

PART VI

FOUNDATIONS FOR SUSTAINABLE DEVELOPMENT



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Attaining Just and Lasting Peace

Economic growth cannot be sufficiently buoyant, sustained, nor inclusive without durable and enduring peace. Communities that experience armed conflict are frequently among the poorest in the country. Families that belong to these communities always need to be prepared for evacuation at a moment's notice whenever fighting erupts. As a result, families are unable to build up assets, particularly immovable ones. Moreover, very few put up businesses not only because they fear for their safety but also because they cannot secure property rights. At the same time, schoolchildren in these areas are either forced to suspend or quit schooling, which leaves their learning stunted and options for the future limited.

In response, the government has been relentless in its pursuit of peace, through intensified development and other peace-building initiatives in conflict-affected¹ and -vulnerable² communities. While much has been achieved, so much more remains to be done.

Assessment and Challenges

There was a breakthrough in the peace talks with the Moro Islamic Liberation Front (MILF) but there was no enabling law to implement the peace agreement. In 2012, a year after the exploratory talks resumed, a breakthrough in the peace process was achieved with the signing of the Framework Agreement on the Bangsamoro (FAB) between the government of the Philippines (GPH) and MILF. This was subsequently followed by the signing of the Comprehensive Agreement on the Bangsamoro (CAB) in 2014, which proposed a comprehensive

political settlement with two main thrusts: the passage of the Bangsamoro Basic Law (BBL) that will create the new Bangsamoro entity and replace the current Autonomous Region in Muslim Mindanao (ARMM), and the normalization³ process in the Bangsamoro.

The proposed BBL went through deliberations in Congress and several public hearings. Unfortunately, the 16th Congress adjourned without enacting the bill. The setbacks encountered in the legislation of

¹ Conflict-affected areas (CAA) are communities where (a) there are actual armed encounters between the government forces and political armed groups; (b) where political armed groups dominate the state of affairs of the community; or, (c) where other forms of violent conflicts exist.

² Conflict-vulnerable areas are communities that are proximate to CAAs, where possible "side-stepping" of armed group(s) are imminent. It can also include GIDAs (geographically isolated and disadvantaged areas) whose resources (actual or symbolic) are deemed valuable by the political armed group.

³ Normalization is defined in the agreements as a process whereby conflict-affected communities can "return to conditions where they can achieve their desired quality of life, which includes the pursuit of sustainable livelihoods and political participation within a peaceful deliberative society. It aims to ensure human security in the Bangsamoro and build a society that is committed to basic human rights, where individuals are free from fear of violence or crime, and where long-held traditions and values continue to be honored.

the proposed BBL remains a stumbling block in the implementation of the signed peace agreement with the MILF and in the achievement of lasting peace in Mindanao.

Nevertheless, as part of confidence-building measures, the government launched the Sajahatra Bangsamoro Program in 2013 to uplift the health, education, and livelihood of priority Bangsamoro communities and targeted individual beneficiaries through quick-gestation, high-impact, and social protection-type programs. Other commitments under the normalization process that were fulfilled include the submission and public release of the Transitional Justice and Reconciliation Commission's comprehensive report to both negotiating panels. The report provided situationers and recommendations on correcting historical injustices, and addressing legitimate grievances, human rights violations and marginalization resulting from land dispossession in the Bangsamoro. In addition, the ceremonial turnover of 75 high-powered and crew-served weapons and decommissioning of 145 combatants, as part of the phase I of the decommissioning in the normalization process, and the provision of reintegration interventions were implemented.

Several issues on the implementation of the peace agreement with the Moro National Liberation Front (MNLF) remain pending. A fast-tracked review of the phase II of the 1996 Final Peace Agreement (FPA) was undertaken, which produced 42 consensus points that were translated into a draft amendatory bill. However, the draft bill was not submitted to Congress due to two outstanding issues on the establishment of the provisional government and the conduct of a plebiscite for the expansion of territory. The 42 consensus points and two remaining issues were then incorporated in the drafting of the BBL, which Congress was unable to enact. Nevertheless, both parties finally agreed to complete the Tripartite

Review Process (TRP). The government will then focus on the implementation of its remaining commitments under the 1996 FPA.

