamic Liberation Organization (MILF) proposed to name the relevant territory “Bangsamoro,” the single word form of the term began to be widely used. Thus: the “Comprehensive Agreement on Bangsamoro” (CAB).

## Chapter 2 The Spark, the Blaze, and the Fizzle

When President Ferdinand E. Marcos declared martial law on 21 September 1972 and proceeded to rule by diktat, Nur Misuari was already in the field as Commander-in-Chief of a Moro National Liberation Front (MNLF) force of allegedly 50,000 well-armed, well-trained fighters. The number 50,000 is probably a high estimate, which is claimed in his official biography, but a reasonable and more credible estimate, 30,000, would still be a formidable force that could cover the whole of Muslim Mindanao.

It was also a well-organized force, with a chain of command that reflected a keen knowledge of military planning. He had a full complement of field commanders that included Hashim Salamat, a former religious scholar in the Middle East, who led the MNLF fighters in the Cotabato area, and Abul Khayr Alonto, scion of a politically powerful Maranao clan, who commanded the fighters in the Lanao area. Nur Misuari himself took charge of Zamboanga, Sulu, and Basilan.

Several hundred of these fighters were trained abroad. The rest were trained in the field by those who had trained abroad. The first batch of 90 fighters who trained abroad was known as the “Top 90” or “Batch 90.”

The one-year training abroad of the Top 90 is probably the most loosely kept secret in Bangsamoro history. The members of this batch became legendary in Bangsamoro lore. The historian Rudy Rodil is one of many writers who referred to them and their training in telling the narrative of the Bangsa Moro rebellion<sup>2</sup>.

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<sup>2</sup> Rudy Buhay Rodil, “Negotiating for Peace in Mindanao-Sulu,” p. 6

## **The founding of the MNLF**

It was while he was on training abroad that Nur Misuari put down in writing the notion of the Moro National Liberation Front (MNLF) and crafted its organizational plan. It was there that he organized the first MNLF Executive Committee, which he chaired, with Abul Khayr Alonto as his deputy. And it was there after the completion of training that he gathered together the whole batch and announced that they would form the core of the MNLF<sup>3</sup>.

The MNLF had a timetable, in which the breakout of the rebellion was probably the middle of 1973, but there was a premature explosion of Moro defiance against martial law in Marawi on 21 October 1972, which rendered the timetable irrelevant. The force that tried to seize Marawi could not have been more than 1,000 armed men who were driven by a rumor that martial law was precisely focused on Muslims so that they could be disarmed and forced to convert to Christianity. The MNLF had nothing to do with the Marawi uprising and they in fact carried out measures to prevent the raiders from summarily executing Christian families that had been trapped in the crossfire.

What the Marawi insurgents did not know was that during the siege, the chief of the Philippine Constabulary (PC), Gen. Fidel V. Ramos, the future President, was in the PC Provincial Headquarters, Camp Amai Pakpak, named after the legendary Moro warrior.

On the third day, military reinforcements from Iligan finally arrived and the uprising was instantly crushed.

Early the following year, the MNLF went into action with a display of battle skill. In a blitz operation, the MNLF captured and then held

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<sup>3</sup> Stern, "Misuari: An Official Biography," p.43, 44

some ten towns in Cotabato. Although the rebels never captured Cotabato City itself, they isolated the provincial capital for more than a year. The province became a long-time stronghold of the MNLF.

It was at about this time, in March 1973, that the Fourth Islamic Conference of Foreign Ministers (ICFM) created the Quadripartite Committee, composed of Saudi Arabia, Senegal, Somalia, and Libya, to look into the plight of the Muslims in Southern Philippines<sup>4</sup>. The leaders of the Organization of the Islamic Conference (OIC)<sup>5</sup> had been moved by the photographs of the corpses of Moro victims of communal violence in Central Mindanao, which had been sent to them by Misuari and other Moro leaders as proof of genocide against the Moros.

### **The Siege of Jolo**

If the Committee of the Four had traveled to Mindanao to see the situation on the ground, they would not have witnessed genocide but a brutal war in which no quarters were given.

Thus, at the beginning of 1974 the MNLF seized several towns on Jolo, the main island of the Sulu Archipelago. This was in preparation for the siege of the provincial capital, Jolo town, itself, which the MNLF fighters began to carry out on the night of 6 February.

In the morning of 7 February, they captured Notre Dame College and the Air Force Headquarters. In the afternoon, the military counterattacked and pummeled Jolo with a steady stream of munitions from two naval ships, fighter jets, and tanks that rolled in

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<sup>4</sup> Hutchcroft, "Mindanao: The Long Journey to Peace and Prosperity," p.65

<sup>5</sup> The name of the Organization was changed into the Organization of Islamic Cooperation on 28 June 2011 during the 28th Meeting of the Islamic Council of Foreign Ministers in Astana, Kazakhstan.

while the town burned. The rebels eventually withdrew, having proved that they were disciplined, well-armed fighters. But Jolo was totally destroyed.

By then, Nur Misuari had moved to Sabah where the MNLF had been allowed to maintain headquarters and a training camp. From there he instructed Hashim Salamat to go to Libya to serve as the MNLF Foreign Minister. In June 1974 Misuari traveled to Kuala Lumpur for the Fifth OIC Islamic Conference of Foreign Ministers. From then on, for more than a decade, Nur Misuari and his closest aides would be based in the Middle East. He ran field operations through telephone calls and written orders borne by couriers.

### **The MNLF bids for OIC membership**

At that time, buoyed by the successes of the MNLF in the battlefield, and by the support of foreign patrons, he was probably brimming with confidence and nurturing some very high expectations. He had submitted a bid for MNLF membership in the OIC.

It could be argued that the MNLF could qualify as a state because it was holding territory and was able to defend it. The MNLF also might have been able to provide services to the people in the areas that it controlled.

Moreover, the OIC Secretary General at that time was Tunku Abdul Rahman, who was Prime Minister of Malaysia at the time of the Jabidah Massacre: Misuari must have believed that the Tunku would very likely be sympathetic to the MNLF bid. Misuari also probably thought that the members of the OIC Committee of the Four would push for the cause of MNLF membership.

But Adam Malik, then the Foreign Minister of Indonesia, stood in the way of the MNLF. In opposing the MNLF bid, he brought into play his immense personal prestige: he had recently completed his tenure as President of the UN General Assembly. As the triumvir in charge of foreign affairs—the other two being Acting President Suharto and Yogyakarta Sultan Hamengku Buwono IX—he was one of the founding fathers of ASEAN in 1967. It helped that he was speaking at that time for the world's largest Muslim nation.

He cautioned the OIC against accepting the MNLF as a member, as that would violate the sovereignty of the Philippines thereby making the armed conflict more difficult to resolve. He asked the OIC to look for a just solution “within the framework of the sovereignty and territorial integrity of the Philippines.”

He appealed to both Malaysia and the Philippines, both founding members of ASEAN, to focus on fostering ASEAN solidarity rather than “parochial national interest.” Then, he personally lobbied the OIC Foreign Ministers and secured their commitment to reject the MNLF bid. Thus, Adam Malik saved the Philippines from the clutches of a severe predicament<sup>6</sup>.

The most important result of that meeting was the passing of Resolution No. 18 calling upon “the Philippine Government to find a political and peaceful solution through negotiation with Muslim leaders, particularly with the representatives of the Moro National Liberation Front in order to arrive at a just solution to the plight of Filipino Muslims within the framework of the national sovereignty and territorial integrity of the Philippines<sup>7</sup>.”

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<sup>6</sup> Anak Agung Banyu Perwita, “Indonesia and the Muslim World: Islam and Secularism in the Foreign Policy of Soeharto and Beyond,” p.113

<sup>7</sup> Records of the Fourth OIC-ICFM, 21-25 June 1974

It is important to note that Resolution No. 18 was drafted by Malaysia, and it slammed the door against the MNLF's aspirations for statehood. And while all the other paragraphs sounded like a form of pressure on the Philippines to do better for its Muslim citizens, Operative Paragraph No. 4 clearly left autonomy as the best arrangement that the MNLF could possibly achieve.

### **The First GRP-MNLF negotiation**

It is well known that for a long time, Nur Misuari agonized over this OIC Resolution. If he negotiated on the basis of this resolution, the most he could get was autonomy, and he had been saying that in his studies on the histories of other countries, he had never found an instance of an autonomy that worked. But if he refused to negotiate, he could lose the support of the OIC. On the ground the Philippine Government forces were counter-attacking, but the greater danger to the MNLF was the possible loss of OIC support.

And so, complying with Resolution No. 18, the MNLF negotiated with the Philippine Government in the office of the OIC Secretary General in Jeddah. On the first day, 18 January 1975, the MNLF presented its initial four-point position. The Government of the Republic of the Philippines (GRP) Panel, chaired by Secretary Alejandro Melchor, produced seven talking points on 29 January after six meetings with the facilitator. These talking points did not address the four-point position of the MNLF<sup>8</sup>.

Gen. Eduardo Ermita, who was on the GRP Panel at that time, would remember that the Libyan mediators tried to pressure the Philippine side to agree to giving the MNLF belligerency status. Of course, they

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<sup>8</sup> Rudy B. Rodil, "Negotiating for Peace in Mindanao-Sulu," p. 11

could not agree to this. The GRP Panel could sense that they were in danger but then the parents of the Libyan Foreign Minister fell ill and Misuari himself caught bronchitis, and both sides agreed to an adjournment<sup>9</sup>.

However, in the middle of the year, OIC Secretary General Mohammad Hassan Al-Touhamy conveyed to President Marcos a “Nine-Point Agenda” adopted by the Committee of the Four as a working paper for the resumption of the talks. Marcos rejected it straightaway.

Looking at that document, the historian Rudy B. Rodil noted that it contained items on self-government, internal security, defense and foreign policy, the administrative system, the justice system, education, financial and economic affairs and the rights of Moros as Filipino citizens to participate in the national government and all organs of state. He also observed that in letter and spirit “the Nine-Point Agenda is an important part of the evolution of the Tripoli Agreement the following year<sup>10</sup>.”

In early 1976, however, there was no prospect of an early resumption of negotiations as the Marcos Government felt the MNLF was laying down unreasonable pre-conditions and insisting on them.

On top of that, the Government began questioning the soundness of the MNLF claim that it was the legitimate representative of the Muslims of Southern Philippines. It also argued that there were other inhabitants of the projected autonomous region: Christians, Tedurays, T’bolis, B’laans, and many other non-Christian, non-

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<sup>9</sup> Interview with Gen. Eduardo Ermita, 6 October 2016

<sup>10</sup> Rudy B. Rodil, “Negotiating for Peace in Mindanao-Sulu,” p. 12



Muslim ethnolinguistic groups; and together these constituted the great majority<sup>11</sup>.

### **A tsunami spurs diplomacy**

Then nature intervened: in the morning of 17 August 1976 a powerful earthquake and tsunami struck the Moro Gulf, devastating provinces with large Muslim populations, killing as many as 8,000. At that time, the Non-aligned Movement (NAM) was holding its Fifth Summit in Colombo, Sri Lanka. Upon receiving the news, the delegations were moved by the human suffering brought about by the tsunami.

Among those in attendance at that Summit were OIC Secretary General Amadou Karim Gaye and the Foreign Ministers of the OIC Committee of the Four, as members of the OIC were also members of the Non-aligned Movement. They decided to travel to the Philippines to see what they could do to help. When they got to the disaster area, the dead bodies were no longer there but the ruins of destroyed buildings and infrastructures were in plain sight. They made plans to send humanitarian aid to the victims.

While in the Philippines, the OIC delegation was able to meet President Marcos, first in Zamboanga and then in Malacañang Palace. They suggested that he send the First Lady, Mrs. Imelda Marcos, to the Middle East to lobby for a resumption of the talks.

He did just that and on 17 November 1976, the First Lady met the Libyan leader and convinced him to push for an immediate resumption of the stalled negotiations. And indeed, negotiations resumed on 12 December 1976.

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<sup>11</sup> Rodil, "Negotiating for Peace in Mindanao-Sulu," p. 12

Libyan Foreign Minister Abdussalam Ali Treki mediated the talks. Undersecretary Carmelo Barbero led a GRP Panel that included Col. Eduardo Ermita, Ambassadors Liningding Pangandaman and Pacifico Castro, Commissioner Simeon Datumanong, and Administrator Karim Sidri of the Southern Philippines Development Authority (SPDA). Nur Misuari headed an MNLF Panel that had Hashim Salamat, Abdulkaki Abubakar, and Hatimil Hassan as members.

They had no problem agreeing on a ceasefire. But on the other issues, the GRP Panel thought the MNLF was asking for too much. As Ermita would recall years later, the MNLF wanted Muslims appointed to practically all-important government positions. They wanted their own economic and financial systems. They wanted Shariah courts in the autonomous area.

The boldest of the MNLF proposals was for the appointment of a provisional government immediately upon signing. This was unacceptable to the Philippine panel. The MNLF stood fast on its proposals.

And so, there was a deadlock and the Philippine panel asked for a recess. In his hotel room, Undersecretary Barbero reported to President Marcos on the phone. Since he knew that the room and the telephone were bugged, Barbero spoke to Marcos in their own native Ilokano language.

After listening to Barbero's report, Marcos said he could go ahead and sign but he must include in the text the sentence, which he dictated on the phone: "The Philippine Government shall undertake all the necessary constitutional processes to implement the entire agreement." And it was done.

Barbero secured approval of that sentence from Treki and Khadaffy himself. There is no record that the MNLF questioned it at that time. Thus, the Tripoli Agreement was signed on 13 December 1976, with Undersecretary Carmelo Barbero signing for the Philippine Government and Chairman Nur Misuari signing for the MNLF. OIC Secretary General Abou Karim Gaye and Libyan Foreign Minister Abdussalam Ali Treki, the chief mediator in the negotiations, signed as witnesses.

First of all, the Tripoli Agreement established an autonomous region for the Muslims of Southern Philippines.

Then, it identified the territory of the autonomous region as consisting of the provinces of Davao del Sur, South Cotabato, Sultan Kudarat, Maguindanao, Cotabato, Lanao del Sur, Lanao del Norte, Zamboanga del Norte, Zamboanga del Sur, Basilan, Sulu, Tawi-Tawi, and Palawan. It also included “all the cities and villages” situated within these provinces.

It provided for the MNLF forces joining the Armed Forces of the Philippines and for the establishment of Shariah courts. The autonomous region would also be allowed to have its own educational system, its own economic and financial system, its own administrative system, its own Special Regional Security Forces, and its own Legislative Assembly and Executive Council. The Agreement provided for a sharing of revenues from mining and minerals.

The members of the Legislative Assembly would be elected in the area of autonomy; the Legislative Assembly would then appoint the Executive Council.

The Agreement also provided for the declaration of a ceasefire, and the creation of a Mixed Committee composed of GRP and MNLF Panels to study in detail the points left for discussion.

Finally, it envisioned a Final Peace Agreement based on the findings of the Mixed Committee.

As far as the Government was concerned, the most important provision of all was Paragraph 16: “The Government of the Philippines shall take all necessary constitutional processes for the implementation of the entire agreement.”

The Tripoli Agreement of 1976 was a major political compromise by both sides. To the MNLF, it meant saying goodbye to their dream of independence and statehood, something that they had been promising to their constituents. Nur Misuari later would frankly admit to his aides and to others that he wept as he signed the Agreement. He had reason to weep: his own Deputy Chairman, Ustadj Hashim Salamat, parted ways with him because he had given up their most cherished goal.

On the other hand, there was no sense of triumph on the government side. Almost immediately after the signing of the Agreement, President Marcos called for a cabinet meeting in which he presented to the leaders of his government the text of the Agreement.

The immediate reaction was first disbelief and then vehement opposition. The Martial Law Defense Secretary, Juan Ponce Enrile, the immediate boss of chief negotiator Undersecretary Barbero, was particularly harsh in criticizing the Agreement as a travesty of the

1973 Philippine Constitution<sup>12</sup>. Only two members of the Cabinet expressed some support for the Agreement: Solicitor General Estelito Mendoza and the Secretary of the Department of Local Governments and Community Development (DLGCD), Jose Roño.

The Secretary of Public Information and Press Secretary, Francisco “Kit” Tatad, whose job would be to explain the Agreement to the general public, was also vocal in opposing it<sup>13</sup>.

During the meeting, Marcos called Khadaffy on the phone and requested a renegotiation because the Agreement could not be implemented because of constitutional infirmities. On the phone, Khadaffy agreed to a renegotiation.

A powerhouse delegation was hurriedly sent to Libya for the renegotiation. It included First Lady Imelda Romualdez Marcos; Juan Ponce Enrile, Secretary of Defense; Carlos P. Romulo, Secretary of Foreign Affairs; Estelito Mendoza, Solicitor General; and Admiral Romulo Espaldon, Commanding Officer of the Armed Forces of the Philippines (AFP) in Mindanao. When the delegation was face to face with Khadaffy, he flatly turned down the request for renegotiation and would have no more discussion of it.

Thus, the Tripoli Agreement was preserved and became the foundation of all future agreements between the Government of the Philippines and the Bangsa Moro movement.

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<sup>12</sup> The account on the reaction of the Marcos Cabinet and the attempt at renegotiation is based on an interview with Senator Juan Ponce Enrile on 23 February 2019.

<sup>13</sup> Immediately after that cabinet meeting, then Secretary Tatad had a conversation with this writer. He said that Marcos was probably losing his touch. He also said that the other cabinet members were beginning to doubt the sanity of Undersecretary Barbero.

### Chapter 3 The Unilateral Attempts at Implementation

As scheduled and as provided in the Tripoli Agreement, the Mixed Committee met in Jeddah in February 1977, but the two panels could not reach agreement on anything, not on any single provision that was supposed to be fleshed out by the Mixed Committee.

President Marcos then carried out his own unilateral moves ostensibly to implement the Tripoli Agreement. On 27 March 1977, he issued a Presidential Proclamation to the effect that the 13 provinces designated in the Tripoli Agreement as constituting the autonomous region were already officially included.

The same Presidential Proclamation established a Provisional Government that would supervise a referendum, prior to the election of the officials of the Legislative Assembly. The Legislative Assembly would then appoint the Chairman and Members of the Executive Council. The Legislative Assembly and the Executive Council would then serve as the government of the autonomous region.

Nur Misuari must have felt betrayed. Nowhere in the Tripoli Agreement were either of the words “referendum” and “plebiscite” mentioned. But what else could have been meant by the sentence: “The Government of the Philippines shall take all necessary constitutional processes for the implementation of the entire Agreement”?

Marcos offered to Misuari the chairmanship of the Provisional Government and to the MNLF the majority membership in that Government. Misuari rejected the offer, demanding instead that power over the envisioned autonomous region be given exclusively to the MNLF without resort to a referendum. Again, Marcos waved the Constitution in his face.

Pushing on with his plans, Marcos appointed a Muslim political ally, Mohamad Ali Dimaporo, Governor of Lanao del Sur, as Chairman of the Provisional Government. And then he had the demands of the MNLF written into the plebiscite ballot as questions to vote on.

The plebiscite was scheduled for 17 April 1977. Then, Marcos invited a group of ambassadors from Muslim countries and the international media to witness the plebiscite in the proposed region of autonomy. Thus, the plebiscite was witnessed globally through the media and through the Muslim ambassadors who could only attest to the reality on the ground that the voting was free and without incident.

### **Two autonomous regions**

The result of the plebiscite was highly adverse to Misuari and the MNLF: the electorate rejected all their demands. They also chose, instead of the formation of a single autonomous region, the establishment of two autonomous regions: one covering Southwestern Mindanao (Region IX), the other covering Central Mindanao (Region XII). Palawan chose not to be included in the autonomous region.

The provinces in Region IX were: Sulu, Tawi-Tawi, Basilan, Zamboanga del Sur, and Zamboanga del Norte. The cities within it were: Zamboanga, Dipolog, Dapitan, and Pagadian.

The provinces in Region XII were: Maguindanao, North Cotabato, Sultan Kudarat, Lanao del Sur, and Lanao del Norte. The cities within it were: Cotabato, Marawi, and Iligan.

The establishment of these two autonomous regions was not so bizarre, considering that Regions IX and XII were already existing as regular regions. In the subsequent elections that took place in 1979,

Tausug, Yakan, and Samal leaders as well as Christian leaders in the predominantly Christian Zamboanga provinces were elected to the Regional Legislative Assembly of Region IX. Likewise, Maguindanao and Maranao leaders, as well as Christian leaders, were elected in the predominantly Christian areas to the Regional Legislative Assembly of Autonomous Region XII. Not a few of these elected leaders were MNLF field commanders who had surrendered to the Government<sup>14</sup>.

Naturally, neither the MNLF nor the OIC could accept Marcos's unilateral implementation of the Tripoli Agreement, since the pact called for the establishment of one, not two autonomous regions. Misuari denounced this maneuver in public statements. As if to compensate for this MNLF debacle on the ground, the OIC's Eighth Islamic Conference of Foreign Ministers (ICFM) in Libya accorded observer status to the MNLF. This was the prelude to its being designated "sole and legitimate representative" of the Muslims of Southern Philippines at the 15<sup>th</sup> ICFM in Sana'a, Yemen in 1984.

### **The MNLF splits**

Meanwhile, the MNLF was also dividing itself into two, also roughly along ethnic lines. Even as he sat on the same panel with MNLF Chairman Nur Misuari facing the Barbero-led GRP Panel in Tripoli in December 1976, MNLF Vice Chairman Hashim Salamat was already arguing and campaigning against Nur Misuari's position accepting autonomy instead of insisting on independence.

The break came on 21 September 1977 when 57 officers of the Kutawato Revolutionary Committee signed a petition addressed to

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<sup>14</sup> Iribani, "Give Peace a Chance," p. 37, 38



the OIC and the Muslim World League seeking “the ouster of Nur Misuari as Chairman of the MNLF and in his stead recognizing Hashim Salamat as the new Chair<sup>15</sup>.” On 26 December 1977, in response to this petition and those from other groups of MNLF leaders, Hashim Salamat executed the “Instrument of Takeover.” Moving swiftly, Nur Misuari expelled Salamat on grounds of “incompetence, insubordination and treachery to the MNLF and its leadership.”

Having founded a faction of the MNLF, Hashim Salamat established its headquarters in Lahore, Pakistan. In 1985 this faction stopped calling itself the New MNLF and officially adopted the name Moro Islamic Liberation Front (MILF). In the field, especially in Central Mindanao, its membership grew rapidly. And it reputedly enjoyed the support of Libyan leader Muammar Khadaffy.

The MNLF would further splinter. In 1978, Abul Khayr Alonto, the original Vice Chairman of the MNLF and its military commander in Central Mindanao, made his separate peace with Marcos. He had received a letter from Nur Misuari removing him from the Front’s Central Committee.

Another Maranao leader, Dimasangkay Pundato, replaced Alonto as Vice Chairman of the MNLF and military commander of Central Mindanao. But in 1980, he parted ways with Misuari because, he said, he could not tolerate Misuari’s autocratic style of leadership. However, he did not make peace with Marcos. He remained in the Lanao area where he founded and ran the MNLF Reformist Group (MNLF-RG).

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<sup>15</sup> An account of the break between Hashim Salamat and Nur Misuari by an MILF official, quoted in Iribani, “Give Peace a Chance,” p.40

Then, two of the old political leaders of Central Mindanao tried to make a comeback on the Bangsamoro rebel scene: former Senator Salipada Pendatun and former Congressman Rashid Lucman. As patrons of Nur Misuari during his early days in the rebel movement, they were able to persuade him to agree to the establishment of a Bangsa Moro Advisory Council with Lucman as chairman and Pendatun as Vice Chairman. But soon the two founded the Bangsa Moro Front with Pendatun as chairman and Lucman as its top military commander.

In 1980, the Bangsa Moro movement was shocked by the defection of the Chairman of the Kutawatu Revolutionary Committee, Amelil Malaguiook, better known as Commander Ronnie. For his reward, President Marcos gave him forest logging concessions and the governorship of the “autonomous” Region XII.

Haji Murad Ebrahim, next in the line of command, took over from Commander Ronnie and eventually became the military commander of the Moro Islamic Liberation Front (MILF) under the chairmanship of Hashim Salamat. In 2003, after the death of Hashim Salamat, he would be elected to the chairmanship of the MILF. Today Haji Murad Ebrahim is Chairman of the Bangsamoro Transition Authority (BTA), the Provisional Government of the Bangsamoro Autonomous Region in Muslim Mindanao—but that is getting too far ahead of the story.

All this splintering had a debilitating effect on the MNLF and its ability to negotiate with the Philippine Government. The OIC continued to recognize Nur Misuari as the sole and legitimate representative of the Muslims of Southern Philippines, and it continued to pass resolutions calling on the GRP to comply with the Tripoli Agreement and to negotiate with the MNLF, but Marcos confidently refused to comply without suffering any political cost.

Then almost suddenly, political developments in the Philippines finally gave Nur Misuari a much-needed break.

### **History intervenes**

In the midst of rumors that Marcos was a very sick man, his old political nemesis, Benigno “Ninoy” Aquino Jr., decided to come home from exile in the United States. Ninoy Aquino was the senator who exposed and then investigated the Jabidah Massacre of 18 March 1968.

He was therefore on very friendly terms with the Muslim leaders of Southern Philippines. Just before he was detained by the Martial Law administration of President Marcos, Ninoy Aquino had occasion to tell the Muslim leaders that if he ever got to be President, he would redress their grievances and promote their integration into Philippine society in a way that served their collective welfare.

He did go home only to be assassinated on the tarmac of the airport that today bears his name. The widespread outrage in the wake of his murder galvanized the political opposition in the Philippines. Under pressure by the United States to prove the legitimacy of his administration, Marcos scheduled snap presidential elections on 5 February 1986. The opposition put up Corazon “Cory” Aquino, the widow of Ninoy, as its candidate to run against Marcos.

From his Middle East headquarters, Nur Misuari instructed the MNLF commanders in the field to support the candidacy of Cory Aquino.

In the vote count, Cory Aquino was leading by a wide margin, and then her lead disappeared. She finally lost in the count. Cory Aquino’s mass of followers were outraged. On a daily basis they carried out

huge demonstrations in a campaign of civil disobedience to reverse the official result of the election on grounds of massive cheating. The civil disobedience campaign swelled into a mass movement.

It was during that turbulent time that the Marcos Government discovered a coup plot masterminded by Defense Secretary Juan Ponce Enrile. This brought about a standoff between soldiers loyal to the President and reformists led by Defense Secretary Juan Ponce Enrile and then Vice Chief of Staff Gen. Fidel V. Ramos. The pro-Cory Aquino protesters, possibly a million strong, wedged themselves between the two military forces to form the People Power Revolution of 1986. With US President Ronald Reagan refusing to give him support, Marcos, together with his household and his closest political allies, flew on US military aircraft to exile in Hawaii, United States.

Once she assumed the presidency, Cory Aquino sought a meeting with Nur Misuari in Jolo. Fidel V. Ramos, already Chief of Staff, tried to dissuade her not only because of the breach of protocol but also because of the security risk. But she was insistent, mindful that her late husband had made promises to the MNLF to give the highest priority to the issue of peace in Mindanao.

She met Nur Misuari in a Carmelite convent in Maimbung town on Jolo Island on 5 September 1986. That meeting breathed new life into the MNLF. The two leaders agreed to commence a ceasefire and to launch a process of negotiations toward a peaceful political settlement of the Moro rebellion. That ceasefire was undocumented but it would remain in effect and unbroken for many years, even long after the completion of Cory Aquino's tenure as President.

The first formal negotiations between the Aquino Government and the MNLF took place in Jeddah, Saudi Arabia on 2 and 3 January 1987. Aquilino Pimentel Jr., former mayor of Cagayan de Oro City, led the

GRP Panel while Nur Misuari as usual led the MNLF Panel. The talks produced the Jeddah Accord of 1987, in which both parties “agreed to continue discussions of the proposal for the grant of autonomy to Mindanao, Basilan, Sulu, Tawi-Tawi and Palawan subject to democratic processes.” Apart from Misuari and Pimentel, OIC Secretary General Shariffuddin Pirzada signed the agreement as witness.

As historian Rudy B. Rodil would observe, this Jeddah Accord was a deviation from the Tripoli Agreement. The mention of Mindanao in the document increased the number of provinces being discussed from 13 in the Tripoli Agreement to a total of 23. The phrase “subject to democratic processes” seemed to be a way of avoiding reference to the Constitution, in deference to the sensitivities of the MNLF<sup>16</sup>.

It was at this time that the MNLF conveyed a request to President Cory Aquino for the suspension of the provisions on autonomy in the draft Constitution. A Constitutional Commission appointed by President Aquino had completed in October 1986 a draft Constitution that placed the power to create an autonomous region in the hands of Congress.

### **Again, the Constitution problem**

The new Constitution, to be known as the 1987 Constitution would replace the 1973 Constitution that was crafted by a Constitutional Convention already under the thumb of the Martial Law administration of President Marcos. The 1973 Constitution had been suspended and the country was being administered under a

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<sup>16</sup> Rodil, “Negotiating for Peace in Mindanao-Sulu,” p. 14

Revolutionary Constitution cobbled together by the Cory Aquino Administration.

The proposed 1987 Constitution contained very specific provisions on how the question of autonomy in Muslim Mindanao was going to be resolved on the basis of the commissioners' interpretation of the 1976 Tripoli Agreement. The Government had offered to the MNLF five slots on the Constitutional Commission but the MNLF did not respond.

Committed in principle to democracy, President Aquino was therefore in a hurry to get out of the Revolutionary Constitution and operate under a new legitimate Constitution approved by the people in a plebiscite.

In an interview with former OPAPP Undersecretary Nabil Tan, now a member of the Bangsamoro Transition Authority (BTA), he said that the Aquino administration, when still operating under the Revolutionary Constitution, had offered to the MNLF the creation of an autonomous region consisting of ten of the original 13 provinces designated for the autonomous region, by virtue of a Presidential Decree. The other three provinces would be added to the proposed new autonomous region subject to a plebiscite after three years<sup>17</sup>.

According to Nabil Tan, the MNLF turned down the offer, insisting that all 13 provinces be included in the Autonomous Region at once. In that manner, the MNLF lost a golden opportunity to resolve the issue of autonomy without the need for a plebiscite. However, nothing on record corroborates this information. It could have been offered verbally during negotiations as a probing move on the part of the GRP Panel.

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<sup>17</sup> Interview with BTA Member Nabil Tan, 1 April 2019

The President turned down the MNLF request for a suspension of a part of the proposed new Constitution, since the draft Constitution as a whole had to be subjected to a nationwide plebiscite on 2 February 1987. In that plebiscite, the electorate overwhelmingly approved the draft Constitution. In Mindanao, it got a 70 percent “yes” vote. In Nur Misuari’s native Sulu Province, the draft Constitution got a whopping 95 percent approval.

In effect the new Constitution and its provisions on autonomy—for Muslim Mindanao as well as for the Cordillera mountain region in Northern Philippines—became another move by the Philippine Government to implement unilaterally a bilateral agreement, although that was not the intention of the Aquino administration.

Substantive peace talks were convened anyway. The MNLF presented a 26-point position paper for an autonomous region composed of 23 Southern Philippines provinces. It also proposed a powerful Provisional Government.

### **Proposals back and forth**

In turn, on 10 March 1987, the GRP Panel, now headed by former Vice President Emmanuel Pelaez, who was then Ambassador of the Philippines to the United States, proposed the establishment of a Preparatory Commission that would administer to the two existing autonomous regions and prepare for the creation of a Consultative Commission that would draft a new organic act to create a new autonomous region for submission to Congress.

The Government then offered the MNLF a controlling role in the envisioned Preparatory Commission and in the Consultative Commission. The MNLF turned this down, insisting that it should be

the Jeddah Accord and the latest MNLF proposal that should be the basis for further talks.

On 23 April, the GRP Panel came up with a new proposal for the creation of a Provisional Autonomous Council with vast administrative powers in which the MNLF would have a controlling role. The MNLF turned down the proposal and again demanded that the autonomous region be created by Presidential diktat.

