

MEMORANDUM

TO: JUDGES YOU Ottara and Claudia FENZ, Co-Rapporteurs on Residual Functions Related to Victims

FROM: Anlong Veng Peace Center in collaboration with Prey Veng Documentation Center, Kampong Cham Documentation Center, Takeo Documentation Center and Koh Thma Documentation Center

DATE: 14 October 2021

SUBJECT: Response to Call for Contribution of Ideas of the Extraordinary Chambers in the Courts of Cambodia (ECCC) Residual Functions Related to Victims

The Anlong Veng Peace Center (“AVPC”) (a Provincial Education Center in Cambodia under the Documentation Center of Cambodia (DC-Cam))¹ is pleased to submit the following ideas and recommendations in response to the ECCC “Call for Contribution of Ideas.” As a preface to our submission, we believe it is important to state the constraints that we understand limit the victim-related initiatives the ECCC is requesting ideas. In the event we misunderstood these constraints, we would welcome an opportunity to provide an updated submission.

First, we understand the types of victim-related initiatives is limited by the range of functions set forth in Article 2 of the Annex of UNGA Resolution (A/RES/75/257 B) (“Draft Addendum to the Agreement between the United Nations and the Royal Government of Cambodia”). Second, we understand that the ECCC must have a direct role in the actual implementation of the activities. Third, we understand that these functions must be tailored to fit within a 3-year period. Although unstated in the relevant UNGA Resolution, we also expect there may be additional constraints imposed as it pertains to the interests of donors and the availability of funds associated with any functions. With these considerations in mind, the AVPC proposes the following limited ideas and recommendations.

Among the residual functions anticipated for the ECCC is the dissemination of information about the ECCC to the public. We believe that as the ECCC winds down its operations, this function may be an opportunity to reinforce the prior, laudable efforts by the ECCC to raise public awareness about the court and its work. The anticipated target group for such work would be the Cambodian public; however, AVPC can envision more specific audiences that could be further identified in more detailed proposals/actions. The scope of the work can include more innovative outreach that builds on the unique capabilities, competencies, and capacity of civil society organizations with operations in more remote areas of the country, as well as online or multimedia products, again leveraging pre-existing civil society capabilities, that are tailored to the youth in urban settings. These ideas would require a more detailed outline that can only be reflected in a concept paper or full proposal, but we are confident that the work would be easily tailored to fit within the timeline and scope of the ECCC’s residual functions.

¹ The Anlong Veng Peace Center operates under the Documentation Center of Cambodia. *See generally*, Anlong Veng Peace Center, <http://dccam.org/anlong-veng-peace-center>.

A second important residual function that warrants consideration is protection of victims and survivors. As the ECCC winds down, it is important that victims and survivors feel supported and protected in this twilight period. Within a three-year period, it would be possible to implement two projects that are distinct but interdependent. The first project would center upon a survey of victims and survivors to assess the extent to which they feel protected, whether they have suffered threats or discrimination because of their participation in the court, and what activities or resources may be helpful to them in the sunset period of the ECCC's operations. The survey would be important to a second project that would endeavor to specifically address the interests and needs of this population as it relates to their prior participation with the court. The survey would be important to not only informing potential future civil society, UN, and government actions in support of this population, but it would also provide important insights to other efforts surrounding victims of violence in Cambodia and around the world. The second project would implement or respond to the findings of the survey, which similar to the foregoing residual function, should be done in partnership with civil society organizations.

Lastly, AVPC, in coordination with its parent organization, the DC-Cam, has a vested interest in the maintenance, preservation, and management of the archives of the Chamber, to include the declassification of documents and materials. AVPC has many ideas and recommendations in this matter, and AVPC welcomes the opportunity to discuss this matter further as desired by the ECCC.

We want to close by offering to work with the ECCC on developing any consultative or other relationships in furtherance of the ECCC's winding down, residual functions. The winding down of the ECCC must be well-organized and balanced by a dedicated attention to the people most vested and interested in the ECCC's work—namely the victims, their loved ones, and the survivors. The ECCC's legacy does not begin and end with the work that it has rendered in delivering justice. The ECCC's legacy will be equally defined by its impact on the Cambodian people and in many ways the residual functions of the court bear an equally important role as all its work to-date.

We thank the distinguished officials of the ECCC for their kind consideration of our comments and recommendations, and we welcome the opportunity to discuss this submission or other topics related to this matter further.