A Bangsamoro convergence framework is needed. Intra-Bangsamoro convergence is a crucial pre-requisite to the passage of the new enabling law that will be brought before Congress. There must be a neutral, inclusive and independent space where an all-Bangsamoro conversation can take place, as well as a credible and impartial facilitator for the process. This will require the meaningful convergence of key non-state actors in the peace process, some of which were challenged by divisions and intra-group conflicts. If effectively managed, the Bangsamoro conversations may also address concerns on the participation of communities and their traditional leaders in the peace process.

Other threat groups pose security risks. The socio-political environment on the ground is marred by security threats posed by private armed groups, including those who have aligned with terrorist cells. Controlling radicalism and violent extremism fueled by a growing discontentment among disgruntled elements or former allies and members of the MILF and the MNLF is another security preoccupation. These further complicate the peace process in Mindanao.

Peace negotiations with the Communist Party of the Philippines-New People's Army-National Democratic Front (CPP-NPA-NDF) collapsed. The resumption of formal talks between the GPH and the CPP-NPA-NDF in 2011, after seven years of impasse, was hampered by the unilateral postponement of peace talks by the NDF when the government refused to release the alleged NDF consultants who are high-ranking CPP/NPA officers. However, several efforts to facilitate the revival of peace talks failed due to the demands of NDF, which were unacceptable to the government.

A Closure Agreement with the *Rebolusyonaryong Partidong Manggagawang Pilipinas - Revolutionary Proletarian Army-Alex Boncayao Brigade (RPMP-RPA-ABB)* is pending. Pending the signing of the draft Closure Agreement, the inter-agency preparatory work at the national and regional levels has proceeded to ensure that the implementing agencies, local government units (LGUs), the Tabara-Paduan Group (TPG) of the RPMP-RPA-ABB, and the various stakeholders on the ground will be ready to operate once the agreement is signed. Various programs for socioeconomic integration, social protection, and institutional transformation were implemented. In particular, the TPG transformed itself from an armed group to a lawful and legitimate legal personality registered with the Securities and Exchange Commission (SEC) that recently won a seat in the House of Representatives through the *Abang Lingkod* party-list.

Signed Closure Agreement with the Cordillera Bodong Administration-Cordillera People's Liberation Army (CBA-CPLA) needs to be completed. In 2011, the GPH and the CBA-CPLA signed a Memorandum of Agreement (MOA) "Towards the CPLA's Final Disposition of Arms and Forces and its Transformation into a Potent Socio-economic Unarmed Force." This resulted in the turnover of about 76 percent of the total inventoried firearms and detonation of all inventoried explosives. Registered under the SEC, the CPLA transformed into the Cordillera Forum for Peace and Development, Inc. and became a member of the Cordillera Regional Peace and Order Council. However, remaining activities particularly in the implementation of livelihood projects and the sustainability

of interventions leading to socioeconomic transformation still need to be completed.

Implementation of the *Payapa at Masaganang Pamayanan (PAMANA) Program*⁴ needs to be enhanced and strengthened. The government's peace and development convergence program extended development interventions to communities in isolated and hard-to-reach conflict-affected and conflict-vulnerable areas. PAMANA has improved socioeconomic conditions by providing PhilHealth insurance, scholarship grants and livelihood opportunities. Road infrastructure enhanced the access of communities to facilities and improved security conditions.

As of 2016, PAMANA has covered 16 regions, 50 provinces, 6 highly-urbanized cities, and 523 municipalities--all with communities affected by conflict due to the CPP-NPA-NDF and MNLF. Total funding for the program from 2011-2016 amounted to P36 billion. The program enabled community members to access basic social services, such as health and education. Improved accessibility and socioeconomic and security conditions resulted in lower transaction costs, which have significantly brought down prices, made profit margins bigger and spurred economic activities in the communities. Responding to emergencies and other security incidents also became easier for security forces.