But at this time, even the MNLF should have realized that the Philippine Government was already operating under the 1987 Constitution: the power to create an autonomous region was already in the hands of Congress; the Executive Branch could only propose such a measure. And any enabling law passed by Congress on the proposal of the Executive would still be subject to approval by a plebiscite within the affected region.

At this juncture, the MNLF suggested that both Panels approach the OIC for mediation. The GRP Panel agreed to consult with the OIC but unofficially. The two panels continued their back-and-forth of proposals and counter-proposals.

### **Coup attempts and terrorism**

Meanwhile, the focus of the Cory Aquino Government on the issue of the autonomy would now and then be discomfited by a major national security threat: military rebels. Between July 1986 and October 1990, coup attempts and mutinies against the Cory Aquino Government by various disaffected military groups, notably the Reform the Armed Forces Movement (RAM) and the Marcos loyalists who kept plotting to bring back the former strongman into the country.



Another security threat sprang in Southern Philippines with the return home in 1990 of a religious scholar named Abdurajik Abubakar Janjalani, who had reputedly fought as a Mujahidin in Afghanistan. Immediately upon his return, he organized the Abu Sayyaf Group (ASG) and recruited members from among the unemployed youth, destitute students, and disgruntled MNLF fighters.

Its goal seemed to be the founding of an Islamic state in Southeast Asia and it was particularly brutal and skillful in carrying out acts of terrorism, including kidnapping for ransom, robberies, extortion, and bombings.

The Abu Sayyaf Group never grew larger than a few hundred fighters, but they were a complicating factor in the effort of the MNLF to negotiate peace with the Philippine Government. For instance, its criminal and terrorist activities were often suspected to have been carried out by MNLF elements.

Under pursuit by the Philippine military, Abu Sayyaf fighters would at times seek refuge in areas controlled by the MNLF, resulting in mis-encounters between MNLF forces and military units. The Abu Sayyaf put under great pressure the ceasefire agreed between the GRP and the MNLF.

At any rate, the Cory Aquino administration pressed on with its plan to achieve peace with the MNLF. In July 1987, the President moved for the creation of a Regional Consultative Council (RCC) mandated to assist Congress in drafting an enabling law that would create an autonomous region for Muslims.

When she had signed the law creating the Council, President Aquino had it organized and she appointed its 52 members; 26 of them were

Muslims, 18 were Christians, and the rest were representatives of Lumad or indigenous non-Muslim non-Christian tribes. The RCC then worked with Congress to craft and pass a law that would create the Autonomous Region in Muslim Mindanao (ARMM). She signed that legislation into law and it became known as Republic Act 6734, the Organic Law of the ARMM.

A plebiscite was held on 19 November 1989 in the 13 provinces and nine cities that were proposed in Republic Act 6734 to form the autonomous region. To the advocates of a full-strength autonomous region in Muslim Mindanao, the result of the vote count was nothing much to be happy about. Only four provinces—Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi—chose to join the putative autonomous region. None of the cities voted for inclusion.

The first set of officials of the Autonomous Region in Muslim Mindanao (ARMM) were elected on 17 February 1990, with former Maguindanao Governor Zakaria Candao emerging as the first elected Governor of the Autonomous Region. His Vice Governor was former Sulu Governor Benjamin Tupay Loong.

It helped Candao get elected that he was widely known as a political ally of President Cory Aquino. But his performance as ARMM Governor was no credit to the Aquino Government. It was during his watch that the ARMM acquired a reputation for corruption and inefficiency.

Towards the end of her tenure, Corazon C. Aquino, the first Filipino President to be truly interested in addressing the grievances and aspirations of the country's Muslims, was probably weary of the complications of peace talks. She was still willing to negotiate but only with a united Moro front that included not only the MNLF but

also the MILF, the MNLF Reformist Group, and probably also the Abu Sayyaf.

That was not to happen.

## Chapter 4 The Peace Talks: From Cipanas to Malacañang

In the early 1990s a number of significant developments took place within the OIC that had to do with the plight of the Muslims in Southern Philippines.

During its 20<sup>th</sup> ministerial meeting in Istanbul on 4-8 August 1991, the OIC decided to enlarge the Quadripartite Ministerial Committee into the Ministerial Committee of the Six in order to include two member countries from Asia: Bangladesh and Indonesia. As noted earlier, the OIC created in 1973 the Quadripartite Ministerial Committee, more widely known as the Committee of the Four, and mandated it to help resolve the problem of Muslims in Southern Philippines.

Chaired by Libya with Saudi Arabia, Senegal and Somalia as original members, the Committee served over the years as a robust advocate of peace, real autonomy and the welfare of the Muslims in Mindanao.

Although Indonesia was not a member of the Committee until 1991, it had taken a keen interest in the early solution to the Moro problem from the time that it first came to the notice of the OIC. In the years following the signing of the Tripoli Agreement, after every session in OIC meetings, Indonesian diplomats would brief their Philippine counterparts on whatever transpired in the session relative to the Moro problem, as the Philippines was neither member of nor observer in the OIC and therefore had no way of monitoring these proceedings first-hand.

As related in the previous chapter, at that time, the government of President Corazon “Cory” Aquino was implementing the Tripoli Agreement in its own way. It had signed a Jeddah Accord that expanded the scope of negotiations, but this was superseded by a

1987 Constitution that prescribed how the Autonomous Region in Muslim Mindanao was to be created. The Aquino Government then proceeded to create such an Autonomous Region, which was ratified in a plebiscite, and then offered it as implementation of the Tripoli Agreement. This was patently unsatisfactory to both the MNLF and the OIC and they rejected it. During its Istanbul meeting, the OIC once again called for a resumption of negotiations between the Philippine government and the MNLF.

In 1992, a change of pace took place: a former general who had fought in Mindanao, Fidel V. Ramos, was elected President of the Philippines. Once in office, he took vigorous measures to make peace with all rebel movements in the Philippines at that time: the Communist insurgency, a mutinous military campaign, and the Bangsamoro movement.

He lost no time in informing the OIC that he wanted to negotiate with the MNLF. Rep. Eduardo Ermita, who headed the Philippine Panel's secretariat during the Tripoli negotiations of 1976, did the preliminary contact work for the Government. Abraham Iribani, a personal emissary of Nur Misuari interfaced for the MNLF.

The Libyan Ambassador to Manila, Rajab Azzarouq, supported the Philippine Government's overtures: unknown to everybody else, while still a candidate for President, Ramos and a political ally, Rep. Jose de Venecia, personally approached Libyan President Muammar Khadaffy in Tripoli and sought his support for a new GRP-MNLF peace process. Khadaffy pledged his support.

As a result, the First Round of Exploratory Talks between the government of the Philippines and the MNLF were held in Tripoli, Libya on 2-3 October 1992. The Exploratory Talks, sponsored by Libya, were held primarily to determine if the MNLF was willing to

negotiate. Nur Misuari and his Panel indicated a willingness to negotiate on four conditions:

1. The negotiations would be held under the auspices and with the active participation of the OIC;
2. The agenda for the talks would be the 1976 Tripoli Agreement;
3. The negotiations would be in a foreign country acceptable to all parties; and
4. There would be neither talk nor offer of amnesty by the Government<sup>18</sup>.

Apart from an agreement to meet again, and the fact that the Panels were addressing each other in less formal language when they parted ways, nothing much happened in these talks.

### **A groundbreaking peace plan**

If they were keen observers, the MNLF should have noted that something constructive was going on in the Ramos administration. At his inauguration on 30 June 1992, he announced his intention of reaching out to rebel groups. He reiterated this in his State of the Nation Address on 27 July 1992. For this purpose, he created by Presidential Proclamation the National Unification Commission the following day, on 28 July 1992.

On 1 September 1992, he constituted the National Unification Commission (NUC) by appointing its Chairperson, Atty. Haydee Yorac, a highly respected law professor and politician. It had a high-powered membership that included Justice Secretary Franklin

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<sup>18</sup> Iribani, "Give Peace a Chance," p.59

Drilon, Defense Secretary Renato de Villa, Sen. Rodolfo Biazon, Sen. Wigberto Tañada, Rep. Eduardo Ermita, Rep. Jose Yap, Bishop Fernando Capalla, and Dr. Feliciano Cariño.

Its task was to formulate a national peace program based on extensive consultations with people at the community level. The results of its consultations in Mindanao among both Muslim and Christian communities would form part of the Government's position in the anticipated negotiations with the MNLF.

In ten months, the Commission would submit to the President a set of recommendations based on extensive and intensive consultations at the community level in 71 of 76 provinces. The core of its recommendations would form what the Government would adopt as the Six Paths to Peace:

1. The pursuit of social, economic, and political reforms which deal with the root causes of insurgency and social unrest;
2. Consensus-building and empowerment for peace which seek to make consultations with the people a regular part of governance;
3. Peace talks with the different rebel groups aimed at final negotiated settlement;
4. Reconciliation, reintegration into society, and rehabilitation of rebels, including amnesty and other measures to address the needs of former rebels, demobilized combatants, and civilian victims of the armed conflicts;
5. The protection of civilians and the de-escalation of conflict, which includes such measures as limited suspension of military operations (SOMO), recognition of peace zones, intensified delivery of basic services to conflict areas, and strict

implementation of laws and policy guidelines for the protection of human rights; and

6. Building a positive climate for peace, which includes confidence-building measures between Government and the rebel groups, and peace advocacy and education for Philippine society as a whole<sup>19</sup>.

The political scientist Miriam Coronel Ferrer, who would one day become the first woman to sign a peace agreement<sup>20</sup> with a rebel group, described the NUC report as “groundbreaking in recognizing poverty and inequality as the primary causes of conflict and in setting out the ‘Six Paths to Peace’ that became the operational framework for the government peace policy.”

### **Cipanas: Second Round of Exploratory Talks**

Although the GRP and the MNLF agreed at the First Round of Exploratory Talks that they would talk again, they could not agree on the venue. The GRP wanted the Second Round of Exploratory Talks to be held in the Philippines. The MNLF insisted that the meeting be held abroad—in an OIC country. When OIC Secretary General Hamid Algabid suggested Indonesia, the GRP immediately agreed. The OIC Secretary General then wrote to Indonesia, asking if it would host the Second Round of Exploratory Talks between the two parties. Indonesia agreed.

Indonesia decided to host the Second Round of Exploratory Talks in Cipanas, West Java and actually hosted it on 14-16 April 1993. This

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<sup>19</sup> Ramos, “Break Not the Peace,” p.28, 29

<sup>20</sup> The 2014 Comprehensive Agreement on Bangsamoro between the Government of the Philippines and the Moro Islamic Liberation Front



time the main purpose was to agree on the agenda of negotiations and decide the venue and the date of formal negotiations.

Indonesian Foreign Minister Ali Alatas gave the keynote statement for the meeting on behalf of the host government. Ambassador Wiryono Sastrohandoyo, a veteran of the Cambodia peace talks a few years earlier, presided over the plenary sessions. OIC Deputy Secretary General Ibrahim Saleh Bakr represented the OIC. Chairman Nur Misuari led the MNLF panel. Rep. Eduardo Ermita, Rep. Nur Jaafar, Asst. Secretary Teresita de Castro, and Mr. Silvestre Afable Jr. composed the Philippine government panel. Also in attendance were Libyan Ambassador Rajab Azzarouq; Ambassador Pieter Damanik, Indonesian Ambassador to Manila; and Ambassador Oscar Valenzuela, Philippine Ambassador to Jakarta.

In his opening statement, Minister Alatas stressed that “as a neighboring country and as a fellow member of ASEAN, Indonesia has a natural interest in the success of the peace process – in view of the mandate of its Constitution, which enjoins Indonesia to contribute to the achievement and maintenance of a world of greater peace, justice and security. It is on this basis that Indonesia has over the years involved itself in various peace processes and in the practice of preventive diplomacy.

Alatas also said: “Indonesia is no stranger to conflict, having also experienced in its history the pain of internal dissension. Indonesia therefore has only the deepest understanding of the issues involved in the negotiation, although this is purely an internal matter to the Philippines<sup>21</sup>.”

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<sup>21</sup> Ramos, “Break Not the Peace: The Story of the GRP-MNLF Peace Negotiations 1992-1996,” p.15,16

OIC Deputy Secretary General Ibrahim Saleh Bakr read the message of OIC Secretary General Hamid Algabid. In that message Dr. Hamid Algabid said the OIC was “convinced that the problem of Muslims in Southern Philippines could best be resolved by sincere and constructive negotiations between the parties within the framework of Philippine sovereignty, and aimed at the full realization of the objectives, purpose and commitment embodied in the Tripoli Agreement of 1976<sup>22</sup>.”

Rep. Eduardo Ermita presented the policy of President Ramos of placing peace at the forefront of all efforts at national progress and development. He spoke of the government’s commitment “to pursue a national peace program based on the principled and peaceful resolution of armed conflict with neither blame nor surrender, but with dignity to all concerned.” And he pointed out “the desire of the GRP to exhaust all avenues to peace under the realm of Philippine sovereignty, territorial integrity, the Constitution and democratic process” and “the commitment of the GRP to render the full measure of autonomy to Muslim Filipinos in line with the spirit and intent of the Tripoli Agreement of 1976<sup>23</sup>.”

Chairman Misuari reiterated his position that the Formal Talks should be held in any OIC member country and rejected the constitutional and legal basis of the Autonomous Region in Muslim Mindanao (ARMM), which was established during the term of President Corazon C. Aquino. He also demanded that all the 14 provinces named in the Tripoli Agreement and the cities within them be formed outright into the projected autonomous region.

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<sup>22</sup> Abraham Iribani, “Give Peace a Chance: The Story of the GRP-MNLF Peace Talks,” p.81

<sup>23</sup> Ibid, p.82

After intensive discussions, the two panels signed a Statement of Understanding on the holding of formal peace talks with the agenda focused on the modalities for the full implementation of the Tripoli Agreement in letter and spirit, including (a) those portions of the Agreement left for further or future discussion, and (b) the transitional implementing structure and mechanism. It was also agreed that the OIC Secretary General and the OIC Committee of the Six would participate in the talks, that there would be a joint secretariat appointed by both parties, and that all press releases would be approved by both parties<sup>24</sup>.

By their statements and activities after the Cipanas meeting, it was apparent that the level of trust between the Philippine government and the MNLF had considerably risen. A positive tone marked Nur Misuari's engagement with the Philippine government at the 31<sup>st</sup> Ministerial Meeting of the OIC in Karachi, Pakistan from 25 to 29 April 1993. Nevertheless, he suggested that the OIC "exert maximum moral and political pressure on the Philippine government on an individual and collective basis."

In a resolution, the OIC enjoined both parties to proceed with their negotiations and expressed regret at a resurgence in violence in Southern Philippines at that time, referring to sporadic encounters between the Philippine military and elements of the MNLF, the MILF, and the Abu Sayyaf Group, a relatively new breakaway group with a reputation for carrying out kidnappings for ransom. That was an implied endorsement for a ceasefire agreement that Indonesia had been advocating. At the same time, the OIC formally elected Indonesia as chair of the Ministerial Committee of the Six<sup>25</sup>.

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<sup>24</sup> Abraham Iribani, "Give Peace a Chance," p.83

<sup>25</sup> Abraham Iribani, "Give Peace a Chance," p.88

## **First Round of Formal Peace Talks**

During the next several weeks, in the course of exchanges of many notes and letters between the two parties and between them and the Indonesian government, it was confirmed that the venue of the Formal Peace Talks would be Jakarta and that these would take place starting 07 October 1993. It would actually begin on 25 October 1993.

At the opening of the Formal Peace Talks in Jakarta, Indonesian Foreign Minister Ali Alatas led the host delegation, while the members were Wiryono Sastrohandoyo, Director General for Political Affairs; Pieter Damanik, Ambassador to Manila; Kusnadi Pudjiwinarto, Director for Asia and the Pacific; Djamaris B. Suleman, Director for Africa and the Middle East; and Dr. N. Hassan Wirajuda, Director for International Organizations.

Ambassador Manuel T. Yan led the Philippine Panel with members that included Rep. Eduardo Ermita, Rep. Nur Jaafar, Ambassador to Indonesia Eusebio Abaquin, ARMM Deputy Governor Nabil Tan, the historian Prof. Rody Rodil, State Prosecutor Sandiale Sambolawan, Defense Undersecretary Feliciano Gacis, Department of Justice Assistant Secretary Teresita de Castro, Technical Committee member Silvestre Afaible, and GRP Panel Secretariat Executive Director Patricia Lontoc.

MNLF Chairman Nur Misuari headed a 23-strong delegation that included: Lt. Gen. Muslimin Sema, Secretary General; Ustadj Abdulbaki Abubakar, Secretary General for Foreign Affairs; Hatimil Hassan, Interim Vice Chairman of the Executive Committee; and Dr. Thambeyapa Manjoorsa, Chief of National Intelligence Service.

The OIC delegation, led by Secretary General Hamid Algabid himself, included: Ambassador Mohammad Mohsin, Assistant Secretary

General for Muslim Communities and Legal Affairs; Nureddine Mezni, Director for Protocol; and Dr. Ali Mustafa Zwawi, Director for Islamic Communities.

In his keynote statement, Foreign Minister Ali Alatas stressed that Indonesia had a real and tangible interest in the success of the peace process, considering that the East ASEAN Growth Area, to which Indonesia and the Philippines belonged, would never be fully realized without political stability and security being restored in Southern Philippines. He said it was also Indonesia's moral responsibility to be involved in the Peace Talks, considering that the Indonesian Constitution mandated the government to contribute to the shaping of a world order of abiding peace and social justice.

He reminded both parties on the need for compromise. "Peace itself," he said, "is very often the child of compromise... genuine negotiations always require a spirit of conciliation, mutual concessions and a commensurate political will to achieve a peaceful and just solution."

Then he brought up again his proposal for an agreement on cessation of hostilities "so as to create the necessary and conducive atmosphere of mutual confidence for the success of the substantive Talks."

OIC Secretary General Hamid Algabid commended both parties for their determination to restore peace in Southern Philippines "within the framework of national unity and territorial integrity of the Republic of the Philippines." He said the settlement of this problem would enable the Muslims to participate fully and contribute as they should to the development and prosperity of their country. They would also be able to establish a fruitful and constructive cooperation between the Philippines and the OIC.

In his opening statement, Ambassador Manuel T. Yan stressed the essential unity of all Filipinos. The Filipino struggle against colonialism and foreign domination made them form a common destiny. “This nation is undivided... based upon a single sovereignty, a single national territory... This is the overriding caveat of the Tripoli Agreement of 1976, which forms the starting point of our discussions.”

MNLF Chairman Nur Misuari recounted the long quest of the MNLF for peace, justice and freedom. This included a review of the GRP-MNLF peace process starting with the OIC passing “the famous Kuala Lumpur resolution in 1974, which called on the two warring parties to resolve their problems peacefully through an honorable political solution.” This, he said, led to the signing of the Tripoli Agreement. He stressed that the full implementation of the Tripoli Agreement in letter and spirit was absolutely necessary for peace and there should therefore be no attempt to amend it.

### **The First Session**

The following day, 25 October 1993, during the First Session of the Formal Peace Talks, the MNLF Chairman pointed out the need for the reactivation of the Mixed Committee, as failure to set it up would be a violation of the Tripoli Agreement, which provided for its creation. The Tripoli Agreement did provide for a Mixed Committee made up of representatives of the national governments and those of the MNLF to thresh out the issues left for further discussion in order to reach solutions that comply with the Agreement. Ambassador Yan replied that it was not the mandate of his panel to serve in a Mixed Committee.

Misuari also claimed that Philippine laws, including the Constitution, did not apply to the Tripoli Agreement as it was a binding international agreement, and as such took precedence over Philippine laws, including the Constitution. The Philippine panel rejected this view. To any Philippine government official, no law and no international agreement could take precedence over the Constitution.

When the discussion became heated, Ambassador Wiryono, who presided over the Talks, suggested that the question of a Mixed Committee be deferred, then he moved for the creation of a Joint Secretariat, as stipulated by the Cipanas Statement of Understanding<sup>26</sup>.

Dr. Hassan Wirajuda was appointed chairman of the Joint Secretariat. Dr. Patricia Lontoc, Executive Director of the GRP Panel Secretariat, headed the GRP representatives to the Joint Secretariat. Atty. Teresita de Castro of the Department of Justice, Mr. Silvestre Afable of the Department of National Defense, and Ms. Hellen Barber of the Philippine Embassy in Jakarta assisted her. Mr. Abraham Iribani, chief emissary of MNLF Chairman Nur Misuari, led the MNLF representatives to the Joint Secretariat. These were Atty. Didagen Dilangalen, MNLF legal consultant; Rev. Absalom Cervesa, representative of the MNLF Christian sector; and Dr. Mashour Jundam, representative of the MNLF professional sector.

At the first meeting of the Joint Secretariat, it was agreed to propose that the Agenda should be based on section 14 of the Cipanas Statement of Understanding, which provided that the Formal Talks

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<sup>26</sup> This is normal mediation procedure: when the discussion gets overheated, the mediator steps in and introduces for immediate discussion a less controversial issue.

should take up those portions of the Tripoli Agreement left for further or later discussion, and the transitional implementing structure and mechanism. It was also agreed to propose that the Talks should proceed from the least contentious to the more contentious issues. Finally, they agreed on a set of issues taken from the Tripoli Agreement to be proposed as agenda items:

1. National Defense (Art. III, par. 2)
2. Education (Art. III, par. 4)
3. Administrative System (Art. III, par. 5)
4. Economic and Financial System (Art. III, par. 6)
5. Regional Security Force (Art. III, par. 8)
6. Representation in National Government (Art. III, par. 7)
7. Legislative Assembly and Executive Council (Art. III, par.9)
8. Mines and Minerals (Art. III, par.10)

When the list of proposed agenda items was presented to the two panels the following day, 26 October, the MNLF Panel deemed the list exhaustive while the GRP Panel regarded the issues mentioned as the less contentious ones, anticipating more contentious ones in the future.

Given this method of tackling the issues in hierarchical order, the three panels—the OIC Mediators, the GRP Panel, and the MNLF Panel—found it logical to adopt the principle: “Nothing is agreed upon until all is agreed upon.”

At this point Ambassador Mohsin, the OIC Assistant Secretary General, sought clarification on the Philippine panel’s position on the issue of autonomy. This gave the MNLF Panel an opening to assert



that the Philippine Constitution and laws had no applicability to the Tripoli Agreement. As the disputation grew heated once more, Ambassador Wiryono shifted the discussion to the issue of ceasefire as a confidence-building measure. The session was adjourned without any discussion on this issue<sup>27</sup>.

The first two sessions of the Formal Peace Talks set the pattern for the sessions that would follow: whenever there was a discussion on what constituted autonomy that was compliant with the Tripoli Agreement, or on the applicability of the Constitution and Philippine laws to the Tripoli Agreement, MNLF Chairman Nur Misuari's rhetoric would become heated while Ambassador Yan would listen impassively and in response would simply reiterate his government's position.

### **The importance of patience**

During those instances, Ambassador Wiryono would invite the attention of the two panels back to the agenda item at hand, or guide the deliberations to another topic or, when it was necessary, call for a recess to give a chance for everyone to cool down. Ambassador Wiryono recalls today that early on, he had made it a point to be patient and understanding with Nur Misuari's demonstrations of temper<sup>28</sup>. His frequent calls for a coffee break for cooling down made the deliberations so much longer, he says, but these prevented the negotiations from breaking down.

One issue that was clearly non-contentious was on education. Chairman Misuari pointed out that since most MNLF educators were products of Philippine institutions, there should be no especially

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<sup>27</sup> Iribani, "Give Peace a Chance," p.121-131

<sup>28</sup> Interview with Ambassador Wiryono, June 2019

cumbersome problems on this issue. As to the Islamic schools already existing in the region, they could simply be placed under the jurisdiction of the autonomous government.

Other issues were brought up during the sessions, each of them matching an agenda item proposed by the Joint Secretariat: defense and the regional security force, the economic and financial system, mines and mineral resources, the Legislative Assembly and the Executive Council, and Muslim representation in the national government. The two panels gave their respective responses to each of these issues but, as might be expected, neither was in a position to examine them in great detail with a view to arriving at a common ground.

The Panels therefore decided to form joint committees composed of representatives of both sides to tackle the eight issues at the technical level. These were to be called "Support Committees" and they were to meet in the Philippines, with the assurance that they would enjoy all the logistical and security support that they would need.

What proved to be the most contentious issue was the question of the transitional structure and mechanism, or the Provisional Government mentioned in the Tripoli Agreement. Nur Misuari wanted this established right after the signing of the agreement.

The Philippine Government, naturally, would only agree to the creation of such an entity on condition that it would be approved through a constitutional process, a plebiscite in which the electorate of the affected region would express their will as sovereign. Nevertheless, both panels agreed to assign the planning of such a transitional structure and mechanism to an Ad-hoc Working Group composed of representatives of both sides.

During the Seventh Session, Ambassador Yan informed the Panels that President Ramos had agreed to the formation of a Mixed Committee as proposed by Chairman Misuari. Everyone welcomed this development. Dr. Hassan Wirajuda, already head of the Joint Secretariat, would subsequently be named chairman of the Mixed Committee.

### **Hierarchical negotiations**

In effect the two panels had agreed that the negotiations would work through a hierarchical system with the committees at the technical level reporting to the Mixed Committee and the Mixed Committee, in turn, reporting to the Panels in the Formal Peace Talks.

At the Mixed Committee Meetings, Ambassador Yan and Chairman Misuari always led their respective panels. During those meetings, decisions arrived at by the Support Committees may be overruled. But whatever was agreed upon at the level of the Mixed Committee was simply formalized during the Formal Peace Talks because the Mixed Committee Meetings and the Formal Peace Talks were both attended by the full panels of both sides.

On 4 November 1993, Foreign Minister Ali Alatas joined the 13<sup>th</sup> Session of the Peace Talks “to give encouragement to the parties locked in seemingly unending discussions.” He suggested that the talks be temporarily adjourned to give the two panels time to ponder on what they had achieved and figure out the next steps that they should take<sup>29</sup>.

By then, the two Panels had been able to discuss the issue of the Shariah Court. Chairman Misuari acknowledged that the Philippine

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<sup>29</sup> Iribani, “Give Peace a Chance,” p.148

Government had already set up a Shariah Court and had codified the Muslim personal laws. These, he said, could still be improved. Then he pointed out a need for greater Muslim participation in the Supreme Court and Court of Appeals. Ambassador Yan replied that qualified Muslims had been appointed to these courts in compliance with the Tripoli Agreement.

At the 15<sup>th</sup> Session on 5 November, there was an intensive discussion leading to a consensus that sovereignty resided in the people and that “all government actions must emanate from the people.” On this day the two panels agreed to set up an Ad-hoc Working Group that would deliberate on the transitional structure and mechanism, with each side designating its representatives to this committee. Unlike the Support Committees that report to the Mixed Committee, this Ad-hoc Working Group would report to the Formal Peace Talks. The GRP panel took note of the MNLF request for the setting up of two additional departments, one for Religious Affairs, which would include not only Islam but other religions as well, and another for *Wakaf*.

The following day, at the 16<sup>th</sup> Session, the panels focused on the draft Memorandum of Agreement that would be issued after the First Round of Formal Peace Talks. Ambassador Mohsin of the OIC suggested that the GRP, following the example of the OIC, recognize the MNLF as the “sole and legitimate representative” of the Muslims of Southern Philippines. Ambassador Yan replied that the proposal would be discussed by the Ad-hoc Working Group and would be conveyed in his report to President Ramos. Nur Misuari expressed satisfaction with this response.

The 17<sup>th</sup> Session was scheduled for the afternoon of the same day, 6 November but was delayed by a long conversation between Nur

Misuari and the Pakistani ambassador, Pakistan being an active and important supporter of the MNLF. When the session was about to start, Misuari received a report about a speech that President Ramos delivered on the occasion of the third anniversary of the ARMM.

Nur Misuari reacted with undisguised fury and during the session, he accused the government of reneging on its commitment to the Tripoli Agreement by persisting in supporting the ARMM. He then demanded that all references to the ARMM and to its enabling law, Republic Act 6734, be deleted from the records of the Peace Talks. The session was adjourned so that consultations could be held, the MNLF among themselves and the GRP Panel with President Ramos.

Word got around that Nur Misuari was threatening to walk out of the Talks. In the morning, a special meeting with Minister Alatas was set up, first with the Panels separately and then in a joint meeting. When it was the MNLF's turn, Nur Misuari alone met Minister Alatas in the latter's room for one hour<sup>30</sup>.

After the consultations, the closing session was held with the Panels agreeing to delete all mention of the ARMM and RA 6734 in the Memorandum of Agreement and in the Executive Summary to be issued after the First Round of Talks. Ambassador Yan informed the session of a letter sent to him by President Ramos reiterating the "firm resolve of the national leadership to do everything possible to continuously and meaningfully advance the welfare of our Muslim brethren."

The First Round of Formal Peace Talks concluded with the signing of the Memorandum of Agreement and the GRP-MNLF Ceasefire

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<sup>30</sup> This is of personal knowledge to the writer, who was then speechwriter to Minister Alatas.

Agreement as well as the approval of the Executive Summary of the Proceedings drafted by the Joint Secretariat.

The Memorandum of Agreement (MOA) reactivated the Mixed Committee stipulated in the Tripoli Agreement “to study in detail the points left for discussion in order to reach a solution thereof.”

The Agreement listed nine substantive items for discussion, with the more contentious items to be taken up later. These were: (1) National Defense, (2) Education, (3) Administrative System, (4) Economic and Financial System, (5) Regional Security Force, (6) Representation in National Government, (7) Legislative Assembly and Executive Council, (8) Mines and Minerals, and (9) Judiciary and Introduction of Shariah.

It also created five Support Committees: (1) National Defense and Regional Security Force, (2) Education, (3) Economic and Financial System, Mines and Minerals, (4) Administrative System, Representation in National Government, and Legislative and Executive Council, and (5) Judiciary and Introduction of Shariah.

The Support Committees were mandated to study in detail the issues assigned to them and to submit their findings and recommendations to the Mixed Committee, which in turn would submit its own assessment and recommendations to the Formal Peace Talks presided over by Ambassador Wiryo. The Support Committees were to meet in Manila and Zamboanga City or anywhere else in Southern Philippines, with the Indonesian Embassy in Manila serving as contact point.

Finally, the Memorandum of Agreement created the Ad-hoc Working Group on the Transitional Implementing Structure and Mechanism, which would study the proposals of the GRP and the

MNLF on the provisional government and to submit their recommendations to the negotiating panels for their consideration.

The Indonesian Embassy in Manila served as the de facto Joint Secretariat of the Peace Talks, since the officially constituted one remained in Jakarta, in the premises of the Directorate for International Organizations headed by Dr. Hassan Wirajuda. In Manila, Indonesian Embassy officials assumed the functions of the Joint Secretariat: attending to the administrative requirements of the meetings of the Mixed Committee; the Support Committees and the Working Group; taking notes and drafting reports of their meetings.

Acting as overall coordinator was Ms. Yuli Mumpuni Sudarso, who would eventually serve as Indonesian Ambassador to Algeria and, later, to Spain. A few years earlier, she had served in a similar coordinating role in Indonesia's successful mediation of the Cambodia Peace Process.

The other major outcome of the First Round of Formal Talks, the GRP-MNLF Ceasefire Agreement, would serve as the formalization of the ceasefire agreed between then President Corazon C. Aquino and MNLF Chairman Nur Misuari on 5 September 1986 in Maimbung, Sulu. It stipulated the following:

1. The forces of both parties to remain in their respective places and to refrain from any provocation or acts of hostility, while representatives of the OIC help supervise the implementation of the Agreement through a Joint Ceasefire Committee (JCC) as provided in the Tripoli Agreement.
2. The Joint Ceasefire Committee to be composed of representatives from the GRP, and the MNLF and operate with the help of the OIC through the Ministerial Committee of the Six.

3. The Joint Ceasefire Committee (JCC) to establish its own guidelines and ground rules.
4. The Ceasefire Agreement to take effect immediately.