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The Mindanao Conflict
and
Prospects for Peace
in the Southern Philippines

Excerpted from Mindanao: A Perspective on Youth, Inter-Ethnic Dialogue and Conflict Resolution In the Southern Philippines by Susan D. Russell, Lina Davide-Ong, April Rica Gonzalez, Rey Ty, Nagasura T. Madale, and Noemi A. Medina
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The History of Conflict and Formal Peace Negotiations in the Southern Philippines

The Philippines, a country of over 7,000 islands, has a long and distinguished history of statecraft in the southern part of the archipelago. In the late 18th and 19th centuries, strong states emerged in the Sulu Archipelago (centered on the island of Jolo) and in Maguindanao (centered in present-day Cotabato in the Pulangi River Basin in Mindanao). Islamic religion and principles of governance had entered the region much earlier, however, and date to the 13th century. These states became fully-established sultanates over the course of the next several centuries, encompassing numerous ethno-linguistic groups within their trading and alliance nexus, which extended into present-day Malaysia and Indonesia. Islamic ideals and indigenous statecraft also penetrated well into the interior of Mindanao during this period, and had a major effect on the development of another Muslim federated state near Lake Lanao. The Maranao traditional political system is known as the *pat a pengampong ko ranao*, or the four federated estates—a multicentric power system (Madale 2003:41). Muslim influence from these regions, as well as from Brunei and Borneo, extended Islamization northward by the 16th century throughout the Visayan region and as far north as Manila. A unique combination of trading, raiding, and slaving fueled the international and multi-ethnic economies of the southern Philippine sultanates and transformed them into powerful polities.

In the sixteenth century, Spain's desire to acquire a stake in the lucrative spice trade of eastern Indonesia and to establish their presence in Southeast Asia propelled them to establish a colonial state in the Philippines. The Hispanic conquest of the Philippines occurred relatively rapidly in most areas of the country, although effective colonial rule was never achieved in the southern Philippines nor in the Cordillera region of northern Luzon. Spanish colonialism was based not just on establishing effective colonial governance of the Philippines, but as in Latin America, was predicated on converting subjugated populations to Roman Catholicism. The Islamic sultanates in the southern Philippines were powerful entities that were capable of fiercely resisting Spanish military forces, and so Mindanao and Sulu remained outside the colonial realm throughout the 300 or so years of occupation.

In 1898 at the end of the Spanish-American war, the Philippines was ceded by Spain to the United States under the Treaty of Paris. Although they were never part of Spain's colony in the Philippines, Mindanao and Sulu were included in the treaty. Muslim Filipinos in the south strongly protested this action on the grounds that they were independent states, and U.S. military forces then became heavily engaged in battles to defeat armed resistance. By 1913, in the Battle of Bud Bagsak, the United States eventually succeeded in bringing Mindanao and Sulu into the new American colony of the Philippines. What followed were a variety of policies designed to integrate Muslim Filipinos into the larger mainstream Christian Filipino society. Despite the success of many of these efforts, armed resistance by various Muslim Filipino

groups continued to break out periodically throughout American colonial rule and continued after the Philippines became an independent nation.

In the late 1960s, the Moro National Liberation Front (MNLF) was formed by Nur Misuari and armed rebellion again broke out in Mindanao. The causes of this rebellion are many, but have much to do with desires to re-acquire the status of a separate, independent state, or Bangsa Moro, wherein Muslim Filipinos would have greater access to and control over social services so that they could actually benefit from economic development in Mindanao. They also wanted to be able to protect their ancestral lands from being taken over by Christian Filipino or other multi-national corporations and settlers, and establish an Islamic way of life.

The inequities and social injustice that Moro Filipinos experienced and that finally culminated in outright rebellion had much to do with transmigration policies pursued both by the

American and later national Philippine government. At the turn of the 20th century, Mindanao was still viewed by power-holders in Manila as “the last frontier”—a large and rich island whose physical and natural resources had yet to be exploited. The U.S. colonial government, hoping both to integrate local populations of Mindanao and Sulu into the larger society and to exploit these resources, initiated a homesteading policy designed to attract settlers from overcrowded regions of the central and northern Philippines to settle in what they saw as the under-populated southern Philippines. American and later Filipino policymakers felt that closer intermingling would spread the national culture values into this region and reduce the likelihood of continued armed resistance in the future. Much of the American interest in encouraging transmigration also had to do with the need to deal with increasing unrest among tenants and sharecroppers in central Luzon, where poverty, inequity, and a lack of American political ability to enforce a meaningful land reform was providing a fertile ground for communist insurgency. While the amount of emigration from the north to Mindanao remained relatively small throughout the American colonial period, it intensified in the decades after the end of World War II.

