

# The quest for peace: the Aquino administration's peace negotiations with the MILF and CPP-NPA-NDF

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## ■ Executive summary

This report examines the Aquino administration's efforts to end hostilities and negotiate a long-term peace agreement between the Government of the Republic of the Philippines (GRP), on the one hand, and the Moro Islamic Liberation Front (MILF) and CPP-NPA-NDF (CNN), on the other. The report has two central arguments. Firstly, the Aquino administration has been more invested (and successful) in pursuing peace negotiations with the MILF than the CNN. This can largely be explained by the greater compatibility of the strategic and ideological goals of the GRP and the MILF's top leadership. Secondly, the administration has struggled to insulate the peace negotiations with the MILF from external interference/disruptions. The ongoing peace negotiations, however, have been vulnerable to sabotage by hardline elements, whether within the ranks of the negotiating parties or among other non-state actors and rebel groups opposed to peace negotiations. Meanwhile, long-running GRP-CNN negotiations have been repeatedly undermined by failed (unilateral or mutually agreed on) ceasefire agreements and the apparent disconnect between the relatively conciliatory negotiating position of the Netherlands-based José María Sison, the chief ideologue of the Communist Party of the Philippines, and the more hawkish negotiating position of the CNN leadership on the ground, long led by Benito and Wilma Tiamzon.

## Introduction

The Moro Islamic Liberation Front (MILF) is as the largest rebel group in the Philippines, boasting as many as 11,000-12,000 troops in its ranks, while the CPP-NPA-NDF (CNN),<sup>1</sup> which is responsible for the longest-running communist insurgency in Asia, has consistently been described by Philippine authorities as the greatest national security threat the country faces. Successful peace negotiations between the Government of the Republic of the Philippines (GRP) with either or, ideally, both rebel groups would go a long way to bringing about a semblance of order and stability in the Philippines' troubled regions, especially given the MILF's huge presence and sphere of influence in central Mindanao and the CNN's resilient presence in rural areas across the country.

The GRP-MILF peace negotiations in particular have been aided by the proactive support of influential neighbouring countries like Malaysia, specifically under the Mohammad Najib Abdul Razak administration, and the broader international community under the aegis of the International

Contact Group on Mindanao (ICGM). The Aquino administration has primarily relied on and placed its hopes in striking a deal with moderate elements within the top leadership of the MILF and CNN.

In addition, given the legitimacy (and political acceptability of) the Filipino Muslim population's demand for greater political autonomy within the existing liberal-democratic constitutional framework – rather than total secession or the overthrow of the existing system – civil society groups have over the decades, and particularly after the fall of the Marcos regime, collaboratively and progressively advocated for a definitive end to the conflict in Mindanao and the establishment of an autonomous region for the Muslim minority population.

## A fresh beginning

Standing true to its promise of ushering in a new brand of politics, the Aquino administration undertook a series of "good governance" (*Daan-na-Matuwid*) initiatives that focused simultaneously on three fronts: holding corrupt

<sup>1</sup> Although the National Democratic Front (NDF) is composed of a wide array of progressive activists and leftist leaders who have played a central role in the GRP-CNN negotiations, it is largely assumed to be under the aegis of the Communist Party of the Philippines (CPP), with the New People's Army (NPA) as its armed wing.

officials, particularly those who hailed from the inner circle of the preceding administration (e.g. Chief Justice Renato Corona and Ombudsman Merceditas Gutierrez), accountable for their betrayal of public trust; ramping up social safety nets such as the Conditional Cash Transfer (CCT) scheme in order to reduce stubbornly high poverty rates in the country despite years of robust economic growth in the first decade of the 21st century; and injecting new vigour and energy into the long-stalled peace process in Mindanao, particularly with respect to the GRP-MILF negotiations, which hit a snag in October 2008 when the Memorandum of Agreement on Ancestral Domain was declared unconstitutional by the country's Supreme Court. In parallel, there were also efforts to reach out to the CNN in order to end Asia's longest-running communist insurgency, which affected all three major islands in the Philippines: Luzon, Visayas and Mindanao.