As might be gleaned from the statement of the principals involved, the First Round of Formal Peace Talks closed in an atmosphere of guarded optimism that it would move forward to a successful conclusion.

### **The First Mixed Committee Meeting**

That mood of optimism would persist for months. On 20 December 1993, a group of dignitaries from the Middle East and from neighboring Indonesia travelled to the Bangsamoro homeland, particularly the volcanic island of Jolo in the tiny archipelago of Sulu and Tawi-Tawi. OIC Secretary General Hamid Algabid went there along with his Assistant Secretary General, Ambassador Mohammad Mohsin.

With them to represent Libya was its Ambassador Rajab Azzarouq. Among the countries of the Middle East, Libya had been particularly active as advocate for the rights and welfare of the Muslims of Southern Philippines. Earlier, Ambassador Rajab himself had been deeply involved in efforts to secure the release of foreign nationals kidnapped by the Abu Sayyaf.

Indonesia was represented by its Ambassador Pieter Damanik, a retired major general in the Indonesian army, who served as ex-officio chair of the Joint Ceasefire Monitoring Committee, and Dr. Hassan Wirajuda, the Director for International Organizations of the Indonesian Ministry of Foreign Affairs, who had been appointed



during the First Round of Formal Peace Talks as chairman of the Mixed Committee.

Although Dr. Wirajuda's academic background was outstanding, he was so young at that time that he had not yet risen to the rank of ambassador. Nevertheless, in about seven years he would become Indonesia's Foreign Minister.

On hand to represent the Philippine Government were Ambassador Manuel T. Yan and Rep. Eduardo Ermita, Chairman and Vice Chairman, respectively of the GRP Panel in the Peace Talks. Joining the regular members of the GRP Panel for the first time was Gen. Alexander Aguirre, Chairman of the GRP Ad-hoc Working Group on the Transitional Implementing Structure and Mechanism.

Upon the arrival of the delegations at the Jolo airport, they were welcomed by a huge crowd of civilians eager to demonstrate their hospitality and units of the Philippine military and the MNLF, all smartly uniformed, fully armed and in parade formation. This was the first time that units of the two forces met in a decidedly peaceful setting. The occasion was the First Mixed Committee Meeting (MCM), an essential process within the peace talks.

The meeting was held at the provincial capitol in Jolo. The most important achievement of that meeting was the signing of the Guidelines and Implementing Rules of the Joint Ceasefire Committee (JCC). After the signing, Dr. Hassan Wirajuda, as Chair of the Mixed Committee, gave a press briefing in which he cited the Interim Ceasefire Agreement as "a major achievement at the initial stage of mediation."

Much later, he would recall that the Interim Ceasefire Agreement "helped create a conducive atmosphere for further talks in the

following years and in substance it served as the formalization of the ceasefire agreement between then President Corazon C. Aquino and MNLF Chairman Nur Misuari on 5 September 1986.”

Meanwhile the MNLF was convening a general assembly meeting in the town of Timbangan some seven kilometers away from the town limits of Jolo. Timbangan was in a feverishly celebratory mood. Chairman Misuari had arrived there the day before in what was one of the rare homecomings that he ever made, having spent the better part of two decades in the Middle East. In that giddy moment, the local officials and the MNLF leaders clamored for the honor of hosting in Timbangan the visiting luminaries of the Muslim world.

Because of considerations of security, the government side wavered about accepting the invitation. Eventually the decision was to go ahead and trust in the good faith of the MNLF. The delegations rolled to Timbangan in a convoy that was heavily escorted by armed troops. Leading the convoy was a contingent of fully armed MNLF fighters. Behind the delegations was a mass of troops who were equally armed to the teeth. Years later, Dr. Hassan Wirajuda would recall how Ambassador Damanik, a retired army Major General, advised him to keep an eye for any place that would provide cover in case shooting started between the two armed groups escorting the delegations. To his relief, the day passed without incident.

At the meeting place in Timbangan, Chairman Nur Misuari introduced the MNLF chairmen and vice-chairmen of the Support Committees. Likewise, Ambassador Yan presented the GRP chairmen and vice-chairmen of the Support Committees as well as their consultants and advisers. OIC Secretary-General Hamid Algabid presented Assistant Secretary General Mohammad Mohsin as his Special Representative to the Peace Talks.

The Joint Ceasefire Committee presented their proposed Guidelines and Implementing Rules for consideration and approval of the Formal Peace Talks Panels.

The mood of the gathering was decidedly optimistic. Dr. Hassan Wirajuda expressed that mood for all concerned when he later said that the event reflected “the ever-growing spirit of mutual confidence between all the parties concerned that in turn is essential for the success of our common endeavor<sup>31</sup>.”

The Peace Talks were still at their organizational phase and nothing really substantive was decided during the First Mixed Committee Meeting (MCM), but the mood was decidedly optimistic. Dr. Hassan Wirajuda expressed that mood for all concerned when he later said that the First MCM reflected “the ever-growing spirit of mutual confidence between all the parties concerned that in turn is essential for the success of our common endeavor.”

The same positive mood pervaded the first meeting of the Ad-hoc Working Group eight days later, on 28 December 1993, again in Timbangan, which was serving as headquarters of the MNLF as well as office and residence of Chairman Misuari. In that meeting, Misuari himself led the MNLF Panel but nothing much was said or done, except that the MNLF presented its proposal on the structure of the Provisional Government and the GRP Panel received it with a request for time to review and respond to it.

### **Misuari consults Muslim communities**

In the days that followed, Nur Misuari sought to hold “Islamic Democratic Consultations” with Muslim communities all over

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<sup>31</sup> Interview with Dr. Hassan Wirajuda, August 2016

Mindanao, something he had done in the 1980s in the early days of the administration of President Corazon C. Aquino. But this time his movements were limited by security concerns: MNLF intelligence reports had warned of a plot to assassinate him by vested interests against the peace process. He wanted to move around with a contingent of 200 MNLF fighters for his personal protection but the Philippine military objected, as that would certainly alarm the nearby Christian populations<sup>32</sup>.

That kind of alarm was raised again on 1 April 1994 when Nur Misuari and his security escort descended on Cotabato City to hold consultations with the Muslim community without clearance by the local military and government authorities. To the Christian residents the matter became particularly sensitive because it took place on a Good Friday, a time of solemn meditation for Christians.

In response, Ambassador Pieter Damanik convened an urgent meeting of the Joint Ceasefire Committee (JCC) the following day. The meeting agreed on the following procedures:

MNLF peace consultations in various localities could be held only on the invitation of the local officials concerned. On the basis of the invitation, advance security planning and preparations would be conducted by the JCC in coordination with the local military and police authorities and local MNLF commanders. And all relevant local government officials and personnel must be informed beforehand to avoid misunderstanding and confusion.

There were no more similar incidents of Nur Misuari's security escort disconcerting local populations after that. President Ramos would attribute this to the effective work of the JCC, which, he said, "proved

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<sup>32</sup> Iribani, "Give Peace a Chance," p.176, 177

its worth as a crisis management mechanism to ensure the firm and fair implementation of the truce guidelines; thus it became a primary confidence-building measure in the ongoing talks.<sup>33</sup> At that time, an OIC Observer Team had not yet been formed and deployed in Muslim Mindanao.

### **The Second Mixed Committee Meeting**

Meanwhile the five Support Committees had been meeting in various cities in Mindanao and in Manila. The respective GRP and MNLF panels in those Committees had exchanged position papers on the issues assigned to them, engaged in extensive discussions and in a good number of instances reached consensus. The points of consensus were then submitted to the Mixed Committee.

By the time that the Mixed Committee met for the second time, it had already in its hands records of substantive work done by the Support Committees. But these were all on the non-contentious issues.

The Second Mixed Committee Meeting (MCM) was held at the La Vista del Mar resort in Zamboanga City on 6 and 7 April 1994. The high point of this meeting was the signing of the Joint Guidelines and Ground Rules (JGG) of the Joint Ceasefire Committee (JCC). The Committee provided a detailed protocol for the Philippine military and the MNLF forces covering such matters as what constituted ceasefire violations, procedures for the investigation of violations, and the sanctions they incurred.

The meeting also discussed the work of the five Support Committees. The respective Chairs of the Support Committees presented in detail

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<sup>33</sup> Ramos, "Break Not the Peace," p.49

the points of consensus that they had reached and the points that remained unresolved. The points of consensus were mostly in the areas of education, particularly the integration of Islamic values into the Philippine education system; economics and finance, particularly revenue sharing and Islamic banking; and administration and representation of Muslims in the national government.

The MCM closed with a call upon the Support Committees to engage in in-depth discussions in order to reach consensus on issues that remained unresolved.

Dr. Marty Natalegawa, also a future Foreign Minister of Indonesia but who was then a junior diplomat assisting Dr. Wirajuda, would remember that Nur Misuari spoke for a while but did not stay long in that meeting. He would also remember that the meeting took place in a seaside tree house in Zamboanga City out of concern for the MNLF Chairman's safety<sup>34</sup>.

### **How the Ceasefire Worked**

The following month, on 14 May 1994, Nur Misuari left for Jeddah, Saudi Arabia. He would be supervising the MNLF's pursuit of the peace process from the Middle East by long distance, using various means of communication, mostly through his Chief Emissary, Abraham Iribani.

Meanwhile, much was happening on the ground. The ceasefire was working so well that there were no violations even when the Philippine military carried out massive operations on 3 June 1994

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<sup>34</sup> Dr. Marty Natalegawa, "Does ASEAN Matter? A View from Within," p. 181

against the Abu Sayyaf in a locality near an MNLF base under the command of Lt. Gen. Tham Manjoorsa. The MNLF leaders agreed to this operation, as “it is within the contemplation of the ceasefire guidelines and ground rules<sup>35</sup>.”

Days later, on 15 June 1994, the Joint Ceasefire Committee (JCC) would have its hands full due to a mis-encounter between elements of the Special Action Force (SAF) of the Philippine National Police (PNP) and an MNLF unit in the morning of 15 June 1994 in Fuente Eggas, Sampinit in Basilan province. The PNP elements, numbering 36, went deep into MNLF controlled territory and a firefight ensued resulting in the death of one policeman and wounding of three others and the capture of the rest. There must have been, naturally, uproar in many circles around the country but the military and the MNLF refused to escalate the situation. On the intercession of the JCC, the captured policemen were released and the dead and wounded evacuated. The whole incident was deemed a case of honest mistake on the part of both sides.

Under Misuari’s guidance, the MNLF never wavered from its commitment to the ceasefire. While the Philippine military was in hot pursuit of the Abu Sayyaf in various places, at times figuring in incidents that could derail the peace process if taken in a bad light, the MNLF showed patience and restraint. In that regard, on 4 July 1994 Misuari wrote a letter to Indonesian Ambassador Pieter Damanik proposing that the JCC meet to assess the situation and move for the deployment of an OIC Ceasefire Observer Team in Southern Philippines.

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<sup>35</sup> MNLF Situation Report sent by Maj. Gen. Abdul Sahrin to the MNLF Chairman dated 4 June 1994, as quoted by A. Iribani, “Give Peace a Chance,” p.183.

He also asked for JCC intercession for the withdrawal of the Armed Forces of the Philippines (AFP) from territories they had taken in the course of anti-Abu Sayyaf operations in originally MNLF-controlled areas in Patikul, Jolo and Sampinit, Basilan; the lifting of naval and air blockades by the AFP on the coasts and skies of Sulu and Basilan; and the redress of the grievances of the civilian populations affected by these military operations.

The letter was faxed from Jeddah, Saudi Arabia through the MNLF Secretariat in Manila. The requests that were specific to the AFP were relayed to the Philippine authorities, while the proposal for an OIC observer team was promptly conveyed to the Department of Foreign Affairs in Jakarta.

Within days, the MNLF would demonstrate its firm commitment to the ceasefire. On 31 July 1994, elements of the Abu Sayyaf led by the notorious Commander Robot, kidnapped the American priest, Fr. Clarence Bertelsman, from a chapel within the premises of the Sulu PNP headquarters. Informed of this daring atrocity, the MNLF set up a checkpoint that blocked the vehicle of the kidnappers. In the firefight that ensued, Fr. Bertelsman was wounded but survived, while several of the kidnappers were killed; the rest escaped.

Not long after that, on 8 August the Abu Sayyaf released another kidnapped priest, Fr. Cirilo Nacorda, to MNLF Commander Jan Jakilan in Basilan, after the MNLF had helped Rep. Eduardo Ermita negotiate for his freedom. The MNLF lost no time in delivering Fr. Nacorda to Ermita.

These MNLF initiatives in the field were much appreciated by the Ramos Government and by the Indonesian mediators as confidence-building measures.



### **The Third Mixed Committee Meeting**

The Third Mixed Committee Meeting (MCM) was held in Jakarta a day before the Second Round of Formal Peace Talks began on 1 September 1994.

At this Mixed Committee meeting, the MNLF lamented the slow progress of the work in the Support Committees. In response to this complaint, the MCM organized Working Groups composed of the respective Panel Chairmen of each Support Committee to review the results of their previous meetings. The notable result of this process was the arrival at eight points of consensus on Shariah, which were elevated to the Formal Talks<sup>36</sup>.

### **The Second Round of Formal Peace Talks**

Right at the beginning of the Second Round of Formal Peace Talks, Ambassador Wiryono as Chair pointed out that although they had adopted a strategy of proceeding from the less contentious to the more contentious issues according to a prioritized agenda, the Formal Talks should now also give due attention to the vital issue of the Transitional Implementing Structure and Mechanism.

Accordingly, the meeting created working groups, each composed of five representatives from each party, with an OIC representative chairing each working group. They were to discuss in detail the issues in the prioritized agenda and submit the points of consensus to the Plenary Session.

Discussion on the other issues encountered no problems but again the issue of the Shariah Courts proved to be contentious. Addressing

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<sup>36</sup> Iribani, "Give Peace a Chance," p. 196

the deadlock, Ambassador Yan reassured the MNLF that Congress would pass a law enabling the projected Legislative Assembly of the Autonomous Region to establish Shariah Courts. That assurance led to the resolution of the issue.

With regard to the Transitional Implementing Structure and Mechanism—in effect the Provisional Government referred to in the Tripoli Agreement—Ambassador Yan put forward a proposal that the President create an Advisory Council composed of MNLF leaders and business sector representatives. Through this Advisory Council the MNLF would be able to join the political mainstream and take part in the economic development of the region. Through this Council the MNLF could work toward the setting up of a new autonomous regional government. Nur Misuari temporized on this proposal even as the other MNLF leaders were vocal about this being a clever trap. The Second Round of Formal Peace Talks ended with this matter unresolved<sup>37</sup>.

### **The 1994 Interim Agreement**

Nevertheless, the two parties signed the 1994 Interim Agreement, which reflected 43 points of consensus earlier threshed out in the Support Committees and in the Mixed Committee.

Most of these were on economic matters, such as the creation of a regional economic and development planning board; the recognition of the pivotal role of banks and other financial institutions; the promotion of tourism, provided that the diverse cultural heritage, moral and spiritual values of the people of the autonomous region would be respected and strengthened; the establishment of

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<sup>37</sup>Iribani, “Give Peace A Chance,” p. 197

economic zones, industrial centers and ports in strategic areas of the region; the power of the Autonomous Government to grant incentives, including tax holidays; the power of the Autonomous Government to enact a regional tax code and a local tax code within the region; the establishment of regional banks and offshore banking units; the power of the Autonomous Government to issue bonds, promissory notes and other debt documents in consultation with the Central Bank of the Philippines; the power to contract foreign loans subject to national laws and monetary and fiscal policies; and the enactment by the Regional Assembly of an investment act for the Autonomous Region<sup>38</sup>.

Another major provision of the 1994 Interim Agreement was the creation of the OIC Ceasefire Observer Team that would serve as the instrument of the Joint Ceasefire Committee (JCC) in implementing the Interim Ceasefire Agreement. The Indonesian Government quickly acted to fulfill this provision in the Interim Agreement.

Major Gen. (Ret.) Iwan Ridwan Sulandjana in 2019 would recall that his marching orders to go to the Philippines as second-in-command of a Garuda contingent was his military superiors' response to a letter of request from the then Department of Foreign Affairs (Deplu).

He was then a colonel in the Indonesian army and he was given no specific terms of reference when he shipped for the Philippines in September 1994 but he attended briefings in the field and he operated largely on the basis of common sense. In command of that contingent of 40 officers and enlisted men, called Garuda XVII, was then Brig. Gen. Asmardi Arbi.

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<sup>38</sup> Ramos, "Break Not the Peace," p. 54

Compared with various UN peacekeeping missions deployed elsewhere in the world, it was a relatively small contingent, considering the size and geographic features of Southern Philippines. Yet the contingent was successful in carrying out its mission in spite of the lack of logistics that hampered them as they rushed to verify reports of possible ceasefire violations. Key to that success was the trust that both the GRP and the MNLF placed in their fairness and professionalism—and the fact that both sides faithfully adhered to their ceasefire commitment.

Major Gen. Sulandjana would recall that during his nine-month stint in the Philippines, there were no violations of the Interim Ceasefire Agreement. He would often be called upon to rush to one locality or another to investigate some violent incident, but these would always turn out to be outbreaks of inter-clan feuds, for which the local term was *rido*, or clashes between followers of local politicians or the work of the terrorist group, the Abu Sayyaf. These were not the concern of the JCC.

But between the Philippine military and the MNLF forces, Gen. Sulandjana would stress, there were neither deliberate encounters nor ceasefire violations<sup>39</sup>. It is recorded, however, that mis-encounters did occur during the peace process.

Garuda XVII itself was not automatically accepted into the Philippines by the entire government. In the Philippine Senate two legislators raised the constitutionality of allowing foreign soldiers on national soil. The 1987 Constitution prohibited the presence of foreign military bases, troops, and facilities in the Philippines.

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<sup>39</sup> Interview with Major Gen. Sulandjana, May 2019

It took some time and effort but finally, in a joint hearing, Ambassador Manuel T. Yan was able to convince the members of the Senate Committee on Peace, Unification and Reconciliation and the Senate Committee on National Defense and Security, that the presence of the OIC Ceasefire Observer Team in the country was not unconstitutional because, the Team did not fall under the definition of foreign troops. This was because, among many other reasons, the Observer Team would not deal with government troops but with the Joint Ceasefire Committee (JCC), they would not be permanently stationed in the country, and they would not be armed except for side arms for personal protection.

The government further argued that the status of the Observers would be just like those of military attachés in foreign embassies, and they would not be wearing their national uniforms<sup>40</sup>.

With the consent of the Philippine Senate, the first batch of Garuda XVII Observers arrived in the Philippines on 24 September 1994, exactly 19 days after the convening of the Second Round of Formal Peace Talks in Jakarta.

### **On the Provisional Government, two ideas**

Meanwhile, a spirit of cordiality marked the meeting of the Ad-hoc Working Group on the Transitional Structure and Mechanism in Zamboanga City from 28 to 30 November 1995. Undersecretary Alexander Aguirre of the Department of the Interior and Local Governments (DILG), a retired police general, led the GRP Panel while his MNLF counterpart was Dr. Mashur Jundam, a former dean of the University of the Philippines Institute of Islamic Studies.

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<sup>40</sup> Ramos, "Break Not the Peace," p.57

The GRP Panel proposed a set of features each for the Transitional Implementing Mechanism, the Transitional Implementing Structure, and the Structure of the projected Autonomous Government. The proposal entailed the enactment of a law incorporating all the agreements reached in the Peace Talks, including the establishment of a Transitional Implementing Structure, which would be installed upon its approval by the electorate of the Autonomous Region in a plebiscite.

The launching of the Transitional Implementing Structure would be simultaneous with the completion of the terms of the incumbent ARMM officials. It would have a Chairman, a Vice Chairman, and the necessary complement of civil servants to carry out transitional governance. The Commission on Elections would deputize it so it could prepare for the election of the officials of the Autonomous Region.

The new Autonomous Government would have an Executive Branch headed by a Governor and Vice Governor, with a Cabinet appointed by the Governor with the consent of the Legislative Assembly, which constitutes the Legislative Branch. The members of the Legislative Assembly would be elected by districts. It would have a Judicial Branch composed of Regular Courts and a Shariah Court.

On the other hand, the MNLF simply proposed that the Transitional Implementing Structure would be a Provisional Government that would be called the Provisional Bangsamoro Autonomous Government (PBAG), with its seat in Zamboanga City. The Central Government would provide the PBAG's administrative resources. The Implementing Mechanism of the PBAG would be the Tripoli Agreement of 1976 and its Executive Arm would be in the form of an Executive Council.

After three days of discussion, the Ad-hoc Working Group adjourned without reaching a consensus. That was the last activity of the peace process in 1994.

### **The Fourth Mixed Committee Meeting**

For the GRP-MNLF peace process, the year 1995 began with an uneventful Fourth Mixed Committee Meeting (MCM). The meeting was originally planned to take place in Davao City, but because of “accommodation problems” in that city, it was eventually decided that the 4<sup>th</sup> MCM be held, for the second time, in Zamboanga City. When it was convened on 29-31 January 1995, all the regular Panel members were there; Chairman Nur Misuari traveled by speedboat from Jolo to head the MNLF delegation.

The Meeting noted and endorsed for the next Formal Talks 24 points of consensus reached by the Support Committee on Education, and seven points of consensus by the Support Committee on the Economic and Financial Systems. The three other Support Committees reached no additional consensus.

During the Meeting, there were lengthy and intensive discussions on the Transitional Structure and Mechanism, with both sides explaining their positions with candor, but they did not even come close to reaching a consensus.

The Mixed Committee Meeting did not make any progress that time. This moved the two panels to approach Dr. Hassan Wirajuda about a shared concern: they feared that if news of this failure reached the fighters and the soldiers in the field, the following day they might in frustration resume hostilities. As Chair of the Mixed Committee, Dr. Wirajuda deemed it his responsibility to prevent a resumption of hostilities that could lead to fatalities. He therefore proposed that

both sides issue a consensus statement in buoyant language that gave the impression that the meeting made considerable progress. Such a statement was actually issued.<sup>41</sup>

Abraham Iribani, Chair of the MNLF Panel Secretariat, put it on record in his personal notes that Misuari spent hours at the hotel lobby meeting one-on-one with Lt. Gen. Orlando Soriano, Commanding General of the Philippine Southern Command, before immediately leaving for Jolo by speedboat.

### **JCC and the Observer Team at work**

In the weeks that followed, incidents on the ground kept the JCC and the Observer Team heavily occupied. Allegations of ceasefire violations had to be investigated. These were all cases of Philippine Army elements entering MNLF-occupied areas without coordination with MNLF commanders concerned. There were firefights between Philippine Army units and MNLF forces in the municipalities of Tuburan and Cabacaban, and the jungle camp base of the MNLF, all in Basilan Province.

Where there was proper coordination, the MNLF bent over backwards to cooperate with the Philippine military. For instance, on 3 March 1995, the Philippine Marines conveyed to the MNLF General Headquarters in Timbangan, Sulu that they intended to carry out pursuit operations against the Abu Sayyaf in the vicinity of the municipality of Maimbung. For this purpose, the Marines requested that its troops be allowed passage through the MNLF camp in Timbangan.

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<sup>41</sup> Based on a written input from Dr. Wirajuda, October 2019.



The MNLF acceded to this request, provided the passage would be in accordance with the Joint Guidelines and Ground Rules and the Standard Operating Procedure (SOP) on the Role of OIC Ceasefire Observers. Moreover, the MNLF further specified that the OIC Observer Team be present in Timbangan at the time of the passage of the Marines.

The procedure was agreed upon and all concerned, including the two negotiating Panels, were duly informed of it. The Marines passed through the MNLF Headquarters in the presence of MNLF officers and OIC Ceasefire Observers led by Brig. Gen. Asmardi Arbi<sup>42</sup>.

As it turned out, the Abu Sayyaf fighters eluded the Marines. The main force of the Marines immediately withdrew but a few of them stayed behind to engage in civic relations work among the local villagers. As a military undertaking, the operation was a non-event, but as a confidence-building measure it was a great success.

### **The raid on Ipil, Zamboanga Sibugay**

The uneventful troop movement in Timbangan was followed by a shocking act of terrorism. At around noontime on 4 April 1995 a heavily armed band of about 50 men descended on the small town of Ipil in Zamboanga Sibugay Province. They shot everybody on sight, killed the chief of police, raked houses with gunfire and burned business establishments. They looted banks and made off with close to a billion pesos. When military commando units responded to the

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<sup>42</sup> Iribani, "Give Peace a Chance," p.210, 220

attack, the marauders took hostages and used them as human shields<sup>43</sup>.

Nur Misuari quickly denounced the perpetrators in the strongest terms. The MNLF Secretariat issued a statement deploring the Ipil incident. But in spite of MNLF denials at JCC meetings and in the media, the Philippine military establishment insisted that the MNLF had carried out the raid. An Undersecretary in the Justice Department demanded a reassessment of the Peace Talks because of “the involvement of the MNLF in the Ipil raid.”

The Joint Ceasefire Committee (JCC) convened on the double to assess the situation and to decide on the most effective responses. In that meeting the GRP Panel produced a list that purported to include the names of five members of the MNLF Zamboanga del Sur Committee, 14 other members of the MNLF, and two members of an MNLF Lost Command.

The MNLF conducted its own investigation and was able to demonstrate that the persons listed as MNLF members were no longer with the MNLF or they could not have been in Ipil at the time of the raid<sup>44</sup>.

In the wake of the Ipil raid, then Col. Iwan Ridwan Sulandjana, Deputy Commander of the OIC Observer Team, went to the scene of the attack to survey the aftermath. The place was now deceptively quiet but he saw how the center of the town had been razed to the ground. Sometime before the raid, he had traveled the entire length of the province and he had noticed that the main road was dotted all

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<sup>43</sup> Raffy M. Alunan  
([https://www.facebook.com/Raffyalunan2019/community/about/?ref=page\\_int  
ernal](https://www.facebook.com/Raffyalunan2019/community/about/?ref=page_internal)) accessed 02 July 2019

<sup>44</sup> Ramos, “Break Not the Peace,” p.64

the way from north to south with military checkpoints. Apparently, the checkpoints had been lifted during the day of the raid, otherwise the element of surprise would not have been there. This, he could not understand.

Not long after the Ipil raid, on 27 May 1995, the MNLF had reason to protest against military operations on Pilas Island in Basilan Province that were “deplorable and showing disrespect to the 1995 Interim Ceasefire Agreement.” There was no encounter between the Armed Forces of the Philippines (AFP) and the MNLF, but the AFP’s land, sea, and air assaults against the Abu Sayyaf resulted in many civilian casualties. After urgent coordination work by MNLF Secretary General Muslimin Sema, MNLF Intelligence Chief Tham Manjoorsa, Ambassador Yan and Ambassador Damanik, the assault was halted and an investigation was conducted.

In another incident a few days later, on 06 June 1995, in Tuburan, Basilan, a mis-encounter took place between Philippine Army troops and an MNLF unit defending its camp. The Army unit had been pursuing elements of the Abu Sayyaf when the firefight began. Again, when they received a report on the incident, GRP-JCC Chairman Brig. Gen. Guillermo Ruiz and Ambassador Pieter Damanik went to work. Defense Secretary Renato S. de Villa soon announced that the assault had been halted, and the OIC Observer Team proceeded to the site to investigate<sup>45</sup>.

### **The Fifth Mixed Committee Meeting**

The situation was much calmer by the time the Fifth Mixed Committee Meeting was held at the Davao Insular hotel from 19 to

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<sup>45</sup> Iribani, “Give Peace a Chance,” p.227-229

23 June 1995. The regular participants were there: Dr. Hassan Wirajuda and Ambassador Damanik; Ambassador Rajab Azzarouq, Assistant OIC Secretary General Mohammad Mohsin; and OIC Director for Islamic Communities, Dr. Ali Mustafa Zwawi. The OIC Ceasefire Observer Team headed by Brig. Gen Asmardi Arbi was also in attendance. Attending the meeting for the first time was Dr. Parouk Muhammad Hussin, Chairman of the MNLF Foreign Relations Committee.

In his opening statement, Dr. Hassan Wirajuda said the meeting would follow up on what had been accomplished during the first two rounds of Formal Talks and the four earlier Mixed Committee meetings. It would also act upon the results of the recommendations by the Support Committees. He praised the Joint Ceasefire Committee for its effective response to the Ipil incident.

The opening statements of Ambassador Yan and the representatives of the OIC Secretary General cited the importance of the meeting and expressed their optimism.

In his own opening statement, Chairman Misuari emphasized that he came with the full mandate of a recent gathering of MNLF leaders. He referred to his consultations with various sectors in Davao City, Sulu and Zamboanga City, as well as with the Davao Chamber of Commerce and Industry. He also cited his dialogue with Davao City Mayor Rodrigo R. Duterte, who would become President of the Philippines more than two decades later. Finally, he quoted a statement of President Ramos that “the regional Provisional Government can be accomplished before the end of the year.”<sup>46</sup>

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<sup>46</sup> Iribani, “Give Peace a Chance,” p. 231

During the first plenary session, on 20 June, informal caucuses were organized to discuss the reports of the Support Committees. Representatives from both sides would attend each informal caucus, which would be chaired by a representative of the OIC Committee of the Six.

In addition to meetings attended by the full panels of the GRP and the MNLF, Dr. Wirajuda would sometimes and at random hold limited executive meetings in which he would carry out a kind of mini-shuttle diplomacy<sup>47</sup>.

Informal Caucuses were set up on each of the following subjects: (1) the Transitional Implementing Structure and Mechanism; (2) National Defense and Security; (3) Economic and Financial Systems, Mines and Minerals; (4) Judiciary and Introduction of Shariah; and (5) Interim Regional Legislative Assembly. Because it had already made so much progress at that time, the Support Committee on Education was not required to hold an informal caucus.

In the morning of 21 June, Executive Secretary Ruben Torres, an old best friend and schoolmate of Chairman Misuari at the University of the Philippines, arrived for a private meeting with him. He was the bearer of a personal message from President Ramos. They had not seen each other since Torres, at one time a leftist youth leader, went underground after the declaration of Martial Law in 1972. The reunion was warm and cheerful, but momentary, since Misuari had Informal Caucuses to attend that day. However, they would have dinner together in the evening, and opportunities for private talks in the days ahead.

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<sup>47</sup> Based on written input by Dr. Wirajuda.

During the plenary session the following day, the Informal Caucuses gave reports that reflected substantial progress. On the question of the Shariah, Ambassador Yan suggested that the Shariah Court could be placed under the authority of the Philippine Supreme Court. Chairman Misuari agreed, provided the arrangement did not infringe on the autonomy of the Shariah Court. Both Panels concurred that the idea be studied more thoroughly.

In the following evening, Dr. Hassan Wirajuda called for an Executive Session to be attended by only two representatives from each party. In attendance were Ambassador Damanik, Ambassador Yan, Rep. Ermita, and Ambassador Rajab Azzarouq. MNLF Secretary General Muslimin Sema accompanied Chairman Misuari. As in all previous Mixed Committee Meetings, a political officer of the Indonesian Embassy, Ms. Yuli Mumpuni, recorded the proceedings.

### **A break-through meeting**

On this occasion, Ambassador Yan presented for the first time what would become known as the “two-track proposal.” In the first track, MNLF Chairman Nur Misuari would run for ARMM Governor in the ARMM election of March 1996 as official candidate of the LAKAS-NUCD-UMDP, the ruling party. The MNLF would then be exercising political leadership in the region, thereby demonstrating to the people their capability to govern. In the second track, the Provisional Government would be established through a constitutional process and replace the ARMM in March 1996: Congress would pass an Enabling Act, which would be ratified in a plebiscite.

Nur Misuari responded with touching candor. He said the proposal for him to run as Governor of the ARMM was very sensitive as it implied his capitulation to the GRP. “It might wreak havoc on the

MNLF leadership,” he said. He therefore stressed the need to consult MNLF leaders, and asked for time to do this. He recalled that in 1976, the MNLF accepted the OIC resolution changing the Bangsamoro objective from independence to autonomy. (He was referring to the Tripoli Agreement and to OIC Resolution No. 18 of 1974.) “That led to the division with Hashim Salamat. We almost lost the whole of Mindanao because they (Salamat and his followers) controlled the Ulama... but we manage to consolidate the leadership.”

