



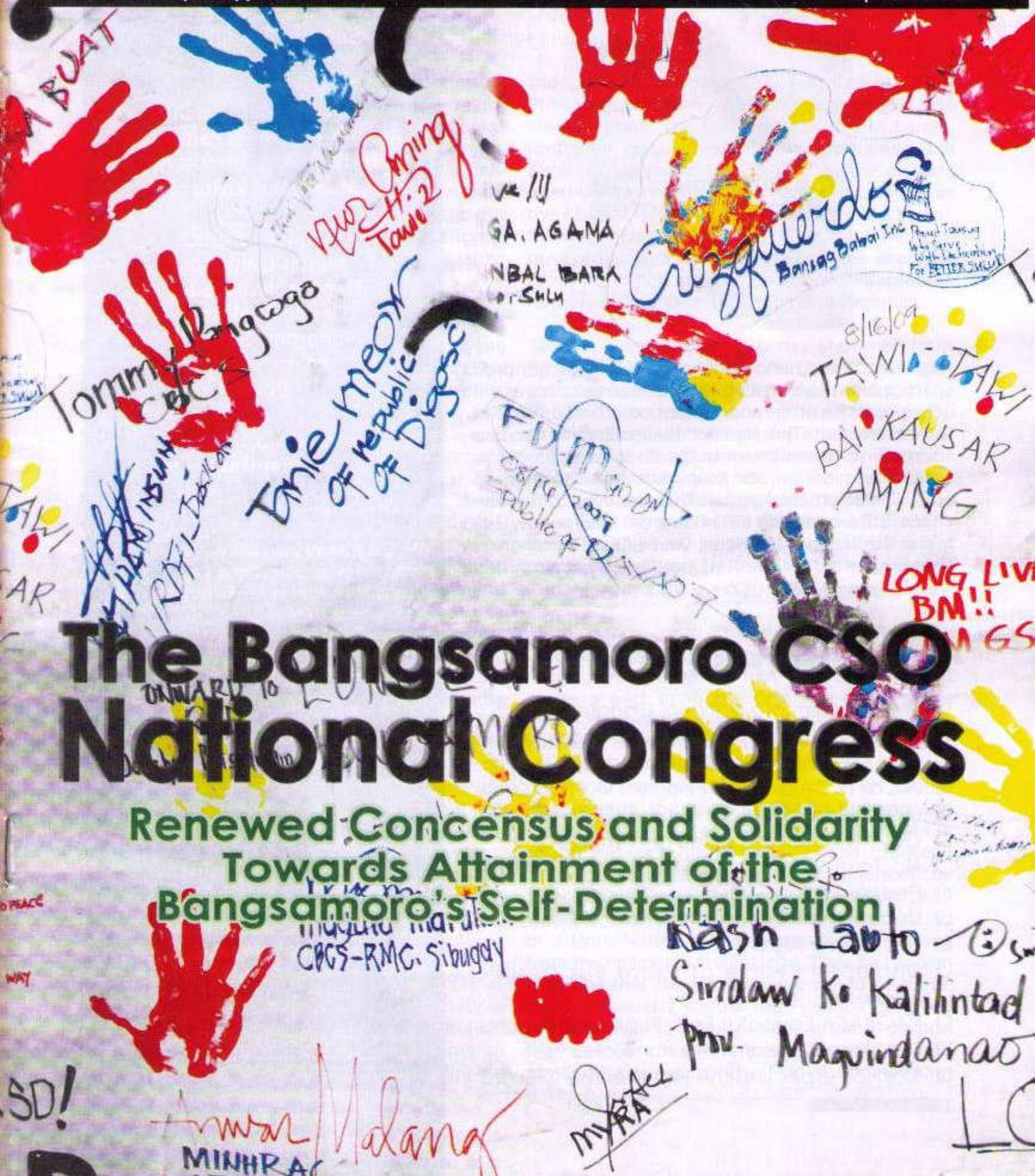
Linking the Moro People with the Rest of the World

THE BANGSAMORO JOURNAL

The Official Quarterly Publication of the Consortium of Bangsamoro Civil Society

Cotabato City, Philippines

September 2009



The Bangsamoro CSO National Congress

Renewed Concensus and Solidarity
Towards Attainment of the
Bangsamoro's Self-Determination

CBCS-RMC, Sibugay

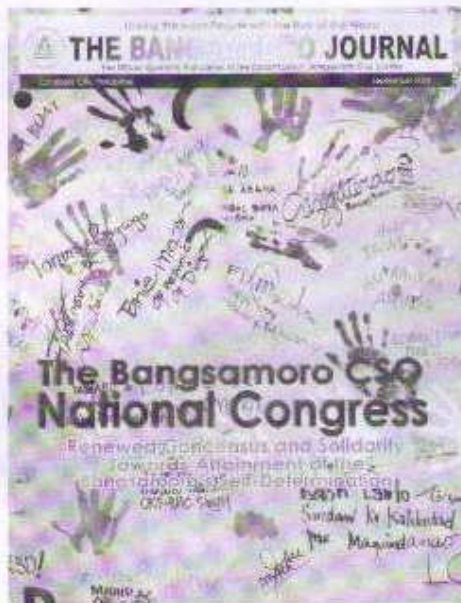
Nash Labto
Sindaw ko Kalihintad
Prov. Maguindanao

MINHRA

MYRA

LC

OUR COVER



Signatures and hand prints of the over one hundred participants representing Moro CSOs from all over the Philippines, written and printed on a broad piece of streamer cloth. This signified their collective decision to reaffirm commitment to the Bangsamoro right to self-determination and to pursue the Bangsamoro CSO Development Agenda. This was done during the historic Bangsamoro CSO Congress held on July 14-16 at the Regency Inn Hotel, Davao City. The congress was organized by the National Steering Committee of the Bangsamoro CSO for RSD Group.

IN THIS ISSUE

- ☐ The Bangsamoro National Congress
- ☐ Policy Statement and Declarations of the Bangsamoro on Self-Determination
- ☐ A Call to Defend the Peoples' Right to Know
- ☐ Suspension of Military Actions (SOMA)
- ☐ Gov't Milf peace panels end impasse
- ☐ No Time but Now to Stop War and Make Peace
- ☐ Uphold the Primacy of the Peace Process
- ☐ TRO: Never Again!
- ☐ Displaced People at Great Risk Despite Ceasefire
- ☐ PAGKAKA Educates Both Pupils and Parents
- ☐ The Moro Wars
- ☐ Stop Disrespecting the Rights of the Civilians

The Editorial Board

Guamel M. Alim
Mike G. Kulat
Sammy P. Maulana
Editors

Norodin M. Makalay
Ahmed Harris R. Pangcoga
Tarhata A. Sambutuan
Managing Editors

Noraida C. Abo
Jaihun Dalandas
Hannan M. Masdoc
Danilo T. Mocsin
Mohamad S. Omar
Lolita U. Tiin
Staff

Daniel Ong
Consultant

The Bangsamoro Journal is the official quarterly publication of the Consortium of Bangsamoro Civil Society and funded by the Stiftung für Kinder (SFK).

It aims to mirror the present situation of the Bangsamoro in the country and links them with the rest of the world.

The Bangsamoro Journal welcomes article contributions and/or comments. The editorial board reserves the right to edit all submitted articles for clarity and space consideration. All articles must include sender's name, address and contact numbers. Send your article/s to:

The Editorial Board
The Bangsamoro Journal
Consortium of Bangsamoro Civil Society
KFI Compound, Doña Pilar Street,
Poblacion 4, Cotabato City
9600 Philippines

Or e-mail: cbcs_04@yahoo.com
Visit the CBCS at: www.cbcsi.org

Statements and opinions reflected in the articles are those of the writer / s and do not necessarily reflect those of the CBCS.

EDITORIAL

The Bangsamoro RSD and the Big Extra Challenge

The term "right to self-determination" – more popularly known by its acronym, "RSD" – and particularly in the context of Mindanao and the centuries-old struggle of the Bangsamoro people, has been widely misunderstood, especially by the mainstream majority of Philippine society. It is because it is always associated with the armed struggle, waged by the two major Moro Fronts against national government.

The sharp and sometimes violent reactions of Non-Moros (and also some Moros) against the struggle of the Bangsamoro is borne out of their ignorance of the latter's history as a people, their way of life, their present problems, and their present struggles and aspirations. It is also caused by their fear of how the Bangsamoro will treat them and their properties if the Bangsamoro will be restored of their RSD. These imaginary fears (sometimes real) are partly due to not only by how the Moro were portrayed by the colonizers – which was carried over to the neo-colonial times, as traitors, villains and untrustworthy people – but also because of past bad experiences against the Moro, thus the stereotyping.

However, what many in the mainstream majority do not know of, or maybe even refuse to know of, is that Bangsamoro RSD is not only a simple armed struggle. It is an assertion that is being made by all the Moro groups that constitute the Bangsamoro spectrum. Like a prism, it has several facets to it, almost all (if not all) of which are based on a very long historical antecedent. Without this antecedent, there would not have been an impetus for an armed struggle or an overall assertion in the first place. Three of these stand out the most over the rest.

First, Bangsamoro RSD is anchored on the often-denied fact that the Bangsamoro, as a people and a nation, has existed centuries before the Declaration of Philippine Independence in 1898, much more so by the Grant of Philippine

Independence of the United States in 1946. Prior to these dates, the Sultanates of Sulu and Maguindanao, the four Principalities of Lanao, and their respective tributary domains have been recognized in the Far East by the middle-aged Malayan states and even by such giant as the Chinese Empire. The treaties made by the Spanish government, and later the American government, with these sultanates are also proof that they have indeed been regarded as nations long before the Philippine Republic.

Second, Bangsamoro RSD has stemmed from age-old injustices done by Philippine colonizers, and then later by the Filipinos themselves, to the Bangsamoro people. According to Archbishop Orlando Quevedo himself, injustice was meted out on the Bangsamoro's identity, on their ancestral territory, on their political sovereignty, and their integral development. These injustices have been done upon the Bangsamoro for many decades, not only by the foreign colonizers of the past, but also by the Filipino mainstream majority upon their assumption to power.