PAMANA enhanced the capacity of national government agencies, communities and local government units on good governance to adopt and implement the peace-building agenda. There is now an increasing number of communities and LGUs that demonstrate

⁴ PAMANA partner implementing agencies include: Department of Agriculture (DA), DA-Bureau of Fisheries and Aquatic Resources (BFAR), Department of Agrarian Reform (DAR), Department of the Interior and Local Government, Department of Energy (DOE), Department of Environment and Natural Resources (DENR), Department of Public Works and Highways (DPWH), Department of Social Welfare and Development, National Electrification Administration (NEA), National Irrigation Administration (NIA), and the Autonomous Region in Muslim Mindanao (ARMM).

higher levels of social cohesion⁵ manifested in a heightened sense of belonging and respect for diversity among otherwise polarized individuals, groups, and sectors within and among communities; cooperation and volunteerism; and, increased participation of marginalized and vulnerable groups in peace-building and development activities.

However, the challenge is to further enhance and strengthen PAMANA because improving human security conditions through the delivery of basic socioeconomic services in a timely, conflict-sensitive and peace-promoting manner is the only way for peace dividends to be felt early by the long-time conflict-affected communities.

Implementation of the United Nations Security Council Resolution (UNSCR) 1325 and National Action Plan on Women, Peace, and Security (NAP-WPS) needs to be continued to ensure that women are further enabled and empowered to

expand their role in conflict situations.

The NAP-WPS was mainstreamed at the national level through its inclusion into Gender and Development (GAD) annual plans and budgets⁶ and inclusion of women, peace, and security in the programs, projects, and activities of NGAs and local government units (LGUs)⁷. Women Peace Centers were also established in the ARMM. Integration and mainstreaming of gender and development perspective in all peace efforts was done through the active roles women played in key positions in the Office of the Presidential Adviser on the Peace Process (OPAPP) and in other bodies and mechanisms related to peace process under the previous administration.⁸ Particularly for the Bangsamoro peace process, the significant participation of women in peace negotiations paved the way for expressed provisions on the promotion of women's rights and their meaningful participation in governance in the texts of the various negotiated agreements.

⁵ A state of affairs between and among members of the community and between citizens and their government where they are bound together by norms, values, practices and relationships characterized by respect for diversity, culture of peace, cooperation and trust.

⁶ Joint Memorandum Circular (JMC) 2014-01 directed NGAs to integrate the NAP-WPS in their Annual GAD Plans and Budgets and in their Annual GAD Accomplishment Reports (AR).

⁷ PCW-NEDA-DBM JMC 2012-01-Guidelines on the Preparation of the Annual GAD Plan and Budget and Accomplishment Reports and PCW-DILG-DBM-NEDA JMC 2013-01- Guidelines on the Localization of Magna Carta of Women

