



JULY 2018

Historic peace in the Philippines, but do the parties have the capacity for successful implementation?

On July 26th, President Duterte signed the Bangsamoro Organic Law (previously known as the Bangsamoro Basic Law): a unique and historic moment in one of the longest running conflicts (and negotiation process) in the world. For the first time in decades a peace agreement is in place in the South of the Philippines, signed and ratified by all the main parties involved. Although a plebiscite amongst the intended future population of the Bangsamoro Autonomous Region still needs to take place, this is the official end of the war between the Philippines government and the two Bangsamoro fronts. It however does not mark the end of tensions or violence in Mindanao. The challenging part of implementing the agreement and creating lasting peace is yet to begin.

Decades of peace in the making

For decades peace has been in the making. The Moro National Liberation Front (MNLF) signed multiple peace agreements including one in 1976 and another one in 1996. The Moro Islamic Liberation Front (MILF) has had a peace agreement in place since 2014. So far every peace process has run into difficulties.

At times it was the government that was at fault. Elections brought in new governments, or administrations had a change of mind; other times, the government lacked the political capital to actually push for ratification, or the peace process simply got in the way of other political ambitions. Even with the ratification now completed, the push by the Duterte administration for federalism could mean further adaptation to

the BBL in coming years to fit that possible reality. New rounds of negotiation between the fronts and the government might be necessary.

For the Fronts, the biggest problem has been the fact that every commitment to certain peace arrangements combined with the lack of results has led to a fragmentation of the struggle. The MILF evolved out of the MNLF due to disagreements over the 1976 agreement. The Bangsamoro Islamic Freedom Front (BIFF) in turn was formed after the MILF accepted autonomy instead of independence in 2008. The BIFF has not yet signed up to any agreement and continues to commit act of violence against Philippines security forces. Abu Sayyaf and the Maute group, the most extremist fighting groups with links to the Bangsamoro struggle, have their origins in the MNLF and the MILF

respectively. The MNLF itself, struggles to coordinate multiple factions, at least five by last count, one of which is led by chairman Musuari, who is the founder of the MNLF and sees himself as the father of the Moro revolution. Musuari has not entered the peace agreement.

Risks are plenty

There are distinct different organisations in the Moro fighting groups. At the same time, these groups are fluid. All the Moro fighting groups are interlinked through clan and family and influence one another. As in all peace processes, not everyone wants peace: some believe that there is a better peace to be achieved, some that peace betrays the cause, while others fear to lose from peace. All of them have existing groups to migrate to and continue the struggle. In the past year, there were many rumors that MILF fighters joined military operations with one of the groups that did not agree on any peace agreement. It also indicates the real possibility of further splintering amongst the Moro Fronts. One possible cause of the splintering amongst the Bangsamoro may lie with the leaders who have been dealing with one another for many years and have a history of not wanting to share power with each other. There is also the struggle over resources by clans and families.

Moreover, the root causes of the original conflict have not been solved. The Bangsamoro provinces are still the poorest in the Philippines. Culturally speaking, there is a massive gap between the Filipino millennials, who enjoy the freedoms of globalization in Manila and the sometimes ancient Moro fighters in the jungle, who have been part of an armed struggle for five decades.

Furthermore, the influence of the Moro in the Philippines administration is relatively limited and peace will not change that. The Moro will remain a cultural and religious minority – the latter is unfortunately becoming an increasing source of tension. While the conflict was never between two faiths (Islam vs Christianity), extreme interpretations of Islam have also taken root in Mindanao and foreign fighters identify the

fight of the Moros with what they believe to be the struggles of Muslims around the world. Abu Sayyaf and the Maute Group have declared themselves affiliated with ISIS and have been joined by foreign fighters. Calling themselves ISIS the fighters of these groups occupied the centre of the city of Marawi in 2017, the biggest military operation in years on Mindanao. It took the military almost six months to defeat the terrorists, but their efforts saw the destruction of most of the centre, gave rise to more than 350.000 internally displaced people and resulted in the looting of many houses also in the areas where the terrorists were not active. The actions of the military emphasized the Moro perception of being second rate citizens that cannot expect protection from the security forces of their own government. This confirmed the original root causes for a new generation.

Investing in the capacity for lasting peace

It is in this challenging context, that a hopeful peace begins and transition starts. The list of actions that need to be taken is long and the time frame short. It is impossible to present the list in full here. However, on the basis of our work in the Philippines (see below), we have identified a number of clear areas to invest in to enhance the capacities for successful implementation of the BBL and make peace sustainable.

- *Train/ coach the leadership in strategic planning, consensus building and transition management:* The main Moro fronts need to enhance their capabilities to effectively act within the political arena. Both MILF and MNLF will be part of the Bangsamoro Transition Authority (BTA), who will form the government of the Bangsamoro Autonomous Region in its first three years after which elections will take place. The Fronts need to make the shift from being critics of the government to being 'in' government. The leadership needs to strategically plan the transition. It is the leadership that creates the conditions for successful governance by the Fronts. The leaders will also profit from trainings in consensus building and negotiation in