Given the repeated shortcomings of previous administrations in fully honouring and following through<sup>2</sup> on earlier peace agreements with rebel groups, ranging from the peace pact with the Cordillera People's Liberation Army (CPLA) in 1986 to those with the Revolutionary Proletarian Army-Alex Boncayo Brigade (RPA-ABB) in 2002 and the Moro National Liberation Front (MNLF) in 1996, the Aquino administration was keenly aware of the need to reformulate the government's peace strategy. What immediately followed were a number of critical reforms under the administration: the negotiation of "closure agreements" with the CPLA and RPA-ABB groups; the incorporation of international best practices in disarmament, demobilisation and reintegration (DDR) in order to consummate and enhance the implementation of earlier unfulfilled peace pacts; and the empowerment of civilian agencies (rather than the military) to oversee the implementation of reintegration measures such as the provision of livelihood support for ex-rebels (ICG, 2013).

Historically, Filipino leaders, including President Fidel V. Ramos, have shunned the formal use of the term DDR, mainly out of political sensitivity considerations, especially since major rebel groups, including the MILF, have viewed DDR as a mainly counterinsurgency tactic to neutralise their capabilities. Nonetheless, the GRP has implemented quasi-DDR measures, most prominently with the MNLF. The outcome, however, has been less than a resounding success. After signing a final peace agreement with the GRP, a huge portion of the MNLF's troops joined other

rebel groups. Of those who were reintegrated into the Armed Forces of the Philippines (AFP), many were simply family members of the original targeted beneficiaries. There were also concerns over some former MNLF members using their compensation packages to purchase other arms. Lack of proper accounting and documentation provided room for corruption and undermined the smooth and proper allocation of appointments in the AFP, as well as resources and benefits to former rebels (Santos & Santos, 2010: chaps. 6-7). The Aquino administration had to rethink the whole DDR paradigm if it wanted to resolve the conflict in Mindanao and tackle armed insurgency in other parts of the country.

The aim was to enhance trust in Philippine state institutions and present the GRP as a credible partner for peace. The administration had to dispel lingering suspicions among rebel groups that the government is simply an opportunistic power bent on exploiting peace negotiations as a means to neutralise their armed capabilities. The new administration was determined to show its sincere commitment to finding a workable compromise with the remaining rebel groups, particularly the MILF and, to a lesser degree, the CNN (ICG, 2013). Soon there were encouraging breakthroughs, with both the MILF and CNN leaderships displaying a renewed willingness to revive peace negotiations with the GRP.

## A strong start

In August 2011 President Aquino and MILF chair Al Haj Murad held a historic face-to-face meeting in Tokyo. The MILF hailed the high-level talk as "a great leap forward for both leaders", raising hopes for a much-needed "closure to the conflict in Mindanao". The meeting was greatly facilitated by the MILF's decision to drop its earlier advocacy for full secession from the Philippines, largely thanks to Malaysia's threat to stop facilitating the GRP-MILF negotiations if the MILF demanded more than essentially greater political autonomy within the framework of the Philippine nation state (Meruenas, 2011).<sup>3</sup> Malaysia has been an active mediator since 2001. For a long time high-profile figures such as the MNLF leader, Nur Misuari, have accused Malaysia of aiding MILF and radical Islamist groups in Mindanao, allegedly to bog down Manila in order to prevent any serious attempt at retaking the oil-rich Malaysian eastern province of Sabah,<sup>4</sup> which was historically under

2 The MNLF, particularly the Misuari faction, has constantly argued that the Autonomous Region in Muslim Mindanao (ARMM), composed of the chronically impoverished provinces of Basilan, Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi, fell far short of the original number of provinces and territory that was promised under the 1976 Tripoli Agreement. The Misuari faction has opposed Aquino's peace negotiations with the MILF on the grounds that they threaten to supersede the MNLF's earlier negotiated agreements with the government. There was also not much in the way of the disarmament, demobilisation and reintegration and long-term sustained development assistance to the ARMM, as explained in succeeding paragraphs. Overall, there has been a lingering sense that the GRP was able to defang and dupe the MNLF leadership, culminating in the 1996 peace agreement. This is partly why there were so many breakaway factions from the MNLF since negotiations with the GRP started.