By the early 1970s, the immigration of Christian Filipinos to Mindanao had created a social landscape wherein Moro Filipinos and indigenous tribal Filipinos (Lumad) had become minorities in their own homeland.¹ Violent encounters between both Moros and Christians, as well as between Christians and Lumads, had become common in Mindanao over rights to ancestral land, as well as the loss of political authority by local datu and their followers. Both Moros and Lumads felt that not only were their access to ancestral lands and other productive resources being lost, but that their cultural identities were being overwhelmed. It was during this period that the national government’s view of the ethno-linguistically diverse Muslim (Moro) Filipinos as “religious” minorities and the equally diverse non-Muslim, non-Christian (Lumad) Filipinos as “cultural minorities” sharpened.

Unfortunately, the initial governmental response in Manila to the rebellion of the Moro National Liberation Front was a military one, and fighting raged in Mindanao. The declaration of martial law in 1972 by former President Ferdinand Marcos also led to intensified military confrontations in the region. A number of efforts to quell the conflict were attempted, including the creation of a Southern Philippines Development Authority and interventions by the Organization of Islamic Conference and other international parties. These had little effect, however, until President Gaddafi of Libya intervened.

In 1976, the Tripoli Agreement was signed in Libya between the Philippine government and the MNLF. It provided for political autonomy for the thirteen provinces of Mindanao, Sulu and southern Palawan, which Moro Filipinos saw as their traditional homeland or sphere of influence. It also gave amnesty to the rebels. However, when then-President Marcos insisted on a plebiscite vote in the affected provinces to determine if local populations supported autonomy, the MNLF and its

followers boycotted the vote. Only four provinces voted for autonomy, and so separate autonomous regions were established in Regions IX and XII. These autonomous governments were weak, and lacked political power and funding (May 2002:3).

The failure to gain real or meaningful autonomy also led to divisions within the MNLF, where disagreements between leaders of different ethno-linguistic and political factions existed. In 1977, Hashim Salamat, with a group of primarily Maguindanao-Iranun followers, established the Moro Islamic Liberation Front. Nur Misuari, who was Tausug-Samal, remained the leader of the government-recognized MNLF. A second, mostly Maranao faction, the MNLF-Reformist Group, similarly revolted against the leadership of Nur Misuari.

¹ Lumad is a recent term used to refer collectively to the non-Muslim/non-Christian groups, sometimes called “cultural communities”, throughout Mindanao, Basilan, Tawitawi and Sulu.

In 1986, when Corzaon Aquino became President of the Philippines, a new constitution was written that established provisions for a new Autonomous Region of Muslim Mindanao (as well as a Cordillera Autonomous Region in northern Luzon, where communist insurgents were battling government forces). The MNLF did not participate in the design of the Autonomous Region of Muslim Mindanao (ARMM), and the subsequent plebiscite again received popular support for joining the ARMM from only four of the thirteen provinces and none of the cities (May 2002:3). The conflict continued, and the ARMM remained weak in terms of political power and funding.

In 1992, President Fidel Ramos renewed negotiations with Nur Misuari and the MNLF, aided by Libya as well as the Organization of Islamic Conference. In 1996, an agreement was reached among all parties that established a Special Zone of Peace and Development (SZOPAD) and a Southern Philippines Council for Peace and Development (SPCPD). The SZOPAD would be comprised of the 14 provinces (one was added) and 9 cities recognized in the Tripoli Agreement and would be the focus of peace and development efforts. The SPCD was the legal body that consisted of a chairman, vice chairman, and three deputies, each of whom would represent the Christian, Moro, and "Cultural Communities" (Lumad). It was to be assisted by a Darul Iftah (religious advisory council) appointed by the chairman. The agreement also provided for a Consultative Assembly of 81 members, comprising the chair of the SPCD as head, the governor and vice governor of the ARMM, the 14 provincial governors and 9 city mayors of the SZOPAD, 44 members of the MNLF, and 11 representatives nominated by non-governmental organizations (NGO's) and people's organizations. The Consultative Assembly's functions were to serve as a forum to hear problems and defuse conflict, to conduct public hearings and advise the SPCPD, and to recommend policies to the President (May 2002:5; also see Rodil 2000).