Third, Bangsamoro RSD is also hinged on the fact that the Bangsamoro people were forcibly made part of a nation that they did not want to be a part of in the first place, let alone asked if they wanted to be part of it at all, and then later treated as second class people, given the oh so rare privilege of being milked heavily of their ancestral territory's rich natural resources in the name of nation building and receiving mere scraps and hand-me-downs in return for such humongous "forced tributes". No wonder the assembled Moro leaders of the 1924 Zamboanga Declaration and the 1939 Dansalan Declaration called for a restoration of a Moro Nation that is separate and distinct from the Philippine archipelago. They had known long ago that the Moro people would never be treated properly should the Filipinos be given the privilege to govern their affairs, despite their categorical differences in way of life. And although claimed by the Filipino mainstream

majority as part of the greater Philippine body politic, the Bangsamoro never felt part of this body from the very beginning.

The five provinces that constitute the ARMM, with the highest scores in poverty, infant mortality, literacy, lifespan, and all other negative criteria of the Human Development Index, is more than sufficient proof of unresponsiveness or even willful neglect of the Philippine national government and the Filipino mainstream majority to the Bangsamoro people.

Bangsamoro RSD, therefore, came from the pains, hurts, suffering and anguish experienced by the minoritized Bangsamoro people in the hands of the Filipino mainstream majority and the oppressive and suppressive rule of their government.

It is from the tormented massed ranks of the Bangsamoro people that the two Moro Fronts poured forth. And it is in defense of the very survival of Bangsamoro people that the two Moro Fronts have come to banner in the armed struggle against government, and later, have come to represent and negotiate for in the Moro-GRP Peace Process.

But then again, Bangsamoro RSD can be seen like a cake with two halves. One half delves in the realm of restoring the lost political status of the Bangsamoro as a people and a nation, while the other half focuses on the Bangsamoro's integral development, both in the short and long term.

So, while the Moro Fronts are engrossed in pursuing the peace talks with national government, which is part of the mandate given to them by the Bangsamoro people, with the end in view of attaining a political status that would define the political relationship of the Bangsamoro people with the Philippine state, another major Moro grouping, the Bangsamoro civil society organizations – or the BM CSOs – can find their niche by drafting the Bangsamoro Development Agenda (BMDA). This is on top of their efforts to support the peace talks in many different ways.

Thus, Moro CSOs have converged and banded together to ask key leaders and representatives of groups and sectors that constitute the whole Bangsamoro spectrum to consolidate and develop the "Civil Society Organization – Bangsamoro Development Agenda", or CSO-BMDA.

The twelve thematic development areas of the BMDA are deemed important areas of development of every society. The BMDA contains both more generic and specific strategies towards identified goals. The efforts at articulating the BMDA is as important as the struggle to achieve a certain level of political status. The latter shall serve to enforce the former.

The articulation of the BMDA will allow the Moro people, especially the non-Moro, to better appreciate the context and justification of the continuing assertion of the Bangsamoro of their right to self-determination.

The CSO-BMDA does not only articulate the aspirations of the Bangsamoro but also provides a readily available advocacy material for the Moro people.

The deep prejudices against the Bangsamoro is making the peace process doubly difficult to convince, especially to the non-Moro, that this is correcting the historical and social injustices against the Moro people and not to subordinate them under the Bangsamoro nor to confiscate their legitimately acquired properties.

It has to be made known and understood by as many groups as possible in a way that is non-harassing and non-threatening. This is the big extra challenge.

Bangsamoro CSOs hold national congress

By **DANIEL B. ONG**

A total of 123 delegates – mostly coming from the Autonomous Region in Muslim Mindanao (ARMM) – took part in the congress. The event was organized by the Consortium of Bangsamoro Civil Society (CBCS) with assistance from the Local Government Support Program in ARMM (LGSPA).

In his welcome remarks, Guiamel Alim, Executive Director of Kadtuntaya Foundation, Inc (KFI) and concurrent Chairperson of the CBCS, stressed the importance of crafting a development agenda vis-à-vis the Bangsamoro's struggle for their right to self-determination (RSD).

However, he also underscored the importance of capability-building and solidarity in pursuing the said goal.

"We have to accept it that our (internal) differences and lack of solidarity have become stumbling blocks in the attainment of our RSD," he told the participants.

In closing, he then quoted a part of US President Barack Obama's speech to Muslim leaders in Cairo: "So long as our relationship is defined by our differences, we will empower those who sow



CBCS Chairperson and KFI Executive Director Guiamel M. Alim



"Setting a development agenda is as important for Bangsamoro CSOs as supporting the peace process between the Philippine government and the Bangsamoro revolutionary fronts," Alim said.

Alim added that in principle, the right to self-determination (RSD) of the Bangsamoro is not the problem "but rather the exercise of such right." Thus he challenged the participants to "engage every Bangsamoro so they could contribute to renewed solidarity and consensus."

RSD as overarching goal

The series of regional consultations, according to Alim, has reaffirmed the RSD as the main aspiration and overarching goal of the Bangsamoro struggle.

hatred rather than peace, those who promote conflict rather than the cooperation that can help all of our people achieve justice and prosperity."

Building constituency

Dr. Sukarno Tanggol of the Mindanao State University, in his updates on the Bangsamoro situation, lamented that the kind of autonomy given by the Philippine government to the Bangsamoro in both the 1976 Tripoli Peace Agreement and the 1996 Final Peace Accord signed between the GRP and the Moro National Liberation Front (MNLF) "is even less than the autonomy granted to the Cordillera (region)."

Using ARMM as a yardstick, Tanggol described

the socio-economic condition in the region as "too bad," and its political system and democratic process as "at its lowest level." In addition, he cited the problem of "diverse cultural tendencies" and "poor governance" in the region.

"We are not concerned about substantive governance, but more on its forms and on titles," he said.

Tanggol stressed to Congress participants the need to build constituency for and to institutionalize the Bangsamoro struggle for self-determination. For the first, he suggested the strengthening of the Bangsamoro civil society, the latter's participation in governance, and the profiling of candidates in the 2010 national elections. For the second, he challenged them to revisit — with the Lumads and settlers — the botched Memorandum of Agreement on Ancestral Domain (MoA-AD), and to help revive the peace process.

CSO experiences in advocacy

After the workshops and deliberations on the draft CSO development agenda, a sharing on CSO experiences in advocacy ensued with Dr. Kamarulzaman Askandar, Coordinator of Research and Education for Peace at Universiti Sains Malaysia talking on Peace in Southeast Asia, and Mr. Juanda Djamal of Aceh Civil Society giving an input on Aceh's Right to Self-Determination.

In his presentation, Dr. Askandar said that the MoA-AD fiasco and the outbreak of violence that occurred in its aftermath only shows that peacebuilding on the island has not been able to lay a "good foundation for peace." He added that Malaysia as a facilitator is "tired and fed up, has lost face, and felt cheated" in the collapse of the peace process.

On her part, Atty. Mary Ann Arnado of the Mihdanao People's Caucus (MPC) shared some of her observations and insights as peace activist on the GRP-MILF peace process, among which is the growing donor-dependence of CSO's peace advocacy.

"Are we sure on our MoA-AD advocacy? Can't we make a stand?," she asks.

Arnado clarified that peace advocacy is "not the same as advocacy for RSD." There is a need, she said, for intensified information campaign and awareness-raising among the settlers and Lumads on the MoA-AD.

Ahmed Harris Pangcoga, Training Officer of the CBCS, presented his organization's framework



CBCS Training Officer Ahmed Harris Pangcoga

and experience on peace and human rights advocacy.

Policy statement

A panel of reactors coming from representatives of MILF, MNLF, funding agencies and international lobby groups took turns in giving their respective comments on the draft development agenda.



Dr. Steve Rood

Dr. Steve Rood of The Asia Foundation, for example, challenged the participants to move "beyond logframes towards sustainable peacebuilding." Most of the overseas donors, according to Rood, focus on 'technical' peacebuilding. "We should link 'technical' peacebuilding with transformative peacebuilding", he said.

Before the end of the congress, the body came up with a policy statement and 14-point declaration with the general call for "reaffirmation of the struggle of the Bangsamoro for self-determination, decolonization and political freedom and economic prosperity."

Bangsamoro CSO National Congress

THE HIGHLIGHTS

The Bangsamoro CSO National Congress on the Right to Self Determination was conducted on August 15-16, 2009 at Regency Inn, Davao City.

The activity, which has the theme - *"Renewed Consensus and Solidarity Towards the Attainment of the Bangsamoro's Self-Determination"* - was a culmination of the series of consultations conducted with the Bangsamoro CSO leaders in a period of almost two years in order to come up with a collective Bangsamoro CSO Development Agenda on the Right to Self Determination.

More specifically, the two-day activity aimed for the Bangsamoro CSO to: (1) collectively discuss and analyze the present situation and condition of the Bangsamoro; (2) validate the inputs of the area consultations among Bangsamoro CSO leaders and finalize this as the Bangsamoro CSO Development Agenda; (3) identify its role as Bangsamoro CSO in the overall struggle of the Moro people for the Right to Self Determination; and (4) build constituency for the Agenda in their advocacy.

An input from former Ambassador and Professor from the Mindanao State University in Marawi City, Dr. Sukarno Tanggol about the Bangsamoro situation opened up the Congress. After which, the actual workshop on the finalization of the Development Agenda commenced. The Agenda were composed of twelve themes - (a) Land Tenure, (b) Culture, (c) Environment, (d) Social Services, (e) Youth, (f) Political System, (g) Peace and Security, (h) Relationship with Other Peoples, (i) Education, (j) Human Rights, (k) Economic System, and (l) Women.

A total of 123 CSO representatives attended the activity. Upon registration, the participants were asked to identify which of the thematic groups they want to be a part of, in the conduct of the actual workshop. The participants were distributed, forming at least eight (8) in every thematic groups. Facilitators were assigned to each group, who presented the outputs - specific to the theme - gathered during the series of consultations. Each group worked on the outputs - editing, omitting, and adding items as they finalized the agenda for

their assigned theme or area of concern.

A presentation of the group outputs in the plenary immediately followed the workshop. Each output was subjected to the comments, suggestions and formal adoption of the entire body.

The critiquing of the agenda in the plenary took the most part of the Congress as several contentions were raised following the presentations.

The final document was further presented to a panel



composed of invited key players and stakeholders to Peace in Mindanao. The panelists were Dr. Steve Rood, Philippine Country Representative for The Asia Foundation; Mr. Koto Akira of Japan International Cooperation Agency (JICA); Mr. Dean Mashur Bin-Ghalib Jundam - Chair, MNLF National Secretariat, Tripartite Peace Process, Moro National Liberation Front; Datu Jun Mantawil - Head, MILF Secretariat, GRP-MILF Peace Negotiations, Moro Islamic Liberation Front (MILF); Dir. Edcel Mijares - Office of the Presidential Assistant on the Peace Process; Mr. Gus Miclat - Executive Director, Institute for International Dialogue (IID); and Mr. Felipe Ramiro - Program Coordinator of Joint Oxfam Mindanao Program (JOMP).