3 Since 2001 Malaysia has been the main broker for the GRP-MILF negotiations, providing a neutral venue, and logistical and political support. For a long time there have been suspicions, as explained in succeeding paragraphs, that Malaysia was a major sponsor of the MILF. The MILF leadership, especially under Murad, recognises longstanding ties between Malaysia and the MILF (and more radical MNLF elements in the past) and cherishes the significance of Malaysian mediation efforts for the conclusion of peace negotiations with the GRP. In short, alienating Malaysia, which has some leverage over the MILF leadership, is not a desirable outcome for the MILF.

4 Prior to the independence of Malaysia and the Philippines, the Sultanate of Sulu laid claim to North Borneo, a gift from the Bruneian royalty, which it leased to the British North Borneo Company in 1878 in exchange for an annual payment of 5,000 Malayan dollars then, which was increased by another 300 Malayan dollars from 1903 onwards. At the onset of the emergence of the Malaysian Federation after the withdrawal of British forces, the Sulu Sultanate ceded its North Borneo claim to the Philippine government in 1962. In the following year, however, Sabah was incorporated into the Malaysian Federation, provoking a diplomatic crisis between Manila and its new South-East Asian neighbour. For background, see Whelm (1970).

the control of the Sultanate of Sulu (*Manila Times*, 2011). Leaked diplomatic cables show that the Government of Malaysia (GoM) was indeed extremely concerned with the Philippines' designs on Sabah, particularly under the leadership of the Abdul Razak Hussein administration. During the Nixon administration, Kuala Lumpur explicitly pleaded with Washington to "use its influence on [Philippine president] Marcos to have him agree to abandon [the] Sabah claim" (Ar, 2013). Now, under the leadership of Hussein's eldest son, Mohammad Najib Abdul Razak, who became Malaysia's prime minister in 2009, Kuala Lumpur was seemingly committed to facilitating the GRP-MILF peace process, partly out of concern over the spillover effect of the Mindanao conflict on regional security.

Since the 1990s the troubled southern Philippine island has been transformed into a major base for a whole host of radical Islamist groups, particularly the al-Qai'da affiliate in South-East Asia, Jemaah Islamiah (JI), which allegedly received support from the MILF in the early to mid-1990s (Domingo, 2009). After the 1997 ceasefire agreement the MILF progressively distanced itself from other radical Islamist groups in order to pursue a peace agreement with the GRP. The Estrada administration's "all-out war" against the MILF in 2000, which significantly diminished the conventional military capacity of the rebel group, threatened a total breakdown in peace negotiations. Estrada's downfall in the 2001 EDSA II protests, however, paved the way for renewed peace negotiations, with Hashim Salamat deciding shortly before his death to openly reject terrorism and any links with groups such as JI. Upon replacing Salamat as MILF chair in 2003, Murad reiterated his group's commitment to a cessation of hostilities, terminated any form of institutional link with radical groups such as the JI, stepped up earlier cooperation with the AFP in interdicting terrorist and criminal elements in central Mindanao, and pursued peace negotiations with the Arroyo administration (Santos & Santos, 2010: chap. 19).

Meanwhile, the CNN continued to reject the legitimacy of the Philippine state, dismissing it as an oppressive, capitalist appendage to Washington's global imperium. Peace negotiations between the GRP and CNN have repeatedly been undermined by violations of ceasefire agreements. Since the peak of its power in the 1980s, reportedly fielding as many as 25,200 fighters in 1987, the CNN has been undermined: internal purges ("reaffirmists" vs "rejectionists"), factional jostling (the Tiamzons – Benito and Wilma – vs Sison), and dwindling popular and external support (from post-Mao China) have progressively eroded its capability and reach. During the cold war the CNN's military wing, the National People's Party (NPA), was reportedly involved in targeting U.S. military personnel stationed in the Philippines. Since 2002 the CPP and NPA have been designated as a foreign terrorist organisation (FTO) by the U.S. State Department and was at the