- order to settle their differences. We have started with some work in this regard with the Central Committee of the MNLF.
- *Prepare leaders/ managers for governance:* Although the high ranking officials in both MILF and MNLF will no doubt play a role in the government, they should also identify a new layer of leaders/ managers who are able to take up important positions in the new administration. This layer needs training in leadership and management skills.
 - *Train new civil servants in effective delivery of services:* Part of plans in the formation of the BTA is letting go of all of the 36.000 civil servants now working for the current Autonomous Region Mindanao. Some might be rehired by the BTA, but many others will be new in governance and have affiliation with the Fronts. While this may be an unwise move on many different levels, it may lead to a BTA with leaders inexperienced in being in government and possibly civil servant that lack capacity to deliver services to the people. Failure in service delivery would be devastating to the fortunes of the Fronts in government and to lasting peace. The new civil servants need to be trained in a wide range of administrative competences and technical governing issues.
 - *Support the building of new political parties:* Both the MILF and MNLF now have their own political parties (United Bangsamoro Justice Party (UBJP) and the Bangsamoro Party (BP) respectively). These parties will need to compete in elections with national parties and with regional families with money and influence. The delivery of services is important for many reasons, including having a chance of actually winning elections in the future. The parties need to be built from the ground up. Structures need to be created, vision and policies developed, messages for constituencies created and campaign plans formulated. That work has to start as soon as possible and training is needed. But if the track record of delivering services is insufficient when the next elections come around, they will not be won by either party.
 - *A common narrative against radicalization:* Complete unity between the Fronts seems to be impossible, but also undesirable. Political competition is natural and necessary. It should however be on differences in political vision and choices in policies. It should not lead to differences that can be exploited by extremist groups. Unity and a common narrative against radicalization is necessary.
 - *A network of Tension Management Committees:* The amount of possible local conflicts and the potential that these conflicts can escalate both in levels of violence, as in the numbers of people involved, is considerable. One reason is that there are many weapons in the area. In addition, many conflicts could become conflicts of family and clan, who are then connected to one of the armed factions. There are also other minorities in the territory that will most likely not feel represented in the new autonomous region. Furthermore, there is the problem of disenfranchised youth who will feel unheard. A system of local Tension Management Committees must be considered and prepared to avoid the escalation of conflicts. Lessons could be drawn from experiences in South Africa during its period of political transition, and more currently from Ghana.
 - *Investing in Insider Mediators:* It is vital that the Bangsamoro have insider mediators who can work with the parties to prevent and resolve conflict. The insider mediators can help resolve differences within and between the different factions. For example, they can mediate between the victims from Marawi and the government of the Philippines and between the community and radical armed factions. Furthermore, they have a role to play in settling smaller conflicts. A network of effective mediators already exists, but is important to recognize their role and as far as possible to institutionalize the network. More insider mediators need to be trained and more local capacity for these trainings is necessary.

**Background note:
Our work in the Philippines**

Clingendael Academy has been conducting negotiation and mediation training over the past two years in Mindanao as part of the peace building activities of the UNDP. Training sessions were conducted for:

- Five batches of insider mediators – including a follow-up training for four batches; and in total two strategy planning meetings ,
- Two sessions for the Philippines government with participants from OPAPP, MinDA and ARM;
- Two sessions for the then newly founded UBJP;
- One strategy session on negotiations with the Central Committee of the MILF
- And one negotiation training for the Central Committee of the MNLF.

The analysis above comes forth from insights gained during the 17 trainings and meetings with in total about 250 participants. All views expressed are those of the authors.

The work of Clingendael Academy is part of the work of the UNDP in the area, who also follows-up on the trainings, and also offers resources for further institutionalization and organization of activities. The cooperation between UNDP and Clingendael is part of UNDP's project for Insider Mediation. The work of Clingendael is financed by the Netherlands Ministry of Foreign Affairs as part of the project "[Negotiation training as a conflict resolution instrument](#)".

About the Clingendael Institute

Clingendael – the Netherlands Institute of International Relations – is a leading think tank and academy on international affairs. Through our analyses, training and public debate we aim to inspire and equip governments, businesses, and civil society in order to contribute to a secure, sustainable and just world.

www.clingendael.org
info@clingendael.org
+31 70 324 53 84

 @clingendaelorg
 The Clingendael Institute
 The Clingendael Institute

About the authors

Wilbur Perlot is the deputy director of Clingendael Academy. He is an expert in negotiation and mediation. He implements training in all aspects of the negotiation process, which includes peace infrastructure, mediation process design, inclusivity, reconciliation, strategic preparation of negotiations, communication with constituencies, negotiation behaviour, organisational set-up of delegations, communication, diplomatic negotiations, chairing, active listening skills and psychology. He has conducted more than more than 750 training days in 250 training sessions. He has trained senior military staff, groups in conflict, mediators, diplomats (junior, mid-career and senior), police officers, civil servants, humanitarian aid workers and private sector from many different countries. He uses training as an opportunity for participants to learn skills, to enhance understanding of negotiation processes, but most importantly as an intervention to empower people and to ripen minds on the possibilities of negotiation.

Mark Anstey is an Emeritus Professor of Nelson Mandela Metropolitan University and a Senior Visiting Fellow of Clingendael. He is a member of the Steering Committee of the Processes of International Negotiation (PIN) Program. He was a Professor with Michigan State University in Dubai and has taught at the Universities of the Witwatersrand, Cape Town, and Stellenbosch. An active labor and community mediator since 1984, he served on South Africa's peace structures during the political transition period, and was Director of Monitoring (Eastern Cape) for the Independent Electoral Commission in the country's historic 1994 elections. In the immediate post-election period he served on Ministerial task groups for transformation of the police service. He advises and trains in private, public and non-profit sectors at strategic and operational levels.