This 1996 Peace Agreement provided for the employment of MNLF rebels (the Bangsa Moro Army) with the Philippine National Police, the Armed Forces of the Philippines, and related special forces. For those who would not be absorbed this way, provisions were made for socio-economic development, cultural and educational assistance. It also provided for a new ARMM executive council, legislative assembly and administrative system that would have legislative power over agreed-upon areas of autonomy—such as Shariah law, and representation in the national government, including the Cabinet and National Security Council. Special provisions were included for the Muslim sectarian schools (madaris), such as the recognition of Arabic language instruction and Islamic values as part of their core curriculum. Nur Misuari later was appointed chairman of the SPCPD and subsequently was elected governor of the ARMM. A plebiscite again was scheduled by terms of the agreement for 1998. This plebiscite was not enacted until 2001. Only five provinces and one city voted in favor of joining the newly-defined ARMM. Nur Misuari was not re-elected governor, and he then proceeded to launch an armed attack on the national army. He later was arrested and turned over to the Philippine government by the Malaysian government, as he had tried to escape to the Malaysian province of Sabah

on the island of Borneo to avoid arrest. He is currently in jail, awaiting a trial on charges of rebellion (May 2003:8).

The hope that this agreement engendered did not last. Christian leaders in Mindanao objected to autonomy and other features of the agreement. As a result, the final version of the executive order severely limited the ability of the SPCPD to recommend policy or actually control any aspect of government, and eliminated the 44 MNLF members in the Consultative Assembly. Peace remained elusive, as the MILF began to gather further strength amid suspicion that the national government was not really committed to peace or autonomy. The fact that very few real social or economic benefits ever accrued to average Moro (or Lumad) peoples and the reality of a host of failed promises led many Moro Filipinos to give up hopes for a brighter future through negotiation with the national government. While the United Nations Multi-Donor Assistance Programme helped establish many Peace and Development Communities that includes Lumad and non-Muslim residents and which are led by former MNLF leaders, the conflict continued.

In 2000, the more militant Moro Islamic Liberation Forces' attacks on non-Muslim communities in North Cotabato and Maguindanao led President Joseph Estrada to renew Philippine military assaults and war against them. Hundreds of thousands of displaced people and thousands of deaths resulted. It is not known how many people died. In 1996, the Armed Forces of the Philippines said that over a period of 26 years since 1970, more than 100,000 persons had been killed in the conflict in Mindanao. Of these, 30 percent were government casualties, 50 percent were rebels, and 20 percent were civilians. It was estimated that 55,000 civilians and soldiers had been injured, while nobody knows how many rebels were injured. During that 26 year period, the Armed Forces spent 73 billion pesos on the war, or an average of 40 percent of its annual budget. Dr. Rudy Rodil, a member of the government negotiating panel with the MNLF and author of the book, *Kalinaw Mindanaw: the Story of the GRP-MNLF Peace Process, 1975-1996*, has noted that the cost of negotiating peace with the MNLF between 1992-96 was less than 60 million pesos. In 2001, after the Estrada administration's renewed war against the MILF, the government said at least six billion pesos had been spent on the war in the year 2000—a billion pesos higher than what the government spends on building schools in the country. An additional 16 million pesos was spent on relief assistance to displaced persons and evacuees.

In 2002, Paul Dominguez, the Presidential Assistant for Regional Development, quoted preliminary findings from a World Bank Study that indicated that the economic cost alone, not including the social costs, of a never-ending conflict in Mindanao would be at least 2 billion U.S. dollars over the next ten years.² That figure breaks down into 108 billion pesos for 10 years or 10.8 billion pesos a year. The figures were calculated by international economists who had other models such as Nicaragua to follow, and who likened the conflict in Mindanao to that of a never-ending war with periodic flare-ups. Southwestern Mindanao in particular, but also the ARMM as a whole, also was pointed out as having dropped to the bottom of the country in social services, including education, infrastructure, and income of the population.³

To make matters worse, after the year 2000 war, the national budget of the Philippines rose from 725 billion pesos in 2001 to 780.79 billion pesos in 2002, and 804.2 billion pesos in 2003. Yet Mindanao's share of this national budget declined from 13.9 percent of the national budget in 2001 to 11.9 percent in 2002. In 2003, Mindanao's share was only 10.55% of the national budget. Hence, while the economic cost of the war in Mindanao is very high, and the loss of life and social dislocation huge, the southern Philippine region as a whole paid an additional price in foregone benefits from the national government's fiscal allocation.

