

Transitional Justice: PHILIPPINES CASE STUDY

AJAR and Alternative Law Groups, Inc.



TRANSITIONAL JUSTICE
ASIA NETWORK



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About Asia Justice and Rights

Asia Justice and Rights (AJAR) is a regional human rights organisation based in Jakarta, Indonesia. AJAR works to increase the capacity of local and national organisations in the fight against entrenched impunity and to contribute to building cultures based on accountability, justice and willingness to learn from the root causes of mass human rights violations in the Asia Pacific region. For more information, visit <http://www.asia-ajar.org>.

About Alternative Law Groups, Inc.

Alternative Law Groups, Inc. (ALG) is a coalition of 23 legal resource NGOs that adhere to the principles and values of alternative or developmental law in Philippines. These organizations have distinct programs for developmental legal assistance that are primarily concerned with the pursuit of public interest, respect for human rights, and the promotion of social justice. At the heart of developmental law is the dual work of empowering the poor and marginalised, and effecting justice system reforms. For more information, visit <http://www.alternativelawgroups.ph/>.

About Transitional Justice Asia Network

Transitional Justice Asia Network facilitates learning and knowledge-building on transitional justice and accountability initiatives across the region.

Photos

1. Senator Bongbong Marcos (left), chair of the Senate Committee on Local Government, talks to Office of the Presidential Adviser on the Peace Process (OPAPP) Secretary Teresita Quintos-Deles (right) and Bangsamoro chairman Mohaguer Iqbal (center) before the start of a briefing on the proposed Bangsamoro Basic Law (BBL) on September 23, 2014 (Photo credit: Albert Calvelo/Senate of the Philippines' Public Relation and Information Bureau).
2. Women participate in a Training on Women's Leadership and Political Participation in the Bagsamoro (Photo credit: WeACT 1325).
3. Hundreds of Lumads, a group of indigenous people in the southern Philippines, storm Camp Aguinaldo and Camp Crame on November 9, 2015 to protest the killings of Lumads and the militarisation in Mindanao (Photo credit: Joel Liporada/Rappler).
4. ALG, in partnership with the Transitional Justice Asia Network, launches the "Orientation Workshop on Transitional Justice" on 25-26 July 2017 at the Brentwood Suites in Quezon City (Photo credit: ALG).

After the dictator Ferdinand Marcos was ousted through the “People Power” movement in 1986, a wave of initiatives to address the violations committed by the Marcos regime (especially the period under Martial Law) came in its wake. Despite popular support, the transitional justice initiatives stumbled as they failed to address the fundamental institutional obstacles to justice. Three decades later, many of the Martial Law victims are still waiting for justice, the majority of the population still face the same old economic and social inequalities, and many parts of the country, especially Mindanao, remain as conflict areas.

The country’s long-standing armed conflicts with the communist movement and the Bangsamoro have roots in the dark years of the Marcos dictatorship and Martial Law period. During this time, massive corruption was ingrained deeply into the state institutions and remain practised up to this day. The People Power movement, which ousted the Marcos dictatorship, missed an opportunity to genuinely reform the institutions and laws as well as faced much opposition from the local elites.

In the aftermath of Martial Law, various efforts to reach transitional justice goals brought mixed results. This included judicial reforms, establishment of truth commissions, compensation of human rights abuse victims, implementation of agrarian reform and others. The peace processes are at the very heart of these transitional justice efforts, specifically the negotiations with the communist and the Bangsamoro movements.

Transitional justice initiatives

President Corazon Aquino made notable strides in restoring the people’s confidence and trust in government by leading the ratification of the 1987 Constitution, which, among others, outlawed the use of torture and secret detention, and established the Commission on Human Rights. Pursuant to the Constitution’s mandate for social justice, the Congress enacted a number of

progressive laws, such as the Comprehensive Agrarian Reform Law (Republic Act No. 6657), which were meant to correct the injustices of the past. The Philippines has also been a signatory to most international human rights treaties and conventions. However, implementation of these laws and policies has been the subject of much criticism.

One of the first official acts of Corazon Aquino was the creation of the Presidential Commission on Good Government (PCGG) in 1986, with the task of recovering all ill-gotten wealth accumulated by Marcos, his family and associates, and investigating graft and corruption cases. By the end of 2016, the PCGG has recovered 4 out of the estimated 5-10 billion USD acquired by the Marcoses and their associates. Out of the assets recovered, 10 billion Philippine pesos were set aside for victims’ reparations. In addition, 93 billion Philippine pesos were set aside for coconut farmers, who were taxed under Marcos’ Coco Levy Funds, a controversial program that enabled Marcos to channel the funds for his own benefits via corporations.