Then he recalled his conversation with Executive Secretary Torres the previous night, in which Torres assured him of the sincerity of President Ramos. He revealed that Torres and he had been exceedingly close friends during their college days together at the University of the Philippines in the 1960’s. He therefore knew Torres to be an honest man and that he had no reason to doubt Torres. He then concluded that at the core of the situation was a President determined to implement the solution to the problem of Mindanao, with the two Houses of Congress firmly behind him.

Rep. Ermita corroborated the dialogue that Chairman Misuari had with Executive Secretary Torres the previous night. He also said that since they met in 1992 during the Exploratory Talks in Tripoli, he had come to know Misuari very well and could therefore attest to the sincerity of the MNLF Chairman. He encouraged Misuari to sustain his consultations in Mindanao, as that would create more confidence in the peace process.

When Dr. Wirajuda and Ambassador Mohsin reminded the meeting about the benchmark date discussed earlier, referring to March 1996 when the tenure of the ARMM would be completed, Ambassador Yan said that all points of consensus were expected to be consolidated by October 1995. And when Nur Misuari brought up the need to renew

the mandate of the OIC Observer Team, Ambassador Pieter Damanik assured the meeting that although the personnel might change, for the sake of peace, the OIC Observer Team would remain until after the envisioned plebiscite.

The Executive Session adjourned at midnight. Abraham Iribani, who had been taking notes for the MNLF, called it a break-through meeting. “The GRP,” he wrote, “through Secretary Ruben Torres, Ambassador Yan, and Congressman Eduardo Ermita, had broken through the heart of the MNLF<sup>48</sup>.”

The following day, the Informal Caucuses reached 12 new points of consensus, including six on the Transitional Structure and Mechanism. However, the GRP proposals on the Enabling Act, the Plebiscite, and the establishment of the Provisional Government when the ARMM would complete its tenure, were not yet resolved. The MNLF was adamant that the Provisional Government be established without plebiscite. The issue was therefore earmarked for further discussion.

Meanwhile, President Ramos continued to hold Mindanao Peace and Development Summits in which he consulted with local officials and civic and community leaders and other stakeholders on the ongoing Peace Talks between the Government and the MNLF. It was his way of mobilizing public support for the peace process. He had already held one in Zamboanga City on 27 May 1995. He held another in General Santos City on 2 July. He held a third one in Cagayan de Oro City on 25 and 26 August. MNLF Chairman Nur Misuari himself held a consultation in Puerto Princesa, Palawan on 13 July to mobilize

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<sup>48</sup> Iribani, “Give Peace a Chance,” p. 233-236



support for the peace process among local officials, civic leaders, and other stakeholders.

On 19 July 1995, Nur Misuari, accompanied by MNLF Vice Chairman Hatimil Hassan and MNLF Chief of Staff Yusop Jikiri, met with Jose De Venecia, Speaker of the Philippine House of Representatives and close political ally of President Ramos.

De Venecia presented to Misuari a set of programs for the development of Muslim Mindanao, including the “Two-Track Proposal” presented by Ambassador Yan during the Fifth Mixed Committee Meeting, this time with additional details such as: the appointment of an MNLF Sectoral Representative in Congress, the development of the Liguasan Marsh in Cotabato, and the conversion of Tawi-Tawi into a free trade zone.

Again, Nur Misuari made a cautious response: he did not reject the offer but he stressed that the MNLF leaders had to be consulted first. Later in the evening, Rep. Nur Jaafar made a follow up of the Speaker’s offer by way of a telephone call to Abraham Iribani. Jaafar said that under the proposed arrangement the MNLF Chairman could nominate one MNLF Sectoral Representative in Congress, one consultant in the Office of the Speaker, one consultant in the Office of the Senate President, and one consultant in the Office of the President.

When Iribani reported on this through an aide memoir to the MNLF Chairman, the latter did not respond.

### **The Sixth Mixed Committee Meeting**

Just over a month after the Fifth Mixed Committee Meeting, the Sixth was held in General Santos City from 26 to 28 July 1995. In attendance

were the regular members of the two panels. Immediately after the usual opening statements, the GRP Panel presented to the MNLF Panel an official document of the “Two-Track Proposal.” The MNLF Panel received the proposal, saying that it would be presented to the MNLF leadership meeting for discussion and decision, and after that a reply could be formally conveyed.

During the discussions, Nur Misuari was emphatic that the Moro officials who would be recruited to run the projected Provisional Government would be of the highest quality and of unassailable integrity. After all the deliberations, ten new points of consensus on non-controversial issues were signed and endorsed to the Formal Peace Talks. The Meeting commended the OIC Observer Team for its effectiveness and agreed to request for an extension of the Team’s mandate at least up to March 1996.

After the Meeting, Ambassador Yan revealed to the media the Two-Track Proposal of the GRP. Discussions on the proposal had not resulted in the speeding up of the negotiations, but it seemed to harden the respective positions of the two Panels.

### **The MNLF rejects the Two-Track Proposal**

Nur Misuari called for a meeting of MNLF leaders from Mindanao, Sulu, Tawi-Tawi and Palawan on 8 August 1995 in Jolo. When the leaders of the Front, including the most important field commanders, had assembled at the Sarang Bangun building in Jolo town, he asked Secretary General Muslimin Sema to preside over the meeting. Secretary General Sema and MNLF Vice Chairman Hatimil Hassan then presented and explained the Two-Track Proposal and its main features:

1. The MNLF to participate in the 1996 ARMM election;

2. The appointment of an MNLF Sectoral Representative in Congress; an MNLF consultant each in the Office of the President, the Office of the Speaker of the House of Representatives, and the Office of the Senate President;
3. The passage in Congress of an Enabling Act creating the Provisional Government, subject to plebiscite.

The assembly was unanimous and emphatic in rejecting the Two-Track proposal in the voting that followed. They were adamantly against the holding of a plebiscite. After the voting the MNLF Chairman joined the assembly and received its unanimous decision. In the evening, he convened the “inner core group” of the MNLF and this body voted to uphold the decision of the assembly of leaders. Misuari then left Jolo and proceeded to Saudi Arabia by way of Tawi-Tawi and Sabah<sup>49</sup>.

Several days later, Muslimin Sema arrived in Manila with a letter signed by the MNLF Chairman and addressed to Speaker Jose De Venecia, which served as the formal reply of the Front to the Two-Track Proposal of the GRP. In the letter, Misuari turned down the idea of the MNLF participating in the ARMM because the ARMM was formed in violation of the Tripoli Agreement. As to the passing of an Enabling Act, he asserted that this would not solve the problem of Muslim Mindanao as it could be undermined by subsequent legislation and the actions of groups and individuals.

On the envisioned launching of a coalition between the MNLF and the ruling parties in the country, he said this was not necessary because if the peace process were successful the Autonomous Government would anyway become a natural partner of the ruling

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<sup>49</sup> Iribani, “Give Peace a Chance,” p. 246, 247

coalition in the service of the nation. He stressed that the peace process should be concluded before any Grand Alliance between the MNLF and the ruling coalition could be formed. The idea itself, he said, was pragmatic and enlightened and could be accepted eventually.

During his sojourn in Manila, Muslimin Sema had the opportunity to engage Ambassador Pieter Damanik in a frank conversation on 4 September. The Ambassador, a retired Army Major General, said he found it hard to reconcile the views of the MNLF and the GRP on the Provisional Government. While he understood the position of the MNLF, he could not disregard the GRP's adherence to the constitutional process because Indonesia itself had a constitutional government.

He said Jakarta remained hopeful that there would be positive developments before the resumption of Formal Peace Talks in October 1995<sup>50</sup>. He also said that with the information he got from Sema, he would be well prepared to brief Indonesian Foreign Minister Ali Alatas when the latter would come to Manila in a couple of days.

On 6 September 1995, Indonesian Foreign Minister Ali Alatas was in Manila to call on President Fidel V. Ramos and to present to him President Suharto's reply to the aide memoire that Ramos earlier sent to his Indonesian counterpart on the conduct of the peace talks.

This visit was upon the suggestion of Dr. Hassan Wirajuda, Chair of the Mixed Committee. According to Dr. Wirajuda, he was on a trip to Beijing when he had a telephone conversation with Minister Alatas, and he suggested that they both go to Manila and call on the

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<sup>50</sup> Iribani, "Give Peace a Chance," p.248, 249

Philippine President to propose that the Philippine side vigorously address the impasse over the issue of the transitional government, particularly on the matter of its constitutionality.

During that telephone conversation, Dr. Wirajuda also suggested that Minister Alatas bring the problem to the attention of President Suharto so that the Indonesian President would write a letter to his Philippine counterpart urging that the Philippine government make a decisive move by the Philippine government on this issue. Minister Alatas would then personally deliver the letter to President Ramos.

Minister Alatas agreed to Dr. Wirajuda's suggestion. He secured the letter from President Suharto and then flew from Jakarta to Manila. Dr. Wirajuda flew directly from Beijing to Manila. President Ramos welcomed them by hosting a golf session in the early morning of 6 September, and then breakfast in Malacañang Palace. According to Dr. Wirajuda, over breakfast, Minister Alatas gently persuaded President Ramos to use all his power to find a creative solution to the impasse<sup>51</sup>.

Interviewed by media after his call on President Ramos, Indonesia's top diplomat reiterated his government's firm commitment to mediating the Peace Talks. He stressed, however, that Indonesia would like to exchange views first on the progress of the Peace Talks with the other members of the OIC Ministerial Committee of the Six before it would host another round of Formal Talks.

What Minister Alatas did not tell the Philippine media at that time was that he had just conveyed to President Ramos an emphatic message from President Suharto advising the GRP of a timeline that

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<sup>51</sup> This account is based on Dr. Wirajuda's written input, October 2019.

must be considered in pursuing the Peace Talks<sup>52</sup>. A major feature of that timeline was the scheduled election of ARMM governor and other regional officials early in 1996: the Peace Talks had to be concluded before this election, otherwise there would be a situation where there would be a new set of ARMM officials with a new mandate while negotiations were ongoing on the boundaries and the structure of the ARMM.

Moreover, there would be an APEC Summit the following year. The chances of that Summit becoming a great success would be much improved if the Peace Talks were successfully concluded before the Summit took place. Finally, there was the Brunei-Indonesia-Malaysia-Philippines East Asia Growth Area (BIMP-EAGA): Minister Alatas assured President Ramos that once the Peace Talks were successfully concluded, the development of the key sectors of the sub regional initiative (agribusiness, fisheries, and transport and shipping) could be expedited.

Meanwhile, Ambassador Damanik spent much of his time during the rest of the month keeping track of reports of possible ceasefire violations by units and elements of the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP). On 13 September 1995, he wrote a letter to Ambassador Yan on alleged ceasefire violations in Tuburan, Basilan, in three different towns in Sultan Kudarat Province, and five more towns in Maguindanao Province.

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<sup>52</sup> Interview with Ambassador Yuli Mumpuni, who was privy to the substance of the consultation between President Ramos and Minister Alatas on 6 September 1995.

Then he called for a meeting of the Joint Ceasefire Committee (JCC) and the OIC Observer Team in Zamboanga City on 20 September 1995 to address these allegations.

### **Meetings in New York**

In October 1995, the scene of the peace process shifted from the Philippines and Indonesia to New York City as all the countries involved were members of the United Nations and their Foreign Ministers had to participate in the annual routine of the UN General Assembly. On 3 October Indonesian Foreign Minister Ali Alatas met OIC Secretary General Hamid Algabid and the other members of the OIC Ministerial Committee of the Six and briefed them on the progress of the negotiations between the GRP and the MNLF.

The Committee members welcomed the progress achieved so far. After an exchange of views, they “agreed to maintain the momentum of the negotiations and to intensify efforts aimed at achieving a final solution to the problem<sup>53</sup>.”

Three weeks later, as earlier planned, a Special Meeting was held at the Indonesian Consulate in New York on 24 October between the MNLF and the OIC Ministerial Committee of the Six, this time with the Foreign Ministers of the member countries personally in attendance. Chairman Misuari led an MNLF delegation composed of the religious leader Ustadj Abdulkaki Abubakar, Dr. Parouk Hussin, Secretary General Muslimin Sema, Jose Yusop Lorena of the MNLF Secretariat, and MNLF Emissary Abraham Iribani.

OIC Secretary General Hamid Algabid was in attendance. Foreign Minister Ali Alatas presided over the meeting. Also present were

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<sup>53</sup> Press Release, PTRI New York, (No.3/PR-NY/95)

Mixed Committee Chairman Dr. Hassan Wirajuda and Indonesia's Permanent Representative to the United Nations in New York, Nugroho Wisnumurti.

Minister Alatas brought up the GRP proposal on the Provisional Government. He cited the GRP Panel's position that while the Tripoli Agreement should be implemented, its implementation should be compliant with the Philippine constitution that the territorial scope of the autonomous region should not go beyond those areas where Muslims predominate. That would mean six to seven provinces. The points of consensus, which had already covered 90 percent of the total, could be reviewed. As to the contentious issues of the Provisional Government and plebiscite, he expressed the hope that there would be a breakthrough before the Talks moved back to Jakarta<sup>54</sup>.

OIC Secretary General Hamid Algabid reiterated the OIC policy of helping resolve the problem of Muslim Mindanao through peaceful negotiation based on the Tripoli Agreement and taking into account the sovereignty and territorial integrity of the Philippines.

Replying to Minister Alatas, MNLF Chairman Nur Misuari conjured up the unanimous decision of the Front's leaders during their assembly in Jolo the previous August rejecting the Two-Track Proposal. He contended that the Provisional Government could be created without resort to a plebiscite. President Marcos, he said, had in 1978 created a Provisional Government by Presidential Proclamation with no one complaining that he had violated the Philippine Constitution.

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<sup>54</sup> The accounts of these meetings in New York are based on the notes of Abraham Iribani.



Minister Alatas reiterated that the Tripoli Agreement should be implemented without violating the 1987 constitution. The implementation, he said, should start with the Muslim-dominated provinces and expand later on. He added that he was just playing devil's advocate.

Called upon by the MNLF Chairman to clarify some issues, Rev. Absalom Cervesa, who represented Christian communities in the MNLF, said that for the MNLF to agree to participating in the ARMM elections and then to expand its area of coverage later would be "tantamount to localizing the Bangsamoro struggle," in which case any involvement of the OIC would appear to be foreign interference in the local affairs of a sovereign state."

Minister Alatas said that this would not happen since "the political arrangements would be made with the active participation of the OIC" and would not be designed to remove it from the process.

Misuari concluded the exchange of views by reiterating the MNLF position and expressing "MNLF readiness to abide by the guidance and wisdom of the OIC."

Minister Alatas accompanied the MNLF delegation in meeting President Suharto at the Waldorf Astoria Hotel the following day. There, the President of Indonesia encouraged the MNLF leaders to make an honorable and negotiated peace with the Philippine Government so that Indonesia could fully support the cause of Filipino Muslims<sup>55</sup>.

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<sup>55</sup> These accounts of the New York meetings attended by the MNLF are a rendition of the personal notes of Abraham Iribani

These meetings in Manila and New York were all part of the preparations for the holding of the Third Round of Formal Peace Talks later in the year in Jakarta.

### **The Third Round of Formal Peace Talks**

Before the discussions at the Third Round of Formal Peace Talks could actually begin, the Mixed Committee met on 27 November 1995 to review the points of consensus achieved so they could be proposed for endorsement by the Formal Talks, and to identify the points of no-consensus so that they might be addressed. At that time there were 56 points of consensus, and eight points of no-consensus: two on defense and the regional security force; two on the economic system, mines and minerals; three on the administrative system, representation in national government; and one on the judiciary and Shariah.

The Mixed Committee then recommended that the points of consensus be consolidated into an interim agreement. It also recommended that the Formal Talks take up the question of the Transitional Implementing Structure and Mechanism, on which the respective positions of the two panels were still poles apart<sup>56</sup>.

The Third Round of Formal Peace Talks commenced on 28 November 1995 at the Sari Pan Pacific Hotel in Jakarta. It was a heavily attended meeting, with the Indonesian delegation beefed up with ten advisers from the Indonesian Government. All the other members of the OIC Ministerial Committee of the Six were represented by their respective

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<sup>56</sup> From the Report of the Indonesian Embassy in Manila on the Conduct of the GRP-MNLF Peace Talks, April 1999.

Ambassadors to Jakarta. Ambassador Mohammad Mohsin represented the OIC Secretary General.

Chairman Misuari led a 61-strong delegation that included Christian leaders from Central Mindanao and Palawan, and representatives of NGOs and People's Organizations, three additional members of the legal staff, and the five members of the Secretariat. The MNLF Chairman's wife, Ruaida Tan Misuari, led a group of Bangsamoro Women.

Ambassador Manuel T. Yan, as in the previous Formal Peace Talks, headed a Panel of three (Rep. Ermita, Vice-Governor Nabil Tan, and the historian Prof. Rudy Rodil) plus three advisers, and 20 Chairmen and members of Support Committees, and 11 members of the Secretariat.

In his opening statement, Minister Alatas briefed the assembly on the number of points of consensus and non-consensus. Then he stressed, "The task before us has not become any less difficult for the less than 20 percent of the issues which remain unresolved are the most contentious and the ones that bear the greatest weight."<sup>57</sup>

Ambassador Yan, after reviewing the achievements of the two Panels, called the Peace Talks "a great and enduring partnership for peace" that went beyond the negotiating table, across the greater Mindanao, and beyond, to the global peace network."

Nur Misuari warned against resorting to a "half-baked and hypocritical solution," which would only create "a false sense of security and hope." He said if the peace process compromised the

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<sup>57</sup> This quotation and all other quotations in this account of the opening of the Third Round of Formal Talks are from Opening Statements, Third Round of GRP-MNLF Formal Talks, Jakarta, 28 November 1995

credibility of the MNLF, it “would either return to their original political objective, after autonomy should have been proven wrong, or else melt into those radical or extremist movements seeking complete decolonization and the restoration of political freedom, sovereignty and independence.” He was referring to the MILF, the Abu Sayyaf and the Islamic Command Council as groups advocating what MNLF used to espouse before it signed the Tripoli Agreement: complete independence.

Then he went on to decry the more than 50 unresolved cases of ceasefire violations that he claimed were perpetrated by the Armed Forces of the Philippines (AFP).

Speaking for the OIC Secretary General, Ambassador Mohsin said the OIC believed that if there was genuine goodwill and if both sides really wanted peace, no obstacle—legal or technical—could prevent the attainment of a creative and practical solution to any issue in the negotiations.

The Chairman of the Formal Talks, Ambassador Wiryono Sastrohandoyo, launched the plenary session by identifying three tasks that the meeting should accomplish:

1. Consolidate the work of the Support Committees and the Mixed Committee into an Interim Agreement, as in the previous two Rounds of Formal Talks;
2. Settle the contentious issue of the Transitional Implementing Structure and Mechanism; and
3. Discuss the situation on the ground and the problems of the Joint Ceasefire Committee.

Chairman Misuari suggested a fourth task: drafting of a response to the statements of support for the Peace Talks by the United States, the European Union, and Japan. Those were simple statements of support without any concrete offers of assistance but were nevertheless welcomed by both sides. Misuari also suggested that the situation on the ground be discussed first before taking up the other concerns. Both suggestions were accepted.

Brig. Gen. Kivlan Zen, the new commanding officer of the OIC Observer Team, and Ambassador Abu Hartono, the new Indonesian Ambassador to the Philippines, were the first to present their respective reports. When it was the turn of MNLF Major Gen. Abdul Sahrin, Chair of the MNLF-JCC, to make his report, he corroborated the MNLF Chairman's lament about the great number of unresolved cases of ceasefire violations. This was followed by the report of Brig. Gen. Guillermo Ruiz, Chair of the GRP-JCC Panel, who explained that most of the violations allegedly committed by AFP troops were due to non-confirmation of MNLF areas and the presence in those areas of armed groups that wanted to sabotage the peace process, such as the MILF and the Abu Sayyaf.

Then Ambassador Pieter Damanik, who had just completed his tenure as Indonesia's Ambassador to the Philippines, was called upon to share the insights from his experience as former Chair of the JCC. The problem of ceasefire violations, he said, was due to unclear demarcation lines. There were MNLF areas that were not cleared with the GRP. There was also the problem of the OIC Observers not being able to quickly go to the site of the reported ceasefire violation due to lack of transportation.

Undersecretary Alexander Aguirre of the Department of the Interior and Local Governments (DILG) said that there had to be movement

of troops because the MNLF was no longer the only armed group in Muslim Mindanao. And if sometimes, the Secretary of Defense issued a warning against these armed groups, these warnings were not directed at the MNLF.

On the contentious issue of the integration of the MNLF forces with the Armed Forces of the Philippines (AFP), Misuari read out a statement proposing that the MNLF would no longer integrate its forces with the AFP and instead confine itself to internal regional security, that the AFP withdraw its forces from the areas of autonomy, except for a token force, and that only in cases of emergency would the AFP be allowed back into the region upon the invitation of the Autonomous Government.

As Chair, Ambassador Wiryono emphatically reminded Chairman Misuari that the proposal was inconsistent with the Tripoli Agreement, which expressly provided for the integration of MNLF forces into the AFP. After a recess, Misuari withdrew this proposal.

The discussion on the contentious issue of the area of the autonomy spilled into the issue of the ARMM. It was suggested that the ARMM elections scheduled for March 1996 be postponed by another six months. Ambassador Yan reiterated the GRP offer for Chairman Misuari to run for Governor in the ARMM election, after which a law would be passed allowing any predominantly Muslim area to join the autonomous region, subject to plebiscite<sup>58</sup>.

According to Abraham Iribani, on one occasion Ambassador Wiryono joined a caucus of the MNLF Panel and expressed his views

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<sup>58</sup> The account in this book of the proceedings of the Third Round of Formal Peace Talks are based on renditions of The Executive Summary, Third Round of Formal Talks by Abraham Iribani in his book, "Give Peace a Chance," p.263-267.

on the issue being discussed, the area of the autonomy<sup>59</sup>. In fact, according to Ambassador Wiryono, it was his practice to alternately join each of the Panel caucuses to facilitate informal communication between the two Panels and thus help advance the negotiations.

The Third Round of Formal Peace Talks ended on a note of optimism with the signing of the “1995 Interim Agreement between the GRP and the MNLF.” The Interim Agreement boasted 80 additional points of consensus between the two sides, bringing the total points of consensus to 123. There were now only three contentious issues remaining:

1. The mechanism for the establishment of the Provisional Government;
2. The integration of the forces of the MNLF into the Armed Forces of the Philippines (AFP); and
3. The sharing of revenues as well as the incomes of Government Owned and Controlled Corporations (GOCCs).

Both Panels agreed to instruct the Mixed Committee to continue deliberations in the Philippines to prepare and finalize the draft Final Agreement concerning the setting up of the autonomous region in accordance with the 1976 Tripoli Agreement<sup>60</sup>.

This was because both panels saw that the remaining issues required wider consultation and study to find the solution that would be acceptable to all involved in the negotiations. In this regard the MNLF told the media: “The GRP Panel has committed to ‘search every nook and cranny of the Constitutional Universe’ in order to

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<sup>59</sup> Iribani, “Give Peace a Chance,” p.266

<sup>60</sup> From the Report of the Indonesian Embassy in Manila on the Conduct of the GRP-MNLF Peace Talks, April 1999

look for the innovative and creative approach to the contentious issues. For its part, the MNLF has stated that it is ready to summon the required moral courage in overcoming the thorny road to lasting peace in Mindanao and its islands<sup>61</sup>.”

### **A Popular Consultation**

The early days of 1996 were a busy time for Ambassador Hartono and the Indonesian Embassy staff in Manila as they coordinated with the GRP and the MNLF Panels in making preparations for the holding of a Popular Consultation prior to the Seventh Mixed Committee Meeting. The Popular Consultation, scheduled for 29 February, was a way of gleaning ideas from various stakeholders on how to resolve the remaining contentious issues in the negotiations.

The evolving plan was that President Ramos would be in attendance, and he would meet first with the local officials before meeting with the MNLF. The Seventh Mixed Committee Meeting would be held the following day in the same venue in Zamboanga City. At the same time, various NGOs in Mindanao were also seeking and preparing for consultations with the GRP and MNLF Panels.

There was some uncertainty about Nur Misuari’s travel schedule, as it was very soon after the fasting month of Ramadan and he had to fly all the way from Saudi Arabia to Zamboanga. Moreover, foul weather was a frequent occurrence in that part of Southern Philippines at that time of the year.

Ambassador Hartono provided the solution to that problem by seeking and obtaining authorization from higher Indonesian authorities, including Foreign Minister Ali Alatas, to use military

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<sup>61</sup> MNLF Statement at the Ciudad Fernandina Forum, 13 December 1995



resources to provide the MNLF Chairman with the necessary transportation to ensure his punctual attendance at the Popular Consultation and the Seventh Mixed Committee Meeting.

All this was carried out. On 27 February 1996, Ambassador Hartono met Chairman Misuari and two of his aides in Kota Kinabalu in East Malaysia and together they boarded a private executive jet sent from Jakarta by the Indonesian Government. During the flight from Kota Kinabalu to Jolo, Ambassador Hartono had the opportunity to talk with candor with the MNLF Chairman and he concluded Misuari was indeed sincere in his quest for peace in Southern Philippines.

In Jolo, Nur Misuari was welcomed with festive fanfare, including a review of an honor guard consisting of two platoons of MNLF fighters and two platoons of Philippine Marines. The people of Jolo and local leaders came out in force to express their approbation of the peace process. From there he and the MNLF delegation boarded a Philippine Navy boat for Zamboanga City.

The Popular Consultation turned out to be a disappointment in terms of attendance by local government executives. Only four governors out of 14, two city mayors out of nine, and 17 municipal mayors out of some 200 showed up for the popular consultation. These participants actually constituted a small fraction of the local officials in the provinces and cities covered by the 1976 Tripoli Agreement.

The proceedings went smoothly, however. Chairman Misuari and Ambassador Yan briefed the gathering on the progress of the Peace Talks, on the problems it was encountering and the reasons why they remained optimistic. As Chairman of the Mixed Committee, Dr. Hassan Wirajuda assured the gathering that "Indonesia as Chairman of the OIC Ministerial Committee of the Six as well as fellow ASEAN

member and neighbor, stands ready to help the Philippines in attaining a comprehensive, just and durable solution to the conflict in order to create peace and stability in the Southeast Asian Region<sup>62</sup>.”

At the conclusion of the meeting, the participants expressed support for the peace process and requested that the GRP Panel brief them from time to time on the progress of the negotiations.

### **The Seventh Mixed Committee Meeting**

At the start of the plenary session, the GRP Panel again presented a “Two-Track Approach with modifications” as a way of establishing the Provisional Government stipulated in the 1976 Tripoli Agreement. In essence, this would mean that the MNLF would participate in the ARMM elections, which were now rescheduled for September 1996, so that the MNLF would gain control of the ARMM and a chance to prove its capacity to govern. An “Accession Bill” providing for the expansion of the area of the autonomy would then be passed and approved in a Plebiscite.

The MNLF maintained that as provided by the Tripoli Agreement, right after its signing, the President of the Philippines would establish the Provisional Government in the provinces named in the Agreement.

Dr. Wirajuda reminded both sides of the following:

1. Because the ARMM elections had been rescheduled for September 1996, the MNLF would have to announce its decision

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<sup>62</sup> Report of the Chairman of the Seventh Mixed Committee Meeting, Zamboanga City, 1-2 March 1996

whether to participate or not in the political exercise before September 1996;

2. The APEC Leaders Meeting (ALEM) would be held in the Philippines in November 1996. Failure of the Talks to produce an agreement by then would have an adverse effect on the Philippines as host of ALEM;
3. The 24<sup>th</sup> Ministerial Meeting of the OIC was scheduled to be held in Jakarta in December 1996. The OIC Secretary General was hoping Indonesia as Chair of the OIC Ministerial Committee of the Six would be able to submit its final report on the peace process by then. “If the Peace Talks failed to produce a final settlement by that time, Indonesia may just decide to return its mandate to the OIC Ministerial Meeting with a note of dissatisfaction.”

Many interpreted this as an expression of irritation at the unwillingness of both sides to come to terms. In spite of that the two Panels did not budge from their respective positions. Because of that, the meeting closed prematurely on 2 March 1996 with the main question unresolved<sup>63</sup>.

Weeks passed. In the second week of April, Nur Misuari convened an assembly of all MNLF leaders in Timbangan, Jolo. With the assembly, he discussed the progress of the Talks and the offer of the GRP for the MNLF to participate in the ARMM elections. Muslimin Sema, then the Secretary General of the MNLF, would remember that offer as “a shock to all. That meant a departure from the signed Agreement to establish a Provisional Government<sup>64</sup>.”

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<sup>63</sup> Report of the Indonesian Embassy on the GRP-MNLF Peace Talks, 6 May 1996

<sup>64</sup> Written interview with Muslimin Sema, 04 September 2019

The MNLF leaders decided not to respond to the offer but to consult with the OIC on the matter. They therefore authorized Chairman Misuari to bring the matter up to the OIC. Right after that, he left for Saudi Arabia.

### **A new peace formula**

In mid-April, during a closed-door meeting between President Ramos and Mindanao leaders, DILG Undersecretary Alexander Aguirre launched a new peace formula that entailed the establishment of a Zone of Peace and Development (ZOPAD) in an area covering the provinces and cities originally designated by the Tripoli Agreement as the region of the autonomy.

ZOPAD would be served by a transitional structure called Southern Philippines Council for Peace and Development (SPCPD), an administrative body to supervise and coordinate the area's peace and development programs. The SPCPD would work closely with another transitional structure, the Consultative Assembly, which would be a forum for issues and concerns and would provide recommendations for policies and programs. This twin structure would run for three years, after which another phase of autonomy building would be implemented, entailing amendments to the ARMM law.

This idea would be subsequently enriched with elements from a similar idea independently developed by Deputy Speaker Simeon Datumanong of Maguindanao<sup>65</sup>.

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<sup>65</sup> Ramos, "Break Not the Peace," p.83

The GRP quickly sent copies of the proposal to Jakarta, the OIC and the MNLF. President Ramos wrote letters to President Suharto and to President Muammar Khadaffy seeking support for the idea.

On 21 May 1996, Ambassador Hartono invited MNLF Secretary General Muslimin Sema and other Front leaders as well as the Ambassadors Mohsin and Azzaroq to a dinner meeting where he explained that the GRP had conveyed its latest proposal through a letter to President Suharto. He said GRP considered this “the ultimate proposal” as anything beyond it would be a violation of the Constitution. The new proposal, he said, was an improvement on the earlier offer for the MNLF to participate in the ARMM elections by joining President Ramos’s ruling coalition.

Then Ambassador Hartono said that because of this new development, Indonesia as Chair of the OIC Ministerial Committee of the Six had called for a special meeting of the Committee, where the GRP and MNLF would also be invited. The special meeting would be held on 2 June 1996.

Meanwhile in Jeddah, Saudi Arabia, Nur Misuari and his aides were able to meet with the OIC Secretary General Hamid Algabid, his deputy, Ambassador Mohammad Mohsin and another OIC official, Dr. Zwawi. They asked Misuari about his assessment of this latest GRP proposal.

Misuari replied that the proposal was incompatible with the MNLF position on the Provisional Government. But he could sense that the OIC had been persuaded that the latest GRP proposal was acceptable and feasible. “This is the moment of truth,” Ambassador Mohsin told him. “You have to make a decision soon.”

From Jeddah, Misuari travelled to Libya for the same purpose of consultation, only to find out that the Libyans had been similarly persuaded about the new proposal. Not only that, the Libyans were also trying to bring him around to accepting the proposal.