In part, perhaps, as a result of these findings, President Gloria Macapagal-Arroyo embarked on a renewed effort to negotiate peace with the MILF. As of this time, October 2004, a Malaysian-led peace monitoring team has arrived in Mindanao and is expected to stay for up to a year. Formal peace negotiations between the

Philippine government and the MILF, brokered by Malaysia and involving representatives of the Organization of Islamic Conference, are expected to resume again in Malaysia in November after the end of the holy Islamic fasting month of Ramadan. The goal is to discuss a comprehensive solution that involves many different areas of concern to the Moro Filipino population, including self-governance, socio-economic development, Islamic shari'ah and education, a multi-cultural curriculum and recognition of ancestral lands in the ARMM (Basilan, Lanao del Sur, Maguindanao, Sulu, Tawi-Tawi, and Marawi City). The leader of the MILF, Ebrahim Murad, has stated publicly that the 12,000 members of his group are united and committed to negotiating with the Philippine national government over a pre-agreed upon set of issues for resolving the conflict.

² See <http://www.mindanews.com/2003/03/12pep-cost.html>, October 5, 2004.

³ See <http://www.mindanews.com/2003/03/13pep-cost.html>, October 5, 2004.

The Tri-partite Ethno-linguistic Context and Root Causes of the Conflict

Underlying the basis of the conflict in Mindanao are struggles among the Moro and indigenous non-Muslim peoples for greater socio-economic development, equal recognition and support for their cultural and religious identities, and social justice. Dr. Rudy Rodil speaks for the contemporary view of the political and ethnic issues in Mindanao by calling attention to the fact that this region is composed of the “tri-people”, e.g., Moro, Lumad, and Christian settlers.

Muslims, or as they call themselves the Moro or Bangasamoro (“Moro nation”), are made up of 13 ethno-linguistic groups, including the Iranun, Jama Mapun, Palawani, Molbog, Kalagan, Kalibugan, Maguindanao, Maranao, Sama, Sangil, Tausug, Badjao, and Yakan.⁴ Today, Rodil estimates they comprise about 20 percent of the total Mindanao and Sulu population.

The Lumad, a generic term for the non-Muslim and non-Christian tribal groups, or “cultural communities” in Mindanao, are also very diverse. They consist of the various ethno-linguistic groups that are not Muslim, e.g., the Ata, Bagobo, Mamanua, Mandaya, Kamayo, Mangguwangan, Manobo, Mansaka, Matigsalog, Subanun, Tagakaolo, Tala-andig, T’boli, Tiruray and Ubo. Many of these groups are Christianized or partly Christianized, and some are partly Islamicized. Moreover, there is some overlap, such as the highland Christianized Maranao. These ethnic groups make up approximately five percent of the total Mindanao population, according to the 1990 census.

Christians also comprise an indigenous group in Mindanao, however, as almost 200,000 Visayan-speaking peoples of northern and eastern Mindanao were converted to Christianity during the Spanish colonial period. These include some peoples of Butuan, Davao, Camiguin island, Cagayan de Oro, Misamis Oriental, Iligan, Ozamiz, Dapitan, Dipolog, and the Chavacano of Zamboanga City, among others. These people have now integrated into the larger Christian population of Mindanao, but dialect differences, especially among Chavacanos, remain apparent. The Chavacanos were originally natives of Ternate in the Moluccan islands of eastern Indonesia, and were Christian. They were brought to Zamboanga and Manila in the mid-1800s (or earlier) to serve as soldiers.

The settlers, as most Christian inhabitants of Mindanao today are or are descended from, comprise 70 percent of the Christian Filipino population in Mindanao. Owing to the inability to distinguish those who have emigrated and those who have a longer history of residence in Mindanao, the 70 percent figure simply lumps them all together.

During American colonial rule, the Moro and Lumad Filipinos were categorized and administered separately as the Moro and Wild Tribes, as opposed to members of the “civilized” Christian majority. In 1957, the Philippine government formally declared that non-Christian Filipinos would be called the National Cultural Minorities. Later, as Dr. Rodil notes, the Constitutions of 1973 and 1987 re-labeled them respectively as “Cultural Communities” and then “Indigenous Cultural Communities”.

The fact that all of these people are indigenous remains the enduring enigma of this kind of ethno-linguistic categorization.