Also in 1986, Corazon Aquino established a truth commission – the Presidential Committee on Human Rights (PCHR) which investigated abuses since 1972 or the beginning of Martial Law. But since it was created without staff or budget, the commission was quickly overwhelmed with the sheer number of violations it had to document. Further, with several coup attempts against President Aquino, the committee never got to prosecute past offenders. Also, popular support for prosecution was limited due to public sympathy towards some military officers who turned against Marcos towards the end of his rule.

In July 2010, President Benigno Aquino (Corazon’s son) established the Philippine Truth Commission (PTC), which was tasked to investigate allegations of graft and corruption in the previous administration (Gloria Macapagal-Arroyo). Unfortunately, however, the commission’s life was pre-terminated even before it could fully start its task, as the Supreme Court declared the presidential order that created it unconstitutional.

Following the assets recovered by the PCGG, the government also established the Human Rights Victims Claims Board in 2013 through the Republic Act No. 10368, specifically for the recognition and indemnification of Martial Law period victims. The law also mandated the establishment of a museum in honour and in memory of the victims of human rights violations of the Marcos regime. Applications for reparations are being reviewed and the board is processing the initial release of reparations.

From 1986 until the present, judicial reform programs have been established with the aim to meet the challenges of restoring and enhancing public trust in the justice system, pursuing judicial independence in a traditionally centralised administrative environment and ensuring the continuous development and institutionalisation of capacities for sustaining reform gains.

The role of civil society

The adoption of the 1987 Philippine Constitution ushered in a new democratic space that brought forth, especially in the first decade after the revolution, the proliferation of the country's civil society organisations (CSOs). The Constitution contains provisions that have institutionalised recognition of the valuable role of CSOs in Philippine society.

From 1986 until today, CSOs, especially NGOs (Non-Governmental Organisations) and POs (People's Organisations), have been very much active in community organising, capacity-building, awareness raising and advocating for democratic and legislative reforms. Many CSOs have actively pushed for the continuation of peace talks, pressuring the government and the other panels to continue despite the temporary setbacks. Organised groups of victims and victims' families have led the advocacy for the creation of the Human Rights Victims Claims Board, and have remained active in the human rights movement in the country.

Peace process with the Communist Party

The Philippines is home to Asia's longest-running communist insurgency, claiming at least 30,000 lives in the last five decades. After failed attempts at peace talks under five previous presidents, President Rodrigo Duterte is now once again pursuing peace negotiations. The Communist Party of the Philippines, or CPP, seeks to overthrow the national government through armed struggle and establish a new democratic state led by the working class, free from the influence of the United States. The CPP has an armed wing, the New People's Army (NPA), established in 1969 and a political arm, the National Democratic Front of the Philippines (NDF). The NDF is the umbrella organization of communist-run organizations, and it represents the CPP-NPA in negotiations with the Philippine government.

The CPP was at its strongest during the repressive Marcos regime, but since then, counter-insurgency operations, coupled with an internal split¹, had greatly lessened their numbers. Today, the organisation remains most active in mountainous and neglected areas nationwide. Many civilians were caught in the middle of the clashes between state forces and the communist rebels and their supporters. Even organized citizens' groups were not spared, as some legitimate civil society organizations (CSOs) became the target of government suspicion and action, as they were suspected to be leftist support groups, sympathisers, or their legal fronts.

Over the years, both the government and the Communist Movement (CPP-NPA-NDF) have formed panels to represent them in the peace talks. However, the peace process has continuously snagged on contentious issues of sovereignty, the release of political prisoners, and the CPP's inclusion in terrorist lists.

1 G. Sidney Silliman, Lela Garner Noble. 1998. *Organising for Democracy: NGOs, Civil Society, and the Philippine State*. University of Hawaii Press.

To date, over 1,300 political detainees had been released by the government, and 20 agreements signed, yet no final peace settlement has been reached. Most of the signing of agreements were held in foreign countries such as the Netherlands, Norway and Malaysia. Four agreements were signed during Exploratory Talks (1992-1995), while 16 were signed during the Formal Peace Negotiations (1995-2011).² Whenever the peace negotiations bogged down, civil society played a crucial role in pressuring both sides to proceed.