### **A back-channel negotiation**

At that juncture, he received a phone call from Abraham Iribani in Manila that Executive Secretary Ruben Torres wanted a one-on-one meeting with him. It took a while for them to choose the venue but finally they decided to meet in one of the plush hotels in Dubai.

There, on 29 May 1996, Executive Secretary Ruben Torres frankly admitted that the SPCPD really had no powers, but if Misuari agreed to chair it, the Government would also see to it that he became ARMM Governor, a position of real power. It would be given to him “on a silver platter.”

Misuari gave Torres the kind of reply he usually gave when rejecting an offer: “I’d rather go fishing.”

Torres assured him that President Ramos had given clearance to the offer. If Misuari became ARMM Governor, he would immediately be in control of four provinces. He would have real power. It would be a modest start but the possibilities were tremendous.

Although they talked for three days, Misuari never agreed to the offer. But Torres noticed that Misuari was asking a lot of questions. And he was jotting down every information he got from Torres. Finally, Misuari said, “I will consult my Central Committee and the religious leaders.”

By then, Torres had surmised that Misuari was interested. He promptly reported this to an elated President Ramos<sup>66</sup>.

### **A Special OIC Meeting in Jakarta**

As soon as Nur Misuari arrived in Jakarta in the evening of 2 June 1996, he gathered his MNLF leaders together and told them: “Brothers, this is the moment of truth. I believe the Indonesian Government is convinced of the new GRP proposal as the ultimate proposal. To my mind, the MNLF position, our position after we have made so many concessions, (is now such that it is) now very difficult for us to move back without being destroyed. This is my impression of the new developments. This is the reason I requested for your presence here. We will evaluate the situation before I face the OIC and the GRP.”

He had barely finished speaking when the three ambassadors very much involved in the Peace Talks—Mohsin, Azzaroq, and Hartono—arrived and joined the group.

“This is the moment of truth, Brother Nur,” Ambassador Mohsin said. “We want to hear from you. “What are your assessments and your vision?”

In reply, the MNLF Chairman told the gathering of the assurances that Executive Secretary Torres gave him in Dubai: if he agreed to the GRP proposal, he would be wielding the powers of the President himself, including the use of President Ramos’s contingency funds to ensure the success of the ARMM under Misuari’s envisioned governorship and the arrangements that would give him full control of the SPCPD and its Consultative Assembly. He also mentioned the

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<sup>66</sup> Interview with Secretary Ruben Torres, October 2016

caveat put to him by Torres: “*You have to make good the first two or three years.*” But Misuari gave no explicit indication that he had agreed to the deal.

Ambassador Hartono said that the meeting would be “from top to bottom.” Iribani, who was present, understood that to mean that the Heads of Government of the OIC Committee of the Six would be deciding the fate of the MNLF on the basis of Nur Misuari’s answer.

When the three ambassadors had left, the MNLF leaders expressed skepticism on the assurances of Executive Secretary Torres. No one, not even the MNLF Chairman, spoke in favor of the latest GRP proposal. When the meeting concluded, four members of the group (Atty. Didagen Dilangalen, Atty. Blo Adiong, Atty. Jose Yusop Lorena, and Abraham Iribani) completed an opening statement for the following morning that Misuari had begun drafting. The statement plainly and emphatically rejected the GRP proposal.

The OIC Special Meeting held the following morning was crowded with top-level officials from all the member countries of the OIC Committee of the Six, with Saudi Arabia and Senegal sending three representatives each, and the rest sending two each. Minister Ali Alatas led a strong Indonesian delegation that included: Ambassador Wiryono, Chair of the Formal Peace Talks; Dr. Hassan Wirajuda, Chair of the Mixed Committee; Ambassador to the Philippines Abu Hartono; Ambassador Izhar Ibrahim, Director General for Political Affairs; and Mr. Tjahjono, Director for Asia and Pacific Affairs. As in other meetings called by the OIC, Ambassador Manuel T. Yan and his deputy, Rep. Ermita, led the GRP delegation. This time the GRP delegation included Secretary Alexander Aguirre, author of the GRP proposal being discussed.



In the MNLF Panel were Chairman Nur Misuari, Secretary General Muslimin Sema, and Foreign Affairs Committee Chairman Parouk Hussein.

After the first morning session, Chairman Misuari called for a caucus of MNLF leaders. The consensus of the caucus was that the GRP offer was still inadequate and the MNLF should request for OIC commitment to help ensure the successful implementation of the GRP proposal.

Following the afternoon session, Chairman Misuari reported to the MNLF leaders that they had been advised to rest the case with the OIC, that the OIC—through Ambassador Mohsin—gave robust assurances of future OIC help. But the caucus would not yet give its final agreement on the “Aguirre Proposal.” They decided to request that the selection of officials to the ARMM be done by appointment, since an election would be divisive.

Another session of the OIC Special Meeting was held in the morning of 4 June 1996. When Nur Misuari and the Panel reported back to the MNLF leaders in the evening, they presented a document containing 14 points of consensus, with one point of no-consensus: the question of how many members should be in the SPCPD Consultative Assembly.

Abraham Iribani did not state it directly in his personal notes but the clear implication was that those 14 points of consensus reflected the agreement of the MNLF to the GRP proposal: the MNLF would participate in the ARMM elections to be held in September, and the MNLF would lead the SPCPD and the Consultative Assembly<sup>67</sup>.

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<sup>67</sup> This entire account of the MNLF caucuses is based on the personal notes of Abraham Iribani

The details of the points of consensus would be discussed in the Eighth Mixed Committee Meeting, to be held within the month in Davao City. The Fourth and Final Round of Formal Talks would be held before the ARMM elections in September 1996.

### **The Eighth Mixed Committee Meeting**

Through letters sent by Ambassador Hartono to the GRP and MNLF Panels, Indonesia proposed that the Eighth Mixed Committee Meeting be held from 19 to 21 June 1996 in Davao City. Then the Ambassador, as Chair of the Joint Ceasefire Committee (JCC), notified the GRP and MNLF Panels and sent instructions to Brig. Gen. Kivlan Zen, Commander of the OIC Observer Team, on the Security Requirements of the Meeting. To Brig. Gen. Zen he wrote, "I hereby instruct you to convene and chair a JCC Coordinating Meeting to discuss the details of the security arrangements."

This new emphasis on security arrangements was due to rumors of a threat to the life of the MNLF Chairman.

Then he wrote letters to the Chairmen of Support Committees #1 (Defense) and #4 (Regional Security) reminding them to hold a joint session to take up the two remaining contentious issues: (1) the arrangements for the joining of the MNLF with the Armed Forces of the Philippines (AFP), and (2) the Special Regional Security Force (SRSF). That joint session must be held before the Eighth Mixed Committee Meeting.

For its part the MNLF Secretariat wrote to Mayor Rodrigo R. Duterte of Davao City informing him of the forthcoming Eighth Mixed Committee Meeting. In that letter, Iribani stated, "The most successful Mixed Committee Meeting with the most number of consensus points achieved was the 5<sup>th</sup> MCM held in Davao City in

June 1995. We look forward to another successful Mixed Committee Meeting with the support and cooperation of the City Government and people of Davao.”

When the joint session between Support Committees #1 and #4 was held on 17 June 1996, a deadlock ensued as the GRP and MNLF panels stuck to their respective positions. Iribani then informed both Secretary Torres and Chairman Misuari of the deadlock, hoping that the two would settle it. Torres and Misuari met at the Davao Insular Hotel late in the evening of 19 June. Rep. Ermita later joined them and they conferred until Misuari had to leave them for his morning prayers.

Later in the morning, Misuari convened a caucus of MNLF leaders to prepare the Front’s positions on the remaining contentious issues. At 4:00 pm, the Eighth Mixed Committee Meeting was officially launched. In their respective opening statements, MCM Chairman Dr. Hassan Wirajuda and GRP Panel Chairman Ambassador Manuel T. Yan stressed how crucial would be the outcome of the meeting.

In his own opening statement, Chairman Misuari said that there remained “one fundamental issue that could also decide the fate of these talks—the question of the internal security force. It is even becoming more and more crucial than the issue of plebiscite or territory.” Then he solemnly declared, “The MNLF is ready to make accommodations on any other remaining issues but not on this fundamental issue of the Internal Security Force.”

On the joining of the MNLF and the AFP and the Philippine National Police (PNP), Misuari demanded that 20,000 MNLF fighters be allowed to join the PNP during the transitional period and be assigned to the Southern Philippines Council for Peace and Development (SPCPD). The GRP Panel could not agree to that. To

resolve the issue, the Meeting decided to form a working group composed of representatives of both panels to be chaired by Indonesia on behalf of the OIC, with the aim of arriving at an agreed number.

There were no problems on the MNLF joining the ARMM. The Eighth MCM then concluded with 18 points of consensus on the establishment of the SPCPD and 21 points of consensus on the establishment of the Special Regional Security Force (SRSF). Ambassador Yan gave a closing statement marked by high optimism that there would be “a triumph over war, conflict, poverty, stagnation, and injustice.”

In his closing statement, Nur Misuari asked Ambassador Yan to convey to President Ramos that whatever agreement was signed between the two panels, the President would commit his honor and integrity and the honor and integrity of the Government. Then, he asked the OIC to “do everything to ensure that none of us will betray our commitment to peace and to our people and to posterity.” In response, Ambassador Mohsin and Ambassador Rajab Azzaroq reiterated assurances of the OIC’s unstinted support<sup>68</sup>.

The outcome of the Eighth Mixed Committee Meeting would be widely known as the Davao Accord.

### **Misuari the voter, the candidate**

On 3 July 1996, a large assembly of MNLF leaders from all over the Bangsamoro homeland gathered in Jolo and voted on the question of whether the MNLF Chairman should run for Governor of the ARMM.

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<sup>68</sup> From the Report of the Chair of the Eighth Mixed Committee Meeting, as recounted by Abraham Iribani.

Twice a vote was held on the matter and the overwhelming majority of MNLF leaders made it clear that they did not support the idea of Misuari running for the office. Two days later, however, the news from Jolo was that a larger group of MNLF leaders, including the religious leaders, had met to vote on this question again and this time the decision was unanimous that Chairman Misuari should be allowed to run for ARMM Governor.

Before Nur Misuari could be candidate for Governor, he had to be a registered voter. On the last day of voter registration, 8 July 1996, Misuari had not yet registered. Secretary Torres called him on the phone and asked what was the problem. Misuari replied that it was raining and he could not go out. Moreover, because of the firearms ban on registration day, his armed bodyguard of 200 men would not be allowed into the premises of the Commission on Election (COMELEC) where he was supposed to register. So, Torres called on the phone the local head of the COMELEC and told him to find a way to register Nur Misuari and his men right in the Front's headquarters in Timbangan. That was exactly what happened. Nur Misuari and 150 MNLF fighters registered as voters at the Khalid al-Walid Camp in Timbangan, Jolo at past 5:00 pm, already past the official deadline for registration.

The next step was for Nur Misuari to file his certificate of candidacy. The deadline for filing was 12 July 1996. Again, Misuari dilly-dallied, although supposedly the MNLF leaders had already approved of his running for ARMM Governor. On 11 July, Torres flew to Jolo to make sure that Misuari filed his candidacy. When he got there, he found out that Speaker de Venecia had stolen a march on him: the Speaker was already leading a political rally, complete with marching bands, and he had raised Misuari's hand for the cameras to record that the

MNLF Chairman was already the official candidate of the ruling Lakas-NUCD<sup>69</sup>.

When it was time for him to select his running mate, he was presented with a choice of either Dimasangkay Pundato, a Maranao who had trained with Misuari as a member of Batch 90, and who at one time was MNLF Vice-Chairman, or Guimid Matalam of Cotabato, son of Udtog Matalam, the iconic Governor of Cotabato who founded the precursor movement of the MNLF, the Mindanao Independence Movement (MIM). He opted for Guimid Matalam.

Soon after he became the official candidate of the Ramos Government for the governorship of ARMM, Misuari announced that he would have to be appointed Chair of the SPCPD, arguing that each of these two entities would be useless without being fully coordinated with the other. There were others giving a lot of thought to the SPCPD—in different ways.

Earlier during the month, on 7 July 1996, the Catholic Bishops Conference of the Philippines (CBCP) issued a pastoral letter praising both the GRP and the MNLF for their patience and heroic efforts to reach an agreement. Nevertheless, the CBCP counseled both sides to keep refining consensus points so that certain imperatives would not be neglected. These were the imperatives of equal representation, the separation of Church and State, and freedom of religion and expression.

Then, the Senate of the Philippines wanted to take a much closer look at the ongoing negotiations, particularly the points of consensus reached at the Eighth Mixed Committee Meeting that were at that

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<sup>69</sup> The account on the registration of Nur Misuari first as a voter and then as candidate for ARMM Governor is based on an interview with former Executive Secretary Ruben Torres in October 2016.

time already labeled the Davao Accord. The Senate constituted itself into a Committee of the Whole and held public hearings in Mindanao. President Ramos sent an array of high officials to testify at those hearings, including Ambassador Yan, Rep. Ermita, Executive Secretary Torres, Secretary Aguirre, and Presidential Legal Counsel Renato Cayetano.

Finally, on 23 August the Senate passed a resolution expressing support for the peace process and recommending some amendments to the Davao Accord to ensure that within the envisioned SPCPD there would be democratic representation, separation of Church and State, and the clear delineation of the powers and functions of the agencies under the projected Council.

One notable amendment proposed by the Senate was the removal of “control” by the SPCPD over the agencies to be placed under its supervision.

President Ramos assured the Senate that the GRP Panel would strive to accommodate the Senate’s concerns through refinements, realignments, and adjustments in the Final Round of Formal Talks<sup>70</sup>.

### **The Malabang Peace Rally**

The next major event in the GRP-MNLF peace process, on 19 August 1996, was one in which the OIC was not involved, as it was an entirely Filipino affair. This was the peace rally in Malabang, Lanao del Sur that was organized by Executive Secretary Ruben Torres.

Many dignitaries of Philippine officialdom and the icons of Bangsamoro society were there. No substantive discussions were held. It was all symbolic and sentimental. It marked the first time

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<sup>70</sup> Ramos, “Break Not the Peace,” p.69, 70

that President Ramos and Chairman Misuari would meet within the tenure of the Ramos presidency. The only other time they had met was ten years earlier when the then AFP Chief of Staff, Lt. Gen. Fidel V. Ramos accompanied then President Corazon C. Aquino in a meeting with Misuari in Timbangan on 5 September 1986.

Highlight of the event was the release of 10,000 white doves, the symbol of peace, a touch of symbolism that Secretary Torres had long planned for. The event was covered live on the global networks. It was a day that would live long in the memory of all who participated. But there was still a lot of hard work to be done.

Throughout the month of August, a GRP-MNLF drafting committee held meetings at the Indonesian Embassy in Manila to craft and then continuously refine a draft final agreement based on the points that were rapidly growing in number. Much of the coordination work with the drafting committee and the Support Committees as well as the OIC Ceasefire Monitoring Team were carried out by the Political Officer Ms. Yuli Mumpuni, the future Ambassador of Indonesia to Algeria and then to Spain.





*President Fidel V. Ramos lets go of one of ten thousand doves released at a rally for peace in Malabang, Lanao del Sur while MNLF Chairman Nur Misuari looks on. The peace rally was held on 19 August 1996 in anticipation of a Final Peace Agreement between the Philippine Government and the MNLF. @AP/Alberto Marquez*

### **The Ninth Mixed Committee Meeting**

For the Ninth Mixed Committee Meeting on 28 August 1996 and the Fourth Round of Formal Peace Talks the following day, the OIC and the Indonesian delegations had the same members as in previous meetings. Numbering 42, the GRP delegation headed by Ambassador Yan was larger than usual as it was augmented with an array of

advisers, including Executive Secretary Ruben Torres and Senator Orlando Mercado.

The MNLF delegation led by Nur Misuari came in with a whopping 154 members. From Manila they flew to Jakarta on a chartered plane and were billeted in a luxury hotel, all of which were arranged by Ambassador Hartono.

For the Mixed Committee Meeting, the participants were organized into three Working Groups:

1. The Working Group on the Joining of the MNLF with the AFP and the PNP;
2. The Working Group on the Participation of the OIC Observer Team during the Implementation Period; and
3. The Working Group on the Drafting of the Final Agreement

In the First Working Group, Chairman Misuari proposed that upon integration, talented MNLF officers be given in-service training to qualify them for higher ranks in the military. He also suggested that OIC countries accept MNLF officers in their military academies. But they were not close to agreeing on how many MNLF fighters should be integrated with the Armed Forces of the Philippines and the Philippine National Police.

The Second Working Group had no problems. Discussions were mostly on the language and the terminologies used in the points of consensus.

The Third Working Group, after reviewing the draft agreement, decided to elevate certain portions, such as on the Shariah and Judiciary, and the Effectivity Clause as well as the signing format to the Mixed Committee.

As the Ninth Mixed Committee Meeting wound up, almost all the issues that were raised in the negotiations had been settled. One of the most sensitive and contentious issues that remained unresolved was the question of how many MNLF fighters would be allowed to join the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP).

### **The Final Round of Formal Talks**

Foreign Minister Ali Alatas launched the Final Round of Formal Talks with a statement a portion of which sounds prophetic today. *“A common lesson of contemporary peace processes,”* he said, *“is that it is one thing to achieve a peace agreement; it is quite another thing to make it work. It is after the final peace agreement has been signed in Manila that the real hard work will begin. Then, the challenges and obstacles that both the Government of the Philippines and the MNLF will be confronting will be no less formidable than the challenges and obstacles that stood in their way.”*

Ambassador Manuel T. Yan had another lesson in mind when he made his opening statement: “One of these great lessons is that peace, indeed, is a difficult pursuit in the midst of decades and even centuries of misunderstanding, prejudice and inequity. However, we have shown that sincerity, persistence and perseverance—coupled with courage and sacrifice can effectively defeat the dark forces of conflict.”

MNLF Chairman Nur Misuari introduced the members of his delegation who represented not only the Muslim but also the Christian and the indigenous highland communities of the Bangsamoro homeland. He spoke of peace as the “greatest gift or

legacy that we can bequeath to our people and posterity and to the larger humanity.”



*Ambassador Manuel T. Yan, Chairman of the Philippine Government Peace Panel meets with Indonesian Foreign Minister Ali Alatas at the Regent Hotel in Jakarta before proceeding to the final round of Formal Peace Talks between the Government of the Philippines and the MNLF. 28 August 1996, Jakarta. @AP/Muchtar Zacharia*

OIC representative Ambassador Mohammad Mohsin cited “the positive effects of consultations and dialogue between the two Panels on various levels since the Third Round of Formal Talks<sup>71</sup>.”

During the deliberations, much of the focus of the GRP Panel was on ensuring that the adjustments and realignments on the points of consensus as promised to the Philippine Senate were actually carried out. The MNLF Panel “showed an abundant sense of understanding

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<sup>71</sup> Iribani, “Give Peace a Chance,” p.323

and accommodation” in the effort to meet the suggestions of the Senate.

Both Panels agreed to temper the provisions regarding the control of the SPCPD over agencies placed under its supervision. Both decided to delete the word “religious” in describing an advisory body to the SPCPD. They clarified and rationalized the territorial coverage of the Zone of Peace and Development (ZOPAD) and the SPCPD.

They rationalized the derivative powers of the SPCPD and its Consultative Assembly, powers that essentially belonged to the President and could only be delegated according to the Constitution and existing laws. Religious instruction was made optional and would not involve public funds or public property. That ensured separation of Church and State<sup>72</sup>.

Not reflected in the books of President Ramos and Abraham Iribani on the GRP-MNLF Peace Talks, but vivid in the recollections of Ambassador Wiryono and Secretary Ruben Torres, was the struggle of both Panels and the mediators to overcome the final contentious issue: the number of MNLF combatants who would be integrated into the AFP and the PNP. Much of the haggling was done in the back-channel process between Torres and Misuari, with Torres in direct contact with President Ramos by handphone. Misuari started by proposing the integration of 20,000 MNLF fighters. The Government figure started at 5,000 and barely went up from there. Then Misuari went down to 15,000 then to 12,000 and then to 10,000.

Finally, the agreed-upon number was 5,750 MNLF fighters to be integrated with the Armed Forces, 250 of them to be absorbed into the auxiliary services. It was also agreed that 1,500 Philippine

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<sup>72</sup> Ramos, “Break Not the Peace,” p. 95

National Police vacancies be allocated to MNLF elements, and another 250 items for special or auxiliary services.

This issue was resolved at the very last moment just before the venue was transferred to Merdeka Palace in Jakarta for the initialing of the Final Peace Agreement.



*The Philippine Government Peace Panel (back to camera) face their MNLF counterparts during the fourth and final round of Formal Peace Talks on 28 August 1996 in Jakarta. Off camera and to the right were Indonesian Mediators Ambassador Wiryono Sastrohandoyo and Dr. Hassan Wirajuda. @AP/Muchtar Zacharia*

### **Initialing at Merdeka Palace**

At the initialing ceremony at the Merdeka Palace, President Suharto warmly received all the delegations to the Peace Talks. After listening to the report of Foreign Minister Ali Alatas and to the eloquence of the Panel Chairmen and Ambassador Mohsin, President Suharto gave a speech that established the ASEAN Spirit as the inspiration to Indonesia's role in the peace process.

“The peaceful solution to the conflict in the Southern Philippines,” he said, “would be a positive contribution towards ASEAN’s efforts to establish a Zone of Peace, Freedom and Neutrality (ZOPFAN), an inspiration that it has held since its inception in 1967. Likewise, the peace process in the Southern Philippines has been in line with the Treaty of Amity and Cooperation (TAC) agreed upon by ASEAN in 1976 in order to promote lasting peace and friendship among ASEAN peoples and thus contribute significantly to the peace and stability in the region and eventually the world...”

“With the solution of the conflict in the Southern Philippines, the window of opportunity that has been opened by the development of the Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA), which covers the southern part of the Philippines and the eastern part of Indonesia, grows wider and becomes even more promising. I have no doubt that ultimately these efforts will impact favorably on the global security and economic situation...”

“The peaceful solution to the conflict in the Southern Philippines could serve to prove before the international community that conflicts within regions could be solved by the region or the community of nations concerned, using only their resources, their creativity and their determination to achieve peace. In fact, I would not be surprised if analysts of international politics would see in the peace process in the Southern Philippines valuable lessons with possibly some applicability elsewhere.”

### **Signing in Malacañang**

The final round of speeches in connection with the GRP-MNLF Peace Talks would be delivered in another palace, the historic Malacañang



Palace, where the Final Peace Agreement was signed on 2 September 1996 in a general atmosphere of relief, elation, and hope.

This time Secretary General Hamid Algabid himself spoke for the Organization of the Islamic Conference<sup>73</sup> (OIC). He saluted both President Ramos and MNLF Chairman Nur Misuari “for their statesmanship, courage, determination and foresight, which proved to be of primordial importance.”

He also recalled “the valuable role played throughout the negotiations with their various phases, by Indonesia, not only in its capacity as the Chairman of the Six-member Ministerial Committee, but also and especially because Indonesia, which is a relentless militant for peace in the world, strives continuously for the welfare of the entire Southeast Asian region. I therefore seize this opportunity to convey my gratitude to His Excellency President Suharto for his steadfast support in the negotiation process, and also to His Excellency Brother Ali Alatas, the distinguished Foreign Minister of Indonesia, for guiding the negotiations to a success.”

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<sup>73</sup> The name has since then been changed to the Organization of Islamic Cooperation (OIC).





*President Fidel V. Ramos and MNLF Chairman Nur Misuari do the “hug of peace” while Indonesian Foreign Minister Ali Alatas applauds and Philippine Government Peace Panel Chairman Ambassador Manuel T. Yan looks on, right after the signing of the Final Peace Agreement between the Government of the Philippines and the MNLF at Malacañang Palace on 2 September 1996. @Copyright AP2019*

Ambassador Manuel T. Yan, Chairman of the GRP Panel, made special mention of a Panel member who passed away in the midst of the negotiations, Sandiale Sambolawan. A former Governor of Maguindanao Province, Sambolawan departed this life in November 1995. “His memory also bears an imprint on this peace agreement,” Yan said.

Three objectives laid down by the President had been accomplished, he said.

“One, the return of our MNLF brothers and sisters to the political, economic and social mainstream;

“Two, the attainment of lasting peace and security in Southern Philippines under a meaningful process of autonomy-building; and

“Three, the establishment of a continuing and constructive consensus with the Islamic world, through the Organization of the Islamic Conference, on a peaceful, comprehensive and durable settlement of the problem of Muslims in Southern Philippines.”

MNLF Chairman Nur Misuari referred to the accommodations that the MNLF had to make in order to help move the peace process forward. “Every time we found the peace process drifting towards a standoff or impasse, it was the MNLF Peace Panel that gave in, to save the peace process itself from possible collapse and avoid the recurrence of war – more often than not, upon gentle pressure or promoting from our brothers in the world, particularly the Islamic Organization and its member states.

“Of course, we don’t mind this, Mr. President and Excellencies. Nor do we regret it. For that is the least we can do to save our people and the oppressed humanity from the scourge of another costly war whose final outcome is almost impossible to predict.”

President Fidel V. Ramos gave a presidential speech that reflected a national mood of relief and hope. “Today, we not only witness history,” he said. “We make it.

“With the formal signing of this Final Peace Agreement between the Government of the Republic of the Philippines (GRP) and the Moro

National Liberation Front (MNLF), we bring to a close almost 30 years of conflict, at the cost of more than 120,000 Filipino lives.

“Today we launch a new era of peace and development for the Southern Philippines, and for the Philippines as a whole.” He described the peace agreement as a way of breaking the cycle of poverty and conflict.

That is possible, he said, because of good allies in the quest. “Here and now,” he said, “we are proud to have with us one of the best teams of peacemakers in the world.

“I speak of the distinguished Indonesian delegation led by Foreign Minister Ali Alatas, a master of principled negotiation and the key troubleshooter of the Cambodian peace settlement—a man of eloquence, profound intellect and a deep sense of humanity. I remember very well that it was in Cipanas, Indonesia, in April 1993, where he proposed the very first step in the Mindanao peace process – the signing of an Interim Ceasefire Agreement – that came into fruition in November of that year.

“Our people are grateful, indeed, to the Indonesian Government and President Suharto who placed his most qualified and experienced officials at the presiding end of the negotiating table. We have here with us Ambassador Wiryono, the presiding officer of the Plenary Sessions, also a veteran of the Cambodian peace talks, former Indonesian envoy to France, and now to Australia; Dr. Nur Hassan Wirajuda, an unassuming man of commitment and persistence – the presiding officer of the Mixed Committee, Ambassadors Pieter Damanik and Abu Hartono, former and present ambassadors of Indonesia to the Philippines, respectively – who performed the crucial role of principal coordinators of committee meetings in the Philippines; Brigadier Generals Asmardi Arbi and Kivlan Zen, former

and present heads of the Ceasefire Observer and Monitoring Team, respectively – who traversed Mindanao to help resolve critical problems attendant to the implementation of the Interim Ceasefire Agreement...”

Foreign Minister Ali Alatas was actually the first to deliver a statement on that occasion but he has the last word here, because of his cautionary message not only to the gathered audience but also to all who would be involved in the implementation of the Final Peace Agreement:

“The real hard work begins after the signing of the Agreement. For a peace agreement, or any agreement for that matter, does not implement itself: it assumes concrete reality only on the accretion of activities completed, the solid implementation achievements, contributions, cooperation and often inevitable sacrifices by all those who are supposed to make it work. So, there will be obstacles and challenges that stand in the way of the implementation of the Agreement and some of these will be no less formidable than those that had to be overcome in order to achieve the Agreement.”

And so, after all the speeches were delivered, the 1996 Final Peace Agreement, consisting of 154 articles, was signed. And the real hard work began.



## Chapter 5 Analysis, Commentary

First, a quick look at the contents of the Final Peace Agreement and what it was all about:

The Final Peace Agreement of 1996 (FPA) stipulated that its implementation would be in two phases. Phase I would largely be the acceleration of development in Muslim Mindanao and the integration of MNLF fighters into the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP). Phase II would entail the creation of a new autonomous regional government through congressional action and a subsequent plebiscite.

Essential to the implementation of Phase I was the creation and operation of a transition mechanism and structure as provided by the Final Peace Agreement of 1996 (FPA) and as stipulated in the Tripoli Agreement of 1976. To fulfill this provision, the Ramos government issued Executive Order 371 creating the Southern Philippines Council for Peace and Development (SPCPD) “to serve as a special and transitory body to coordinate and promote the economic and social growth and development” of an envisioned Special Zone of Peace and Development (SZOPAD). The SPCPD had a term of three years and was co-terminus with Nur Misuari’s three-year tenure.

Within the SZOPAD were the provinces of Basilan, Sulu, Tawi-Tawi, Zamboanga del Sur, Zamboanga del Norte, Lanao del Sur, Lanao del Norte, Davao del Sur, South Cotabato, Sarangani and Palawan, and the cities of Cotabato, Dapitan, Dipolog, Gen. Santos, Iligan, Marawi, Pagadian, Zamboanga and Puerto Princesa. All of these places had significant Moro populations.

By virtue of EO 371, the Ramos government committed itself to making the SZOPAD “the focus of intensive peace and development

efforts.” Moreover, “public and private investments shall be channeled to these areas to spur economic activities and uplift the conditions of the people therein.”

To carry out its coordination work, the SPCPD had to deliberate with a Consultative Assembly composed mostly of the governors and mayors of the SZOPAD area, 44 members of the MNLF, and 11 nominees of non-government organizations (NGOs) and people’s organizations (POs).

### **A position of derived power**

The SPCPD had neither power of its own nor the capacity to pursue its own development programs. But it enjoyed “derived powers” from the President and it would be headed by a chairman who enjoyed direct access to the President. In this case, “derived powers” means powers exercised on behalf of the President, with the President’s consent and under his control and supervision. There would be no loss of authority on the part of the President; there would be no decentralization.

In effect, strictly and legally speaking, the SPCPD was just another unit within the Office of the President but it was glorified before the public as the equivalent of the Provisional Government stipulated in the Tripoli Agreement. Had the SPCPD worked closely with President Ramos all the time, the implementation of the idea of the SPCPD cum Consultative Assembly as Provisional Government would have been effective in the sense that working through the President, the Council could have greatly influenced the operations of the line agencies and the local government units (LGUs) in the Special Zone of Peace and Development (SZOPAD). That did not happen.

Nurullaj “Nur” Misuari, founding chairman of the Moro National Liberation Front (MNLF), became chairman of the SPCPD by presidential appointment soon after the signing of the Final Peace Agreement (FPA) of 1996. Almost simultaneously, he became head of the existing regional government of the Autonomous Region in Muslim Mindanao (ARMM) as a result of an election in which he ran unopposed, as agreed upon with the administration of President Fidel V. Ramos. Holding these two vital positions, Nur Misuari at that time was the most powerful individual in Muslim Mindanao.

Much was therefore expected of him. He was called upon to make the SPCD work as a transition government, and clean up the ARMM and thus make it more serviceable to the people of the region.

In the years immediately following the signing of the Final Peace Agreement (FPA), events would prove that while Nur Misuari was a great revolutionary, he neither had the taste nor the skill for governance and for navigating the labyrinth of the bureaucracy. An account of those years when he was both ARMM Governor and SPCD Chair would be interesting and instructive. But that would cover a period beyond the scope of this study, which is mandated to address itself to the time before and during 1993-1996, the period of the Peace Talks mediated by Indonesia on behalf of the OIC.

### **Rationale for Negotiation**

The focus of this study, the Formal Peace Talks from 1993 to 1996, constitute but a segment of a peace process that has ranged from the passage of Resolution No. 18 at the Kuala Lumpur meeting of OIC Foreign Ministers in 1974 to the current (2019) operation of a Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) and beyond. For by definition, a peace process “includes a wide range



of activities from a ceasefire achieved by negotiations, signing of peace agreements, disarmament, demobilization and rehabilitation of former combatants (DDR) to nation building to name a few<sup>74</sup>.”

The first point of analysis then is why the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF) got into the peace process in the first place.