receiving end of a full-scale military campaign by the Arroyo administration, which sought to fully neutralise the group before the end of its term in 2010. The CNN's ideological commitment to the doctrine of a Protracted People's War to overthrow the Philippine state and replace it with a "national-democratic" communist regime along Maoist-Leninist-Marxist lines stood in stark contrast to the MILF's decision to seek greater political autonomy for Filipino Muslims in Mindanao, rather than, say, seeking complete secession from the Philippines or the overthrow of the GRP. It is therefore no wonder that the AFP has considered the CNN as the chief threat to the Philippines' national security, even though the leftist group has a considerably weaker (and more dispersed) armed military capacity compared to the MILF.

While the CNN is estimated to have less than 5,000 fighters spread across the Philippines' mostly rural peripheries and to be strongest in the Visayas regions, the eastern and southern Mindanao regions of Caraga and Davao, the Central and Northern Luzon regions, and the Bicol region (ICG, 2011; Santos, 2010; Santos & Santos, 2010: chap. 11), the MILF is estimated to have as many as 12,000 fighters in its ranks, mainly concentrated in central Mindanao, particularly in Sultan Kudarat, Lanao del Sur, Lanao del Norte, Maguindanao and North Cotabato (Santos & Santos, 2010). The MILF is not on the U.S. State Department's FTO list, while the Aquino administration, especially after the fateful Aquino-Murad meeting in Tokyo, has not considered the rebel group to be a secessionist group. It is therefore no wonder that the Aquino administration has been considerably more enthusiastic about and invested more heavily in pursuing a final settlement with the MILF rather than the CNN. Nonetheless, the administration also sought to revive long-stalled peace negotiations with the NPA. Informal GRP-CNN discussions in December 2010 paved the way for the longest holiday ceasefire in a decade, with formal negotiations starting in February 2011.

The Royal Norwegian Government has played a central role in mediating the talks, facilitating the 2011 Oslo Joint Statement, where the two parties announced that they had "successfully resumed the formal peace negotiations" and "recognized the urgent need to resume the formal peace negotiations in order to resolve the armed conflict by addressing its root causes".<sup>5</sup> During the talks the two parties reaffirmed the 1992 Hague Joint Declaration and bilateral agreements specified in the 2004 Second Oslo Joint Statement, and explored a timeframe for completing the draft comprehensive agreements, particularly the Comprehensive Agreement on Social and Economic Reforms (CASER), the Comprehensive Agreement on Political and Constitutional Reforms, and the Comprehensive Agreement on End of Hostilities and Disposition of Forces, and for the better joint monitoring and implementation of the Comprehensive Agreement on

5 See the Joint Statement of GPH-CPP-NPA-NDF at the Conclusion of the Current Round of Peace Talks in Oslo, Norway: <<http://www.opapp.gov.ph/resources/joint-statement-gph-cpp-npa-ndf-conclusion-current-round-peace-talks-oslo-norway>>.

Respect for Human Rights and International Humanitarian Law, among others. Crucially, the two parties reaffirmed their commitment to the sustained and expeditious implementation of confidence-building measures, particularly the release of leading CNN leaders in GRP custody in exchange for the release of AFP members detained by the rebels, in accordance with the 1995 Joint Agreement on Safety and Immunity Guarantees (JASIG).<sup>6</sup>

Recognising the positive outcome of the late-2011 meeting between Aquino and Murad, the CNN's chief ideologue, José María Sison, explored the possibility of a similar encounter with Aquino in October 2012. The plan was reportedly proposed by Presidential Adviser on Political Affairs Ronald Llamas, a veteran leftist activist. The Aquino administration was increasingly encouraged by constructive pronouncements from Sison, who has been in exile and based in the Netherlands, but reportedly (nominally) leading the CNN's eight-member politburo, the CPP's top decision-making body (Santos, 2015). In 2012 there were serious discussions about Sison's proposal for a "special track" for GRP-CNN negotiations in order to expedite the peace process. The special track proposal would pave the way for a cessation of hostilities, with the Committee for National Unity, Peace and Development, comprising members from both parties, tasked to tackle the roots of the rebellion and propose a long-term, just and peaceful solution to the ongoing communist insurgency (Fonbuena, 2013a). By now the Aquino administration was more confident about pursuing peace negotiations with the country's two major rebel groups.