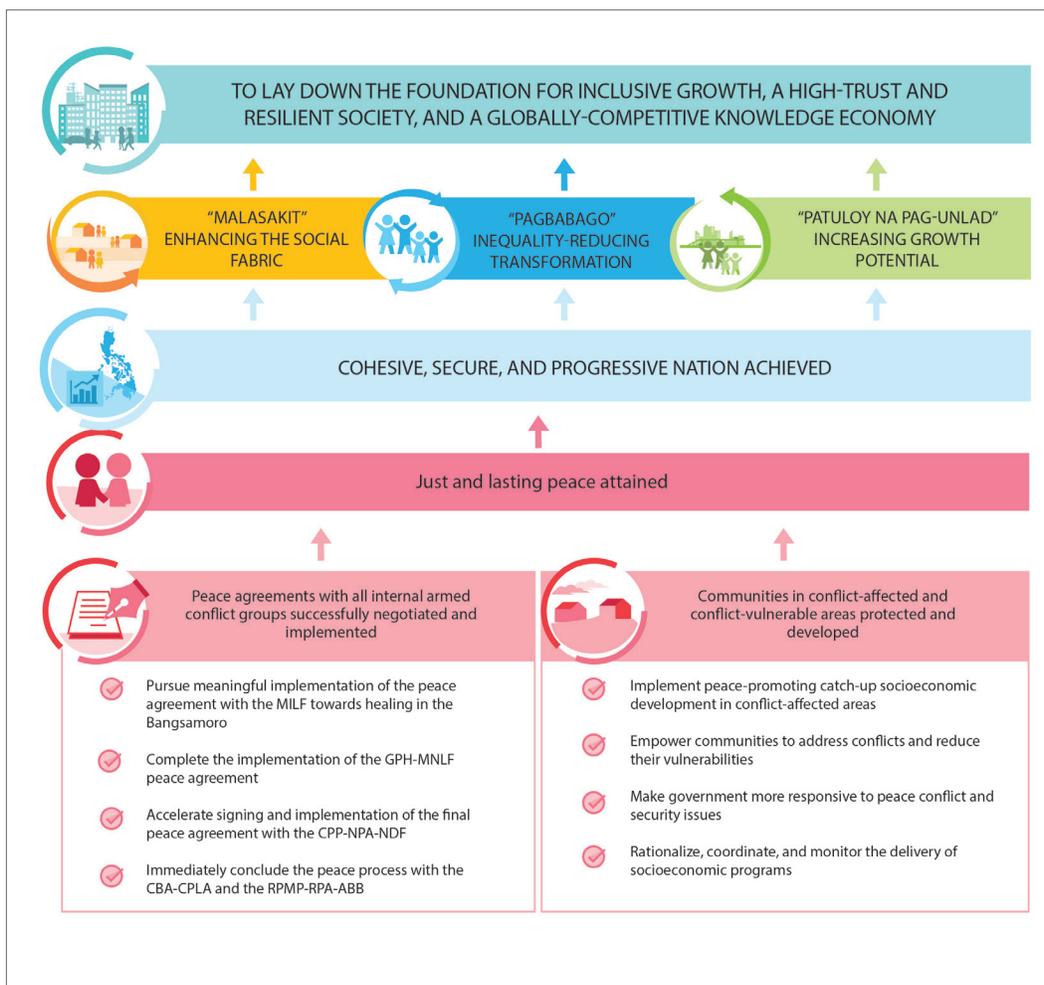
⁸ A woman served as the Secretary of OPAPP; 2 women with one acting as chair are members of the GPH peace panel; 3 Moro women head the GPH Panel Legal Team for the GPH-MILF peace process ; 1 woman heads the GPH Panel Secretariat of the GPH-MILF negotiating table; 4 women are members of the 15-member Bangsamoro Transition Commission; 3 women head the various Technical Working Groups (TWG) of the GPH for the FAB; 1 woman co-chairs the Joint Normalization Committee (JNC)- GPH; JNC-GPH Secretariat Head; 1 woman is a member of the Transitional Justice and Reconciliation Commission (TJRC); 1 woman heads the GPH Secretariat for talks with CPP-NPA-NDF; 2 women supervise the implementation of Closure Agreements with the CPA-CPLA and the RPMP-RPA-ABB; and 48 of the 107 secretariat and technical staff supporting the work of the government panels are women

Strategic Framework

Ensuring peace and security is one of the crucial foundations that support the three pillars: *Malasakit*, *Pagbabago*, and *Patuloy na Pag-unlad*. The government aims to achieve a cohesive, secure, and progressive nation by attaining just and lasting peace, and by ensuring durable security, public order, and safety.

To attain this, the government aims to negotiate and implement peace agreements with all internal armed conflict groups. While engaging in peace talks, it will also ensure that communities in conflict-affected and vulnerable areas are protected and developed.

Figure 17.1 Strategic Framework to Attain Just and Lasting Peace



To support these outcomes, the following strategies, as guided by the Six-Point Peace and Development Agenda of the administration, will be implemented:

- Meaningful implementation of the peace agreement with the MILF toward healing in the Bangsamoro
- Completion of the implementation of remaining commitments under the GPH-MNLF peace agreement
- Accelerated signing and implementation of the final peace agreement with the CPP-NPA-NDF
- Immediate conclusion of the peace process with the CBA-CPLA and the RPMP-RPA-ABB
- Implementation of peace-promoting and catch-up socioeconomic development in conflict-affected areas
- Empowering communities by increasing their capacity to address conflict and reduce their vulnerabilities
- Strengthening government peace and development institutions and mechanisms to increase their responsiveness to peace, conflict, and security issues
- Ensuring government rationalization, coordination, and monitoring of the delivery of socioeconomic programs, and other interventions by donor institutions and government agencies in conflict-affected areas, especially in Mindanao.