On why governments and rebel movements negotiate, Ambassador Wiryono Sastrohandoyo has something to say. It may be recalled that he chaired the four Formal Peace Talks between the GRP and the MNLF. After that stint with the GRP and the MNLF, he went on to negotiate for the Indonesian Government toward a Cessation of Hostilities Agreement (COHA) with Gerakan Aceh Merdeka (GAM) or the Free Aceh Movement, a secessionist rebel movement in the Indonesian province of Aceh. From the vantage of these two experiences, he wrote down his thoughts on negotiation<sup>75</sup>.

“One essential development that must take place before anything else becomes feasible,” he wrote, “is that both sides find sufficient reason to negotiate. This is usually referred to as the recognition or the acceptance of a stalemate.

“It could be that both sides have assessed the situation and concluded that neither of them can win. One side may think that while it can win the armed conflict, a negotiated solution may still be the more attractive alternative. Military victory may be perceived as too costly, or a third party may offer highly desirable incentives for negotiating, or it may exert pressure on the party that is hesitant to negotiate.

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<sup>74</sup> Izumi Wakugawa, “Peace Process: The First Stage toward Realization of Peace”

<sup>75</sup> S. Wiryono, “Indonesia and Southeast Asian Territorial Peace Processes,” p.2

“It often happens that both domestic and international pressures are put to bear on the parties in conflict, or at least the party that is not willing to negotiate. Domestic pressure could be in the form of the sheer weariness of the affected population of interminable bloodshed: the conflict has gone on too long and has impoverished and has inflicted untold suffering on the people.”

Was he thinking of the GRP-MNLF Peace Talks when he wrote this? Or was he thinking of his own negotiation with the GAM? Probably both, for his general observations on the pre-negotiation phase have some application to both.



*Ambassador Manuel T. Yan (center) leads the Philippine Government Peace Panel during the fourth and final round of the GRP-MNLF Peace Talks. Rep. Eduardo Ermita (second from left) directly assisted him as Deputy Chair of the Philippine Government Panel. Senator Santanina Rasul (left) had taken over the place of former Governor Sandiale Sambolayan on the panel after the latter passed away. 28 August 1996, Jakarta. @Copyright AP 2019*

### **Why the GRP negotiated**

It was not long after the Moro rebellion broke out that a deadlock set in. First the MNLF surprised the Philippine military with a blitz in 1973 thereby gaining control of about a dozen towns in Central Mindanao and Sulu. But in 1974, the Philippine military counterattacked on such a massive scale that the MNLF had to revert to guerilla tactics. By 1975, the conflict was trending toward low-intensity warfare. On the whole, there was a stalemate in the battlefields.

In the diplomatic arena, the Philippines also counterattacked: Marcos sought reconciliation with Malaysia and the two Governments set aside the Sabah issue in favor of ASEAN solidarity, as urged on them by Indonesia. The MNLF retained the robust support of Libya and of the OIC as a collective but failed to get into the OIC as a member state.

Moreover, at the Fourth Islamic Foreign Ministers' meeting, Malaysia drafted and pushed for the adoption of Resolution No. 18, which enjoined both the GRP and the MNLF to negotiate toward "a political and peaceful solution to the plight of Filipino Muslims within the framework of the national sovereignty and territorial integrity of the Philippines." What more could the Philippines ask of Malaysia? In spite of Libya, which advocated a harsher position on the Philippines, that Resolution defined the official stand of the OIC on the Mindanao conflict.

The Marcos Government wanted to negotiate because it knew that its relationship with the oil exporting countries of the Middle East depended on their positive perception of how justly it was treating the MNLF. Negotiations would lock that positive perception.

If the GRP did not negotiate, the oil embargo imposed on the Philippines by the Middle Eastern countries that were members of both the Organization of Petroleum Exporting Countries (OPEC) and the OIC would remain in place. An oil embargo would not only paralyze the Philippine manufacturing sector, it would also cripple the Philippine military's mechanized units and limit the Philippine Air Force's capability to provide air cover for its ground forces.

During the presidency of Cory Aquino (1986-1992), the first reason she negotiated with the MNLF was a matter of genuine sentiment: she wanted to fulfill her husband's pledge to attend to the plight of the Muslims of Southern Philippines. She was also feeling grateful that the MNLF strongly supported her election campaign against Marcos in 1986. Finally, there was still the OIC factor: the OIC kept passing resolutions calling on the GRP to negotiate and to genuinely implement the 1976 Tripoli Agreement in letter and spirit.

In the case of President Fidel V. Ramos (1992-1998), he had intended from the very beginning to negotiate not only with the MNLF but also with all other rebel groups, including the National Democratic Front (NDF), the umbrella organization of the Communist movement; the group of military mutineers called Reform the Armed Forces Movement (RAM); and the Moro Islamic Liberation Front (MILF).

This was part and parcel of his strategy of governance that he announced during his inaugural address on 30 June 1992 and at his first State of the Nation Address on 17 July 1992. He was not under external pressure but he wanted very badly a legacy of peacemaking. That was why, in January 1992, while still a presidential candidate, Ramos traveled in secret to Libya and personally approached the Libyan leader Muammar Khadaffy for help in restarting the peace

talks. And, as he explained on many occasions, he ardently sought peace because he knew that without peace, the Philippines could not achieve its economic development goals.



*MNLF Chairman Nur Misuari delivers a statement during the fourth and final round of Formal Peace Talks between the Government of the Philippines and the MNLF in Jakarta on 28 August 1996. Seated with Misuari on the MNLF Panel were Lumad leaders Raja Buntas (in red native attire) and Mai Tuan (right). 28 August 1996, Jakarta @Copyright AP 2019*

### **Why the MNLF negotiated**

On the other hand, Nur Misuari and the MNLF must have anticipated from the very beginning, in the 1970s, that at one point they would have to negotiate with the GRP—with the objective of securing independence and statehood. Or, as they like to put it,

decolonization. Resolution No. 18 took away that possibility from them. The most they could get now was autonomy, which was too little a gain in the estimation of Misuari.

Could Misuari have refused to negotiate? He could have, but the cost would have been unthinkable.

Twenty years later, in the course of Peace Talks with the Ramos Government, Misuari would make this admission: “The primary reason why we had to accept the resolution was because we were terrified at the prospect of being isolated from our brothers in the world... It’s like putting a bar of hot iron down our throats but just the same, we had to accept it otherwise the result would be bad: isolation... So we had to look for a solution within the parameters of an autonomous government<sup>76</sup>.”

What made “isolation” so bad was that it meant a stop to the flow of funds and other forms of support from the OIC countries to the MNLF. In other words, the MNLF was not viable without a lifeline from the OIC and other international Muslim organizations.

### **Early Mediation by the OIC**

In the existing lore of negotiations, a third party is called upon to mediate if discussions are being conducted at a high emotional level and communication between the two parties is poor<sup>77</sup>.

Other reasons for calling on a third party are: the parties have “stereotypic views of each other’s position” and the parties strongly disagree on the issues being negotiated or the principles involved.

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<sup>76</sup> Vitug and Gloria, “Under the Crescent Moon,” p.31; Also Stern, “Misuari: An Official Biography,” p.144

<sup>77</sup> Lewicki, Hiam and Olander, “Think before You Speak,” p. 173

These factors marked the negotiations between the GRP and the MNLF towards the Tripoli Agreement of 1976.

Logically, these factors made it necessary for mediation to take place. Thus, as noted in Chapter 3, the OIC hosted and mediated the first negotiations in 1975, which did not go well and nothing much happened. But at least the GRP agreed to grant autonomy to the Muslims of Southern Philippines.

After the talks were recessed, the OIC sent to the GRP a Nine-point Agenda that had been adopted by the Committee of the Four as the working paper for the resumption of talks. President Marcos instantly rejected it, but the next year when the two sides were negotiating in earnest in Tripoli, those nine points were written into the draft Tripoli Agreement. The OIC Committee of the Four strongly pushed for its adoption while the GRP Panel resisted.

Fortunately for the GRP Panel, it was able to insert the paragraph on the constitutional processes that President Marcos dictated over the phone. And the Tripoli Agreement saw the light of day.

This was a case where the mediator took up the cudgels for one of the negotiating parties, and the other party resisted until it could find a way of accommodating the mediator-supported MNLF position. According to the literature of mediation, biased mediation is not necessarily counterproductive<sup>78</sup>.

It is reasonable to regard the Tripoli Agreement, which represents the second breakthrough in the quest for peace in Southern Philippines, as the product of a rebel-biased mediation combined with a creative solution provided by President Marcos.

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<sup>78</sup> A.A. Julius, "Bias in Mediation: Policy Implications," p.2

### **The mediator as “facilitator”**

The classic idea of a mediator is that of an impeccably neutral one. Ambassador Wiryono Sastrohandoyo described this concept in the paper<sup>79</sup> that he wrote based on his experiences first as mediator and later as negotiator in mediated peace talks.

“The mediator,” he wrote, “is called upon to make an assessment of the chances of success in the ensuing negotiations. It is called upon to be intimately familiar with the history of the conflict or the disputes, the motives and objectives of both sides, their hopes and their fears and their reasons—of which there may be plenty—for not trusting each other completely.

“In most cases, the mediator is expected to prepare the framework documents that will prime up the negotiations, and then to help each side articulate itself so that the other understands... The central problem is how to bring the conflict situation to peace through the practice of effective interpersonal communication.” In brief, the task of the mediator is to help both sides understand each other.

That was why Foreign Minister Ali Alatas instructed the Indonesian mediators, mainly Ambassador Wiryono as Chair of the Formal Talks and Dr. Hassan Wirajuda as Chair of the Mixed Committee, to refer to themselves as “facilitators” instead of mediators. As the historian Anak Agung Banyu Perwita explains: “This role (of ‘facilitator’) was based on the perception that the Moro problem was an intra-state conflict, and that Indonesia did not want to be seen as interfering in the domestic affairs of another country<sup>80</sup>.”

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<sup>79</sup> S. Wiryono, “Indonesia and Southeast Asian Territorial Peace Processes,” p.17

<sup>80</sup> A.A.B. Perwita, “Indonesia and the Muslim World,” p.125



“Facilitator” was a euphemism, at least in this case. In fact, as Ambassador Wiryono and former Foreign Minister Wirajuda would admit in informal conversations, there were times when they brought in their own views in the discussions with the two Panels. It was not only during formal discussions that the views of Indonesia were conveyed. Both Ambassadors Damanik and Hartono made it a practice to put across Indonesia’s position on issues being taken up in the Peace Talks while playing a friendly round of golf with President Ramos. They also did the same during informal talks with Nur Misuari.



*Dr. Hassan Wirajuda (second from left), Chair of the Mixed Committee of the GRP-MNLF Peace Talks, presides over the Eighth Mixed Committee Meeting on 21 June 1996 at the Davao Insular Hotel. With him on the Mediators' Panel were Ambassador to Manila Pieter Damanik (left); Susanto Ismodirdjo (third from left), Deputy Chief of Mission at the Indonesian Embassy in Manila; and Thalib Puspokusomo (right), Minister Counselor on Economic Affairs at the Indonesian Embassy in Manila. Seated behind them were Yuwono Putranto of the Jakarta-based Joint Secretariat and Ms. Yuli Mumpuni Sudarso of the Manila-based Joint Secretariat of the Peace Talks. (Photo: Courtesy of Ambassador Yuwono Putranto)*

### **Rationale for Indonesian mediation**

As to how Indonesia became the mediator of the GRP-MNLF Peace Talks, the relevant developments are described in Chapter 4. The MNLF had demanded that the mediator be an OIC country. Apparently, the OIC Secretariat felt that the Middle Eastern countries were too far away from the events taking place in the Philippines to fully understand and instantly respond to these events.

So, the OIC expanded the Committee of the Four (Saudi Arabia, Senegal, Somalia and Libya) with the addition of two Asian countries, Bangladesh and Indonesia, making it the Committee of the Six.

After the First Round of Exploratory Talks in Tripoli in 1992, in which both sides agreed to talk again, the GRP suggested that the Second Round be held in the Philippines. The MNLF insisted that it be held outside the Philippines. The GRP then proposed Thailand, Singapore, Hong Kong or Jakarta as meeting site. The MNLF chose Jakarta as the only one that could possibly be neutral<sup>81</sup>. Accordingly, the OIC Secretariat proposed to Indonesia to host the Second Round. Indonesia agreed, and a series of historic events followed.

At this point there are a couple of relevant questions: Why did the GRP and the MNLF agree to and request for Indonesian mediation on behalf of the OIC? And what were the motives of Indonesia in agreeing to serve as mediator?

According to Ambassador Wiryono<sup>82</sup>, Indonesia had been widely known as an advocate of autonomy and had resorted to autonomy in addressing separatist movements within its own borders. The GRP was therefore confident that Indonesia would not tolerate, let alone support, any proposals that favored separatism during the negotiations.

At the same time, Indonesia is a Muslim country, the country with the largest Muslim population in the world, and that Muslim population had been known to be sensitive to the plight of Muslims elsewhere in the world. That is why until today, Indonesia is an ardent advocate of statehood for Palestine. Hence, the MNLF must

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<sup>81</sup> Iribani, "Give Peace a Chance," p.64

<sup>82</sup> Interview with Ambassador Wiryono, June 2019

have been confident that Indonesia would never be a party to any injustice done to the Muslim minority in Southern Philippines.

What Ambassador Wiryono did not mention was a fact reflected in the relevant reportage and political literature of that period—that both President Ramos and Nur Misuari had deep respect for Indonesia's President Suharto and the wisdom that he was always ready to share with other leaders.



*Indonesian President Suharto receives MNLF Chairman Nur Misuari in a private audience on 13 December 1996. Misuari who was also then Governor of the Autonomous Region in Muslim Mindanao (ARMM) and Chair of the Southern Philippines Council for Peace and Development (SPCPD), was in Jakarta to brief a meeting of Foreign Ministers of the OIC on the progress of the implementation of the Final Peace Agreement (FPA) between the Philippine Government and the MNLF. the progress of the implementation of the Final Peace Agreement (FPA) between the Philippine Government and the MNLF. @AP/Anuwar*

As to the motives of Indonesia in mediating the Talks, the speech of Foreign Minister Ali Alatas at the opening of the Second Exploratory Talks in Cipanas in April 1993 is probably sufficient explanation. He referred to Indonesia being a neighboring country and a fellow member of ASEAN, as well as to the constitutional mandate for the Government to contribute to a world of greater peace, justice and security.

The mention of ASEAN here is significant: Indonesia has always put a premium on ASEAN solidarity as a prerequisite of regional security. Indonesia was also aware that the security situation in the southern backdoor of the Philippines could not be separated from the security situation in Eastern Indonesia and the rest of the country.

Indonesia had the confidence and the skill to mediate even a difficult peace negotiation. At that time, Minister Alatas had just served as co-president (with the French Foreign Minister) of a successful peace process involving 19 nations and entities in the international community and the four factions in the decades-long Cambodian civil war. The GRP and the MNLF were well aware of this fact.

### **Indonesia prepares to mediate**

When Indonesia agreed to mediate, it did not have to undertake elaborate measures in order to prepare itself for the role. As Foreign Minister Ali Alatas would attest during the talks, "Since the outbreak of the conflict in 1972, Indonesia being a close neighbor and fellow member of ASEAN, has followed developments in Southern Philippines with great concern."

Indonesia's familiarity with the situation in Muslim Mindanao was demonstrated by the fact that Ambassador Wiryono on various occasions could inform OIC meetings of the true nature of the

violence in Mindanao that was sensationalized by Moro informants. Indonesia had always stressed that the mass killings in Mindanao had both Muslim and Christian victims, these being cases of communal violence and not genocide.

Psychologically, the Indonesian mediators were fully prepared for their role. The experience of dealing with four sets of Cambodian negotiators whose animosity to one another was seething and palpable, who would not even face one another but would turn their back on one another when seated in the same room, more than prepared the Indonesians to deal with two panels that, in spite of the differences in their positions on issues, were at least talking politely to each other.

Indonesia also took organizational measures to prepare for mediation. The Foreign Ministry's Directorate on East Asian and Pacific Affairs, the Directorate for International Organizations and the Indonesian Embassy in Manila carried out briefings and discussions on substantive issues. The Directorate for International Organization, which dealt with the OIC, was designated as the base of the Secretariat for the Negotiations.

The mediation as well as the negotiations was arranged in a hierarchy. Foreign Minister Ali Alatas was on top of everything, laying down policies and giving guidelines. Ambassador Wiryono Sastrohandoyo, a veteran of the Cambodia Peace Process, would chair the Formal Peace Talks. And Dr. Hassan Wirajuda, an up-and-coming young diplomat with a sterling academic record, would be Chair of the Peace Talks Secretariat. He would eventually be named Chairman of the Mixed Committee that was stipulated in the Tripoli Agreement.

In order to support Indonesia's role in mediating the Peace Talks, Minister Ali Alatas assigned a highly regarded middle level diplomat, Santoso Ismodirjo, as Deputy Chief of Mission of the Indonesian Embassy in Manila for the duration of the Peace Talks. At that time, Mr. Santoso was political officer at the Indonesian Embassy in Tokyo and was contact person for the implementation of the Paris Accords on Cambodia of 1991, particularly in the pursuit of reconstruction projects funded by the Japanese Government.

In the same vein, Ms. Yuli Mumpuni, a political officer who had been involved in the Cambodia Peace Process and who had been expecting to be assigned to the Indonesian Mission in New York, was diverted to Manila on orders of Foreign Minister Alatas<sup>83</sup>.

Only four were handpicked by Minister Alatas to play a role in the Peace Talks: Ambassador Wiryono, Dr. Wirajuda, Minister Counselor Santoso, and Ms. Yuli Mumpuni. They were chosen solely on the basis of Minister Alatas's personal evaluation of their past performance. There was no method and there were no objective criteria involved in their selection. All the other Indonesian officials involved in the Peace Talks assumed their respective roles on an ex-officio basis.

Thus, Ambassador Pieter Damanik served as Chair of the Joint Ceasefire Committee (JCC) by virtue of the fact that he was the Indonesian Ambassador to the Philippines. The same was true in the case of Ambassador Abu Hartono who succeeded Ambassador Damanik.

During the first two meetings of the Ad-hoc Working Group on the Transitional Implementing Structure and Mechanism, Minister

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<sup>83</sup> Interview with Ambassador Yuli Mumpuni, February 2019

Counselor Yusbar Djamil represented Indonesia as Chair of the OIC Ministerial Committee of the Six. Thereafter, Deputy Chief of Mission (DCM) Susanto Ismodirjo represented Indonesia in the Ad-hoc Working Group.

Minister Counselor for Political Affairs Rahardjo Mustadjab chaired the Support Committee for National Defense and Regional Security.

Minister Counselor for Information, Andreas Sitepu, chaired the Support Committee on Education.

Dr. Thalib Puspokusumo, Minister Counselor for Economic Affairs, chaired the Support Committee on the Economic and Financial Systems, Mines and Minerals.

As coordinator of the Joint Secretariat based at the Indonesian Embassy Ms. Yuli Mumpuni did all the necessary contact work, arranged for all the necessary logistical support, took notes, and drafted the reports.

### **The MNLF Prepares to Negotiate**

To prepare for the resumption of Peace Talks with the GRP, the senior leaders of the MNLF held a series of meetings in Manila that were presided by Dr. Abdurahman Amin, Liaison Officer to the OIC, and Secretary General Muslimin Sema. Some of the important points taken up during the meetings were the following<sup>84</sup>:

The Tripoli Agreement must be the basis of the negotiations—because it guaranteed the international status

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<sup>84</sup> Iribani, "Give Peace a Chance," p.65-67. These paragraphs were based on the personal notes of Abraham Iribani.



to the Bangsa Moro struggle, and ensured its link to the OIC member countries.

The MNLF had reliable information that the GRP would consider the Tripoli Agreement as only one point of reference. Another would be the Organic Act that created the ARMM, the law known as Republic Act 6734. The GRP would contextualize the talks within the parameters of the 1987 Constitution.

The MNLF would continue to reject the ARMM but if the GRP postponed ARMM elections, the MNLF would consider it a confidence building measure.

The MNLF had received information that the GRP was willing to amend the ARMM law and increase the number of provinces within the autonomous region from four to seven or eight.

The GRP wanted a ceasefire and would move to have a ceasefire agreement signed during the talks in Jakarta.

Davao, South Cotabato, and Sarangani were expecting an economic boom. Those were within the territory of the autonomy defined in the Tripoli Agreement. The GRP was expected to object to their inclusion in the autonomous region.

The MNLF needed to talk with the Christian leaders to get them to support autonomy. The MNLF should devise a system to ensure a balanced relationship among the Muslims, the Christians, and the Lumads.

The MNLF should convince Muslims through “the logic of economic realities” to support autonomy.

The question was brought up: if the GRP did not agree to expand the region of the autonomy to the original 13 (now 14) provinces, what would be the MNLF counterproposal?

The MNLF should prepare to counter the GRP stand on constitutional processes.

It should be recognized that in both the MNLF and GRP sides, there were conservatives or “hawkish” minds as well as open-minded ones.

If the talks did not move forward smoothly, the MNLF should not be too ready to walk away, as it did during the peace talks with the Cory Aquino administration.

One MNLF Panel member expressed reservations on Indonesia mediating and hosting the Peace Talks because in all the OIC meetings, Indonesia never supported the MNLF.

An MNLF military officer suggested that if the Peace Talks failed, military action should be launched no matter how light or limited—to prevent demoralization of the MNLF.

The MNLF had reliable information that Haydee Yorac, Chair of the National Unification Commission, was about to resign and would not participate in the Peace Talks. This was probably disappointing news to the MNLF since Ms. Yorac, the author of “The Six Paths to Peace,” was a well-known advocate of social justice.

The outcome of the series of MNLF leaders’ meetings showed that they had excellent intelligence and were deeply aware of the basic

political issues. But at that time, there was no evidence that position papers were being prepared on social issues that they would bring into the Talks. They were still talking of reaching out to the Muslim, Christian and Lumad communities, instead of already responding to their findings on the needs, aspirations, and concerns of these communities.

This is understandable. With all the intellectual resources available for its purposes, the GRP itself did not begin to undertake in depth social research for purposes of peacebuilding until the start of the Ramos administration.

### **The GRP prepares to negotiate**

The preparations on the GRP side were comprehensive and in-depth, especially when it came to consulting with a cross section of Philippine society at the grassroots level. Early on during his administration, President Ramos created and instituted a National Unification Commission (NUC) and tasked it with the formulation of a national peace program based on consultations with the people at the grassroots level.

Headed by the highly respected lawyer and politician Haydee Yorac, the NUC in ten months produced a report based on grassroots consultations in 71 out of 76 provinces. It recommended “Six Paths to Peace” that would serve as the statement of the guiding philosophy of the GRP’s peace negotiations and also the overall peace program. The Six Paths to Peace, presented in detail in Chapter 4, is actually a formula for reform in governance that recognizes social grievances and inequities as the real causes of conflict.

After that, the GRP Panel crafted a manual of negotiation that contained the projected best results that each side could hope for

under the most favorable scenarios of negotiations to each of them; a summary of the major points of contention between the two sides if they did not choose to compromise, the limits that the Government would impose upon itself in negotiations, and a proposed step-by-step negotiation process.

President Ramos himself laid down three objectives for the GRP Panel to pursue in the negotiations:

1. The return of the MNLF into the national mainstream;
2. The attainment of lasting peace and security under a meaningful program of Muslim autonomy; and
3. The establishment of a fair and constructive consensus with the Islamic world to attain these objectives.

The GRP Panel identified “four points of potential confrontation” in the negotiation:

1. Republic Act 6734, the Organic Law that created the ARMM as a basis of the Formal Talks, side by side with the Tripoli Agreement. To the GRP this was necessary to maintain its constitutional position. The MNLF simply refused to recognize it.
2. The need for a new Organic Act to implement the results of the negotiations. This new Organic Act would amend RA 6734, and its passage would be the first of two constitutional processes toward the implementation of the Agreement that the two panels would be able to conclude. The MNLF would rather skip this step.
3. The holding of a plebiscite that would be the final step toward making the Agreement implementable. The MNLF had always been against any plebiscite in relation to the Tripoli Agreement.

4. The issue of the Provisional Government. To the GRP, the Provisional Government could only be created after a plebiscite had confirmed the area and the nature of autonomy; and the Provisional Government would be run by a collective leadership that included the MNLF. To the MNLF, the Provisional Government must be created and its officials, all of them to be proposed by the MNLF, would be appointed right after signing of the Agreement.

The GRP Panel went into negotiations bracing itself for an intensive and difficult discussion over these points of contention.

### **The Conduct of the Peace Talks**

A leading author in the field of negotiation and conflict resolution contends that in classical negotiations there are five possible strategies that the negotiators may choose to adopt<sup>85</sup>:

1. The Avoiding Strategy, in which one or both parties refuse to negotiate, or a negotiator may still stick around but does not actively negotiate. This is resorted to when the outcome is seen as of low value or even harmful and one's relationship with the other party is not considered important.
2. The Accommodating Strategy, where the relationship with the other party is more important than the outcome, and so the negotiator focuses on preserving or building the relationship and pays little or no attention to the outcome thereby tending to make big concessions to the other party.

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<sup>85</sup> Lewieki, Hiam and Olander, "Think before You Speak: A Complete Guide to Strategic Negotiation, p.54-69

3. The Competitive Strategy, where the outcome is more important than the relationship, since the outcome is seen as “finite and limited in amount or size.” The competitive negotiator therefore seeks to win as much of the limited pie as possible, and will use any means to achieve this, even at the expense of their relationship with the other party.
4. The Collaborative Strategy, where the two sides consider both the outcome and the relationship as equally important. Both sides, therefore, seek ways to pursue their respective goals so that both are achieved. In this strategy, there has to be plenty of trust and goodwill between the two parties. Both sides must be committed to: (a) understanding the other side’s needs and objectives; (b) ensuring a free two-way flow of information; and (c) meet the needs of both sides. Effective communication is necessary so that the underlying needs—not just the stated needs—of both sides are addressed by both sides.
5. The Compromising Strategy, in which both sides gain something but may have to modify their priorities or make sacrifices in terms of the outcome and the relationship between the parties. This strategy is resorted to when both parties see that a perfectly collaborative relationship is not possible.

In real life, negotiators do not decide to adopt one of these strategies and then stick to it all the time and on all issues. Such a consistency is seldom possible.

### **Negotiation as collaboration**

In the case of the GRP-MNLF Peace Talks, the recollections of some of the key individuals involved give the impression that the

Collaborative Strategy of negotiation was applied consistently during the negotiations.

President Fidel V. Ramos, in his book, "Break Not the Peace," referred to the theory of integrative as opposed to distributive negotiation. "The GRP-MNLF talks in themselves," he wrote, "were not bargaining sessions but more a mutual search for solutions. They followed the classic model of constructive, rather than adversarial, encounters between parties not necessarily sitting across each other, but standing alongside each other in viewing the horizon of possibilities."

He was actually referring to the Collaborative Strategy as opposed to the Competitive Strategy but using the terminologies of another author of negotiation literature. Abraham Iribani, the Emissary of Chairman Nur Misuari and Chairman of the MNLF Secretariat for the Peace Talks, in his own book on the negotiations, "Give Peace a Chance," corroborated the recollections of President Ramos, using the term "Principled Negotiation" by "Cooperative Partners."

"In principled negotiations," Iribani wrote, "the parties 'invent options for mutual gain, develop multiple options to choose from.'" He went on to explain that as principled negotiation is a paradigm of rationality, the parties apply reason and are open to reason.

Two factors were conducive to the Collaboration Strategy: First, the hierarchical organization of the talks, where the issues were first discussed and their solutions explored at the technical level in the Support Committees, and their recommendations were submitted to the Mixed Committee for further refinement, and then finally submitted to the Formal Peace Talks.

As President Ramos himself observed: "I could say that the plenary sessions proved to be highly contentious but the committee level

discussions were in large measure more of problem-solving sessions leading to (the achievement of) common objectives. The latter dispensed with the usual ceremony and formalities, and brought the issue to a more focused, down-to-earth level.”

The second factor was the decision to tackle the less contentious issues first, while reserving the more contentious ones for a time when there would already be a pile-up of points of consensus. It is easier to cooperate on issues where much common ground already exists and is apparent. When such cooperation is carried out a number of times, it becomes a habit. It builds not only a shared sense of accomplishment on the part of the negotiators but also a sense of mutual trust. It may well be said that this practice of tackling the less contentious issues first was actually a confidence-building measure.

### **An issue avoided**

But the Collaborative Strategy was not always the strategy of choice during the negotiation. There was one unmistakable instance when both sides adopted the Avoiding Strategy: this was on the issue of the disarmament of the MNLF fighters after the signing of the agreement. In most cases of conflict resolution, provisions on the Disarmament, Demobilization, and Rehabilitation (DDR) of former rebel combatants form an important part of the peace agreement. In the case of the Final Peace Agreement of 1996, there is no comprehensive DDR, but there are provisions on the integration of qualified former MNLF fighters into the Armed Forces and the National Police.

This lack of a DDR in the FPA was soundly criticized by various sectors of society. A study by the University of the Philippines Department of Political Science showed that during the three-year



period after the signing of the FPA, there was a large increase in the number of firearms in Mindanao, which had a negative impact on the peace and order situation.

It is not the case that nobody thought of DDR during the Peace Talks. Nabil Tan tried to bring the subject up with MNLFC Chairman Nur Misuari during a discussion in the meeting room of the Panels<sup>86</sup>. According to Nabil Tan, the MNLFC Chairman did not respond to the suggestion of discussing disarmament. Misuari just casually stood up and wandered out of the room to a spot outside where there was a group of media reporters with whom he spent time, giving them a press briefing.

Apparently, the MNLFC never intended to disarm and demobilize. This was with the knowledge and tolerance of President Ramos himself. In his book on the Peace Talks, he wrote:

“There is a critical need to keep a strategic view always and to refuse to be muddled or stampeded by tactical pressures. This is one reason why the Government, during the negotiations did not force the issue of demobilizing or disarming the MNLFC. Forcing the issue would have simply led to an unresolvable impasse. The strategic objective of having a final peace agreement signed – with its attendant political, economic, social and cultural benefits – was more important than belaboring any issue that struck deeply into the honor and prestige of the other party<sup>87</sup>.”

President Ramos’s view is understandable and he may have a point. He personally led the defense of the Philippine Constabulary provincial headquarters, Camp Amai Pakpak, during the Marawi

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<sup>86</sup> Interview with Nabil Tan, 1 April 2019

<sup>87</sup> Ramos, “Break Not the Peace,” p. 102, 103

Uprising of 21 October 1972. He knew that one of the main causes of that uprising was the false rumor that Martial Law, declared a month earlier, was aimed at disarming the Muslims in order to forcibly convert them to Christianity. And as a highly trained military officer, he knew the history of the pacification of the Moro Province during the period of American colonization, when the American military waged a campaign of disarmament that was fiercely resisted by the Muslims of Southern Philippines, leading to such bloodbaths as the Massacre of Bud Dajo and the Battle of Bud Bagsak.

### **The land: Another missing issue**

Less easy to explain than the absence of a DDR provision is the lack of a provision in the FPA on the ancestral lands of the Moros, an issue that represents a deep and prolonged grievance among the Moros. Since the start of American rule at the beginning of the 20<sup>th</sup> century, a succession of Manila-based governments adopted policies that had the effect of depriving the Moros of their ancestral lands. In fact, this was one of the root causes of the Moro separatist movement.

One explanation for this apparent neglect is that during the Peace Talks, there was so much focus on the Tripoli Agreement as basis of discussion, and the Tripoli Agreement itself had no provision on ancestral land either. It is relevant to note that the main body of the provisions of the Tripoli Agreement was based on the Nine-point Agenda authored by the OIC in consultation with the MNLF, and of course, the OIC had no awareness of the ancestral land issue.