## The divergence

Soon it became clear that the MILF represented a more reliable negotiating partner to the GRP, as talks between the CNN and the Aquino administration collapsed. By February 2013 the two parties could not even agree on the agenda of their talks, with the CNN now insisting on going back to the "regular track" and demanding that the GRP honour the JASIG as an implicit precondition for continuing the talks.<sup>7</sup> The CNN's primary concern was the release of 18 of its high-level consultants by the GRP (Fonbuena, 2013a). According to government officials, the leftist group allegedly also demanded that the government stop the AFP's Oplan (operation) Bayanihan counterinsurgency programme, stop the CCT poverty-alleviation scheme, and expedite land reform legislation to benefit millions of landless farmers, among other things (Fonbuena, 2013b). The Aquino administration has flatly rejected the imposition of any form of (perceived or actual) precondition for the resumption of peace talks, while the CNN insists that it is simply ensuring the implementation

of existing agreements. Government officials have cited factional jostling between the Netherlands-based ideologue Sison and on-the-ground leaders such as the Tiamzons as a major stumbling block to the peace negotiations. The Aquino administration has effectively questioned the ability of the CNN to form a unified, coherent negotiating position, putting into question the reliability of the leftist group as a negotiating partner. Given the CNN's limited political capital<sup>8</sup> and diminished armed capacity, the GRP seems to have grown more confident with bargaining hard in the negotiations. With the peace negotiations in limbo, the Aquino administration effectively settled for a "damage control" approach, focusing on securing ceasefires in order to minimise armed confrontation between the CNN and AFP. The administration continued with counterinsurgency operations against the NPA, culminating in the arrest of Benito Tiamzon (chairman of the CPP-NPA) and his partner Wilma (CPP-NPA secretary-general) on March 22nd 2014.<sup>9</sup> The arrest of high-profile members of the CNN further undermined communication channels between the Aquino administration and the leftist group, contributing to renewed clashes, despite the GRP's unilateral ceasefire, in the provinces of Camarines Norte, Davao del Norte, and Compostela Valley during the holiday season in December 2014 (GMA News, 2014).

In the meantime the Aquino administration proved more successful in pushing ahead with a peace pact in Mindanao. On October 7th 2012 it announced the successful conclusion, after 32 rounds of intense negotiations, of a Framework Agreement on the Bangsamoro (FAB) between the GRP and MILF. The FAB was the outcome of a concerted effort by multiple stakeholders, including the ICGM and the Geneva-based Centre for Humanitarian Dialogue. The deal marked a crucial step towards ending a four-decade-long crisis that has claimed more than 120,000 lives and caused the displacement of many more in Mindanao, and paved the way for the establishment of a new substate unit, a so-called "Bangsamoro political region", supplanting the Autonomous Region in Muslim Mindanao,<sup>10</sup> which was created as part of a 1996 agreement between the Ramos administration and the MNLF. As part of the provisional agreement the central government will retain powers over national administrative areas such as foreign diplomacy, defence, citizenship and the currency, while the new autonomous region will enjoy jurisdiction over areas such as taxation and justice (i.e. the implementation of sharia law), and contract loans and solicit donations and grants of its own choosing. Functioning like a ministerial form of government, the new entity will elect its own representatives and leaders, although ultimately they will be answerable to the Philippine president as the chief executive of the Philippine

<sup>6</sup> Ibid.

<sup>7</sup> At some point, though, the NDF announced that there was no mutual exclusivity in simultaneously pursuing the special and regular tracks.

<sup>8</sup> Communism, or the Maoist-Leninist-Marxist ideology of the CPP-NPA, has failed to inspire the imagination and win the hearts and minds of the mainstream Filipino population. This explains why their insurgency is largely concentrated in distant, rural areas where extreme poverty and oppression by rural landlords has provided, on a diminishing scale, foot soldiers for the movement.