Mindanao peace talks with the MNLF/MILF

The second largest island of the Philippines, Mindanao, is rich in natural resources and is known as the Land of Promise. But this southern island has also long been largely neglected and marginalised by the government. The region has the highest infant mortality rate and the lowest functional literacy rate in the country. Six of the ten poorest provinces in the Philippines are located here.³ Mindanao is also the epicentre of a conflict, with an indigenous Muslim population known as the Moro (from the Spanish for Moor), with whom the government forces have engaged in armed conflict since 1972.

The Moro National Liberation Front (MNLF) was formed in 1969 to resist heightening discrimination and marginalisation. Three years later, the MNLF launched an armed resistance to establish the Bangsamoro ("Muslim Nation") within the territorial provinces and peninsular regions of Mindanao, Sulu and Palawan. The MNLF later splintered, with the Moro Islamic Liberation Front (MILF) continuing the resistance even after the MNLF and the government

signed a comprehensive peace agreement in 1996.⁴

Official attempts to create peace and reform have spanned four decades, starting from the Marcos era to the present date:

Marcos Era Negotiations with

the MNLF: During the Marcos regime, peace negotiations resulted in the Tripoli Agreement in 1976.⁵ The government took some initial steps to implement a degree of autonomy to the Moro,⁶ but it was unsatisfactory to many Moro, resulting in the unravelling of the Agreement and the MILF's splinter in 1984. Nonetheless, the Tripoli Peace Agreement, and the principles established in it, has continued to be an important reference point in all subsequent peace processes.

Aquino Process with the MNLF:

President Corazon Aquino, who succeeded Marcos from 1986-1992, resumed talks with the MNLF. These efforts produced the Jeddah Accord in 1987, an attempt to further discussions on a democratic process for Mindanao. This mechanism was restricted by the 1987 Constitution, part of democratic reconfiguring post-Marcos, which provided for an Autonomous Region in Muslim Mindanao (ARMM) following a

2 <https://peacetalkphilippines.wordpress.com/peace-tables/cpp-npa-ndf/>

3 Vitug, Marites D. and Glenda M. Gloria. 2000. Under the Crescent Moon: Rebellion in Mindanao. Philippines: Ateneo Center for Social Policy and Public Affairs and the Institute for Popular Democracy.

4 Agreements as recent as June 2015 have renewed the International Monitoring Team and the Ad Hoc Joint Action Group, and a Task Force for Decommissioned Combatants and their Communities has been negotiated in order to continue the pursuit towards peace.

5 The Tripoli Agreement's formal name is the "Agreement between the Government of the Republic of the Philippines and the Moro National Liberation Front with the Participation of the Quadripartite Ministerial Commission Members of the Islamic Conference and the Secretary General of the Organisation of Islamic Conference."

6 In the Third Section, Provision No. 16 states, "The Government of the Philippines shall take all necessary constitutional processes for the implementation of the entire Agreement." President Marcos issued Presidential Decree No. 1618 in July 1979, to implement autonomy of Regions IX and XII.

plebiscite.⁷ The MNLF rejected the Organic Act and the ARMM, and negotiations halted until 1992.

Ramos Process with the MNLF:

In 1992 the new Fidel Ramos presidency led to a change in priorities, and peace negotiations resumed. After four years of an interim ceasefire and exploratory talks, in 1996 the Final Agreement on the Implementation of the 1976 Tripoli Agreement was signed with the MNLF. The 1996 Agreement initiated a three-year transition period to integrate MNLF combatants with the Armed Forces of the Philippines and to provide intensive socio-economic rehabilitation for the region. The second phase was the devolution of powers and the repeal of the Organic Act (RA 6734).⁸ While this arrangement satisfied the MNLF, the MILF continued armed resistance, reaffirming their commitment to a self-determining Bangsamoro territory.

Domestic Stage Process with the MILF:

Following the 1996 Agreement, a peace process began what has been called the “Domestic Stage”, with internal actors in peace talks focussed on establishing and maintaining a ceasefire, and creating a suitable environment for progress through more formal discussions. In 2000, under the Joseph Estrada presidency, the Agreement on the General Framework for the Resumption of Peace Talks brought in the international community, beginning the “Diplomatic Stage” of the peace talks.