Subsector Outcome 1: Peace agreements with all internal armed conflict groups successfully negotiated and implemented

Pursue the meaningful implementation of the agreement with MILF toward healing in the Bangsamoro. An enhanced approach and roadmap for the implementation of the CAB and its annexes in close partnership with the MILF will be pursued. This will include the passage and ratification of an

enabling law that is owned and advocated by various stakeholders and a national constituency. Inclusivity will be ensured by providing platforms for participation of different sectors and groups.

Parallel to the passage of the enabling law will be the implementation of the four components of the annex on normalization: security, socioeconomic development, confidence-building measures, and transitional justice and reconciliation. Along with these efforts, the GPH and MILF will commit to the maintenance of the ceasefire agreement in conflict-affected areas in Mindanao.

Complete the implementation of the remaining commitments under the GPH-MNLF Peace Agreements. The GPH will pursue the completion of its remaining commitments under the GPH-MNLF 1996 FPA based on the result of the TRP within an agreed timeframe. These deliverables include: (a) establishment and operationalization of the Bangsamoro Development Assistance Fund; (b) creation and operationalization of the Tripartite Implementation Monitoring Committee; and (c) resolution of issues on co-management of strategic mineral resources.

Moreover, convergence between the 1996 FPA and the CAB will be ensured in the Bangsamoro enabling law, which will incorporate the consensus points agreed upon by the GPH and the MNLF legal panels during the TRP. The participation of the MNLF in mechanisms created under the CAB, including the Bangsamoro Transition Commission, will also be ensured.

Accelerate the signing and implementation of the final peace agreement with the CPP-NPA-NDF. The GPH and CPP-NPA-NDF have agreed to resume the formal talks and accelerate the negotiations for a final peace agreement. It is imperative that the high-level of confidence between the two parties

as well as public interest and support are maintained.

The strategy will entail engaging the CPP-NPA-NDF in accelerated negotiations and related support processes to complete the three remaining substantive agenda of the talks: socioeconomic reforms, political and constitutional reforms (PCR); and end of hostilities and disposition of forces (EHDF). The final peace agreement with the CPP-NPA-NDF will be composed of the comprehensive agreements on these three reform areas and the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law.

As agreed by the parties, the negotiations will be done through accelerated and simultaneous discussions of the substantive agenda so that the agreement can be implemented within the term of the current President. Towards this end, Working Groups on PCR, ceasefire and EHDF will be created by the negotiating panels to begin discussions and immediately complete the draft comprehensive agreements, which will be approved by the two negotiating panels. The government will also sustain its engagement with the Royal Norwegian Government as third-party facilitator for the talks.

In addition, related support processes will be initiated in creating a favorable environment to keep the negotiations on track toward achieving the FPA. Parallel processes, such as internal advocacy on critical reform issues, strategic communication, and peace constituency building, will be intensified to ensure inclusivity and transparency in the peace process.

Immediately conclude the peace process with the CBA-CPLA and the RPMP-RPA-ABB. The government hopes to complete the peace process with the CBA-CPLA and the RPMP-RPA-ABB. By the end of 2022, the peace process should facilitate the return

of former CBA-CPLA and RPMP-RPA-ABB members, their families and communities to productive and normal lives.

The strategy for the conclusion of the peace process with the CBA-CPLA will be three-pronged: (a) completion of implementation of the 2011 Closure Agreement; (b) continuing peace and development interventions; and (c) provision of support to regional development advocacies.

On the other hand, the closure of the RPMP-RPA-ABB track will employ the following strategies: (a) signing an agreement toward the group's disposition of arms and forces; (b) multi-stakeholder convergence and support toward the full implementation of socioeconomic interventions; (c) release of alleged political offenders for humanitarian reasons; and (d) sustained local development support.

