

Kamindanawan 2003

Women Working a Mindanao Agenda

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Organized by the Mindanao Commission on Women

POSITION PAPER FOR THE GRP-MILF FINAL PEACE AGREEMENT

Mindanao women leaders take up the challenge of achieving lasting peace in the island. Past experiences in the peace talks saw little or no representation of the Mindanao women's voice. The 1996 GRP-MNLF peace agreement did not adequately address the needs and aspirations of Mindanao women.

The marginalization of women in the peace talks must end. Women now actively take part in the peace process recognizing that a negotiated peace settlement that includes their inputs are critical to formulating a sustainable and implementable agreement.

With the current GRP-MILF peace negotiations, women have consulted each other on a new paradigm of peace and development, one that benefits all peoples of Mindanao, especially the poor and victims of conflict. Their sharing of ideas and experiences bring forward their recommendations for structure and mechanisms that will address the demands for self-determination, political participation and adequate resources as well as the responsibility to do justice.

Our vision is a Mindanao that is free of poverty and violence, where women and men are enabled to fully participate in and benefit from peace and development.

In our quest for sustainable and just peace, women are ready to work actively to bind the wounds of conflict, engage in political reform and economic development, and strengthen relations between and among peoples to achieve social solidarity.

We, women of Mindanao coming from different sectors and groups hereby recommend to both the GRP and MILF panels the following:

1. Transform the Bangsamoro Development Agency (BDA), the project implementing body tasked to determine, lead and manage rehabilitation and development projects in the conflict-affected areas, to the Bangsamoro Development Commission (BDC).

The BDA as it is can only identify programs/projects but is not assured of government appropriations. Only as a government entity will it be able to access public funds.

Women have a great role and expertise in development undertakings. Hence the composition of the BDC Board should maintain a critical mass of women, at least thirty percent (30%).

Full participation of women in the implementation, monitoring and evaluation of the Bangsamoro Peace and Development Plan should be observed.

2. For the Bangsamoro Development Agency to become the interim body to draft a Bangsamoro Peace and Development Plan including programs/projects with corresponding budget. The implementation of the Bangsamoro Peace and Development Plan should result in making the Bangsamoro areas at least at par with other areas in Mindanao. The Plan should be prepared prior to the actual signing of the GRP-MILF Final Peace Agreement. Implementation of this Plan should be within 10 years.

Full participation of women in the drafting of the Plan should be observed.

The Bangsamoro Peace and Development Plan should spell out strategic interventions for the post conflict phase (including declaring Internally Displaced Persons' sites of origin and those that have been issued CADC/Ts or awaiting issuance as Peace Zones) ensuring that all those who were involved in the war effort, including combatants and those who served in other roles as couriers, etc. (usually women) become active participants in and beneficiaries of the development process.

3. Create a separate Peace Fund with an earmarked amount. The Peace Fund will serve as a development fund for the implementation of the Bangsamoro Peace and Development Plan.

In compliance with RA 7192, Women in Nation-Building and Development Act, and other laws and policies for gender equity in governance, a Special Fund for Women should also be created.

Women have been in the forefront of peace building, hence should also benefit from post-conflict reconstruction and development.

For programs/projects funded through the Official Development Assistance (ODA), the required government counterpart must be earmarked and guaranteed.

The experiences of local government units (LGUs) indicate that their inability to provide equity has become a deterrent to implementation of ODA-funded programs/projects.

4. Support the process of establishing a Body composed of MNLF, MILF, Indigenous Peoples organizations, Internally Displaced Persons, Civil Society Organizations (CSOs), LGUs, religious leaders, private sector and other major stakeholders that will discuss the creation of an effective structure of governance consistent with the demands of the Bangsamoro people for self-determination, while also respecting the territorial integrity and sovereignty of the Republic of the Philippines.

Funds will be earmarked for this process to enable meetings and activities to be held and a secretariat to service the needs of the process.

The present structure does not provide direct link between the ARMM and the LGUs within its administrative set-up. The ARMM then exercises no authority over these LGUs, since the LGUs are administratively under the Department of Interior and Local Government (DILG). This results in fragmented and stunted development effort. Indeed, the present dual system is not empowering the ARMM and the LGUs. It is even a source of conflict.

The Body will discuss and give recommendations for a structure of governance, e.g., the name, nature, geographical coverage, relationship between ARMM and LGUs within its set-up, that will build on the present structure. Such should be done within a year from the creation of the Body.

This Body will recommend to Congress provisions in the existing law that require amendments.

The recommended structure for governance should be presented to the constituency affected by the “new” structure through a plebiscite in November 2004 and will take effect in 2007, giving time for massive information dissemination and preparing the people for this “new” structure of governance.

In as much as they have the same constituency, it is imperative that the MILF and the MNLF come to an agreement on power sharing.

5. Mechanisms in choosing the leaders of the new structure of governance – mechanisms that are culturally appropriate and that include women as decision-makers – should be stipulated in the transitory provision.
6. Study the expansion of the coverage of codified Muslim laws to include not only personal and family laws but also property, commercial, and criminal laws. The review should also include the impact of these laws on women’s current needs and interests.
7. Create a high-level Peace Commission with appropriate authority and resources to oversee the implementation of the Peace Agreement.

The work of the GRP-MILF panels ends upon the signing of the Peace Agreement. To ensure that the provisions in the Agreement are adhered to, a body in the form of Peace Commission will guide policy directions, engage in peace advocacy, enforce provisions of the Peace Agreement, monitor the progress of implementation, and undertake necessary measures to ensure effective implementation. It will hold regular meetings with the government, the OIC (Organization of Islamic Conference), and other key players in the peace-building efforts.

In the composition of the Peace Commission, there should be a Special Representative for Women and Children. Membership should be at least 60 percent Mindanaoans. At least 30 percent of the Commission should be women.