The reactors commended the body for the foresight, dedication and effort displayed in coming up with the Bangsamoro CSO Development Agenda. Chair Jundam stressed the importance of making sure that the Development Agenda is in parallel with what is being discussed in the current Peace Talk.

Datu Mantawil expounded on the importance of the Bangsamoro's keeping a co-friendly neighbor relationship with the rest of the rest of the Filipino people. Areas of cooperation between Oxfam and the Bangsamoro CSO on some of the items being put forward in the Agenda was discussed by Mr. Ramiro. He made mention of the possibility of partnership in addressing the aspirations for economic development through the establishment of sustainable livelihood programs.

Several recommendations were also given for the Bangsamoro CSO body to consider. One came from Dr. Rood who pointed out that in the entire country, a constituency for peaceful action can be found and that efforts should be made to link with such constituency. Dr. Rood further suggested for

of the Agenda by the Bangsamoro People – for whom it is for and whose aspirations and hopes were embodied in it – by presenting it back to them. Mr. Miclat also reiterated Dr. Rood's suggestion of making the effort to communicate the Agenda to the rest of the Filipinos out there for the better understanding of the situation of the Bangsamoro. It was reaffirmed that a peace constituency can be found in the entire country. Lastly, Mr. Miclat pointed out the need to recognize the other people's right to self determination as well, as the Bangsamoro struggles in the pursuit achieve their own. It was underlined that it is in this that a deeper understanding of the right to self determination can be obtained.



The following are the members of the TWG. An alternate was also chosen to ensure representation in each meeting:

SULU

Dr. Hannibal Bara

BASILAN

Mohammad Noore Ladjagais

Nuriam Ladjagais

TAWI-TAWI

Arlene S. Aming

LANAO SUR

Pinky Hadji Ali

MAGUINDANAO/COTABATO

Atty. Anwar Malang

Kim Bagundang

the group to continually engage in the discourse for the Right to Self Determination since it is in doing so that they would improve their articulation of the same, and get a better specifications of what they really want. Dr. Mijares of OPAPP made the suggestion to include in the final document a definition of terms in order to level off and be clear about the items being set forward. The need to define fully what "Bangsamoro" means and constitutes was pointed out. It was suggested further to divide the agenda into long-term and medium-term agenda.

Several points were raised by Mr. Miclat. One is for the body to be clear about how the Agenda can be achieved in the current context – whether it means that its achievement will be when the right to self determination is obtained or the other way around. Another is to ensure the acceptance

SOCKSARGEN

Hja. Bainon Karon

Oscar Solaiman

ZAMBOANGA PENINSULA

Ferrer Marcaban

DAVAO

Sami Buat

PALAWAN

Datu Abdelwin Sangkula

MANILA

Jun Naga

The reading of the "**Policy Statement and Declaration of the Bangsamoro on Self Determination**" and the symbolic affirming of commitments by the CSO representatives to pursue and uphold the same, capped the two-day Congress.

Policy Statement and Declarations of the Bangsamoro Congress on Self-Determination

August 15-16, 2009
Regency Inn, Davao City

We, the Bangsamoro people upholding the Immense Sovereignty of Allah over the Worlds and over all creations, do hereby adopt, collectively proclaim, and promulgate the following declarations in the pursuit of the Bangsamoro peoples' right to self-determination and for establishing an Islamic system within the territory on which we assert our collective birthright claim, to wit:

- 1) That the Moro peoples' right to self-determination shall be attained and achieved through the process of decolonization of the Bangsamoro Homeland as an indigenous nation independent in character, and whose existence and contemporary identity and destiny is upheld and defined under the UN Covenant on the Rights of Indigenous Peoples of April 1994;
- 2) That we shall explore, as we do, peaceful avenues in attaining and achieving the Moro right to self-determination, including support to the demand for the full implementation of the MNLF-GRP 1996 agreement and the ongoing peace process between the Government of the Philippines and the Moro Islamic Liberation Front, and propositions therein that provide for an "associative relation" of the Bangsamoro with the national government for a short- or medium-term time-frame of the BM aspiration;
- 3) That we shall support initiatives, moves and processes that seek to (bring together) the Moro fronts in solidarity towards the attainment of RSD;
- 4) That we seek resolution of the Muslim Mindanao conflict by addressing its root causes - injustice, poverty, underdevelopment, displacement and the illegal encroachment of the Bangsamoro territory, by returning to them lands unjustly taken from them through legitimized processes that were alien to them, such as land titling and the national enactment of colonization laws;
- 5) That through peaceful and legitimate means, the Bangsamoro people shall pursue retrieval of lands taken from their forebears with policies enforced upon them by the succession of colonial and neo-colonial administrations without undermining the legitimate rights of the present owners;
- 6) Enhanced respect for other peoples in a diversity of Bangsamoro territory or governance and tolerance shall be the guiding principles in the relationship of Moros with other peoples. The first Muslim administration best exudes respect and tolerance in the Magna Carta of the Prophet Muhammad (saw) on the Rights of non-Muslims in a Muslim government, particularly the St. Catherine Monastery of Mt. Sinai, an enclave of the Roman Empire in the 7th Century;

7) That the Bangsamoro people shall have access to all social services necessary to establish a productive, self-reliant and righteous ummah;

8) That the Bangsamoro shall exercise control over its territories, including the realm of decision-making on the utilization, preservation and protection of its natural resources through ways formulated to collectively benefit the Moros of the present and future generations;

9) That the Bangsamoro people are developing and shall establish their own system of education for children and youth, as well as alternative learning system for adults;

10) That Human Security does not solely apply on the problem of terrorism, but more importantly for every human being to be safe, and be secured in their domicile as well as their rights protected, including free movement and speech (without violating the Qur'an prohibition of slander);

11) That the rights of women shall be defended and protected and their representation in governance and other forums and sectors of society shall be upheld and promoted. In the same manner that cases of violations against their rights shall be documented and prosecuted;

12) That the Bangsamoro people shall promote and establish an Islam-inspired finance and economic system of usury-free, partnership (profit-loss sharing) scheme on public transactions, particularly those pertaining to market and banking businesses and in the management and utilization of the Bangsamoro resources;

13) That the Moro cultural heritage, the tradition and the rich history of the Bangsamoro people shall be maintained, preserved and promoted and shall be taught in schools attended by Moros and non-Moros, and,

14) The rights of children and youth shall be upheld and protected equally at all time among Moro and non-Moro people in the Bangsamoro Homeland. The Prophet Muhammad (saw) recognized and promoted their potentials not only in sports but also in community affairs when he introduced the concept of foster-parenting among the children of poor and rich families in the Dark Age of Arabia.

We assert our quest for just peace and humane society for the Bangsamoro peoples and their future generation!

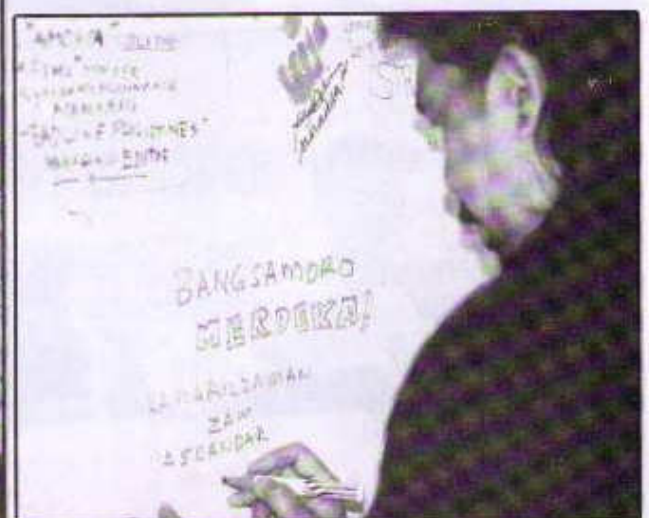
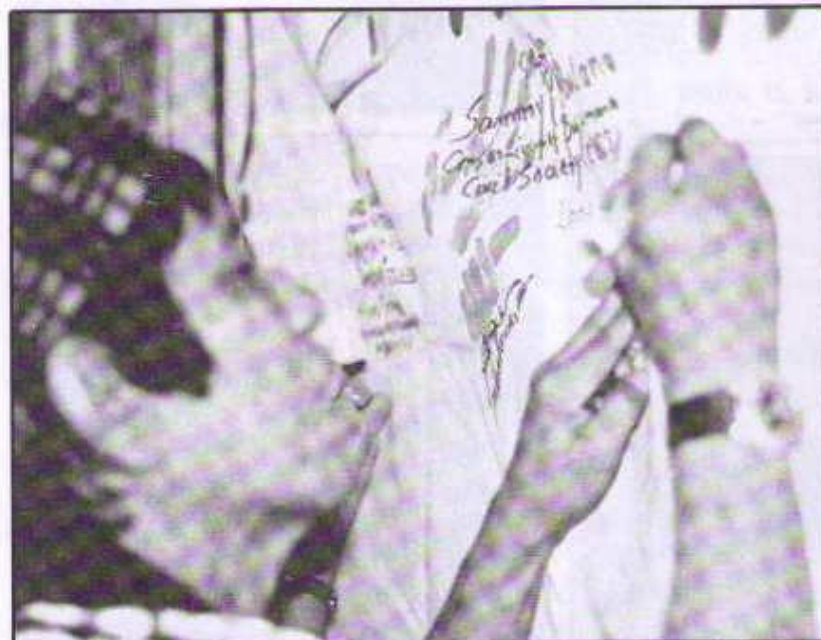
Reaffirm the struggle of the Bangsamoro for self-determination, decolonization and political freedom and economic prosperity!

Adopted from consensus reached during the two-day Bangsamoro Congress on self-determination, and promulgated by 92 leaders of Bangsamoro Civil Society Organizations this 25th Day of Sa'aban 1428 HC, corresponding to 15th day of August 2009 in Davao City.