Diplomatic Stage Process with the MILF:

Agreements between the MILF and the government emerged in this stage, including

- 7 Article X, Sections 15-21 of the 1987 Constitution established regional restrictions, furthered by RA 6734, in August, 1989.
- 8 As the Bangsamoro is created, the BBL (Bangsamoro Basic Law) will abolish the ARMM (Autonomous Region in Muslim Mindanao). RA 6734 was the Act which created the ARMM.

the controversial Memorandum of Agreement on the Ancestral Domain Aspect of the Tripoli Agreement on Peace of 2001 (MOA-AD), under President Gloria Macapagal-Arroyo’s administration. The MOA-AD was viewed by many as the strongest solution to Moro self-determination, but a 2008 Supreme Court ruling⁹ which struck down the agreement as unconstitutional briefly halted the peace process.

Under the presidency of Benigno Aquino, negotiations resumed, producing the Framework Agreement on the Bangsamoro (FAB). This agreement replaced the ARMM model with an autonomous Bangsamoro Region, with agreements as recently as 2015 continuing implementation.¹⁰ Unfortunately, the enabling law that was supposed to embody and implement the FAB was not passed into law by the previous Congress before it ended its term in 2016. Efforts are underway to submit a new version of the law to the current Congress.

The Transitional Justice and Reconciliation Commission (TJRC)

An annex to the FAB provided the establishment of a Transitional Justice and Reconciliation Commission comprising three groups: an international chair, representatives of the government and the MILF. The commission was charged “to undertake a study and recommend to the Panels the appropriate mechanisms for transitional justice and reconciliation” covering four issues of concern:

- 9 Supreme Court ruling G.R. 183591 (The Province of North Cotabato vs. The Government of the Republic of the Philippines Peace Panel on Ancestral Domain)
- 10 This was one of the few processes to have been led by a female negotiator for the government side, with Professor Miriam Coronel-Ferrer acting as Chair for the Peace Panel since 2012. The implementation phase of the peace process is scheduled to conclude with an Exit Document agreed upon by both Parties.

legitimate grievances of the Bangsamoro, historical injustice, human rights violations and marginalisation through land dispossession.

After its launch in late 2014, the TJRC embarked on an extensive consultation process and other tasks required by its mandate. A “listening process” involved various communities, expert groups and key informant interviews with 4,000 people at the national level and in Mindanao. The TJRC officially handed in its final report in Kuala Lumpur in February 2016, and the TJRC report was publicly launched two months later in Manila and in Cotabato.

The report elaborates on the four issues it was mandated to examine including their root causes. The report recommended a transitional justice and reconciliation entity for the Bangsamoro, and made over 90 specific recommendations to government, CSO, religious and community stakeholders for implementation. The Office of the President had the report disseminated to various government agencies. However, a change of administration has stalled implementation, with the recommendations currently under study by the Duterte government.

Role of civil society in Mindanao

Mindanao’s CSOs have taken on many different roles in the peace process, including civilian protection, ceasefire monitoring, peace education, policy advocacy and capacity-building for good governance, service delivery, and rehabilitation of affected and displaced communities. They have also played important roles directly related to the peace process by conducting advocacy and capacity-building for good governance, support for policy-making, developmental efforts and democracy-building. In some cases, CSOs have even acted as diplomatic go-betweens for the negotiating parties. All these efforts are geared towards creating a positive environment for the peace talks to continue.

Challenges and lessons learned

Lessons learned from national initiatives and dialog with the communist insurgents

The great challenge will be to hold the government accountable for the massive injustices — extrajudicial killings (most commonly referred to as “salvaging”), torture, disappearances, rapes, abductions, arbitrary detention, violations against civilians as “collateral damage,” etc. — committed from the Marcos era and continued over the past 30 years, with the on-going armed conflict and the government’s campaign to contain the communist insurgency.

As noted above, there was some progress during the Benigno Aquino administration on dealing with human rights violations. There are further prospects for alliance and struggle with the Duterte administration. At the start of his campaign, the President presented himself as a “Socialist” and the first “Leftist” President, signifying his interest to address the root causes of the armed conflict. He even appointed known leftist personalities into his cabinet. The CPP issued a policy of alliance with the administration, but at the same time, they are all too aware that key positions of the government remain in the hands of the right, such as retired military generals. Duterte’s economic policies remain fixated on attracting foreign investments and allowing foreign entities to own and operate large enterprises. While the president still enjoys popular support, many are becoming increasingly concerned over their worsening socio-economic plight. The diverse range of political persuasions in the cabinet has led to internal squabbles and policy inconsistencies.

When the negotiations with the CPP-NPA-NDF bog down or when sporadic violent clashes drag the talks to a halt, other parties, such as CSOs and even foreign governments, have pressured both sides to carry on with the negotiations.

