

"IF WOMEN NEGOTIATED THE PEACE AGREEMENT..."
MINDANAO WOMEN'S PEACE SUMMIT

Davao Waterfront Insular Hotel, Davao City
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**POSITION PAPER FOR THE PEACE NEGOTIATING PANELS
OF THE PHILIPPINE GOVERNMENT AND
THE MORO ISLAMIC LIBERATION FRONT**

BACKGROUND

For decades, Mindanao has been wracked by complex problems of seemingly intractable conflicts, widespread poverty and weak governance. Women and minority groups have been particularly affected. This situation has greatly diminished Mindanao's capacity to achieve peace and development.

Clearly, there is a need for an alternative paradigm of development, one where the empowerment of people – women and men both – is at its center and its motive force. Women's voices need to be heard because gender cross-cuts the ethnic, cultural, religious, political and economic divisions which underlie the Mindanao conflict. Women are victims of the armed conflict. However, they have the capacity and the will to become major actors for peace in the various levels in which they are located. Gender equality is an important social goal in itself and a crucial factor for achieving sustainable peace.

If women negotiated the peace agreement, it would be more than just a settlement. It would be fair and enduring. It would be wise. It would aim to finally resolve the conflict. To bring the voices of women of Mindanao into the ongoing peace negotiations between the government and the MILF, the Mindanao Commission on Women facilitated the holding of eight community-level consultations throughout the conflict-affected areas of Mindanao.

The following is the position paper adopted at the Mindanao Women's Peace Summit held in Davao City on February 17, 2006.

We, the women of Mindanao, gathered together for the Mindanao Women's Peace Summit in Davao City on February 16-17, 2006, hereby present this position paper to the peace panels of the Philippine Government and the Moro Islamic Liberation Front. We believe that the current peace negotiations between the government and the MILF present us with a distinct opportunity to achieve peace based on justice in Mindanao. We make these proposals to the two panels in the hope that the comprehensive peace agreement will address the root causes of the Bangsamoro struggle.

To achieve this, there must be, first and foremost, a recognition of the profound impact on the Bangsamoro people - women and men both – of the injustice wrought by certain policies and programs of Philippine government administrations that not only failed to rectify but indeed exacerbated Spanish and American colonial policies and programs.

Such a recognition would entail

- acknowledging the need to provide appropriate restitution for these historical wrongs;
- affirming the right of the Bangsamoro people to self-determination, and recognizing and respecting their distinct cultural identity and history, and their religious, political, and socio-economic systems; and
- acknowledging the resistance of the Bangsamoro people as a struggle for freedom and self-determination.

While the MILF definition of “Bangsamoro” encompasses all native inhabitants of Mindanao, we recognize the indigenous non-Islamized peoples as peoples with distinct identities and respect their rights to decide to be included or not as Bangsamoro. Furthermore, the IPs’ ancestral domain claims must be harmonized with those of the Bangsamoro people.

We believe that peace is a process, not a commodity. We must therefore learn from the lessons of the implementation of the GRP-MNLF Peace Accord of 1996. However inadequate the implementation of the 1996 agreement has been, the current negotiations must build on this agreement between the government and the MNLF. The structures of good governance envisioned in the current peace negotiations must be built on the structures that have already been established by the 1996 Peace Accord. This will therefore entail the inclusion of the MNLF in the current peace negotiations as a concerned party.

A strong political will is needed to implement a peace accord. The peace talks are being carried out when the country is in deep political crisis. We acknowledge that the substantive points of agreement on territory, resources and governance will certainly entail amending the Constitution, but at an appropriate time.

Beyond strictly constitutional, territorial and security issues there are key development issues that have to be addressed in the peace agreement, particularly the substantive participation of women in post-peace agreement political decision-making, reconstruction and recovery.

Post-peace agreement reconstruction and recovery must include establishing institutions for democratic self-governance, rebuilding trust among divided communities and peoples, and developing capacities for conflict resolution without resorting to violence. Comprehensive economic programs must lead the Bangsamoro and the indigenous peoples out of the mire of poverty. So thoughtful consideration must be given to the economic development model to be pursued so that it does not lead to the impoverishment of others. The new institutions and mechanisms must not ignite new divisions – whether political, social and economic – not only in Mindanao but also throughout the rest of the country. All this requires the committed participation of local people, including women.

THE FOLLOWING ARE OUR OTHER SPECIFIC RECOMMENDATIONS:

On Demobilization, Disarmament and Reintegration (DDR)

We do not propose adherence to the standard demobilization, disarmament and reintegration model where rebel groups are made to disband and disarm their forces. Instead, we propose that the GRP and MILF agree on a de-militarized Mindanao. The process of achieving this must take into consideration not only the need for security but, more importantly, socio-cultural realities and reservations and how these can be overcome. International organizations as well as local communities, NGOs and women’s groups shall be called in as

facilitators, rather than as compliance monitors. A Joint Commission on a De-militarized Mindanao may be formed to develop a flexible and realistic approach in consultation with multi-sectoral stakeholders. The armed conflict between the two parties is only one aspect of the violence experienced by our people. Various other types and levels of violence are committed due to militarization, the proliferation of arms, a weak justice system, and inadequate structures to ensure peace and order. We also propose for a reduction of troops particularly in the BASULTA (Basilan, Sulu, Tawi-tawi) and other war-stricken areas. This includes the pull-out and non-accommodation of foreign military contingents, particularly the US military forces.