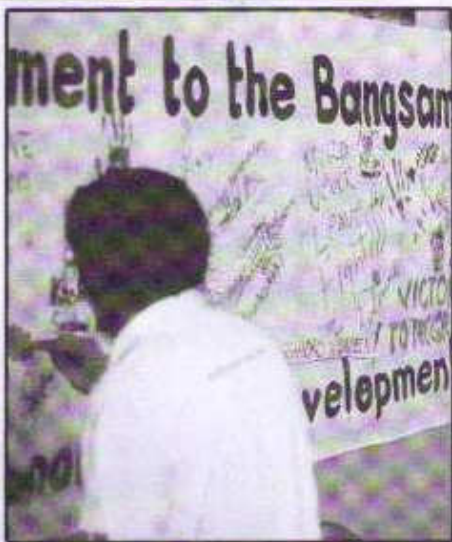
Bangsamoro
CSO
National
Congress

photos









A Call To Defend the Peoples' Right to Know

The State of the Bakwits (S.O.B.), a joint coverage of Mindanao and Manila journalists held on June 29 to July 1, 2009 was intended to focus public attention on a humanitarian tragedy that we believe has not been given the attention it deserves.

Coming from different media organizations in Mindanao and Manila, we issue this collective statement in view of the disturbing checkpoint incident on June 30 and certain pronouncements of the 6th Infantry Division's spokesperson about the organizers and participating journalists.

The coverage was prompted by persistent and alarming reports of alleged human rights violations like food blockades, illegal arrests, disappearances and summary executions; and that non-government and humanitarian organizations, even media, were also reportedly being prohibited from going to evacuation centers presumably to protect them from hostilities between government troops and rebel forces.

We came to validate these reports and to get a solid grasp of the actual situation in the evacuation centers so that concerned authorities will be able to appreciate more fully, and respond appropriately to, the complex problem of internal displacement in Maguindanao.

We found some of the answers even before reaching the evacuation centers.

On Tuesday, June 30, as we were proceeding to the evacuation sites in Datu Piang, Maguindanao, soldiers of the Army's 46th Infantry Battalion stopped us along the Cotabato-General Santos highway in Barangay Bagan, Guindulungan.

Those in the lead car of our nine-vehicle convoy were asked if we were from the media. Not one of the soldiers could tell us why we were being held. All they could say was we would be "released"

when they receive "clearance" from Colonel Medardo Geslani, commander of the 601st Infantry Brigade.

When contacted within the first five minutes of what turned out to be a 46-minute standoff, Geslani's superior, Maj. Gen. Alfredo Cayton, commanding general of the 6th Infantry Division, said he would check with Geslani. Cayton said he was informed by Geslani that he ordered the journalists stopped because of ongoing "clearing operations" to ensure our safety from roadside bombs.

A day earlier, an improvised explosive device (IED) blew off in Barangay Kitango, Datu Saudi Ampatuan, killing two persons and injuring eight others.

The checkpoint personnel said nothing about "clearing operations." Curiously, it was just the media vehicles that were stopped at the checkpoint.

If, indeed, there were IEDs on the roadside, why should media be given 'preferential protection'?

And if, indeed, security was the main consideration, they could have notified us even before we had left Cotabato City for Maguindanao since the organizers had been coordinating with the military panel of resource persons who confirmed participation in the subsequent forum in the afternoon of June 30.

We also would like to correct pronouncements made by the spokesperson of the 6th Infantry Division, Lieutenant Colonel Jonathan Ponce, who sent out text messages to reporters claiming that the journalists who were participating in the State of the Bakwits coverage were given "pocket money" by one of the organizations involved, which he alleged was connected to the Moro Islamic Liberation Front (MILF).

The invitation clearly states who the organizers are.

Efforts to discredit our coverage by attempting to discredit the organizing groups will not be viewed kindly by the public especially since the case of the bakwits is a matter of national and international interest. For did we not rank first among all countries for having the "biggest new displacement in the world," contributing 600,000 to the 4.2 million total of newly displaced in 2008, according to the April 2009 report of Geneva-based Internal Displacement Monitoring Centre?

We assert that trying to mask the magnitude of this crisis by stifling the free flow of information and the people's right to know can only worsen the current problem.

We agree with, and appreciate the statements of both the government and MILF peace panels during separate interactions with us, that the peace process should be accompanied by transparency.

We also believe that the achievement of a just and lasting negotiated resolution to the generations-old conflict besetting the Bangsamoro is possible only when all stakeholders are granted adequate access to information about and participation in the peace process.

This is why we are saddened that there remain elements of government who are trying to curtail access to information about the problems plaguing the Bangsamoro and the roots of the age-old conflict that continues to cause so much suffering, as well as vilify those who seek to uncover the truth surrounding the situation and explain these to the people.

This much we have learned from our experience as a people who lived through and eventually overcame 14 years of dictatorship: you can neither hide the truth forever nor allow it to be hidden.

ANY MORE ATTEMPT TO CURTAIL OR CONTROL THE FLOW OF INFORMATION VITAL TO THE PEOPLE'S UNDERSTANDING OF THIS CONFLICT, WILL DEFINITELY NOT SERVE THE CAUSE OF PEACE.

4 July 2009

Atty. CHARINA SANZ
Mindanao ComStrat and Policy Alternatives

CAROLYN ARGUILLAS
MindaNews

FR. EDUARDO VASQUEZ, OMI
I-Watch

RED BATARIO
Center for Community Journalism and Development (CCJD)

MA. AURORA FAJARDO
Philippine Human Rights Reporting Project

NONOY ESPINA
National Union of Journalists of the Philippines (NUJP)

RYAN ROSAURO
The Peace and Conflict Journalism Network (PECOJON)

Reference:

ROMY ELUSFA
Secretariat, SOB Coverage Mission
Mobile phone 09209546793

Moro Islamic Liberation Front
(MILF)
Central Committee
Office of the Chairman

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



جبهة تحرير مورو الإسلامية
(ج.ت.م.ا)
اللجنة المركزية
مكتب الرئيس

Ref No. :

الرقم الاشاري

GENERAL ORDER No. 003/09/A

Date :

التاريخ

TO : All Officers and Men of the Bangsamoro Islamic Armed Forces (BIAF),
Moro Islamic Liberation Front (MILF)

FROM : **AL HAJ MURAD EBRAHIM**
Chairman
Central Committee, M I L F

SUBJECT : Implementation of Suspension of Military Actions (SOMA)

DATE : July 25, 2009

Brothers in the struggle:

Assalamu alaikum wa rahmatullahi wa barakato

In view of the declaration of Suspension of Military Actions (SOMA) by the Bangsamoro Islamic Armed Forces (BIAF), in compliance with the resolution of the MILF Central Committee, you are hereby ordered to implement the following:

1. To observe strictly the Suspension of Military Actions (SOMA) in all the areas of responsibility of BIAF against Philippine government forces;
2. To adhere to all the provisions of the Agreement on the General Cessation of Hostilities (AGCH) between the Moro Islamic Liberation Front (MILF) and Government of the Republic of the Philippines; and
3. To support and cooperate with efforts for revitalization and strengthening of ceasefire mechanisms on the ground as may be agreed by the Moro Islamic Liberation Front (MILF) and the Government of the Republic of the Philippines (GRP).

However, the MILF takes reservation to the provision of the GRP Suspension of Military Operation (SOMO) to the effect that the PNP, with the support role of AFP, will continue the manhunt operations against the so-called "rogue commanders." For this purpose, the concerned commanders are hereby directed to continue in defensive position mode and to exercise their right to self defense when attacked.

This Order takes effect this 25th day of July 2009.


AL HAJ MURAD EBRAHIM
Chairman

Gov't, MILF peace panels end impasse; issue joint statement from KL

DAVAO CITY, 29 July — The government and Moro Islamic Liberation Front (MILF) this afternoon signed in Kuala Lumpur a joint statement signifying the end to "nearly a year of impasse in the peace negotiations, and to complete the preparation for the resumption of the Talks."

The two-day "special meeting" on July 28 and 29 "ended on a high note with both sides expressing a common desire to restore trust and confidence in addressing major issues in order to pave way for the early resumption of the stalled peace negotiations."

The two panels agreed on four points, including how to deal with the controversial Memorandum of Agreement on Ancestral Domain (MOA-AD) which was initialed by both parties on July 27, 2008 and was supposed to have been formally signed on August 5, 2008 were it not for a temporary restraining order issued by the Supreme Court on August 4.

By a vote of 8-7, the Supreme Court on October 14, 2008 ruled the MOA-AD "unconstitutional" but noted that "surely, the present MOA-AD can be renegotiated or another one will be drawn up to carry out the Ancestral Domain aspect of the Tripoli Agreement of 2001, in another or in any form, which could contain similar or significantly drastic provisions."

The MOA-AD was the third and last agreement out of the three-agenda items in the talks — security, relief and rehabilitation, and ancestral domain — prior to the negotiation on the political settlement.

The panels today agreed on the following:

- Mutual effort to sustain both the Government's Suspension of Military Offensives (SOMO) and the MILF's Suspension of Military Actions (SOMA);

- — Acknowledgment of MOA-AD as an unsigned and yet initialed document, and commitment by both parties to reframe the consensus points with the end in view of moving towards the comprehensive compact to bring about a negotiated political settlement;

- — Work for a framework agreement on the establishment of a mechanism on the protection of non-combatants in armed conflict;

- Work for a framework agreement on the establishment of International Contact Group (ICG) of groups of states and non-state organizations to accompany and mobilize international support for the peace process.

The Joint Statement, a copy of which was furnished MindaNews by Assistant Secretary Camilo "Bong" Montesa, government spokesperson for Talks with the MILF, also noted that government peace panel chair Rafael Seguis "took serious note" of the concern of the MILF on the implication of the exclusion from the SOMO of some MILF commanders tagged as 'rogues' by the Government. The MILF considers the three alleged "rogues" as "legitimate MILF" members.

Montesa said the acknowledgement of the MOA-AD as an unsigned and yet initialed document "means what it says." "It is a document that is unsigned yet initialed and that Parties will move on to negotiating the comprehensive compact. It describes a fact and a resolve by the Parties to move forward."

The ICG is a new set-up being introduced. It is not clear if this includes or is separate from the the International Monitoring Team (IMT) which Malaysia led until the mandate expired in November last year and the international guarantors the MILF was earlier demanding, following the breakdown of the talks after the botched signing of the MOA-AD.

But Seguis told MindaNews the ICG is "just like Friends of the Peace Process in Mindanao."

The Joint Statement was signed by Seguis and MILF peace panel chair Mohagher Iqbal, in the presence of Malaysian talks facilitator, Datuk Othman bin Abdul Razak.

Iqbal could not be reached for comment.

The peace panel members boarded the same flight to Malaysia on Monday, just as President Arroyo was delivering her State of the Nation Address.