<sup>9</sup> For a list of high-profile arrests suffered by the CNN top leadership under Aquino's watch, see Santos (2014).

<sup>10</sup> The ARMM is composed of mostly impoverished Basilan, Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi.

nation state. The MILF's troops will be gradually decommissioned, with a local police force taking over law enforcement obligations in the Bangsamoro political region. A 15-member committee was tasked with drafting a new law, the Bangsamoro Basic Law (BBL), to be approved by the Philippine legislature and through a local plebiscite by voters in Muslim-dominated regions of Mindanao, which will shape the final contours of the new autonomous region.

The FAB represented a roadmap for a long-term resolution of the conflict in Mindanao, especially in areas under MILF control. The United Nations secretary-general, Ban Ki-moon, described the framework deal as a "landmark achievement", reiterating his organisation's readiness "to provide assistance to the parties as needed in implementing the framework peace agreement", while Malaysian prime minister Najib Razak hailed the agreement as a step towards "ensur[ing] that the Bangsamoro people will enjoy the dividends of peace, which they rightly deserve" (Heydarian, 2012). On March 27th 2014 the GRP and the MILF signed a final peace agreement, the Comprehensive Agreement on the Bangsamoro (CAB), which contained annexes on revenue generation, resource exploitation and wealth sharing,<sup>11</sup> as well as provisions on the creation of a local police force in the Bangsamoro political region. The Philippine Congress was expected to pass the BBL in 2015, with the Bangsamoro Transition Authority serving as an interim government before the establishment of a final autonomous authority in the region (Reuters, 2014).

## The lightning blow

The path towards the final peace agreement and the establishment of a new autonomous region in Mindanao has been marked by a series of crises. The first major crisis erupted on February 14th 2013, when 80-100 armed supporters of the descendants of the Sultanate of Sulu, led by Sultan Jamalul Kiram III, launched a ragtag occupation of a remote area of the Malaysian state. What followed was a bilateral crisis between Malaysia and the Philippines, with Kuala Lumpur launching massive military operations against Kiram's armed men. The Sultan of Sulu's decision to deploy his Royal Security Forces (RSF) was part of an attempt to retake Sabah, reigniting an age-old tug-of-war between the two neighbouring countries. As clashes intensified, a growing number of Kiram's supporters crossed the porous Philippine-Malaysia maritime borders and circumvented a naval blockade imposed by the two governments. Two months into the crisis, 68 members of the RSF were killed and 126 others were arrested, while as many as 6,000 Filipinos residing in Sabah were reportedly displaced, many suffering allegedly heavy-handed treatment by the Malaysian authorities. The broader significance of the crisis lay in the disruption of peace

negotiations between the GRP and the MILF, (temporarily) embittering GRP-GoM relations, with the Misuari faction of the MNLF siding openly with Kiram and more vociferously demanding representation in the ongoing peace talks between the GRP and MILF (Heydarian, 2013a; 2013b). By August 2013 Misuari and his supporters declared a separate "independence" for various southern provinces, calling on MNLF supporters to lay siege to key installations in the region. What followed on September 9th was a major siege of the Christian-majority Zamboanga City, with hundreds of MNLF fighters arriving by boat and launching a coordinated surprise attack on the city. This immediately turned into a national security crisis, resulting in the displacement of 82,000 residents and the destruction of almost 1,000 buildings. The MNLF rebels that led the attack on Zamboanga had symbolically tried to hoist their flag at the city hall, supporting Misuari's earlier declaration of independence in Muslim-majority regions of Mindanao. Soon radical Islamist groups such as the Abu Sayyaf Group (ASG) and the Bangsamoro Islamic Freedom Fighters (BIFF), a breakaway MILF faction, joined the fray by launching smaller-scale attacks on the neighbouring island of Basilan. The Aquino administration was forced to launch one of the largest conventional military operations in Mindanao since Estrada's "all-out war" against the MILF in 2000 (Heydarian, 2013c).