Another conjecture that may be offered in this regard is that Nur Misuari and most of his aides are Tausugs whose native archipelago does not boast large tracks of land. That may be the reason the MNLF did not feel deeply enough about this issue to bring it into the Peace

Talks, unlike the MILF in which Maguindanaons and Maranaos predominate. These are ethnic groups populating Central Mindanao where vast tracks of ancestral land, over the decades, were lost to Christian settlers from the North and to multinational and Manila-based corporations.

Later, this lack of a provision on ancestral land in the FPA was more than made up for by the MILF when it sought and concluded a Memorandum of Agreement on the Ancestral Domain with the GRP under the administration of President Gloria Macapagal Arroyo. The Philippine Supreme Court struck down the agreement as unconstitutional but the issue was kept alive and resolved in later negotiations under the administration of President Benigno S. Aquino III.

### **Falling back on the Compromising Strategy**

While the GRP Panel and the MNLF Panel were negotiating with each other, there were also internal negotiations taking place on each side. This was particularly true in the case of the Transitional Structure and Implementing Mechanism stipulated in the Tripoli Agreement, which assumed the form of the Southern Philippines Council for Peace and Development (SPCPD) in the latter part of the GRP-MNLF Peace Talks.

It was a stark political reality in the Philippines at that time that while the administration of President Ramos had effective control of the House of Representatives through his political ally, Speaker Jose de Venecia, it did not have a similarly strong influence on the Senate. As a collective, the Senate had long enjoyed a reputation for independence from the Executive Branch of Government.

When the Senate of the Philippines learned of the “Davao Accord” on the SPCPD, it constituted itself into a Committee of the Whole on 10 July 1996. Then, it held public hearings on the negotiations, particularly on the issue of the powers of the SPCPD. At the same time, various groups in the country were vocal about their reservations on the SPCPD. Particularly notable was the Pastoral Letter of the Catholic Bishops Conference of the Philippines (CBCP), which raised specific concerns on the imperatives of equal representation, the separation of Church and State, and the freedom of religion and expression.

After holding eight public hearings in Mindanao on the conduct of the negotiations, the Senate on 23 August 1996 passed a resolution containing a set of recommendations on the SPCPD. On the whole, the recommendations of the Senate were constructive and it reasonably addressed the concerns of the Catholic Bishops, but they also tended to weaken the SPCPD as an institution. One glaringly debilitating recommendation was the removal of the SPCPD’s power of “control” over agencies placed under its supervision<sup>88</sup>.

On the other hand, Nur Misuari himself was negotiating on the issue of the SPCPD with two groups: first, the body of MNLF leaders who were unanimously and strongly against the SPCPD; second, the OIC itself that had decided during the final weeks of the negotiation to espouse the GRP proposal on the SPCPD as the ultimate offer that would bring about a Provisional Government as stipulated in the Tripoli Agreement. There was a point when the OIC, through the three ambassadors - Mohsin of the OIC Secretariat, Azzarouq of Libya, and Hartono of Indonesia - no longer bothered to be subtle in pressuring Misuari to accept the GRP position.

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<sup>88</sup> Ramos, “Break Not the Peace,” p. 89

In the end, Nur Misuari accepted the GRP-proposed, OIC-adopted provision on the SPCPD. In turn, he persuaded his MNLF leaders to go along with the idea. This decision represented an adjustment of MNLF priorities in order to avoid a total loss through a breakdown of the negotiations, and to preserve the MNLF's relationship with the OIC. He could not have done otherwise without risking "isolation" from the OIC and from "our brothers in the world of Islam."

President Ramos, too, had to fall back on his own Compromising Strategy, since he needed the Senate to pass the Organic Law that would validate the Final Peace Agreement. If a major rift ensued between President Ramos and the Senate on this issue, the latter could pass an Organic Law that did not at all support the Final Peace Agreement.

And so, "the Final Round of the Peace Talks witnessed a valiant effort of the Government Panel to strive for the promised adjustments and realignments of which we (the Ramos administration) had assured the Philippine Senate<sup>89</sup>."

As if that capitulation was not enough, six senators, nine members of the House of Representatives, and a provincial governor petitioned the Supreme Court to nullify the Final Peace Agreement on grounds it violated the Constitution<sup>90</sup>. They claimed that the Agreement would give undue power and authority to the Muslims of the Autonomous Region, and that in the provisions on the Transitional Structure and Implementing Mechanism, the Executive usurped the powers and functions of the Legislature.

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<sup>89</sup> Ramos, "Break Not the Peace," p.94

<sup>90</sup> Eric Gutierrez, "The Politics of Transition," Accord 1999, p.67, 68

The Supreme Court decided that the petition was premature, since the Ramos Government had not yet issued the Executive Order on the Transitional Structure and Implementing Mechanism. When the Office of the President finally issued Executive Order 371 on the Transitional Structures, the document had been precisely crafted to doubly ensure against any allegation that it violated the Constitution. The result was the further watering down of an SPCPD that was already watered down through compliance with the demands of the Senate.

For example, the allocation of funds for the Transition Structure mentioned in the Agreement was no longer reflected in the Executive Order. The seven government agencies operating in the Special Zone for Peace and Development (SZOPAD) were no longer mentioned in the EO. Nevertheless, the SPCPD came into existence, a misbegotten child of a Strategy of Compromise<sup>91</sup>.

### **A meeting of two strategies**

In the spectrum of strategies that may be used in negotiations, the Accommodating Strategy and the Competitive Strategy represent two extremes: one strives to preserve or enhance relationship with the other party without regard for outcome; the other would profit from the outcome as much as possible without any care for the negotiator's relationship with the other party.

There was at least one instance during the Peace Talks when the GRP Panel resorted to the Accommodating Strategy while at the same time the MNLF, actually Nur Misuari himself, wielded the Competitive Strategy. This was on 6 November 1993 when he

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<sup>91</sup> Eric Gutierrez, "The Politics of Transition," Accord 1999, p.68

received a report that President Ramos had attended the anniversary celebration of the ARMM and delivered a speech there.

Misuari reacted to the report with seething fury and he threatened to walk out of the Talks unless all references to the ARMM and its Organic Act, RA 6734 were struck out from the records of the Peace Talks. To him, the very existence of the ARMM was proof of the insincerity of the Cory Aquino administration in dealing with the MNLF.

After consulting with President Ramos, the GRP Panel agreed to delete all mention of the ARMM and RA 6734 in the Memorandum Agreement and the Executive Summary that were to be the outcome documents of the First Round of Formal Peace Talks. Nur Misuari finally decided to return to the negotiating table after calming down in the course of a one-on-one meeting with Foreign Minister Ali Alatas.

In this case, Nur Misuari got all that he wanted without conceding anything to the other party, while the GRP Panel completely relented and got nothing in return except the continuance of the negotiating relationship with the MNLF Panel. To President Ramos, it would be nice if the Talks also used the ARMM and RA 6734 as reference points, but he knew the GRP side of the peace process could live without them.

It is therefore reasonable to say that the Accommodating Strategy works, but only in cases where the outcome is not of very high value and the value of the relationship outweighs that of the outcome. Moreover, the impact of the accommodation is only temporary; it should be felt most during the early part of the negotiation. In fact, in a prolonged negotiation where scores are kept, one side could say:

“Okay, I let you win now, and I agree to getting nothing in return. But one of these days you have to let me win<sup>92</sup>.”

The Competitive Strategy also works, but the side that employs it must have a strong leverage on the other side. Nur Misuari had a strong leverage when he threatened to walk out during the First Round of Formal Talks—the prospect of the embarrassment that the walkout could bring to the host and to the opposite Panel, was a jolt—but a momentary jolt. It is doubtful if he could have done it a second time. The leverage that Nur Misuari often used was the threat of returning to the battlefield in order to fight once again for “decolonization.” At one time, this was probably a hefty leverage, but never did it outweigh the GRP’s commitment to the Philippine Constitution.

The GRP did not have a strong leverage on Nur Misuari or the MNLF, but the mediator, the OIC, had—and that was Misuari’s fear of the MNLF being isolated from the community of Islamic states. In moments of candor, he spoke of that fear to friends and supporters. When the OIC used that leverage to push for the offer of the GRP on the SPCPD, Nur Misuari could only delay but could not prevent his capitulation. He had to fall back on a Strategy of Compromise.

### **The Constitution, sovereignty, autonomy**

Especially during the early stages of the Peace Talks, the two negotiating Panels spent time debating on the applicability of the Philippine Constitution on the Tripoli Agreement.

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<sup>92</sup> Roy J. Lewicki, “Think Before You Speak: A Complete Guide to Strategic Negotiation,” p.124



MNLF Chairman Nur Misuari argued that since the Moro people were not represented in the Commission that drafted the 1987 Constitution, he had reason to reject it per se and to reject its applicability on the Tripoli Agreement. It is true that there was only token Muslim participation in the Constitutional Commission of 1986. But this argument is shattered by the fact that in the relevant plebiscite early the following year, 77.04 percent of the electorate voted for this Constitution, with Misuari's native Sulu Province voting a massive 95 percent "Yes."

At one point, the argument was raised that an international agreement superseded the Constitution. The argument seemed to impress no one.

On one occasion, Indonesian Ambassador Pieter Damanik engaged one of the MNLF Panelists, Secretary General Muslimin Sema, and told him candidly that he could sympathize with the insistence of the GRP Panel on the applicability of the Philippine Constitution to the Tripoli Agreement, since Indonesia also had a constitutional system of government. The fact is that most Indonesians always speak of their 1945 Constitution in a tone of reverence.

It was clever of President Marcos to cause the insertion into the Tripoli Agreement of a sentence that goes: "The Government of the Philippines shall take all necessary constitutional processes for the implementation of the entire Agreement." That sent a clear message that each and every provision was subject to a possible test of constitutionality. What was never brought up in the discussions of the Peace Talks was the fact that with or without that provision, the Tripoli Agreement and all its provisions were subject to a possible test of constitutionality.

When Ambassador Yan said that the issue of the Constitution must be seen in the light of national sovereignty, a discussion followed on the nature of sovereignty. The GRP Panel maintained that sovereignty resided in the people and that nothing was possible by way of governance without the consent of the people. Misuari argued that in Islam, sovereignty belonged to Allah, but this was exercised and manifested through the people. “The voice of the people is the voice of God,” he said. Hence, the sovereignty of the Bangsamoro people must also be recognized as represented by the MNLF. At length, both panels seemed to realize that they had no disagreement on the nature of sovereignty. The only question was whether the MNLF was the “sole and legitimate representative of the Bangsamoro people.” Ambassador Yan said he would refer the question to President Ramos. Apparently, it was not brought up again.

At this point, Ambassador Mohsin of the OIC asked both Panels to give their views on what autonomy really means. The question was lost in the welter of debate over the Constitution and sovereignty. The final answer to that question should be in the final agreement that would result from the Peace Talks.

Moro educator Dr. Macapado A. Muslim wrote a relevant thought on this question in 1999 as a way of evaluating the Final Peace Agreement of 1996. Two things, he said, are essential for meaningful Moro autonomy:

1. The capability to be adequately self-sustaining, and not dependent on the Central Government. A basic aspect of this is financial capacity. Autonomy for Muslims is a sham if they are not given sufficient internal financial capacity.
2. Some degree of compensatory justice for the Muslims. This means that the regional government must have the capability to

correct or make up for some of the past injustices (i.e. neglect, discrimination and the plunder of their resources). Muslims cannot be expected to embrace autonomy in their present dispersed, disadvantaged, and impoverished situation. Autonomy for them must include a capability to overcome the crippling effects of their depressed and unjust conditions.<sup>93</sup>

### **The ASEAN Spirit**

From the time that the plight of the Muslims of Southern Philippines was first brought to the attention of the OIC in the early 1970s, Indonesia has always approached the issue with ASEAN on its mind.

On this, historian Anak Agung Banyu Perwita wrote: “The position of Indonesia on this matter was that it wished to exclude the Moro problem from the major attention of the OIC. Indonesia sought to maintain the principle of solidarity and mutual help among ASEAN members by lobbying the OIC not to release any strong resolution on the Moro issue. The major consideration of Indonesia’s diplomacy in the OIC on the Moro conflict was that, in the early years after the establishment of ASEAN, it was important for Indonesia to have good bilateral relations and avoid political friction with the Philippine Government. As a senior diplomat argued, “[to] support the deep concern of the OIC members to the Moro problem, would only create a political disadvantage for the unity of ASEAN.”

During the Peace Talks, Foreign Minister Ali Alatas expressed the Indonesian approach with a metaphor: “Indeed the Philippines is an integral element of the ASEAN body politic and any pain or disaster

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<sup>93</sup> Macapado A. Muslim, “Sustaining the Constituency of Moro Autonomy,” Accord 1999, p.28

suffered by one part of that body politic is bound to distress all the other parts.”

Another way of describing Indonesian foreign policy on the Moro problem was in terms of concentric circles, in which the Philippines and the rest of ASEAN were in the innermost circle. To Indonesia, peace must first be secured within its immediate neighborhood, meaning ASEAN.

From 1993 to 1996 at all meetings of ASEAN Foreign Ministers, Minister Alatas always incorporated into his country statement a report on the progress of the Peace Talks. And as noted in Chapter 4, President Suharto at the signing ceremony of the Final Peace Agreement in Merdeka Palace emphasized that the Agreement was a contribution to ASEAN's Zone of Peace, Freedom and Neutrality (ZOPFAN) and in line with the Treaty of Amity and Cooperation (TAC) in Southeast Asia. He also expressed the hope that it would boost the development of BIMP-EAGA.

A diplomat from an ASEAN country once asked: Where was ASEAN in the GRP-MNLF Peace Talks? The answer is obvious from a reading of the records: ASEAN was all over the place. It is not in the letter of the Final Peace Agreement, but it is in the spirit.



## Chapter 6 Some Lessons Learned

Reading the available literature on the GRP-MNLF Peace Talks of 1993-1996 and talking with some of the people who took part in this historic process can lead to a number of notions about the nature of conflict and conflict-resolution. These may or may not be useful in addressing future conflicts and in carrying out the negotiations to resolve these conflicts.

As the saying goes, experience is the best teacher, even if it sometimes charges too much. There is a caveat to this conventional wisdom, however. As Ambassador Wiryono Sastrohandoyo, the Indonesian diplomat who presided over the Formal Peace Talks, likes to point out: no two conflicts are exactly alike. Each demands its custom-made resolution. And no two observers may be exactly alike in their conclusions as to what lessons may be learned from a study of the process.

With that proviso in mind, here are some lessons that may be learned from a process of conflict resolution between the GRP and the MNLF from 1993 to 1996 as mediated by Indonesia.

### **1. Nurture the human factor.**

On the government side, negotiators are often diplomats, high-ranking diplomats and politicians, while on the rebel side they could be individuals from various professions who happened to have led the fighting for their cause. What they have in common is their humanity. They are all social animals.

So long as negotiators see their counterparts as mere representatives of goals and objectives that are competitive with their own goals and objectives, there can only be an adversarial relationship between the

two sides. But once negotiators see their counterparts as flesh-and-blood human beings like themselves, who would like a break from dreary argumentation in order to enjoy a good meal and a genial conversation in which no negotiating objective is at stake, who can share a good joke or a childhood memory over a cup of coffee, who also long to be back home with their families—the atmosphere changes. Negotiators become more informal, more relaxed, more open to a collaborative working relationship.

That is why the Indonesian mediators of the GRP-MNLF Peace Talks considered it part of their functions to provide occasions and venues for social interaction. They organized group shopping expeditions and visits to Jakarta's tourist attractions, mixing the two negotiating parties together. Thus, the negotiations produced not a few lifelong friendships.

And thus, when the Talks were temporarily bogged down by conflict of negotiating positions, it could still forge ahead on the power of human relations. It is well known that on several occasions when Nur Misuari was already inclined to walk away from the negotiations and sulk in the Middle East, he was convinced to return to the negotiating table by an old friend, a buddy from the days when they were both anti-Marcos activists at the University of the Philippines, Ruben Torres, who happened to be President Ramos's Executive Secretary.

It has often been said that negotiations can succeed only if there is a sufficient measure of trust between the two sides. To this, the notion must be added that trust is born and grows at the personal level, and becomes particularly robust when it is attended by genuine friendship.

## **2. Organize for collaboration.**

Much of the progress of the Peace Talks at any given time could be attributed to the way the negotiations were organized: in a hierarchy.

The nitty-gritty of eight sets of issues was tackled first at the technical level by the five Support Committees and one Working Group—on the Transitional Implementing Structure and Mechanism. Each of these was composed of representatives of the negotiating parties and chaired by an Indonesian official as representative of the OIC. The representatives of the negotiating parties were highly skilled and experienced in their respective fields. Their meetings, all held in the Philippines, were problem-solving brainstorming sessions. It was at this level that the collaborative spirit was pervasive.

The shifting venue of the meetings was deliberate: in order to ensure that the Committee members got a feel of the sentiments of the people in various places, and for people to become more aware of the ongoing peace process.

The Support Committees reported to the Mixed Committee, the same Mixed Committee created by the Tripoli Agreement to study in detail the points left for discussion by that Agreement. The Mixed Committee, chaired Dr. Hassan Wirajuda, reported to the Formal Peace Talks chaired by Ambassador Wiryono and where Ambassador Yan and Chairman Nur Misuari, respectively, led the GRP and MNLF Panels. Nur Misuari usually led the MNLF Panel in Mixed Committee meetings.

Indonesian Foreign Minister Ali Alatas kept tab on all proceedings by telephone and visits to the meeting sites. He was directly responsible to President Suharto for the conduct of the Peace Talks.



This hierarchical organization was given all the logistical support that it needed as well the time and opportunity to do its job. Hence, the Peace Talks involved 70 meetings at the technical level; seven informal consultations; nine Mixed Committee meetings, eight of them held in Southern Philippines, one in Jakarta; and four rounds of Formal Peace Talks all held in Jakarta.

Apart from the work of this hierarchical organization, there were three consultations held by the Foreign Ministers of the OIC Committee of the Six—in New York, Jeddah and Jakarta respectively.

According to Dr. Hassan Wirajuda, he had observed peace or conflict resolution negotiations fail for lack of the technical support that was available in the GRP-MNLF Peace Talks. He had a ringside view of one of those failures: the attempt in the late 1990s of the Office of the UN Secretary General to mediate between the Government of Indonesia and the East Timor separatist movement—in three days!

### **3. To hear the voice of reason, silence the guns.**

One of the first things that Indonesian Foreign Minister Ali Alatas did when Indonesia hosted the Second Exploratory Talks between the GRP and the MNLF was to propose the signing of a formal ceasefire agreement between the two sides. His strongest argument is remembered well in many circles. “When the barrels of the guns are silent,” he said, “the voice of reason has a chance to be heard.”

He was insistent on this, although there was already an undocumented but effective ceasefire between the GRP and the MNLF, one that was concluded on 5 September 1986 on the say-so of President Corazon C. Aquino and Chairman Nur Misuari. The new ceasefire was signed during the First Round of Formal Peace Talks in

Jakarta on 7 November 1993. Details on its organization and implementation are in Chapter 4.

If a ceasefire is well organized and strictly supervised, and if the involved parties are sincere, it could be the most effective confidence building measure (CBM) that both parties could carry out.

Sometimes it could be the saving grace of a failed peace process. This was the case of the negotiations between the administration of President Cory Aquino and the MNLF: it broke down in the wake of the plebiscite that ratified the 1987 Constitution, against which Nur Misuari bitterly objected. In spite of that, he declared the ceasefire open-ended and would cease only if violated by the other party.

There was no formal documentation of that declaration either, but the ceasefire held over the years and gave respite to the areas in Southern Philippines that were controlled by the MNLF. It also made it easier for President Ramos to successfully seek a resumption of the peace process at the beginning of his tenure.

#### **4. Resistance is everywhere. Do not underestimate it.**

Sometimes, the strongest opposition to a peace negotiation can come from the most unexpected places. In the case of the negotiation towards the Tripoli Agreement in December 1976, the chief opponent to the negotiating position of the MNLF was seated right next to the MNLF Chairman during the actual peace talks.

Hashim Salamat, the Vice Chairman of the Front, opposed Nur Misuari's acceptance of autonomy as objective of the talks instead of statehood and independence. He argued against autonomy with Misuari himself and campaigned against it with other MNLF leaders. At length, the two close associates parted ways on this issue, and

Misuari's leadership of the Front barely survived Hashim Salamat's challenge the following year.

Something similar happened on the government side after the signing of the Tripoli Agreement. All but two members of Marcos's Cabinet vehemently opposed the Agreement. This forced Marcos to seek a renegotiation of the Agreement, but Khadaffy would hear nothing of it.

It was not only the Cabinet that opposed the Agreement, practically the entire bureaucracy as well as the general public in the entire country grumbled against it. What probably saved the Tripoli Agreement was the prescription of constitutional processes in Paragraph 16, Article III, which President Marcos used in arguing that nothing objectionable could happen without the consent of the sovereign people.

The GRP-MNLF negotiations of 1993-1996 also encountered stiff internal opposition on both sides. For a long time, the assembly of MNLF leaders unanimously rejected the GRP proposal on the Two-Track Approach and the SPCPD as Provisional Government, even when Nur Misuari showed signs that he was beginning to be amenable to it. It took him a long time and a great deal of effort before he could persuade them to set aside their objections.

Likewise, when the "Davao Accord" was announced in mid 1996 on the envisioned establishment of the SPCPD, much of the public all over the country was scorching in its opposition. The rumor spread that President Ramos had sold out to the MNLF. Grandstanding politicians, both local and national, made political hay by excoriating it. The mass media sensationalized it. The Catholic Church expressed concerns about it. And the Philippine Senate constituted itself into a Committee of the Whole to investigate it.

The lesson to be learned is that when an established state and a rebel movement are negotiating toward a peaceful resolution, they have a formidable common enemy: the deep-seated and widespread prejudice held not by the negotiating parties but by their respective constituencies. In this case, the prejudice is centuries old, born of the Moro wars waged between the colonial government in Manila and the Sultanates of Southern Philippines.

That is why only strong leaders can negotiate peace effectively. Nur Misuari could negotiate the Tripoli Agreement because his leadership of the MNLF was strong enough to withstand even the challenge of a popular ustadj like Hashim Salamat. He could negotiate the Final Peace Agreement because nobody in the organization was strong enough and had the nerve to challenge his leadership.

On the government side, President Ferdinand E. Marcos could negotiate the Tripoli Agreement because he was actually a dictator who ruled with the trappings of a democracy. President Cory Aquino could negotiate with the MNLF because she was the immaculate icon of the People Power Revolution of 1986, who ruled under a Revolutionary Constitution; but when the 1987 Constitution was already in place, she became very conscious of the limits of her power<sup>94</sup>.

President Ramos could negotiate in 1993 because he had plenty of political capital due to his heroics during the People Power Revolution and his success in suppressing the unpopular military coup attempts against the Cory Aquino administration. One source

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<sup>94</sup> In an interview in 1988, she admitted her fear of impeachment under the 1987 Constitution if she conceded too much to the MNLF.

of his strength was the firm support of a great majority of military officers and personnel who considered him one of their own.

Even a strong leader, however, is not guaranteed of success in pushing for a negotiating position without the support of a wide and committed coalition of constituencies. That would be another lesson to be learned.

### **5. The Message is the thing. Keep communication flowing.**

It was standard operating procedure during the Talks that after every meeting, there would be a press statement approved by both panels and the mediator. This was to prevent the media from reporting about the Talks on the basis of speculation. This policy, however, could not always be strictly implemented, as on many occasions each side had to deal with the media separately.

The MNLF was fortunate in having for its spokesperson a conscientious and skilled communicator, Abraham Iribani, Chairman of the MNLF Secretariat for the Peace Talks. He was virtually a one-man Ministry of Public Information for the MNLF.

As spokesperson of the MNLF, he was aware that he not only had to be liked by those he was communicating with, he also had to earn credibility. He had to earn everybody's trust. Ambassador Yuli Mumpuni, then the Liaison Officer of the Indonesian Embassy in Manila, remembers that through Iribani, she was confident could contact anybody at any level in the MNLF at any time she needed to.

Ambassador Yan and Rep. Ermita frequently called upon Iribani to bring some urgent matter to the attention of Chairman Misuari. And when the key players on both sides of the negotiations were face to face with one another, they were already at ease enough to freely exchange information and thoughts on any issue. And, of course,

there was that back-channel negotiations that was carried out between Executive Secretary Ruben Torres and Chairman Nur Misuari during the last leg of the Peace Talks. Communication at the interpersonal level went very well during the Peace Talks.

Media relations did not go very well, largely because of the tendency of Philippine media to sensationalize what was already interesting and significant. Ambassador Yuli Mumpuni remembers how dismayed she was right after the First Mixed Committee Meeting in Jolo, Sulu in December 1993 when the newspapers played up photographs of smartly uniformed and well-armed MNLF fighters to sow fear among readers that this handful of fighters had already outgunned the entire Armed Forces of the Philippines. She says it became a practice in the Embassy to avoid talking with the press after that.

As the negotiations pushed on, the content of mass media became more virulent against the peace process. It was probably not so much the reportage but the commentary that often regurgitated the loose talk in the many coffee shops of Manila that served as informal political forums.

Among the accusations leveled against the Ramos administration in the media were: exclusion of other armed Moro rebels, the MNLF becoming a private army, the marginalization of local officials by the SPCPD, the grant of secret concessions to the MNLF, allowing the OIC to interfere in the internal affairs of the country, and paving the way for the Islamization of Mindanao. The media also gave a lot of coverage to Mindanao Christian politicians advocating a military solution to the Moro problem<sup>95</sup>.

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<sup>95</sup> Ramos, "Break Not the Peace," p.87

On the other hand, in those instances when the reportage was positive, there was the element of hype, as if a miracle of development would take place immediately once the Peace Agreement was signed. The letdown that would follow the realization that promises were not fulfilled, would not be good for peace, as it only created a new grievance among the disappointed.

In an ideal situation, the media should have been a close ally of the Ramos Government and of the MNLF in the social education of the people not only in Mindanao but also all over the country. There should have been a social education campaign that enlightened the people on the historical background of the conflict and tore at the wall of prejudice between Muslim and Christian Filipinos.

During the course of the Peace Talks, President Ramos conducted a number of Peace and Development Summits in various parts of Mindanao. In these Summits, he carried out in-depth discussions on the peace process with local officials and community leaders and secured their commitment of support. At the same time, Chairman Nur Misuari conducted consultations with Muslim communities in various parts of Mindanao and the Muslim dominated part of Palawan.

These may be regarded as communication efforts aimed at forming a wide-ranging constituency for peace. As to how effective they were could be another Lesson Learned.

## **6. When you need help, get a mediator.**

President Ramos, in his book on the GRP-MNLF Peace Talks wrote, "Third party facilitation is indispensable if the parties are poles apart on fundamental political issues." The GRP and the MNLF were poles apart on the issue of the constitution and its applicability to the

Tripoli Agreement, but that was not the reason they agreed to mediation.

Abraham Iribani, the Chairman of the MNLF Secretariat for the Peace Talks, in his own book, "Give Peace a Chance," wrote, "When the conflict reaches a 'hurting stalemate' because the two conflicting parties cannot reach an agreement through direct negotiations, as in the situation in 1974, the mediation of a third party mutually acceptable to the two conflicting parties is the best option to resolve the conflict."

In fact, it may be more accurate to say that the mediation by the OIC in both 1976 and 1993 was a given, since the MNLF would negotiate only with the presence and involvement of the OIC. At some point during the GRP-MNLF negotiations in 1996 there was a "hurting stalemate" over the issue of the SPCPD, but the mediator was already there long before the "hurting stalemate," could be felt. With or without that "hurting stalemate", there was a mediator.

As to the notion that the mediator must be neutral or impartial for the negotiation to succeed, this may be reasonably laid to rest. In the literature of mediation and negotiation between states and rebel movements, instances are cited where mediators are biased in favor of the government or the rebels and still manage to do a good job with salutary results.

In the negotiations toward the Tripoli Agreement of 1976, the OIC was apparently biased in favor of the MNLF, yet the OIC played a constructive role in that process. The Tripoli Agreement turned out to be the landmark Agreement that became the basis and reference of more comprehensive agreements on the Moro problem. It was the Tripoli Agreement that permanently embedded autonomy into the GRP-MNLF conversation.



In the negotiations toward the Final Peace Agreement of 1996, the OIC again was apparently biased in favor of the MNLF. But the actual mediation was being directly carried out by Indonesia on behalf of the OIC and Indonesia's behavior as mediator was deemed to be impeccably neutral and impartial—by most observers.

But not by all. At least one MNLF Commander expressed reservations on Indonesia being neutral because, he said, in OIC meetings Indonesia never once supported the MNLF. And it was well known that Indonesia consistently defended the Philippines against accusations that it was engaged in genocide in Mindanao. Whether that constituted bias is at worst debatable.

In the world of jurisprudence, some of the most conscientious judges have admitted to holding prejudices, but they never allowed these prejudices to prevent them from dispensing justice.

In the final analysis, bias neither disqualifies nor detracts from the worth of a mediator. What is important is the acceptability of the mediator to both negotiating parties. And the trust that the negotiators put in him. And if the negotiators insist on tapping a mediator that is beyond suspicion of bias, they may never find one at all.

Events long after the negotiations would prove that the GRP and the MNLF made the right decision in agreeing to mediation by Indonesia on behalf of the OIC. But that is beyond the scope of this study and it is another story.

### **7. Engage in Diplomacy or Perish.**

The MNLF as the spearhead of the Bangsamoro rebellion in Southern Philippines was born already internationalized. Without foreign country sponsors, it would never have seen the light of day. Without

foreign country sponsors it could not have carried out a military campaign in 1973 that shocked the Philippine military out of its complacency.

That being the case, the Philippine Government under President Marcos could not have effectively defended its sovereignty and territorial integrity against the onslaught of the Bangsamoro separatist rebellion by treating it merely as a local conflict. Evidently the MNLF had opened a war front in the field of international affairs. The GRP must join the battle there or risk the loss of Muslim Mindanao.

President Marcos proved to be a clever strategist who could wage a complex diplomatic struggle with aplomb. He opened Mindanao for the inspection of fact-finding missions from OIC countries so that these could attest that no genocide was being perpetrated there. He showcased to visiting dignitaries from the wide world of Islam the socio-economic development programs that his government was pursuing in Mindanao.

In 1974, he met President Suharto in Manado in East Indonesia and, in the name of ASEAN security, sought the latter's help in making a case for the Philippines in the OIC. At the same time Marcos sought to mend his political fences with Malaysia.

His efforts paid off that same year when at the Kuala Lumpur meeting of the OIC Foreign Ministers, the Organization turned down the MNLF's bid for membership and instead called on the GRP and the MNLF to negotiate in order to arrive at a just solution to the plight of Filipino Muslims "within the framework of the national sovereignty and territorial integrity of the Philippines." That meant the end of the MNLF's ambitions for statehood and independence; the most it could get on was autonomy.

In 1976, Marcos sent the First Lady Imelda R. Marcos to Libya to ensure the holding of negotiations that led to the signing of the Tripoli Agreement just before the end of that year. That sealed the fate of Muslim Mindanao as at best an autonomous region rather than an independent state.

Two decades later, in 1996, when negotiations between the GRP and the MNLF were bogged on the issue of the SPCPD, President Ramos wrote to a letter to President Suharto with an attached documentation of the GRP's latest proposal on the SPCPD. He appealed for President Suharto's help in espousing this proposal in the OIC, as it was the very ultimate that the GRP was capable of offering. Then President Ramos sent the same appeal and the same ultimate proposal to the other leaders of the OIC Committee of the Six.

When Nur Misuari arrived in Tripoli to make his own pitch on the same controversial issue, he found out that the Libyans were already set on persuading him to accept the GRP proposal. Misuari could only delay but could not avoid his eventual capitulation that resulted in the signing of the Final Peace Agreement of 1976. President Ramos's last-ditch demarche of appealing directly to the leaders of the OIC Committee of the Six actually saved the Peace Talks.

At the height of the Moro rebellion, the GRP saved itself by making full use of its diplomatic assets, by calling old friends, mending broken friendships, and making new friends. Without diplomacy, it would have been death—to Philippine territorial integrity in Mindanao.