Subsector Outcome 2: Communities in conflict-affected and conflict-vulnerable areas protected and developed

Implement peace-promoting and catch-up socioeconomic development in conflict areas. The PAMANA Program will be strengthened based on an enhanced peace and development framework to support the Six-Point Peace and Development Agenda. This will focus on the implementation of peace-promoting and catch-up socioeconomic development in conflict-affected and conflict-vulnerable areas, as well as on building a culture of peace and conflict-sensitivity. Likewise, it will address the issues of injustice and improve community access to socioeconomic interventions; improve governance by building the capacity of NGAs and LGUs to undertake a development approach that promotes peace and is sensitive to conflict, culture, and gender; and empower communities and strengthen their capacity to address issues of conflict and peace.

Empower communities by increasing their capacity to address conflicts and reduce their vulnerabilities. The negative impact of violent conflicts to communities will be mitigated, if not prevented, by supporting structures and mechanisms that will help them avert the emergence of conflict and prevent the escalation of existing ones. These will strengthen local or traditional conflict resolution and management mechanisms, as well as establish formal and informal avenues for continuing dialogue and broad-based participation of peace stakeholders in the peace and order councils, local development councils, and *Katarungang Pambarangay*. Appropriate systems and tools for conflict monitoring will also be established.

Mainstreaming of peace education programs and the promotion of a culture of peace and non-violence will also be pursued in formal and non-formal settings. In formal education institutions, the Total-School Approach to peace education will be mainstreamed to promote peace and conflict sensitivity, introduce its principles in the school curriculum, and apply the principles within the various aspects of academic community life.

Moreover, the integration of former combatants will be addressed by focusing not only on their reconnection to mainstream society, but also their total healing and reconciliation with their communities.

Make government more responsive to peace, conflict, and security issues. Conflict sensitivity and peace promotion in the work of NGAs, LGUs, and other government mechanisms such as the peace and order councils, local development councils and disaster risk reduction and management (DRRM) councils will be mainstreamed.

Likewise, the continued implementation of the UNSCR 1325 and NAP-WPS will ensure the protection of women's rights in conflict situations and expand their role in the peace process.

Programs and initiatives of government on various peace concerns resulting from internal armed conflict will be harmonized. These include protection of rights and promotion of interests of vulnerable groups (i.e., women, indigenous peoples (IPs), children, elderly, internally displaced persons (IDPs), persons with disabilities (PWDs), former combatants) in situations of armed conflict, observance of human rights and international humanitarian law, and conduct of interfaith and intercultural dialogue. Efforts will also be undertaken in addressing humanitarian concerns resulting from internal armed conflict, through the integration of DRRM into the peace process in line with RA 10121 or the National Disaster Risk Reduction and Management Act.

Rationalize, coordinate and monitor the delivery of socioeconomic programs and other interventions by donor institutions and government agencies in conflict affected areas, especially in Mindanao. A government-led coordination, collaboration and complementation mechanism among stakeholders in the implementation of all peace agreements, peacebuilding, and development initiatives will be established. The Mindanao Comprehensive Peacebuilding Program will be established, while the Mindanao Working Group will be reactivated to guide and harmonize the work of government and international partners. This will be anchored on the Mindanao Peace and Development Framework that will be formulated.

Legislative Agenda

To strengthen the effectiveness of the strategies, legislative action is needed on the following:

Table 17.1 Legislative Agenda to Attain Just and Lasting Peace, 2017-2022

LEGISLATIVE AGENDA	RATIONALE
Subsector Outcome A: Peace agreements with all internal armed conflict groups successfully negotiated and implemented	
Enabling law that will pave the way for the establishment of the Bangsamoro political entity	The enabling law for the Bangsamoro political entity will have two main thrusts: (a) political-legislative track, which includes the passage of the enabling law; and (b) normalization track, which runs alongside and complementarily to the political-legislative work on the enabling law. This enabling law will replace the draft BBL, which was not passed during the 16th Congress due to perceived unconstitutional provisions.
Amnesty proclamation for the release of alleged political offenders	Amnesty and pardon are part of the confidence-building measures that will be undertaken in the peace tables with the armed rebel groups.