The biggest challenge to the GRP-MILF peace negotiations so far has stemmed from a tragedy in early 2015, when 44 members of the elite Special Action Force (SAF) of the Philippine National Police (PNP) were brutally killed on January 25th by members of the MILF's 105th Base Command,<sup>12</sup> allegedly in conjunction with members of the BIFF. The tragedy was an outcome of a day-long encounter between the SAF commandos, who under Oplan Exodus were in pursuit of two suspected terrorists, Zulkifli bin Hir alias "Marwan" and his local associate, Abdul Basit "Usman", in Mamasapano in the MILF stronghold of Maguindanao. The exact circumstances of the tragic encounter are yet to be verified by an independent, impartial investigation body. The MILF leadership has so far refused to hand over members of the 105th Base Command involved in the encounter, maintaining they were simply engaged in a self-defence operation against the SAF commandos, and has also demanded justice for its own slain fighters. The commando operation was allegedly planned and undertaken with sustained U.S. planning and logistical support. It was shrouded in the utmost secrecy in order to avoid any intelligence leak. As a result, there was apparently no coordination with the AFP and the MILF leadership. The AFP maintains that (1) it had no prior information about the operation, and (2) it could not aid the besieged commandos because of an existing ceasefire agreement with the MILF. The SAF 55th Company, which acted as the blocking force, suffered the bulk of the

<sup>11</sup> By December 2013 the two parties arrived at an agreement whereby 75% of the tax revenue from mined minerals and 50% of the taxes collected from fossil fuels extracted in the region would stay with the Bangsamoro government; see Whaley (2013).

<sup>12</sup> The MILF's 105th Base Command has long been accused of maintaining strong ties with the BIFF. For instance, see Manlupig (2015).



casualties, while the majority of the SAF 84th Company, which was directly involved in neutralising Marwan, were safely extricated, allegedly with U.S. help, from the combat zone [Bello, 2015; Ocampo, 2015].

## Future prospects

The fate of the peace process in Mindanao hangs in the balance. The botched military operation in Mamasapano sparked arguably the biggest political crisis for the Aquino administration. The brutal killing of the Filipino commandos, even after they reportedly surrendered to the MILF troops, provoked massive outrage among ordinary Filipinos, the members of the PNP and AFP, and, most especially, the family of the victims, who have demanded justice. A number of legislators have withdrawn their support from the BBL, putting into question whether the Philippine Congress would pass the law before Aquino steps down from office in 2016. Intent on saving the peace process, the Aquino administration and the MILF leadership have repeatedly reiterated their commitment to pursuing peace, but there is no agreement on a legal mechanism for accountability vis-à-vis the victims of the botched operation in Mamasapano. As a form of confidence-building measure, however, the AFP and MILF began launching counterterrorism operations against the BIFF and ASG, providing varying levels of coordination and operational support to each other. To prevent hardliners within their ranks from undercutting the ongoing peace negotiations, on January 29th 2015 the two sides signed the protocols for the decommissioning of the MILF troops' firearms, laying down the foundations for the process of disarming and decommissioning the rebels. The MILF leadership also promised to aid the AFP in capturing Usman (Heydarian, 2015).

Aquino has distanced himself from the crisis by denying any direct involvement in the decision-making process vis-à-vis the Mamasapano operation, while in an effort to placate critics, the administration effectively fired and put the blame on Aquino's long-time ally, the PNP chief Alan Purisima, for allegedly not coordinating properly with the president [Calonzo 2015].<sup>13</sup> The Aquino administration's game plan seems to be: (1) insulate the president from the crisis by underplaying his role in the planning and conduct of the operation; (2) project unity with the MILF leadership by conducting and expanding joint operations against radical Islamist groups; and (3) wait for emotions to cool and proceed with the passage of the BBL and the revival of the peace process once the dust settles. The key challenge for both the administration and the MILF leadership is to

amass sufficient political capital to undermine hardliners within their own ranks in order to push ahead with the peace process. This would be an extremely difficult task, given the political backlash amid the Mamasapano tragedy<sup>14</sup> and concerns with weak links in the MILF's chain of command.<sup>15</sup>