⁴ See “Re-establishing Order in the Community and its Connection with Biodiversity Conservation”, by Rudy B. Rodil. Paper presented at the Seminar Workshop on Conflict Transformation and Biodiversity Conservation, Cagayan de Oro City, July 11-13, 2003. Dr. Rodil has argued that the Muslim/Moro groups in Mindanao total 11, but he excludes several groups, such as the boat-dwelling sea nomads, the Badjao, which we have added here. (see: <http://www.mindanews.com/peprcs/peacetalk/rodil.shtml>)

Dr. Moctar Matuan, Executive Director, Institute for Peace and Development in Mindanao, Mindanao State University, Marawi City, summarized in August, 2004, the history of peace efforts in Muslim Mindanao.⁵ He noted that in 1975 only the Dansalan Research Center was trying to address the negative images that Moro and Christian Filipinos in Mindanao had of each other through dialogue. At this point, violent conflict had already broken out in Mindanao. In the 1980s, a few other groups had joined, notably the Southern Philippine Center for Peace Studies at Mindanao State University in Marawi and the Peace Center at Notre Dame University. The issues they addressed focused on equality of rights, the need to maintain peace, and economic growth and development. In his view, President Fidel Ramos was the first president interested to pursue peace in Mindanao.

In discussing the range of issues that constitute the “Mindanao problem”, Dr. Matuan mentioned the following:

- poverty, inequality, and environmental destruction
- political corruption
- negative images held by Christians, Moro, and Lumad peoples of each other
 - failure of the national government to integrate Moro peoples into a national Filipino identity
 - the economic exploitation of Mindanao’s resources and the migration of Filipinos from the north that led to a loss of ancestral lands
 - the Moro struggle for self-rule.

As he noted, all of these factors led to the reality today that many Moro and Lumad Filipinos are economically marginalized; politically marginalized; lack national recognition and respect for their unique cultural and religious identities; and feel a sense of insecurity, hopelessness, and resentment toward the national government. Rather than having the opportunity to express their grievances and receive assistance from the government, Moro and Lumad Filipinos experience massive poverty, social injustice, and are exploited by corrupt leaders and military commanders alike. The national Philippine government, from their viewpoint, is indifferent to their plight and so they do not experience feelings of belongingness or allegiance to the Philippine state.

The loss of ancestral land to in-migrant populations and the fairly rapid move from independent Islamic sultanates and local chieftainships to marginalized cultural and religious minorities remain at the heart of the Mindanao conflict. The total Islamized population of Mindanao was estimated at 39.29 percent in 1903; but only 20.17 percent in 1975. The total Lumad population was 22.11 percent in 1903; and only 6.86 percent in 1975.⁶

The exploitation of Mindanao’s rich environment was easily captured first by American interests, later by more modernized, business-inclined capitalist Christian Filipinos, and also by multi-national corporations. Logging concessions, pasture land conversion, land titling through complex legal channels that Moro and Lumad Filipinos

scarcely comprehended, and now mining concessions have led to an enormous loss of their homeland and resources upon which to develop their communities. Multi-national companies opened up plantations and went into partnerships with Christian Filipinos to develop Mindanao's resources, with little regard for the livelihood problems of the Moro and Lumad peoples and the growing resentment among many local inhabitants. In this brief history, the unique tri-partite character of the conflict came into being. It is not simply a Christian and Muslim conflict, nor strictly an indigenous Mindanaoan resident versus in-migrating settler conflict. The politicization of the indigenous peoples into three separate

⁵ Lecture delivered at the Follow-on Activities for the ACCESS Philippines project in Cagayan de Oro, August, 2004.

⁶ Rodil, op cit, p.7.

categorizations (Moro, Christian, and Lumad) has followed from relatively recent events in the 20th century. Prior to that period, these groups interacted, allied, traded, married, sometimes preyed upon each other as slaves, but were not crystallized into three opposing (yet diverse) groups. It is the process of marginalization, not only in the sense of being overwhelmed by the sheer number of Christian settlers, but by the loss of homeland and the fear of further erosion of their cultural and religious identities, that underlie the conflict.

In a recent article, Archbishop Orlando B. Quevedo notes that the Philippine government's analysis of the insurgency in Mindanao identifies four main roots of the conflict:⁷

1. Poverty, including low productivity, criminality, marginalization, and environmental degradation;
2. Ignorance, including poor schools and education;
3. Disease, including malnutrition and poor access to health services;

4. Injustice, including violation of human rights, land conflicts, graft and corruption.

What is surprising about this review of the roots of the conflict is that there is no mention of a lack of national concern to enhance and preserve the cultural, ethnic and religious identities of the diverse Moro and non-Muslim, non-Christian Lumad Filipinos in Mindanao. Yet it is only through the establishment of awareness and respect for ethnic and religious diversity among all peoples in the Philippines that a climate of tolerance and social justice is likely to come about in the south. The ACCESS Philippines project is designed to contribute toward that goal, especially by bringing youth of different ethnic and religious backgrounds in the Autonomous Region of Muslim Mindanao and surrounding areas together to work for peace and to forge a bridge to a new future.