In this regard, it may be relevant to note that in those instances when the peace process in Southern Philippines was being conducted without the involvement of an international actor, the effort had not

been fruitful. Thus, the unmediated peace talks between the administration of President Cory Aquino and the MNLF collapsed when the MNLF walked away from the negotiation as the 1987 Constitution went into effect. The unmediated peace talks between the administration of President Joseph Estrada and the Moro Islamic Liberation Front (MILF) ended in a debacle as the impatience of Estrada exploded into a total war of the Philippine military against the MILF.

The fact is that the international community is a vast community with human characteristics, in which there are countries that, in their pursuit of enlightened self-interest, demonstrate concern and caring for the welfare of other countries.

In the years following the signing of the Final Peace Agreement, Japan and even the United States and the United Kingdom would get more involved in the Muslim Mindanao peace process but never as deeply as Indonesia and Malaysia had been. And the involvement of these two of the Philippines' closest neighbors may be reasonably regarded as an expression of ASEAN unity and solidarity.

As former Foreign Minister Hassan Wirajuda often emphasized, issues of governance are often neither entirely international nor entirely domestic. International and domestic attributes are often affixed to the same problem of governance, and as such cannot be addressed effectively through domestic policies and measures alone. It must also be addressed through the vigorous application of diplomacy.

## **8. It's the people, stupid!**

One of the most laudable measures that President Ramos took in relation to the Peace Talks was to create in 1992 a National

Unification Commission that carried out intensive consultations at the community level in 71 out of 76 provinces within a period of six months. The purpose of the consultation was to formulate a national peace program based on the felt needs and aspirations of the people. A proposed national peace program was submitted to President Ramos in July 1993 in the form of “Six Paths to Peace,” which Ramos said he would adopt. One of the Six Paths to Peace is: “Consensus building and empowerment for peace which seek to make consultations with the people a regular part of governance.”

In mid-1996, President Ramos found himself holding public consultations with local officials and community leaders as a way of dealing with public protests about what had been transpiring at the GRP-MNLF Peace Talks. He called these consultations “Peace and Development Summits” and they were held in various provincial capitals in Mindanao.

In his book “Break not the Peace,” he cited this as a lesson learned from the peace process: “Broad consultation is an effective tool for strengthening the political parameters of a negotiation. By keeping the doors of dialogue open, Government was able to moderate the sharp edges of public protest. Patience and the capacity to ‘turn the other cheek’ are a must in dealing with emotional groups.”

Here is the irony: people were protesting against the Peace Talks because they felt that they had not been consulted, that they had been left out of the process.

According to a commentary written in 1999, “The much-vaunted ‘consensus and consultation’ were largely limited to the negotiating parties, except for a few token efforts to communicate with civil society organizations. Thus, both parties found it difficult to

persuade a wider public of the wisdom of the deal when the terms were finally announced<sup>96</sup>.”

The protestors felt that in the official process leading to the signing of the Final Peace Agreement, only a few members of the elite civil society organizations were actually consulted.

Many of the Christians among them have suffered much of the collateral damage in the battles between the MNLF and the Philippine military and therefore in a just peace process they felt they should be accorded some kind of indemnification. Instead, they perceived that the Government was giving special favors to the Moros, particularly the MNLF, which they regarded as troublesome.

The Lumads among the protesters saw in the creation of the SPCPD another instance of their exclusion from the benefits of governance. To them, this simply followed the pattern of government neglect that they had put up with over many decades. A peace agreement that favored the MNLF above everybody else would be particularly unjust in their view because, after all, they shared the same homeland with the Moros.

The overall picture, however, was not entirely gloomy. There were several civil society groups that welcomed the creation of the SPCPD and in general supported the Peace Talks and the resulting Final Peace Agreement. Some of them would soon be represented in the Consultative Assembly of the SPCPD.

Practically all civil society organizations in Mindanao, including those involved in the protests, would welcome an offer of partnership

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<sup>96</sup> Stankovich and Carl, “One Step Towards Peace: The Final ‘Peace Agreement’ in Mindanao, “Accord 1999, p.8

with the Government in the work for peace and development at the grassroots level. At the time of the protests, in 1996 before the signing of the Final Peace Agreement, and in the several years that followed, the Government still had a chance to form that partnership.



*A woman looks for her name in the roster of voters in Jolo, Sulu during the election for officials of the Autonomous Region in Muslim Mindanao (ARMM) on 9 September 1996. MNLF Chairman Nur Misuari ran unopposed for ARMM Governor in that election. @AP/Fernando Sepe, Jr.*

At that time, it would appear that the Ramos Government was negotiating only with the MNLF, which was negotiating only for itself and not for a Mindanao constituency. But that was not the case, as the Ramos government would soon prove by inviting the Moro Islamic Liberation Front (MILF) to start negotiations.

The Peace Talks, the Final Peace Agreement, the creation of the SPCPD—these were but the beginning of a process that would become more inclusive, more perfect with the passing of time. But the people did not know this. The civil society organizations, the Christian groups and Lumads did not know this. This means that the consultation with the people that the Ramos Government committed itself to undertake regularly did not go down far enough into the grassroots.

If it did, the Ramos Government would have saved itself a lot of trouble. That is one more lesson.

There are probably more lessons to be learned from another close look at the Peace Talks of 1993-1996. And there certainly are more lessons to be learned from looking at what happened in the Southern Philippines peace process in the years that followed. But that is another story.





*President Fidel V. Ramos greets former MNLF fighter and candidate soldier Aquino Abdurajik, commander of the composite honor guard, during the observance in Jolo, Sulu of the first anniversary of the signing of the GRP-MNLF Final Peace Agreement (FPA). 2 September 1997, Jolo. @AP/Alberto Marquez*

## Epilogue: The Journey Continues

The Final Peace Agreement of 1996 did not solve the Moro problem. It was an Agreement between the Government of the Republic of the Philippines (GRP) and only one of the armed groups in Mindanao, the Moro National Liberation Front (MNLF). There were others: the Moro Islamic Liberation Front (MILF); the Abu Sayyaf; and an array of other bands, some of which were terrorists and bandits.

The MNLF, however, was not an ordinary armed group: it had a place in the history not only of Muslim Mindanao but also of the Philippines. As noted by the historian TJS George, the separatist rebellion that the MNLF spearheaded led to recognition by the Government that too long had been the gap between the promise of development and the Government's fulfillment of that promise. Too long had the fruits of development been delivered to powerful individuals rather than to the community<sup>97</sup>.

This historic role did not entitle the MNLF to become the new elite in the autonomous region. Nor did it entitle the MNLF to a permanent hold on power. That was neither in the letter nor the spirit of the Final Peace Agreement (FPA) of 1996.

This much was given to the MNLF: as a result of an election in which Nur Misuari became official candidate of President Ramos's ruling coalition and ran without an opponent, he became Governor of the four-province Autonomous Region in Muslim Mindanao (ARMM). By virtue of a presidential appointment, he became Chairman of the Southern Philippines Council for Peace and Development (SPCPD),

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<sup>97</sup> TJS George, "Revolt in Mindanao," p.271

the equivalent of the Provisional Government stipulated in the Tripoli Agreement.

The idea was to place the administrative and operational control of the Provisional Government and the ARMM itself in the hands of Nur Misuari and the MNLF. Having all that power, they would have the opportunity to prove to the constituency of the Autonomous Region that they knew how to govern. If they could demonstrate that capability, then they could move for the expansion of the ARMM into any number of provinces and cities covered by the Tripoli Agreement.

But that privilege would no longer be handed to them on a silver platter. They would have to buy it with the hard coin of their performance. That was the meaning of what Nur Misuari's college buddy Executive Secretary Ruben Torres told him during their back-channel meeting in Dubai in late May 1996: "You have to make good in the first two or three years." In other words, if he bungled it, he might not get another chance. He would not win another election again.

But how could he make good? The SPCPD was first weakened when the negotiating Panels acceded to the demand of the Philippine Senate that it should not have "control" over the agencies that would be assigned to it. Then, it was further weakened when the Office of the President, in drafting the Executive Order that would create it, made doubly sure that it would stand the test of constitutionality. Many of the local government officials in the Consultative Assembly and the bureaucrats in the agencies placed under the SPCD were hostile to the Council. Moreover, the SPCPD was never allocated sufficient funds to carry out its developmental functions.

The situation was not any better in the ARMM. Many former MNLF fighters found employment in the ARMM government, but most of them did not have the necessary skills to carry out their functions. The ARMM acquired a reputation for administrative irregularities under its two previous Governors; that reputation did not improve under Misuari. Then, he proved to be an absentee Governor: he traveled far and wide, much of the time with a large entourage, in search of funds for the ARMM.

Having observed the turmoil in the implementation of the agreement, thoughtful individuals like Fr. Eliseo “Jun” Mercado of Notre Dame University and Prof. Rudy Rodil, former GRP Peace Panelist, began proposing ways of saving the Agreement.

Fr. Jun Mercado suggested helping the MNLF transform itself from a politico-military organization to an organization for democratic governance. He also had a set of suggestions that would give the SPCPD and the Consultative Assembly “a clear mandate as the primary bodies coordinating, promoting and accelerating peace and development efforts in the Special Zone of Peace and Development (SZOPAD)<sup>98</sup>.” What he was really asking for was the restoration of those provisions in the Final Peace Agreement that were deleted on the demand of the Philippine Senate.

Prof. Rodil and Fr. Mercado agreed that “the participation of NGOs or those not directly involved in the rebellion or the crushing of the rebellion” was crucial to the success of the Final Peace Agreement<sup>99</sup>. Like them, many peace and development advocates in Mindanao believed that a partnership between the ARMM Government and civil society organizations could rally and empower communities to

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<sup>98</sup> Mercado, “A Bureaucratic Nightmare,” Accord 1999

<sup>99</sup> Vitug and Gloria, “Under the Crescent Moon,” p.102

take part in and ensure the success of development projects. That would mean regular consultation with the people on a day-to-day basis.

There would be no lack of NGOs or CSOs that would enter such a partnership if the idea of wide and deep consultation were to be embraced by the ARMM, the SPCPD, and the Consultative Assembly. There was a large number of faith-based organizations—Catholics, Protestants and Muslims—that were actively promoting interfaith dialogue; there were women’s organizations, notably the Bangsa Moro Women’s Foundation (BMWf) founded by no less than Ruaida Tan Misuari, wife of the MNLf Chairman; and the organizations of the Lumads, whose main complaint was that they were excluded in the negotiations and were again excluded in the implementation.

In the course of that envisioned partnership, and there would now be regular and frequent consultation at the grassroots level, the people would probably not be asking for the establishment of the huge industrial complexes that were the stuff of Misuari’s dreams for the region. These could only be set up with massive investment flows, which were not available anyway in the mayhem of the Asian Crisis that peaked in the midst of Nur Misuari’s governorship.

What the people badly needed and wished for were the security of a modest livelihood, a living wage, the benefits of land reform, genuine schools with genuine teachers, basic health services, water systems, and farm-to-market roads. The SPCPD would have to be reoriented to such desiderata.

To be fair, it cannot be said that nothing good came out of the implementation of the Final Peace Agreement.

The integration of former MNLF fighters into the national security system, 5,750 into the Armed Forces of the Philippines (AFP) and 1,750 into the Philippine National Police (PNP) and the auxiliary services was completed, although there were some hitches in the beginning. Even the MNLF units that were not integrated played a part in the maintenance of peace and order by adhering to the Ceasefire Agreement, policing their own ranks, and addressing criminal activities like kidnapping—although they did not have police powers.

The Philippine military responded to many outbreaks of violence in the SZOPAD during that time of transition because of the activities of the Moro Islamic Liberation Front (MILF) and other armed groups, but the MNLF did not take part in any of them. There were encounters between MNLF and MILF units in North Cotabato but these were occasioned by family feuds (*rido*) and did not involve their respective organizations. In August 1998, the Commander of the OIC Monitoring Team, Gen. Zainal Abidin, could report that there had been no occurrence of armed conflict between the security forces of the Government and the MNLF<sup>100</sup>.”

Even the Moro Islamic Liberation Front (MILF), although critical of some aspects of the Final Peace Agreement (FPA), nevertheless could cite several evident achievements in its implementation. Mohagher Iqbal, long-time Spokesperson of the MILF, said in September 1998: “In the absence of fighting, there is peace in areas previously considered hot spots. The Highlanders, the MNLF, and local people have also benefited from the presence of international organizations and some government programs.

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<sup>100</sup> Macapado A. Muslim, “Sustaining the Constituency for Moro Autonomy,” Accord 1999

“Before [women were among] those who were deprived, but at least after the signing of the Agreement, women are given opportunities. They are now recipients of some livelihood programs. Some funding institutions have given women a chance, and I believe they really have an important role to play in the development of society<sup>101</sup>.”

This confirms an observation by former Presidential Adviser on the Peace Process Teresita Quintos-Deles that when the OPAPP coursed sizeable amounts of development funds through the political leadership of the MNLF, there were no remarkable results, but when the OPAPP bypassed the leadership and went directly to the women, even if the funding was very modest, the results were always in the form of sustainable livelihood endeavors<sup>102</sup>.

At any rate, towards the end of the original tenure of the SPCPD and its Consultative Assembly, the consensus kept growing among peace and development advocates in the Philippines that there was need for corrective interventions that would save the Final Peace Agreement (FPA) from a judgment of failure.

The interventions must come not only from the Office of the President. It must also come from Congress, which must now play a more constructive role and not merely play devil’s advocate. It must involve the civil society organizations that represented the interests not only of the Moros but also the Lumads (also called Highlanders), and the Christian settlers and their descendants, who were all living in significant numbers in the Special Zone of Peace and Development (SZOPAD).

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<sup>101</sup> Interview with Mohagher Iqbal by Macrina Morados and Editha Cabanban, September 1998, Accord 1999

<sup>102</sup> Interview with Teresita Quintos-Deles, March 2019

Those interventions would not take place immediately. The tenure of President Ramos ended on 30 June 1998. He was succeeded by President Joseph Estrada, a former actor who seemed neither to have real understanding nor sufficient interest in the plight of the Muslims in Southern Philippines. It did not take long before he felt grievously provoked by the situation on the ground— particularly clashes between Philippine security forces and Moro fighters—and he declared total war against the MILF.

Nevertheless, the constructive interventions did take place—after many years. Important to mention here is the continuing interest of the OIC to follow up the development in Southern Philippines by forming a tripartite mechanism, called the Peace Committee for Southern Philippines, that looked into those elements of the FPA that could be strengthened in its implementation. It was through this Committee, which Indonesia chaired, that the GRP and the MNLF reached 42 points of consensus, which were eventually incorporated into the Bangsamoro Basic Law (BBL), which became the basis, along with all previous agreements involving the Bangsamoro, into the Bangsamoro Organic Law (BOL). That was how ultimately the Final Peace Agreement of 1996 served as the first draft of a larger, more complex, more comprehensive document of peace that is known today as the Bangsamoro Organic Law (BOL).

Ratified in a plebiscite in January 2019, the BOL was based on the recommendations of a Bangsamoro Transition Commission (BTC) in which the widest range of stakeholders in Muslim Mindanao, including the MNLF factions, was represented. The work of the BTC did not start from scratch: its mandate was to include in its recommendations the “virtues” of all previous agreements involving the Bangsamoro, including, of course, the Final Peace Agreement of



1996. That is another story worth telling but it is not within the scope of this study.

## Acronyms

<b>Acronym</b>	<b>Definition</b>
AFP	Armed Forces of the Philippines
ALEM	APEC Leaders Meeting
APEC	Asia-Pacific Economic Cooperation
ARMM	Autonomous Region in Muslim Mindanao
ASEAN	Association of Southeast Asian Nations
ASEAN-IPR	Association of Southeast Nations-Institute for Peace and Reconciliation
ASG	Abu Sayyaf Group
BARMM	Bangsamoro Autonomous Region in Muslim Mindanao
BBC	British Broadcasting Corporation
BBL	Bangsamoro Basic Law
BIMP	Brunei Indonesia Malaysia Philippines
BMLO	Bangsa Moro Liberation Organization
BMWF	Bangsa Moro Women’s Foundation
BOL	Bangsamoro Organic Law
BTA	Bangsamoro Transition Authority
BTC	Bangsamoro Transition Commission
CAB	Comprehensive Agreement on the Bangsamoro

<b>Acronym</b>	<b>Definition</b>
CBCP	Catholic Bishops' Conference of the Philippines
CBM	Confidence Building Measures
COHA	Cessation of Hostilities Agreement
COMELEC	Commission on Elections
CSO	Civil Society Organizations
DDR	Disarmament, Demobilization and Reintegration
DILG	Department of Interior and Local Government
DLGCD	Department of Local Governments and Community Development
EAGA	East Asia and Growth Area
FPA	Final Peace Agreement
GAM	Gerakan Aceh Merdeka
GPH	Government of the Philippines
GRP	Government of the Republic of the Philippines
ICFM	Islamic Conference of Foreign Ministers
JAIF	Japan-ASEAN Integration Fund
JCC	Joint Ceasefire Committee
JGG	Joint Guidelines and Ground Rules
LAKAS-NUCD	Lakas-National Union of Christian Democrats
MCM	Mixed Committee Meeting

<b>Acronym</b>	<b>Definition</b>
MILF	Moro Islamic Liberation Front
MIM	Mindanao Independence Movement
MNLF	Moro National Liberation Front
MOA	Memorandum of Agreement
NDF	National Democratic Front
NGO	Non-governmental Organizations
NIAS	National Institute of Advanced Studies
NUC	National Unification Commission
OIC	Organization of Islamic Cooperation, called the Organization of the Islamic Conference until 28 June 2011
OPAPP	Office of the Peace Adviser on the Peace Process
OPEC	Organization of Petroleum Exporting Countries
PBAG	Provisional Bangsamoro Autonomous Government
PNP	Philippine National Police
RAM	Reform the Armed Forces Movement
RCC	Regional Consultative Council
SAF	Special Action Force
SOMO	Suspension of Military Operations
SOP	Standard Operating Procedure

<b>Acronym</b>	<b>Definition</b>
SPCPD	Southern Philippines Council for Peace and Development
SPDA	Southern Philippines Development Authority
SRSF	Special Regional Security Force
SZOPAD	Special Zone of Peace and Development
TAC	Treaty of Amity and Cooperation
TJS	Thayil Jacob Sony
UMDP	United Muslim Democrats of the Philippines
ZOPFAN	Zone of Peace and Neutrality

## Profiles of Some of the Key Players

**President Suharto** was Indonesia's Chief Executive from March 1968 to May 1998. He was a strong advocate of autonomy for Muslim Mindanao, and under his leadership, Indonesia helped push for negotiations between the Philippine Government and the Moro National Liberation Front (MNLF) leading to the Tripoli Agreement of 1976. Also under his leadership, Indonesia mediated on behalf of the OIC the Formal Peace Talks between the Government of the Republic of the Philippines (GRP) and the MNLF that resulted in the Final Peace Agreement (FPA) of 1996. As Chair of the Non-aligned Movement from 1992 to 1994, President Suharto became the leader of the developing world in a Global Partnership for Development with the Group of Seven Industrialized Countries (G-7).

**Fidel V. Ramos** was President of the Philippines from June 1992 to June 1998. Under his leadership, the Philippines recovered from the doldrums of the administration of President Corazon C. Aquino and enjoyed unprecedented economic growth. He pursued a robust policy of reconciliation and peace negotiations with an array of rebel movements during his tenure that resulted in, among other achievements, the Final Peace Agreement with the MNLF in 1996. A boy guerilla during World War II, he was a hero of the Korean War; he fought in the Communist agrarian insurgency of the 1950s and led the defense of Marawi City during the Moro uprising of 21 October 1972. A soldier for most of his life, remarkably, his legacy is one of peace and development.

**Ali Alatas** is widely recognized as one of the most effective diplomats that the world has ever seen, along with his mentor and predecessor, Adam Malik. He served as co-President of the 19-sided Cambodian Peace Process that resulted in the Paris Accords of October 1991,

which in turn led to the resolution of the decades-old civil war in that country and the rebirth of the Kingdom of Cambodia. At the policy level, he guided Indonesia's mediation on behalf of the OIC of the formal Peace Talks between the GRP and the MNLF that led to the signing of the Final Peace Agreement of 2 September 1996. His legacies include the Workshop Process on Managing Potential Conflict in the South China Sea, which was the informal forerunner of the current negotiation toward a Code of Conduct (COC) of Parties in the South China Sea.

**Nur Misuari** was the founding Chairman of the Moro National Liberation Front (MNLF) and is still officially recognized as the "sole and legitimate representative of the Muslims of Southern Philippines" by the Organization of Islamic Cooperation (OIC). Of Samal and Tausug bloodlines, Misuari came from a poor family but his academic achievements eventually earned him a professorship in political science at the University of the Philippines. As MNLF Chairman, he negotiated both the Tripoli Agreement of 1976 and the Final Peace Agreement of 1996 with the Philippine Government, and served as Governor of the Autonomous Region of Muslim Mindanao from 1996 to 2001. Today, he leads a faction of the once undivided but now factionalized MNLF.

**Wiryo Sastrohandoyo** had closely assisted Foreign Minister Ali Alatas in co-presiding over the Cambodia Peace Process in the early 1990s before he was called upon to preside over the GRP-MNLF Peace Process from 1992 to 1996. Armed with the experience he derived from the two peace processes, he would subsequently negotiate for the Government of Indonesia a Cessation of Hostilities Agreement (COHA) with the Free Aceh Movement (Gerakan Aceh Merdeka, GAM). Since then, Ambassador Wiryo has written a number of

papers on peace negotiation and mediation and is widely recognized as an expert on these two topics.

**Hashim Salamat** was already an activist for self-determination for the Muslims of Southern Philippine while still a student at the Cairo University in Egypt in the 1960s. Upon his return to his native Cotabato in Central Philippines in 1970, he helped bring about the growth of the MNLF and eventually led the blitz that brought much of Central Mindanao under rebel control. Disagreeing with Misuari's embrace of autonomy, he broke away from the MNLF and subsequently founded the Moro Islamic Liberation Front (MILF), which over the years outgrew the mother organization. He succumbed to a heart attack in July 2003 while the MILF was in the early stages of a peace process with the Philippine government.

**Manuel T. Yan** was Undersecretary of Foreign Affairs of the Philippines when he was called upon to head the Philippine Peace Panel in the Peace Talks with the MNLF from 1993 to 1996. After that, he became Presidential Adviser for the Peace Process. When he passed away at the age of 88 in 2008, he had been in continuous public service for a record 63 years. He graduated at the top of his class from the Philippine Military Academy (PMA) in 1941 and was the youngest to serve as Chief of Staff in 1967. When President Marcos declared martial law in 1972, he left the military and served successively as Ambassador to Thailand, Indonesia, and the United Kingdom.

**Dr. Nur Hassan Wirajuda**, as Director of International Organization Affairs, chaired the Mixed Committee of the GRP-MNLF Peace Talks from 1993 to 1996. Some five years since the signing of the Final Peace Agreement of 1996, he became Foreign Minister of Indonesia after serving as Ambassador to Egypt,



Permanent Representative of Indonesia to the United Nations in Geneva and Director General for Political Affairs. He served as Foreign Minister from 2001 to 2009. Among his legacies was the strengthening of democratic values and human rights within the ASEAN framework that resulted in the adoption of the ASEAN Charter and the establishment of the ASEAN Intergovernmental Commission on Human Rights (AICHR). During his tenure, Indonesia launched the Bali Democracy Forum and founded the Institute for Peace and Democracy.

**Eduardo Ermita** was in his third term as member of the Philippine House of Representatives when he was tapped by President Ramos to head the Peace Panel of the Government of the Republic of the Philippines (GRP) in the two rounds of Exploratory Talks with the Moro National Liberation Front (MNLF), in 1992 and 1993. President Ramos called on him again to serve as Deputy Chair of the GRP Panel in the GRP-MNLF Formal Peace Talks from 1993 to 1996. By then, he had served as Vice Chief of Staff of the Armed Forces of the Philippines with the rank of Major General, and as Undersecretary of National Defense. Early during the tenure of President Gloria Macapagal Arroyo, he served as Presidential Adviser on the Peace Process. Then, from 2003 to 2006, he headed the Philippine Government Peace Panel in negotiations with another Moro separatist group, the Moro Islamic Liberation Front (MILF). He was Secretary of National Defense from 2003 to 2004, and was Executive Secretary from 2004 to 2010. Much earlier in his military career, he directly assisted Defense Undersecretary Carmelo Barbero in negotiating with the MNLF the Tripoli Agreement of 1976. As a young officer, he was deeply involved in civic operations to contain the Moro rebellion in Mindanao.

**Mohammad Mohsin** was Assistant Secretary General for Cultural and Social Affairs of the OIC during the GRP-MNLF Peace Process. Of Bangladeshi nationality, he attended the Formal Peace talks as the personal representative of OIC Secretary General Hamid Algabid. Before joining the OIC Secretariat, he had been ambassador to various Middle Eastern countries including Saudi Arabia, UAE, Oman, Jordan, and Yemen. He served as Foreign Secretary of Bangladesh in the late 1980s.

**Muslimin Gampong Sema** was Secretary General of the MNLF during the 1993-1996 GRP-MNLF Peace Talks and was very much involved in the work of the MNLF Peace Panel. Before becoming MNLF Secretary General, he was Chairman of the Utara Kutawatu State Revolutionary Council from 1979 to 1989. When Nur Misuari was elected ARMM Governor in 1996, he appointed Sema as Executive Secretary of the regional government. In 1998, Sema moved over to the Southern Philippines Council for Peace and Development (SPCPD) as executive director. In that same year, he was elected mayor of Cotabato City, a position to which he was reelected in 2001, 2004, and 2007. Limited to only four terms as mayor, he ran for vice-mayor, won and served in that position, presiding over the City Council from 2010 to 2013. Meanwhile, in 2008 the Central Committee of the MNLF elected Sema as its Chairman, a position from which he stepped down in 2017.

**Nabil Tan** was Vice Governor of the Autonomous Region in Muslim Mindanao (ARMM) and had served as Secretary of the Regional Department of the Interior and Local Governments when President Fidel V. Ramos tapped him to serve in the Philippine Government Peace Panel in the Formal Peace Talks with the MNLF from 1993 to 1996. After the signing of the Final Peace Agreement (FPA) between the Philippine Government and the MNLF, he served as

Undersecretary in the Office of the Presidential Adviser on the Peace Process (OPAPP) and in that capacity, he led the Government Panel in two sessions of the Tripartite Implementation Review of the FPA. He was OPAPP Undersecretary for the third time when President Rodrigo Duterte appointed him to the Bangsamoro Transition Authority (BTA), the Provisional Government that is now administering to the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM).

**Yusop Jikiri** was longtime Chief of Staff of the MNLF and in that capacity attended the GRP-MNLF Peace Talks of 1993-1996 in Jakarta. Although he was closely identified with MNLF Chairman Nur Misuari in 2000, he joined 14 other top officials of the Front who signed a manifesto leading to the ouster of Misuari as undisputed leader of the MNLF. In 2001, he ran for Governor of Sulu and won. In this capacity, he led in the defense of the Provincial Capitol against an attack by an MNLF force carrying out the Misuari-inspired rebellion of 2001. He served at one time as Chairman of the Southern Philippines Development Authority (SPDA). In recent times, he became deeply engaged in local politics, serving a term as a Member of the House of Representatives. In 2017, he was elected Chairman of the Central Committee of the MNLF, succeeding Muslimin Sema.

**Alexander Aguirre** was Vice Chief of Staff of the Armed Forces of the Philippines (AFP) with the rank of Maj. Gen. during the tenure of President Corazon C. Aquino. He served under President Ramos as Undersecretary of the Interior and Local Government before he became head of the Presidential Management Staff with the rank of Cabinet Secretary. President Ramos then concurrently assigned him to chair the Philippine Panel of the Ad-hoc Working Group on the Transitional Implementing Structure and Mechanism, a vitally important tripartite body in the Peace Talks between the Philippine

Government and the MNLF from 1993 to 1996. In this capacity, he proposed the establishment of the Southern Philippines Council for Peace and Development, which gradually developed into the equivalent of the Provisional Government stipulated in the Tripoli Agreement.

**Ruben Torres** was a close friend of Nur Misuari during their student days at the University of the Philippines and even long after. Both were adherents of Jose Ma. Sison, founder of the Maoist Communist Party of the Philippines in 1968. They lost contact with each other when President Marcos declared Martial Law in 1972 and Torres went underground while Misuari founded and developed the Moro National Liberation Front. Their lifelong friendship came in handy during the GRP-MNLF Peace Talks when Torres, then the Executive Secretary of President Ramos, engaged Misuari in back-channel consultations. Today, Torres is a pillar of the Philippine labor movement.

**Teresita Leonardo-de Castro** was Assistant State Chief Counsel in the Philippine Department of Justice when President Ramos assigned her to the Philippine Government Peace Panel in the 1993-1996 Peace Talks with the MNLF. At the same time, she assisted Secretary Alexander Aguirre in the Ad-hoc Working Group on the Transitional Implementing Structure and Mechanism. After the Peace Talks, she was appointed to the Sandiganbayan, the court that had jurisdiction over cases of government corruption, where she became Presiding Justice in 2004. In 2007, President Gloria Macapagal Arroyo appointed her to the Philippine Supreme Court. On 27 August 2017 President Rodrigo Duterte named her Chief Justice two months before her retirement.

**Pieter Damanik** was a recently retired Major General in the Indonesian Army when he was named Indonesian Ambassador to the Philippines. He served in that position from 1992 to 1995. During that period, he was instrumental in the development of an effective system for the implementation and monitoring of the Ceasefire Agreement between the Philippine Government and the MNLF. He successfully advocated for the assignment of a sufficient number of Indonesian military officers to the OIC Ceasefire Monitoring Team before his tenure was completed.

**Abu Hartono** was Indonesian Ambassador to the Philippines from 1995 to 1999, during a sensitive period in the course of the GRP-MNLF Formal Peace Talks. Hartono was a three-star admiral in the Indonesian Navy, who served in various positions in the Indonesian Armed Forces. Upon completion of his term as Ambassador to the Philippines, he returned to Indonesia and served as the last Chairperson of the Armed Forces faction in Parliament.

**Yuli Mumpuni Sudarso** was the overall coordinator of the proceedings of the Support Committees, the Ad-hoc Working Group, and the Mixed Committee in the Philippines. She took notes in all meetings and reported on the outcomes. After the Peace Talks, she rose to become Ambassador of Indonesia to Algeria, and then to Spain from 2014 to 2017. In between ambassadorial assignments, she served as Secretary General of the Department of Sports and Youth Affairs, an assignment in which her network building skills were put to good use.

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# LESSONS LEARNED

from a Process of Conflict Resolution between the Government of  
the Republic of the Philippines (GRP) and the Moro National  
Liberation Front (MNLF) as Mediated by Indonesia (1993-1996)

*"The lessons that we learn from experience, especially our shared experience in the quest for peace, should be deemed a heritage that belongs to all humankind. I have been privileged to participate in one such valuable experience, as Chair of the Formal Peace Talks, on behalf of the Organization of the Islamic Conference, between the Government of the Republic of the Philippines and the Moro National Liberation Front that led to the Final Peace Agreement of 1996. And I am glad that a comprehensive book has finally been written on that particular experience, which yields many insights not only on the complexities of peace negotiations and mediation and facilitation but also on human nature itself."*

**Ambassador Wiryono Sastrohandoyo,**  
Chair of the Formal GRP-MNLF Peace Talks, 1993-1996

*"The peace process must be supported by an effective method of consultation with the people. These consultations must be continuously held, so that those whose lives are affected will have a stake in the outcome... Such has been the subject matter of my toil and inspiration... In the end, this is the only country that we have; we must take care of it through a perpetual search for peace."*

**Ambassador Manuel T. Yan,**  
Chair of the Panel of the Government of the Republic of the Philippines,  
Formal GRP-MNLF Peace Talks, 1993-1996

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