As for the GRP-CNN peace negotiations, the two sides announced the termination of their ceasefire agreement on January 20th 2015,<sup>16</sup> just a few days before the botched operation in Mamasapano. Both sides have accused each other of violating the ceasefire terms, underlining the depth of mutual distrust and the weak prospects for their peace negotiations (Romero, 2015). Many security analysts in the Philippines are highly skeptical vis-à-vis the short- to medium-term prospects of the GRP-CNN peace negotiations.<sup>17</sup> Shortly after the arrest of the Tiamzons the head of the AFP, General Emmanuel Bautista, confidently predicted that the NPA would become irrelevant in the next five years, underscoring the growing confidence of the GRP that the ongoing counterinsurgency operations are achieving success (Romero, 2014). There was, however, a major boost to the stalled negotiations when in December 2014 Sison signalled his willingness to meet Aquino in early 2015. Beginning in July 2014, the GRP explored renewed negotiations through private emissaries (i.e. Silvestre Bello III and Hernani Braganza) with the CNN's top brass. There is perhaps still some time, as Sison has argued, for the negotiation of a Truce and Cooperation Agreement and CASER (Santos, 2015).

But given the huge setback suffered by the GRP-MILF talks in recent months, it is highly doubtful whether the Aquino administration has enough political capital and time left in office to meaningfully engage the CNN. President Aquino is facing not only the threat of coup plots, but also calls for his resignation/impeachment, with some of his legislative allies expressing doubt over the BBL and pushing for amendments to it. On March 13th 2015 the PNP's board of inquiry released a damning report on the Mamasapano tragedy, placing the bulk of the blame on President Aquino, PNP head Alan Purisima, and SAF head Getulio Napeñas. It specifically found Aquino guilty of "bypass[ing] the established PNP Chain of Command" and deliberately withholding necessary information about the operation in Mamasapano from relevant subordinates such as Interior Secretary Manuel "Mar" Roxas and the PNP's deputy director general, Leonardo Espina, who were supposed to be primarily involved in the planning and/or execution of the operation (*GMA News*, 2015). Amid the ongoing controversy over the extent of his involvement in and mishandling

13 Later, the blame was shifted to the PNP's SAF director, Getulio Napeñas, for allegedly misleading the president during the execution of the operation in Mamasapano – possibly because Aquino himself sought to shield his long-time friend Purisima from taking the bulk of the blame.

14 Many lawmakers are pushing for amendments to the BBL, a proposal that has been strongly opposed by the Aquino administration, which hopes to pass the law by June 2015.

15 Such as the more radical elements within the MILF's ranks, like the 105th Base Command, which harbour doubts and reservations about the ongoing peace negotiations and have reportedly maintained strong ties with the BIFF and other radical groups.

16 The GRP suspended counterinsurgency operations against the CNN from December 18th to January 19th, while the CNN implemented a staggered ceasefire from December 24th to 26th, from December 31st to January 1st, and from January 15th to 19th, the latter being the period of the pope's visit to the country.

17 Interviews with Francis Domingo, a security specialist at De La Salle University and a former AFP analyst, and Rene Raymond Ranases, a security specialist at Ateneo De Manila University and an analyst at the consultancy Pacific Strategies & Assessments Group in Manila, February 2014.

of the botched operation, Aquino's approval ratings are set to suffer further setbacks,<sup>18</sup> which would most likely affect his influence over the legislature and undermine the rebel groups' trust in the GRP. As Aquino struggles to convince his legislative allies to expedite the passage of the BBL within the year, he will have increasingly limited time, energy and political capital to meaningfully push ahead with parallel peace negotiations with the CNN. That task will most likely fall to the succeeding administration.

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18 A recent poll by Laylo Research Strategies, conducted on February 6th-10th, shows a significant plunge in Aquino's approval ratings in Metro Manila, most likely due to the political backlash over the Maguindanao tragedy. Nonetheless, most political analysts are waiting for the country's two leading (and more reputable) survey agencies, Social Weather Station and Pulse Asia, to release their nationwide surveys before any definitive judgement can be made.

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