⁷ Quevedo, Orlando B., "Injustice: the Root of Conflict in Mindanao", July 8, 2004. (See <http://www.mindanews.com/peprcs/peacetalk/quevedo.shtml>)

The Current Status of Peace Efforts in Mindanao

Efforts to attain peace in Mindanao come from all fronts. They take place at the individual, local, regional, bureaucratic, state, and international levels. There are domestic Philippine initiatives and foreign support as well as government and non-governmental actions. Very importantly, governmental and rebel representatives are willing to discuss their differences and reach a settlement of the conflict. Actors such as the Philippine state, civil society, ordinary citizens, foreign observers, foreign states, embassies, organizations such as the Association of Southeast Asian Nations (ASEAN), the European Union (EU), as well as the United States and Australia have a vested interest in solving the problems in Mindanao. All actors contend and understand that peace can only be attained if there is social and economic justice. Poverty and rebellion are closely intertwined.

The follow-on activities of the ACCESS Philippine program confirm that ordinary citizens, students, the youth, community organizers, and other elements of civil society have a concrete and major role to play in the piece-by-piece resolution of the conflict in Mindanao. Instead of merely thinking big, individuals who espouse Christianity, Islam, and other indigenous faith systems, can build peace one person at a time by starting with themselves and spreading the goodwill to their families, friends, communities, schools, places of worship, and society at large.

During the holy Islamic month of fasting, or Ramadan in 2004, several countries started to be involved in the peace efforts in Mindanao. The Organization of Islamic Conference (OIC) supports the Mindanao peace process, wherein Malaysia plays a prominent role. Recently, President Gloria Macapagal Arroyo, when she attended the Asia-Europe meeting (ASEM) on October 7 to 9, 2004 in Hanoi, Vietnam, thanked Southeast Asian and European leaders for their support of the peace process with the MILF (Mindanao Times, October 4, 2004). The MILF has wide popular backing in the countryside, where poverty and underdevelopment have promoted rebellion (BBC, 2004).

Negotiators for the Government of the Republic of the Philippines (GRP) and the 12,000-strong Moro Islamic Liberation Front (MILF) agreed to create the International Monitoring Team (IMT) when Malaysia hosted their meeting from February 19 to 20, 2004 in Kuala Lumpur. The talks between the GRP and the MILF started in January 1997, soon after the GRP signed the Final Peace Agreement with the Moro National Liberation Front (MNLF). However, after the start of the talks, former President Joseph Estrada ordered an all-out war against the MILF headquarters in Camp Abubakar in Matanog town of Maguindanao, and Arroyo ordered the Philippine Army to assault known MILF lairs in Pikit town of North Cotabato. Calmer attitudes have prevailed since then in the Arroyo government, but hostilities and claims that some rebel factions of the MILF are providing safe haven to members of the Jemaah Islamiyah terror network have hurt the peace process and continue to cause concern among all parties over the viability of peace negotiations.

Various scholars have expressed both misgivings and hope for the resolution of the conflict in Mindanao. Abhoud Syed M. Lingga (2004), Executive Director of the Institute of Bangsamoro Studies, argues that peace negotiations between the GRP and the MILF will not be enough to establish a sustainable peace. He states that a new formula is needed that ensures the participation of the Bangsamoro people themselves in deciding the direction of their future political relationship with the national government. He proposes that a referendum be held that offers the Bangsamoro peoples a choice of political status between expanded autonomy, a federal relationship, or independence. Following that, he notes the need for the deployment of third party peacekeeping forces to prevent further hostilities.

Morgan (2003) raises some serious cautionary notes about how such a referendum could be of assistance in resolving the conflict, given the multitude of stakeholders, issues and actors involved in the conflict. Mindanao is now home to a majority Christian population, while many Lumad hold

ancestral land claims throughout the island. She argues that each group in Mindanao would have to have a serious role in the referendum process in order to assure fair representation and ultimate support for the outcome. In her view, civil society is the place for this kind of dialogue to begin, rather than with a referendum, and Christians, Moros and Lumad need to negotiate and decide how best to create an interdependent, not independent resolution to the conflict.