Ms Arroyo in her SONA said "there is now a good prospect for peace talks with both the Communist Party of the Philippines and the MILF, with whom we are now on ceasefire." (**Carolyn O. Arguillas/ MindaNews**)

GRP-MILF JOINT STATEMENT

July 29, 2009

Kuala Lumpur, Malaysia

The Chairmen of the GRP and the MILF Peace Panels re-established official contact today under the auspices of the Malaysian Third Party Facilitator, to end nearly a year of impasse in the peace negotiations, and to complete the preparation for the resumption of the Talks.

The two-day Special Meeting ended on a high note with both sides expressing a common desire to restore trust and confidence in addressing major issues in order to pave way for the early resumption of the stalled peace negotiations.

In their meeting, they agreed on the following:

1. Mutual effort to sustain both the Government's Suspension of Military Offensives (SOMO) and the MILF's Suspension of Military Actions (SOMA);
2. Acknowledgment of MOA-AD as an unsigned and yet initialed document, and commitment by both parties to reframe the consensus points with the end in view of moving towards the comprehensive compact to bring about a negotiated political settlement;
3. Work for a framework agreement on the establishment of a mechanism on the protection of non-combatants in armed conflict;
4. Work for a framework agreement on the establishment of International Contact Group (ICG) of groups of states and non-state organizations to accompany and mobilize international support for the peace process.

The GRP Panel Chairman took serious note of the concern of the MILF on the implication of the exclusion from the SOMO of some MILF commanders tagged as "rogues" by the Government.

The Parties expressed their gratitude to President Gloria Macapagal-Arroyo for her desire and commitment to durable peace and sustainable development in Mindanao, and to Malaysian Prime Minister Dato' Sri Mohd. Najib bin Tun Haji Abdul Razak for his generous and steadfast support and assistance to the pursuit of these goals. Their joint efforts largely contributed to this significant advancement in the GRP-MILF peace process.

Done this 29th day of July 2009 in Kuala Lumpur, Malaysia.

For the GRP: For the MILF:
AMB. RAFAEL E. SEGUIS
GRP Panel Chairman

MOHAGHER IQBAL
MILF Panel Chairman

Signed in the presence of:
DATUK OTHMAN BIN ABDUL RAZAK
Third Party Facilitator

No Time but Now to Stop War and Make Peace

Statement of the Waging Peace Philippines

July 29, 2009

“Children are dancing with joy” said the text message, reporting that the Government’s unilateral SOMO or suspension of military operations against the MILF had just been announced to the assembly of IDPs (internally displaced persons) in Datu Piang.

The Waging Peace Philippines, a national civil society peace network, sincerely welcomes the recent initiatives towards ceasefire between the GRP and MILF and towards formal peace talks soon between the GRP and NDF. These developments are to be hailed especially considering the latest DSWD count of “validated” IDPs of the GRP-MILF conflict at 200,913 persons, and news just last week of other IDPs, particularly indigenous peoples, fleeing this time from the military and NPA clashes in Surigao.

These renewal of efforts for peace provide a space that should give communities respite from violence and fear and allow them some normality. They also awaken the hope that some progress can be made in the peace negotiations to lay the ground for sustained commitment to peace processes by all parties.

With less than a year of the current administration, it may not be realistic or even wise to beat a deadline for signed peace agreements. But with good will and genuine effort for reform, this can be a final chance to leave a legacy of significant steps forward on peace.

On the GRP-MILF peace process, we urge all groups, especially local government officials to respect and support the SOMO of the government and the SOMA (suspension of military attacks) of the MILF. We appeal to the local as well as international community for assistance towards the re-establishment of effective ceasefire mechanisms. The IDPs must continue to be given full humanitarian protection and support, and

ensured safe return, rehabilitation and healing. We urge the Government and the MILF to return to the peace table with the sincerity and political will to negotiate a just resolution to the Bangsamoro right to self-determination.

On the GRP-NDF peace processes, we support the negotiations on Social and Economic Reform and assert that these should already be complemented by concrete actions towards structural justice in order to reverse the growing poverty in the country. We urge that the Joint Monitoring Committee (JMC) of the CARHRIHL (Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law) be immediately convened and continuously activated to strengthen the implementation of CARHRIHL by all parties. At this time, there should be a stop to all extrajudicial killings/assassinations, torture, enforced disappearances and other human rights violations by all perpetrators.

As citizens and civil society, we commit to support these renewed peace tracks of the GRP-MILF and GRP-NDF, by building the constituency for peace, by contributing our peace agenda and proposals, and by working for the clean electoral transition and governance reform necessary for a sustainable peace.

Let us now work together in taking the current opportunities on the peace front mindfully forward, to finally build a joyful nation for our children.

For the Waging Peace Philippines Convenors (Bobby Tañada, Ed Garcia, Loreta Castro, Anwar Upahm, Gus Miclat, Mardi Mapa, Fatmawati Salapuddin, Cesar Villanueva, Bridget Pawid, Rechie Tugawin, Fr. Rene Mabute)

An Open Appeal For Peace and for Our Evacuees

By Archbishop Orlando B. Quevedo, O.M.I.
Archbishop of Cotabato

To all Warring Parties:

As a Religious leader I respect your causes, although I may not agree with your methods.

But precisely because I am a Religious leader I strongly condemn every violent act perpetrated that has no concern for the innocent.

I condemn in the strongest terms as serious moral evil such crimes as terrorist bombings that by their very nature target the innocent, punitive raids on villages, bombardments that fall on civilian populations, landmines that can kill any passerby. For me "collateral damage" simply means murder and deliberate unjustifiable destruction of property.

War inflicts more destruction on civilians than on combatants. For every combatant killed, scores of civilians suffer or die. In the past twelve months I have seen thousands of civilians languishing in evacuation camps, first in the Pikit and PALMA areas and now in Datu Piang and various other places of Maguindanao. They give birth to babies under dismal conditions, they beg for food and water, they struggle for life in the most miserable situation. They die as statistics. Such human tragedy, it is said, has spawned brutal retaliatory terrorism elsewhere in our region.

From the depths of my soul I can only cry out to all warring parties, "Enough is enough!" End your so called search and punish operations. End your terrorist bombings. End your bombardments, end your raids, all you warring parties! Enough is enough!

Due punishment for raids has long been meted out in an attrition of casualties and damaged properties. And now what most sadly remains is the senseless logic of war, of action and reaction. And the suffering of thousands of civilian evacuees. Enough is enough!

For the sake of our evacuees and in the name of our one God of Peace, end your war! Go back to the negotiating table. Let the thousands of evacuees return safely to their home. Collaborate with one another towards this objective. Together, rehabilitate their destroyed properties. Give them another chance for a truly human life.

With the grace of the Most Merciful, Most Beneficent, Most Compassionate God, the one unique God we all believe in, there is no human conflict that cannot be solved through a genuine honest dialogue of the heart.

May the One Almighty Loving God of all have compassion on us.

(Archbishop Orlando B. Quevedo, Archbishop of Cotabato, was President of the Catholic Bishops Conference of the Philippines for two terms, from 1999 to 2003, during which two wars between the GRP and MILF — in 2000 and 2003 — occurred)

Mindanao Peace Weavers:

Uphold the Primacy of the Peace Process

We, the Mindanao Peace Weavers- a convergence of seven peace networks in Mindanao- challenges the Government of the Republic of the Philippines (GRP) and the Moro Islamic Liberation Front (MILF) to recommit to previous ceasefire agreements and immediately reactivate the ceasefire mechanisms.

There is no other way but for the GRP and the MILF to come together and dialogue for the peaceful resolution of the conflict in Mindanao. This is the only way for both sides to be accountable to the protection of civilians who are caught in the cycle of war and impoverishment. War is waged in their name and it is in this same framework which demands that they come together and talk.

We thus demand for the GRP and MILF to uphold the primacy of the peace process, not merely through pronouncements and declaration of a Suspension of Military Operations (SOMO) and Suspension of Military Action (SOMA) but to immediately take action against mounting human rights violations against civilians in war torn areas in Mindanao.

It is imperative to immediately reactivate the Coordinating Committee on the Cessation of Hostilities (CCCH) and the Ad-Hoc Joint Action Group (AHJAG) to enable ground mechanisms for civilian protection.

There is no other path to peace but dialogue.

We laud and fully support the effort of both the GRP and MILF to sit down and complete the preparation for the resumption of the talks. We also commit to help out the parties concerned in the establishment of an International Contact Group (ICG) and National Contact Group (NCG) to accompany the peace talks. Together with other civil society partners and friends, we offer our allied networks in the island and the region to accompany this process.

We recommit to continue the effort to mobilize international and local support for the peace process in Mindanao.

There is nothing to lose in our effort to forge peace. We call on the public to lay aside their prejudices and biases, and instead find that common ground for peace to flourish. We challenge the media to become an instrument of peace rather than of division.

We believe that both the MILF and the GRP must strengthen their position and commitment for peace and to be on guard against being outflanked by "spoilers" who may also come from their own ranks or constituencies.

The common ground is the civilian community, in whose name war and peace have been waged for ages. By putting the interest of the common people in the center of development efforts, and within the framework of their human rights, we believe that the GRP and the MILF will be able to uphold the people's protection. Yet it is not enough that the civilians are protected. They must fully participate in the peace building process. We renew our commitment to help make this so.

We welcome the commitment of the GRP and the MILF to acknowledge the Memorandum of Agreement on Ancestral Domain (MOA-AD), which is an expression of the Moro people's assertion on their right to self determination.

We believe that the effort to reframe the consensus points can bring about a negotiated political settlement to the conflict.

However, we express alarm and grave concern over reports that civilians are now being armed, allegedly "to defend themselves", and that such arming of civilians is hinged on a revived "doomsday scenario" that relates to the MOA-AD.



We ask the GRP to prevent the "militarization" of civilians which will only increase possible human rights violations in communities.

In the same breath, we beseech all concerned stakeholders, gatekeepers of peace, and the general public not to make hasty assumptions on the content of the resumed Peace Talks, which may lead to widespread civil disorder.

We also call on the AFP and the PNP to ensure that no incident of such kind would come about anywhere in Mindanao.

And as an act of goodwill from both the GRP and the MILF, we urge them to jointly ensure the safe return of the IDPs to their homes, brainstorm with them regarding their needs for a safe environment in which to observe the season of Ramadhan and jointly guarantee that nothing will disturb the communities in the observance of this Holy Season.

We also enjoin all to observe utmost sobriety and restraint, and to practice discernment. Let us all dialogue so that all perceived fears are assuaged and all possible misconceptions clarified.