We do not believe that reintegration must lead again, as it did with the GRP-MNLF Peace Accord, in absorbing MILF combatants into the Philippine armed forces. This goes against our stand that the military presence in Mindanao must be downsized. The reintegration program must provide a total environment where the former combatants and their families become productive and active citizens of their communities once again. Apart from programs to provide formal and non-formal education, health, as well as livelihood and entrepreneurial skills, they must also be given life skills to develop their feelings of self worth. Subsistence support to families must be provided while livelihood skills are being developed. Psychosocial therapy to be provided to the families must also include discussions of gender roles and non-violence. It is critical that activities are put in place for the community to accept the ex-combatants back into civilian society.

On Implementing Mechanisms

1. The Bangsamoro Development Agency, as the agency tasked to identify, implement and monitor development programs, must be an open and inclusive agency. At least thirty percent of the Board, as the decision-making body, should be composed of women.

2. Bangsamoro Juridical Entity (BJE)

- In planning the establishment and entrenchment of government institutions in the Bangsamoro homeland with defined executive, legislative and judicial powers and functions, existing ARMM structures must be built on and enhanced;
- The authority of the BJE to create its own tax base, rates, customs duties and collections should not be less than what is provided for by the Local Government Code and the Autonomy Act. In addition, revenue powers must be transferred from the national government to the BJE; appropriations from the national budget;
- There must be substantial and meaningful participation of women in all aspects of the BJE in the drafting of the Organic Act and in program planning, implementation, monitoring and evaluation;
- To ensure that the products and income from the administration and development of natural resources benefit the general public—including women—the following principles must be followed: transparency and accountability, people's participation, and multi-stakeholders' partnership.

3. The Mindanao Trust Fund should also include at least 30 percent women in its decision-making structure. While we anticipate that the Mindanao Trust Fund will adhere to guidelines on mainstreaming gender into all its programs, projects and activities, we strongly recommend the establishment of a Special Fund for Women. This recommendation comes from the lessons learned from the nine years of implementing the UN Multi-Donor Trust Fund after the signing of the 1996 GRP-MNLF Peace Accord where women were able to access a miniscule percentage of the funds but showed that their projects were the most sustainable. The decision-making body of the Special Fund for Women must include representatives from Mindanao women's groups with constituencies in the conflict-affected areas.

In the identification of programs and projects, the women of Mindanao demand meaningful participation in all levels of decision-making for programs/projects and policies even as we call for priority attention to be given to the following:

- Formal education (free and quality education) and non-formal education (including non-traditional skills for women and youth, and adult literacy); Integration of the Madrasah into the mainstream educational system, including the study of the Shari'ah and the teaching of comparative religion in all elementary and secondary schools
- Livelihood support (including skills training and marketing assistance) and employment
- Health programs
- Rural farm and rural non-farm development, including aquaculture development
- Environmental preservation
- Technology training and support
- Promotion of a culture of peace and indigenous ways of conflict resolution and conflict transformation
- Access to fair justice system
- Gender and development (including the promotion of women's rights, and the prevention of violence against women and children)
- Youth development program
- Other basic services (including housing, rural infrastructure, access to potable water system, electricity)

Procedures to be followed during the process of transition

1. We propose that the transition period cover at most 10 years.
2. We agree that a referendum supervised by the U.N. and the OIC is the best modality to determine the future political status of the Bangsamoro people. However, for this exercise to be credible, there must be consultations and massive information campaign using various communication modes to reach the grassroots.
3. We agree that a Constitutional Committee be formed to deliberate on and draft the Organic Charter of the Bangsamoro Juridical Entity (BJE). As this exercise is of great importance, women must form at least 30 percent of the members of the Committee. The Committee must be multi-sectoral and must include the youth.

Monitoring the implementation of the comprehensive agreement

We propose that a multinational third party be formed to monitor the implementation of the agreement in partnership with grassroots organizations, including women's groups. This third party may be an international human rights group or the UN Committee on Decolonization. It will have the power to arbitrate, make findings and apply sanctions.

Conclusion

We express our deep appreciation to the GRP and the MILF panels for their continuing and committed efforts to successfully maintain the cessation of hostilities in the conflict affected areas as they persist in their work to forge a Peace Agreement that will provide the framework for a just and lasting peace in Mindanao. We call on both panels to consider our recommendations and continue to keep the doors open for meaningful dialogue with the women of Mindanao.

We link our arms in solidarity with all our sisters and brothers in Mindanao who are working for peace and development even as we, members and partners of the Mindanao Commission on Women, commit to continue facilitating processes that will provide opportunities for the women of Mindanao to articulate their deep aspirations for and contribute to the building of a Mindanao that is free of poverty and violence, where women and men, from all sectors of society, participate fully in and benefit from peace and development.