On what basis could a common set of understandings support such a dialogue? Dr. Nagasura Madale (1999) has suggested that a search for a unifying ideology of identity might begin with the very notion of nationhood, or *bangsa/bansa*. For example, the Maranao (people of the lake) believe they are all descended from one common lineage (*salsila*) and call this concept *merepeda sa posed* (e.g., each one is a part of a long umbilical cord). The belief that every Maranao is a part of this one common lineage can be traced to two sources: 1) the mythical folk hero, Radia Indarapatra, and 2) the Islamic source, Sharief Kabungsuwan. According to this oral narrative, their children intermarried and came to the Lanao lake region and converted the Maranao to Islam. Islam also brought with it a much broader concept of universal brotherhood – the *ummah*, or the Islamic community that transcends geographical borders, races and ethnic identities. According to this concept, all Muslims are brothers and sisters and can be envisioned as one body—if any part of the “body” suffers pain, the whole body feels it.

In contrast, Christian Filipinos adhere to the concept of pan-Christianity—one bread, one body and one soul. These concepts are comparable community concepts, as in the Christian concept *bajo de campana*, “under the bell”, and Islam’s *bajo de masjid*, “under the mosque”. While this still leaves the equally diverse Lumad beliefs in the middle, they, too, have concepts of belonging to one community that intersect with those of Muslim and Christian Filipinos.

The educational system of the Philippines has long attempted to play an assimilative role, or that of a unifying institution designed to mold the national minorities into a singular personality—a Christian Filipino. Many Moro Filipinos, however, cling tenaciously to their identity of being a Muslim, and belonging to a much larger community of Muslims in spite of the national government efforts to create a political alternative of accommodation. The creation of the Autonomous Region of Muslim Mindanao was a political gesture on the part of the national government to create a resemblance to the Sultanate system that would still be anchored on the Philippine constitution and sovereignty. While very imperfect, it nevertheless was designed to provide political accommodation without total devolution of power.

Can the ARMM serve the purpose of building a new sense of nationalism and national identity among the Bangsamoro? There are many ways to look at this issue. On the one hand, there are Islamic institutions and concepts, especially in education, that are being initiated to accommodate the Moro desire for “national integration” into the larger national political scene without losing their ethnic and religious identity as Muslims. The ideology and framework of the ARMM is not devoid of the western

concept of the “separation of church and state”, and many Moros recognize that it is one way for the national government to address their century-old dream of self-governance. On the other hand, the framework and ideology for the institutionalization of the ARMM was based on the majority Christian concept of popular democracy and the concept of the separation of church and state. Many Muslims feel that it should have been anchored on the ideology of Islam’s din-un-Islam, a way of life. Also, while some instrumentalities of national government were devolved to the ARMM, there are other aspects of bureaucratic control which were not devolved. Finance, taxation, national security, foreign affairs, the exploration of natural resources within the region, and the yearly budget allocation are still under the full control of the national government.

The IMT is monitoring the implementation of the GRP-MILF ceasefire agreements. Representatives from Malaysia, Brunei, Libya, Saudi Arabia, Bahrain and Japan compose the IMT.

The IMT would set up its head office in Cotabato City and satellite offices in the cities of Zamboanga, Iligan, Davao and General Santos. The Cuban, Argentinean, Brazilian, Chilean, and Venezuelan ambassadors to the Philippines collectively praised the GRP and MILF efforts to work for peace in the southern Philippines. If an effective and presumably sustainable peace agreement is signed, the United States, Australia, and some members of the European Union will provide assistance to Mindanao. All actors concur that the economy and politics are equally important issues and directly connected: they go hand in hand and one is not more important than the other. If poverty is alleviated and the life of the people is improved, crime and revolution will subside. By the same token, if there is relative order and stability, the economy will flourish. The political relationship between the MILF and its break-away factions, civilian stakeholders, and the national government today remain an arena of intense speculation, negotiation and diverse opinions.

At the end of the day, is peace elusive? Pessimists claim that peace is nowhere in sight. Optimists, however, argue that peace comes piecemeal, one person and one activity at a time. The ACCESS Philippines project is dedicated to this latter goal, and to creating a new generation of empowered youth leaders from all faiths and ethnic groups in the southern Philippines who desire to make a sustained peace a reality. Respect, appreciation, tolerance and national reconciliation depend on a broader understanding of the conflict and history of the peoples of Mindanao, and this project is one step in that direction.

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