Finally, we hurl this challenge to the GRP and the MILF to take the bolder step towards peace in Mindanao: Resume the peace talks!

(Mindanao Peaceweavers is a convergence of peace advocates in Mindanao. It is convened by seven (7) peace networks that coalesced in the spirit of cooperation, complementation and concerted action towards a common advocacy and peace platform. MPW is composed of: Consortium of Bangsamoro Civil Society (CBCS), Agong Network, Inter-Religious Solidarity Movement, Mindanao Peace Advocates Conference, Mindanao Peoples Caucus, Mindanao Peoples Peace Movement and Mindanao Solidarity Network. MPW is run by the following NGOs who act as its secretariats: Initiatives for International Dialogue (IID), Catholic Relief Services, Saligan and TACDRUP).

Temporary Restraining Order (TRO):

Never Again!

Media Statement

August 4, 2009

We, the undersigned representatives of civil society organizations and peace advocates in Mindanao, hereby express our grave concern over the recent remarks of Cotabato Vice Governor Emmanuel Piñol who threatens to cite the Government Peace Panel in contempt of the Supreme Court for its July 29 Joint Statement which mentioned in part the "acknowledgment of MOA-AD as an unsigned and yet initialed document, and commitment by both parties to reframe the consensus points with the end in view of moving towards the comprehensive compact to bring about a negotiated political settlement".

Piñol's threat only reveals his own incorrigible stand to oppose whatever efforts to resume the talks and resolve the armed conflict in Mindanao through peaceful means. And to claim that the people of Cotabato are behind him in this stance is a clear misrepresentation of the real sentiments of the people. We can only say that the real sentiments of the people of Cotabato will come out quite clearly and strongly when they cast their votes in 2010. And we call on all peace-loving people of Cotabato and Mindanao to never ever allow this type of leader to continue to stay in public office.

No less than the Supreme Court said its October 14, 2008 decision that the "MOA-AD is a significant part of a series of agreements necessary to carry out the GRP-MILF Tripoli Agreement on Peace signed by the government and the MILF back in June 2001. Hence, the present MOA-AD can be renegotiated or another one drawn up that could contain similar or significantly dissimilar provisions compared to the original". Said decision has never suggested that the peace panels could not talk about Ancestral Domain anymore. How can one ever restrain the peace panels from talking about the root causes of the armed conflict — the displacement and marginalization of the Moro and Indigenous Peoples from their own ancestral domain due to colonization and resettlement

program that favored the settlers from Visayas and Luzon.

This is aggravated by the insatiable greed of the elite who up to now continues to encroach upon whatever is left of the traditional territories of the indigenous and bangsamoro peoples. One need only look at the vast tracts of banana and oil palm plantations in Central Mindanao to question how did this few big families manage to acquire thousands upon thousands hectares .

No less than Governor Jesus Saccalan stressed during the State of the Bakwit Address (SOBA) last July 23, 2009 in Cotabato City that 99 percent of his constituents are supportive of the peace process. Would that mean the remaining one percent represents Pinol?

At the core the Mindanao problem is the highly skewed distribution of ownership and control over land – brought about since the early 1900s by a series of state-directed land development policies that effectively "minoritized" and impoverished the original indigenous communities, including the Bangsamoro. Landgrabbing and illegal encroachment are the primary drivers of the conflict in Mindanao that resulted to deprivation, disenfranchisement, injustice, and poverty.

We therefore pose these questions to Vice Governor Piñol: if you truly desire true and lasting peace, why question then the lawful demands of the Bangsamoro to legally claim what is theirs through the MOA-AD? Does Vice Governor Piñol even concern himself with the fears, the rift, the divisions and the violence that his Temporary Restraining Order against the MOA-AD are bringing upon the people of the country, especially among us living in the Southern Philippines?

Political maneuvers over land control in the guise of beliefs in national patrimony work against the fundamental solution to the Mindanao conflict. Let us prevent any attempt to destroy the gains of the

peace process especially now that the doors to peace of the GRP and MILF are reopened. The peace panels are on their way to rebuilding a new and credible peace and don't deserve being sabotaged by the brazen and irresponsible remarks of politicians who mean to economically and politically gain from conflicts and violence.(30)

SIGNED:

1. Mindanao Peoples Caucus
2. United Youth for Peace and Development (UNYPAD)
3. Mindanao Migrants Center for Empowering Actions
4. Mindanao ComStrat and Policy Alternatives
5. Bangsamoro Youth Assembly
6. Bangsamoro Youth Leaders Forum
7. AnakTribu
8. Bukidnon Indigenous Youth of the Seven Tribes
9. Mindanao Peace Partners
10. Patricio P. Diaz, Mindanews Columnist, Journalist
11. Al-Ihsan Foundation
12. Bangsamoro Center for Justpeace (BCJP)
13. Kadtuntaya Foundation, Inc. (KFI)
14. Consortium of Bangsamoro Civil Society (CBCS)
15. Moro Women Cultural and Development Center
16. Cotabato Center for Peace and Development Initiative
17. Moro Law Center
18. Consortium of Bangsamoro Civil Society — Kutawato Regional Management Committee (CBCS-KRMC)
19. IQRAA
20. The Nation of Freedom
21. Young Ranao
22. Youth for Knowledge-based Society
23. Free the Bangsamoro Movement
24. Southpil Agr-Industrial Corporation
25. Learned Kagad Muslim Foundation, Inc.
26. Organization of Teduray and Lambangian Conference
27. MNLF Arakan Cooperative
28. Mahad Cooperative, Pikit
29. Suara Kalilintad
30. Alliance of Progressive Labor
31. BARRIOS, Incorporated
32. Federation of Matigsalug and Manobo Council of Tribal Leaders
33. Mindanao Farmers Development Center
34. Bill Martin, Akbayan-Davao
35. Daguiwaas Clan
36. Apo Agbibilin Community, Incorporated
37. Panicupan Farmers Multipurpose Cooperative
38. Children and Youth Communication Task Force
39. Panicupan Multi-Purpose Cooperative
40. Sheilfa Alojamiento, Writer
41. Bangsamoro Successor's Generation Network
42. MARADECA
43. Organization of Teduray and Lambangian Conference
44. Assembly of Moro Entrepreneurs
45. Jan Frances Lozano

Displaced people at great risk despite ceasefire

Philippines has one of highest numbers of displaced people in the world; new report reveals ongoing arrests, beatings and electro-shock torture

More than 200,000 civilians in central Mindanao are still vulnerable to human rights abuses despite the recent ceasefire between the Philippine army and the insurgent Moro Islamic Liberation Front (MILF), warns Amnesty International in a new report published today.

The report, 'Shattered lives: Beyond the 2008 - 2009 Mindanao armed conflict', details the risks that hundreds of thousands of people face as they are forced to live in camps or makeshift shelters, sometimes surrounded by a heavy military presence.



A crowded queue line for the registration of evacuees in one of the towns in Maguindanao.

Many of the displaced are still unable to return to their homes following the implementation of a ceasefire on 29 July 2009. During the conflict serious war crimes were committed including the shelling of an Internally Displaced Persons (IDP) camp and a bombing near a school. There are ongoing reports of human rights violations including arbitrary arrests, beatings and the use of electric shocks to torture.

The report, based on an Amnesty International mission to Mindanao and detailed field updates,

highlights the desperate conditions of civilians living in crowded camps with limited access to food and livelihoods. It has been reported that in June this year the Philippines government discouraged aid agencies from giving large quantities of aid to displaced people in an effort to prevent it being diverted to the rebels or to traders. The report also provides information about human rights abuses by both the army and the MILF against villagers in Maguindanao province, central Mindanao.

In one such case, during January 2009 a large group of soldiers entered Ungap village, Sultan Kudarat Municipality and arrested 10 men there. The soldiers forced their way into houses, pointing their guns and destroying villagers' belongings. One villager told Amnesty International that the detained men, including her husband, were later



Noraida Abo of CBCS leads the Tiyakap Kalilintad peacekeeping team for the registration of evacuees in Maguindanao.

given electric shocks; nine were released but her husband remains in detention. According to another family member, his interrogators questioned him over a 10 week period while administering electric shocks and beating him.

Many displaced people told Amnesty International that they were forced to risk their lives and return to their former homes to retrieve belongings and tend their crops in order to survive. Other testimonies provided details about arbitrary arrests and severe beatings of civilians at the hands of the Philippine

Army, the MILF, or local militias.

Donna Guest, Amnesty International's Asia Pacific Deputy Director said:

'Decades of conflict have inflicted scars on civilians, who continue to live in fear, not knowing what tomorrow holds.

'The vulnerability and uncertainty which civilians in central Mindanao face makes it imperative that the government and the MILF put human rights at the top of their agenda during future peace talks.

'The government of the Philippines is obliged under international law to ensure that displaced people



A scene at an evacuation center during a relief goods distribution.



Volunteers pack relief goods for distribution to the evacuees.

are protected and have proper access to adequate food, water and medical assistance.'

Amnesty International also calls on both the Philippine authorities and the MILF to ensure the safety and well-being of all civilians. Where there are credible allegations of human rights abuses, the government should launch a swift and impartial investigation into the allegations and make the findings public. The MILF should cooperate with the government in facilitating such investigations.

The government should also implement, in cooperation with displaced people, a plan for the safe and voluntary return to their villages, including the provision of adequate food, housing and livelihoods upon resettlement.

Background

Conflict in Mindanao between the Philippine army and the MILF intensified in August 2008 after a temporary restraining order on the Memorandum of Agreement on Ancestral Domain (MOA-AD) was issued by the Supreme Court. The document had been designed to pave the way to peace, by expanding the Autonomous Region in Muslim Mindanao. In October the Court ruled that the MOA-AD was unconstitutional. Fighting continued sporadically until a ceasefire agreement was reached in July 2009. Over 700,000 people in total were displaced during the year-long conflict.

In the early 1970s a full-scale armed conflict erupted between the Philippine government and the Moro National Liberation Front (MNLF). In 1978 the MILF broke away from the MNLF, with which the government subsequently signed a peace agreement in 1996. Fighting broke out intermittently between the army and the MILF, as attempts at peace negotiations also continued. On 29 July 2009 in the Malaysian capital of Kuala Lumpur, the Philippine government and the MILF agreed to suspend military operations and work to establish a protection mechanism for civilians. Further talks between the two parties have yet to resume. (**Amnesty International / 25 August 2009**)

Framework Agreement on the Formation of the International Contact Group for the GRP-MILF Peace

The Government of the Republic of the Philippines (GRP) and the Moro Islamic Liberation Front (MILF) (hereafter referred to as "the Parties")

Committed to ending conflict in Mindanao through peaceful negotiations;

Dedicated to the successful outcome of the GRP-MILF Peace Process;

Recognizing the role that interested countries and international non-government organizations (INGO) can play in supporting the success of the GRP-MILF peace process

hereby adopt this Framework on the Formation of the International Contact Group (ICG) for the GRP-MILF Peace Process (hereafter referred to as the "Framework"):

Section 1. Mandate of the ICG. - The ICG is ad-hoc in nature and issue-specific in its engagement consistent with an international dimension in aid of the consensus that will effectively enable them to exert proper leverage and to sustain the interest of the Parties as well as maintain a level of comfort that restores mutual trust. The ICG draws its mandate from both Negotiating Peace Panels and the Third Party Facilitation:

- 1.1. To implement the mutually-agreed approaches during the negotiation on a regular and consistent basis, taking into consideration the mission-specific strategies and security arrangements in cooperation with both Parties;
- 1.2. To determine their mode of operation, including funding, as well as the adoption of their own internal rules consistent with its mandate, function and role; and
- 1.3. To continue its role and function in ensuring the successful implementation of signed agreements.

Section 2. Composition. - The ICG will consist of interested countries accompanying the peace process preferably drawn from the Organization of the Islamic Conference (OIC) and the European Union (EU) as well as accredited INGO to be invited by the Parties in consultation with the Third Party Facilitator.

Section 3. Functions. - The Parties have signed this Framework to engage the function of the ICG in the context herein stated. In connection with its mandate, the ICG will perform the following functions:

- 3.1. To attend and observe the face-to-face negotiations upon invitation by the Parties with the concurrence of the Facilitator;
- 3.2. To conduct visits, exchange views, and give advice on discreet basis in coordination with the Parties and the Facilitator;
- 3.3. To seek out the assistance of recognized experts, resource persons or groups on specific issues in order to support the Parties; and
- 3.4. To meet upon request by any of the Parties at various levels to help resolve substantive issues based on agreed agenda.

Section 4. Participation of the OIC, EU and Eminent Persons. - The ICG shall invite and engage the OIC, the EU and eminent persons to participate in its activities.

Section 5. Participation of INGO. - Mindful of the interests of the stakeholders to benefit from and expect significant peace dividends from the ICG mission, the Parties will designate INGO that will be accredited along with their named local NGO partners. In relation to the functions of the ICG, the INGO will perform the following roles:

5.1. To engage and act as a bridge between the Parties, ICG, Facilitator and their local partners and civil society in support of the peace process;

5.2. To exchange views, provide research inputs, give feedback and advice to the Parties in coordination with the Facilitator; and

5.3. To establish communication channels in furtherance of peace process advocacy.

Section 6. Relationship with the Facilitator. - The ICG shall coordinate and work closely with the Facilitator. The coordination between the ICG and the Facilitator will be carried out by the representative designated by the former.

Section 7. Confidentiality. - All information, data or opinion generated or exchanged in connection with the work of the ICG shall be strictly privileged and confidential.

Section 8. Safety and Security Guarantees. - The Parties hereby agree to extend the applicability of the GRP-MILF Agreement on Safety and Security Guarantees dated March 9, 2000 to the ICG herein set up.

Section 9. Special Provision. - This Framework shall be subject to revision upon signing of the Comprehensive Compact to extend the function and role of the ICG in the implementation phase.

Section 10. Effectivity. - This Framework shall come into force on the date of its signature.

Done this 15th of September 2009 in Kuala Lumpur, Malaysia.

FOR THE GRP:

RAFAEL E. SEGUIS
GRP Panel Chairman

FOR THE MILF:

MOHAGHER IQBAL
MILF Panel Chairman

SIGNED IN THE PRESENCE OF:
DATUK OTHMAN BIN ABDUL RAZAK
Malaysian Government Facilitator

PAGKAKA Educates Both Pupils and Parents

By **MOHAIYA S. PUA**
Program Coordinator

The Pagdakayo Kasamahan Ma Kauman (PAGKAKA) Learning Center is located in Purok Campo Islam, Leon Kilat Street, San Pedro District, Pagadian City. With support from Stiftung für Kinder (SFK), a Germany-based foundation for children, the learning center has carried out a number of activities and initiatives that benefited both the pupils it serves and their parents for the period from June to September 2009.

PAGKAKA caters to the educational needs of the marginalized Sama children of Purok Campo Islam as its primary beneficiaries, and for the academic year 2009-2010, 35 of them have been enrolled in the center.

The two full-time teachers at the learning center, whose salaries are both paid for by SFK, have tried their best in teaching the children using the Sinama dialect as the medium of instruction for, among other reasons, easy learning.

The children have been taught on both English and Filipino languages. The Sama people's cultural practices have been integrated in the daily lessons so that the children will understand their origin and their own tribe's cultural practices, and for them to be able to celebrate their difference from other tribes and to appreciate their humanity.

Below are some of the activities either conducted by PAGKAKA alone or in partnership with other organizations with the main purpose of, among other things, engaging the marginalized Sama children with other children and adults in the community:

- **Children's Educational Tour.** On August 15, 2009, 30 children and their parents gathered and spent time at New Delaville Orchard Park Resort, Pagadian City. The children enjoyed the excitement that the place had to offer. They had fun while learning. Everybody ate, played, and swam. A feeding session was also conducted, as per schedule.
- **Eid al-Fitr Celebration.** On September 20, 2009, PAGKAKA led the celebration

of Eid al-Fitr or Hariraya in the community. Eid al-Fitr is a Muslim holiday that marks the end of Ramadan, the Islamic holy month of fasting. Eid is an Arabic word meaning "festivity", while Fimr means "to break fast"; and so the holiday symbolizes the breaking of the fasting period. The Sama children, their parents, and other people in the community gathered for a thanksgiving. Some indigenous sports contests were held, and were actively and happily participated in by the children.

Apart from conducting activities for the children, PAGKAKA had also carried out some activities for the benefit of the parents, teachers, and the officers themselves, in order to enhance their knowledge and capabilities. With the support of SFK, the following activities had been realized:

- **One-Day Basic Awareness Seminar.** This was held on June 8, 2009 at Hotel Guillermo and actively participated by 22 persons. The objectives of the seminar were for the participants: 1.) To gain more knowledge on the importance of Education, 2.) Understand the basic rights of the children, and 3.) Learn about Environmental Protection.
- **Leadership Skills Training.** This was held on June 14, 2009 at Hotel Guillermo and actively participated by 20 persons. The training aimed to enhance the capacity of the participants on organizational strengthening and community development.

Based on assessments, the PAGKAKA Learning Center has been very beneficial to the Sama children in particular and to the community in general. The PAGKAKA Management has been trying its best to carry on with the program and to carry out the learning center's activities and initiatives effectively and efficiently. PAGKAKA has already worked with some non-government and peoples organizations in a number of activities to further improve its services for the Sama children.

The Moro Wars

'Vacuum war' in Mindanao-Sulu-Borneo Zone?

By **DATU MICHAEL O. MASTURA**

Writing portentously could induce grandiloquent vocabulary of terms quarried from chain of events for predictable changes. But the rate of change—and for that matter change itself—could also become the very trigger issues for 'vacuum war' on the front lines of instability. The portent of change is a phenomenon of the Obama trail to Washington. How could Arroyo's recent impressionistic visit to the Obama White House cast "the intervention dilemma" in humanitarian aid and "the utility of force" in armed conflict in Mindanao to keep pace with conceptual changes in geopolitics of cooperation for regional security just to push the State responsibility to protect people?

For years a critical stage in the "war on Islamist extremists" has turned Mindanao borders and its adjacent Islands—Basilan, Tawi-Tawi, Palawan—embracing the Sulu archipelago into the front lines of instability. But Malaysia has truly absorbed its learning curve from mid-1950s communist insurgency that the struggle is not military but political. Yet few doubt cross-border security cooperation helps to pinpoint only lawless southern Philippines as a regional training base for the jihadists, even if the reality is Indonesia serves to implant the Islamist strategic depth.

Yet it helps explain when instabilities materialize into "ungovernable territories" the State then weakens into a condition of lawlessness and violence. Moral distance is a violence-enabling factor in all kinds of warfare to justify one's cause; indeed, after a transition from radicals to pragmatists, real MILF revolutionary appeal is one to claim the Bangsamoro people's homeland for which they are willing to fight with arms. But of course the Moro march to modernity has already swept through. This informs how UP Professor Randy David writing his progressive opinion pieces saw as the other arc MILF travelled as a united Islamic front. Thoughtful Muslims believe that the DNA root cause of historic injustices underpinning their legitimate grievances has empowering impact on Bangsamoro collective memories. Today they are less inclined to prioritize national identity over their religious one; yet their way of life and cultural

roots remain deep says a survey conducted by The Asia Foundation in 2008.

Washington officials misunderstand what Islamic movement leaders and intellectuals really don't want forced on them is regional geopolitics influencing US policy by default. MILF spiritual leaders are not only calculating but are pragmatists who operate openly on the battlefield and exert rational influence over a civilian population. MILF fights for Bangsamoro nationalist cause and so fits the definition of a nonstate actor or guerrilla force, not a terrorist group. It is the Christian leaders who showed up in the Obama White House (as if the colonial days of the Commonwealth had not much changed over). Leaders of business in tandem with media owners and managers nurse a neo-colonial grudge and their opinion makers color Washington's view of the border region. Pentagon's decision to keep 600-troops for counterinsurgency missions in Mindanao stirred concerns but it is remarkable how few have spoken up. Progressives say it could spell US 'permanent stay' in violation of the VFA (Visiting Forces Agreement) and the Constitution because "it is open-ended" in extension.

*University of
the Philippines
Professor Randy
David*



More to the point, MILF leadership felt a sense of bafflement about the New York Times story that the CIA and SOF (Special Operations Forces) were "instruments in successes by the Filipino armed forces in killing and capturing leaders of the

militant group Abu Sayyaf and the Moro Islamic Liberation Front." There's an inherent contradiction in the round of events that did nothing to endear Americans to the Muslims in Mindanao. Military campaign this Ramadhan is one fought by DND chief Gilbert Teodoro for the headlines of the newspapers instead of what he and the Americans could do to right history.

Are ordinary people up to believe it when Navy Lt. First Grade Nancy Gadian speak of the critical US role in combat operations against ASG and the

appeal. A plausible leader like Ramon Magsaysay has no historical analogous moment for his own learning lessons in how to stay relevant to media events and geopolitics.

In time the challenge to social harmonies—or call it the lack of social cohesion—is a context of vacated stability. If Arroyo's game plan is to postulate only her 'securocrats' seem out of step in its failure to pull the swing toward "the politics of stability" after its fall out with China (In re: lobbying scandals and dubious deals).



MILF? Gadian's accusation of corrupt misuse of the Balikatan funds in 2007 demands a response in relation to the issue of the moment. Joint military meetings "where US officers conducted briefings on combat intelligence information" about ASG and MILF punctuated her expose. To put it roughly she confirmed how US forces often plan and undertake various operations without the knowledge of their Philippine counterparts. So far as it goes, bigotry has entered Gibo Teodoro's press statements on rooting out ASG because they "don't anyway observe Ramadhan" and it shows his flawed understanding of this armed conflict. Why does Teodoro take a dismissive stance when he could have seized the moment to make a lasting mark on foreign policy or security and defense pragmatism that befits a serious presidential aspirant? Snobbery has no mass

What is the morality of politics to judge against one angling for the presidency with a client press? If you ever heard of "client journalism" as a kind of conspiracy, it has moral consequences for winning minds and hearts with spin-doctors away from the public eye. What is outside the reach of press manipulation? The "dirty" business is not about a major policy decision on deficit military spending to boost centralizing power. It is rather that misplaced confidence in manipulative populism to stimulate the political gains that secure alliance with media classes whose general line comes from the government without reporters going after and following the full story for electoral advantage.

When it comes to Moro wars/peace coverage the complicity between political journalists and their political taskmasters is to feed on press releases and staircase briefings. Journalists no longer focus on reporting raw events in real time in a detached way. Electronics TV media and website bloggers do it in a fastidious manner. You read the Philippine Daily Inquirer and the Manila Times newspaper editorials that set out the element of the Moro menace while it is the PDI's cartoons that heap anti-Muslim ingredients to paint the grotesque imagery. Political journalists of the Philippine Star (or any other broadsheets) suffer from the same attitudinal media bias as the kind which embedded reporters attached to fighting units in the field are prone to do. Political reporting for interview outlets, radio airwaves, or TV clips shared misleading assumptions of the politicians as a whole during the MOA-AD litigation when they started to see the controversy through the lenses of the oppositions they report. Early intro to the presidential bid of Senator Mar Roxas capitalized on "virtual dismemberment" as the heart of opposition to MOA-AD reeled off by spin-doctors of

political journalism to take hold on public life. This backstage conspiracy backfired being removed from reality to whose prejudices Roxas et al was trying to appeal.

Now I think we know the latest paroxysm of the Moro wars is the op-ed stuff that plunges neo-con types for the possibility of a "vacuum war" scenario in the "MILF-controlled territory." This issue commented on by the Philippine Daily Inquirer in opinion-editorials about the Philippines as a "failing nation" is not for me puzzling at all. It may be the unspoken thought among journalists, but it deserves to figure out in security write ups. Ramon Farolan summarized in his column space the main attributes that characterize a "failed state." What lies beneath the synch dogged this retired naval chief turned diplomat columnist to write: "Reveille: 'MILF territory'—are we a failed state?" (PDI, 08/24/2009)

Why the Philippines still fails to act as a national state is hardwired into the mindset of the Islamic movement that this Catholic country is unwilling to share power with the Muslims. We've looked for a new formula in MOA-AD because it is a fragile country. All this point to the unresolved discrepancy between the territorial boundaries under the Treaty of Paris—one defined in the Constitution—and the geographic mapping of the coordinates detailed in the Strait Baseline Law for purposes of complying with the UNCLOS. Like it or not this country's borders are porous which puts in question the very territorial integrity of the Philippines. Conventional wisdom says a failed state is associated with terrorism, ethnic cleansing and atrocities given the humanitarian tragedies or tragic problems: poverty, disease, famine, displaced persons or refugees flowing across borders, and so on. In terms of geopolitical importance and human suffering, the conspiracy theories feed opinion pieces depending on your own political preference. Right wingers and centrist voices echo the failure of the national state as a potential source of big power competition leading to confrontation, crisis and war.

Until national leaders are better prepared to grasp the metamorphosis of the Moro wars, the competition over failed state can create "vacuum wars" to fix the stability outcome. Government's failure to exercise its "responsibility to protect"

resulting in one-year-toll of 600,000 civilian victims of atrocities is what supporters of RP2 can cite to argue for "non-indifference" to large-scale crimes demanding "re-territorialization" to protect people from inhumanity.

Thwarting the MOA-AD frustration that morphed into retaliatory attacks and treating Muslim civilian populations as "enemy reserve force" of MILF are sources of the instability coupled with impunity of AFP-body count mentality (thinking of the enemy as numbers). This clash of arms also brings a kind of collateral damage to human rights of non-combatants. This is the flip side of AFP's collective punishment motivation. The moral advantage for the MILF is simple affirmation of Bangsamoro homeland with gaps filled by a worldview of its military "occupation." MILF was not founded in a vacuum. What is portent is that the Moro Islamic movement views vital interests via the prism of history and so is a source of stoutly pride for many ordinary people to fight for it since they look at geography differently.

Government-MILF peace talks bear no signs of political fatigue but a ripeness phase for formation of a contact group (ICG) and a civilian protection mission (CPM) to restore mutual trust. Peace processes are essentially third party creations to draw the parties out of conflict, so only they can change the Malaysian facilitation by mutual consent. Speaking seriously of humanitarian intent this is what merits Senator Rodolfo Biazon's full Senate investigation because "mutually hurting stalemate" invites justifiable intervention.

(Datu Michael O. Mastura is a lawyer, historian, a former representative of Maguindanao to Congress and now a senior member of the MILF peace panel.)

Stop Disrespecting the Rights of Civilians

A PRESS STATEMENT
September 21, 2009

We, the undersigned leaders of the Consortium of Bangsamoro Civil Society (CBCS), Inc., condemn the bad timing and indiscriminate way by which military operations were launched by the Armed Forces of the Philippines (AFP), particularly the Philippine Marines, in barangays Kagay, Marang, Bud Timahu, Laum Siang, all part of the municipality of Indanan, Sulu on September 20, 2009.

According to local sources, this operation commenced with artillery fire from such areas as Bud Kagay and Bud Tumantangis where US troops who are part of the Balikatan exercises are known to be positioned, among others. This was followed up by an airstrike composed of bombs from OV-10 planes and rocket launchers from helicopters. The air strike was said to have lasted for eight (8) hours.

Although we acknowledge that this operation was against the Abu Sayyaf Group (ASG), we question the procedure by which the Philippine Marines had made such an operation. We also question its timing. As part of the civil society sector, the foremost concern of CBCS are the safety and security of civilians.

Many civilians live in the targeted barangays. While during the kidnapping of ICRC volunteers, the military exerted all efforts to coordinate with local government officials and barangay chairmen and even exacted their support to ensure that the lives of the three kidnap victims not put to more risk, now the military did not make such effort of coordinating with the local chief executives to ensure the safety of the civilians prior to the operations.

This clear and obvious lapse, or even disregard, to procedure has caused the displacement of about two thousand (2,000) families. People whose safety and lives the military are supposed to protect. They are now found in Buansa Talatak, Indanan.

A high level of precision, competence, efficiency, and sense of humanity is expected of government agencies that are authorized to have their personnel carry weapons that have the ability to threaten the lives of people. If this military operation is another of the AFP's "surgical operations", then we do not consider it as "surgical" enough. We have yet to see a surgical operation done by the military that is true to form. What may be "surgical" to the AFP is seen as "very messy" to the general public.

The military operation was also done at the very time when the civilians in the targeted areas were busy preparing food and about to go to prayer to celebrate the holy day of Eid'l Fitr. Because of the operations, they were unable to perform

their religious obligations and instead had to flee for their lives. This action is seen as a blatant disrespect to Islam, the religion and way of life of the Bangsamoro people.

We hate to think that this is a grandiose design by some ranking men in uniform to sabotage the impending resumption of the GRP-MILF peace talks and the tripartite review of the implementation of the GRP-MNLF Final Peace Agreement. Likewise, we hate to think that this is a part of a grand plot to derail the peaceful conduct of the forthcoming national elections. Moreover, we hate to think that this situation will ultimately escalate to mindset the general public that there is a threat to national security, validating future potential moves for the military to take power under the pretext of protecting the state.

We, therefore, call on HE Gloria Macapagal-Arroyo to take strong action in disciplining her troops in Sulu and to be vigilant as Civilian President and be watchful of her generals in her capacity as Commander in Chief of the AFP. If indeed the government sees all in Mindanao as part of its constituency, regardless of religion, then these people have the right to have their safety and lives protected by the military. They have the right not to be mistreated, or not to be treated as collateral damage. They also have the right to be respected of their religion and religious practices.

Signed this 21st day of September, 2009 at Cotabato City, Southern Philippines.

(sgd.)

SAMMY P. MAULANA
Secretary-General

(sgd.)

TEMOGEN "Cocoy" TULAWIE
Chairperson, CBCS Lupah Sug Region
(Sulu)

(sgd.)

DR. DIPUNUDUN MARUHOM
CBCS Ranaw Region (Lanao)

(sgd.)

NATHAN B. INSUNG
Chairperson, CBCS Basilan Region

(sgd.)

RAHIB KUDTO
Chairperson, CBCS Kutawato Region
(Cotabato)

(sgd.)

MUNIB KAHAL
Chairperson, CBCS Samboangan Region
(Western Zamboanga Peninsula)

(sgd.)

SAMAON BUAT
Chairperson, CBCS Dabaw Region
(Davao)

(sgd.)

SULTAN MAGUID MARUHOM
Chairperson, CBCS Sibugay Region
(Eastern Zamboanga Peninsula)

(sgd.)

OSCAR SULAIMAN
Chairperson, CBCS Rajah Buayan Region
(SOCKSARGEN)

DATUEMIL
DAVAO
08/15/09
MADUHAY
Kt

Long Live!!
HULA, BANGA, A

HANNBAL
Jolo, SH



The Bangsamoro Journal is published by the Consortium of Bangsamoro Civil Society (CBCS) in Cotabato City, Philippines.

With assistance from **Stiftung für Kinder**, a foundation in Germany that supports children from the countries in the Third World.

Stiftung für Kinder



Hula, Bangsa
iban Agamm

FD
08/14
Public