While much of Asia has discarded communism for capitalism, communism

still persists in the Philippines. One reason for this persistence is that poverty and social inequity are growing, as the landowning elite has dragged their feet on agrarian reform since the restoration of democracy in 1986. The government's counter-insurgency efforts have been marred by brutality and corruption. Some people believe that a section of the military feels it is not in their best interest to totally defeat the insurgencies, because they give them something to do, as well as financial gain. At the end of the day, the best panacea to insurgency is good governance. It was during the autocratic governance of Marcos that the communist movement was at their strongest.

But an important lesson has to be learned by both the government and the leftist movement: peace has to be continuously focused on, and violence is not an answer. The government should look into the political, social, and economic root causes of people's dissatisfaction with the government, and take action to address them, not find blame with one another.

Lessons from the peace process with the Bangsamoro

Meaningful transitional justice should come from an inclusive process involving the affected communities, relevant conflict actors, and the wider post-conflict society. We need to take stock of previous experiences in dealing with the past, lessons learned, and local needs and expectations. Only then can the emotional energy surrounding issues of justice and reconciliation be channelled into constructive engagements. The analysis and recommendations emanating from the TJRC report can be a good basis for engagement.

Many groups have suffered a long history of violence, including displacement, bombings, strafing and shelling, land grabbing, poverty and discrimination, rape, destruction of property, killings and massacres, disappearances, retaliation, and marginalisation brought about by the Mindanao conflict. These include not just the Moros, but also indigenous people (both Muslim and non-Muslims alike), the Christian settlers, their families and

communities, their factions and splinter groups, the rebel groups, the armed paramilitary groups and the state security forces. How can a transitional justice process accommodate the varied readings and interpretations of the past to render justice commensurate to the sense of pain and victimhood felt by each group? How can such a process repair past injustices and address their feelings of mistrust, betrayal, abandonment and suspicion? Design and implementation of such processes must take into consideration historic injustice and marginalisation, as well as how to peacefully resolve conflicts arising from ethnic or religious diversity.

Since conflicts affect women to a greater extent, women's groups, in coordination with other CSOs, religious leaders and sometimes with government support, formed networks to respond to gender-based violence. Also, in many cases, women leaders initiate peace negotiations as it is more socially acceptable for women to negotiate peace (if a man starts a negotiation, he is perceived as weak and a coward). That is not to say that the region's deeply-rooted patriarchal tendencies do not present a host of challenges.

President Duterte has been an enigmatic, mysterious and extremely popular but self-contradictory president who has gone from proclaiming himself to be the first "leftist" President to obstructing the peace talks altogether. He has held the peace talks as his proverbial "ace up his sleeve" and threatened to halt the negotiations time and again. This has led to constant stops and starts in the peace process.

Lastly, while past peace efforts led to some good agreements, they were poorly implemented. A neutral third party is often helpful to oversee the implementation of the peace agreements.

Conclusion

At best, transitional justice in the Philippines can be seen as an incomplete victory. A more complete victory would have been achieved had the formal

institutions (with pressure from civil society or through champions from within the system) been effectively reformed to address the many social, economic, political, governance and environmental concerns that plague the country.

In this light, we see the importance of strengthening the institutions for transitional justice goals to be achieved. Many guilty parties have eluded prosecution because the courts, even the Supreme Court, failed to provide swift and complete justice. Powerful, rich and influential politicians, military, police and government officials, their relatives and associates continue to act with impunity. The peace talks have continuously stopped and started, with no success in ending the armed conflicts and their adverse effects on the country.

Many of the civil society groups today are increasingly applying the language of human rights to the issues of the urban poor, farmers, fisherfolk, indigenous peoples, women and children, among others. This movement has begun to engage the government at the local level, making local elections the new arena for action and social change. In the Philippines, there should be no illusions

about changes in the national government because history teaches otherwise. The “People Power” movement must be used to check the government machinery which is set on free market systems that exacerbate the gap between the rich and the poor. The remaining task of People Power now is to look forward and try to change the lot of the majority of Filipinos, but at the same time, look backward and strive to address historical injustice, human rights violations and past grievances.

Filipinos have been incredibly resilient in the face of such adversities. But burdened with a short-term memory, myopic perspective and a forgiving nature, these same factors give rise to the recurrence of historical abuses and grave mistakes in governance.

With the Duterte presidency on its first year, his anti-drugs war has already left an estimated 6,000 people dead, mostly under eerily similar circumstances – either gunned down by unknown assailants, or killed during supposed legitimate police operations. Even without proof of an issuance or directive on his part, it is very clear that the president is aware of such occurrences and has, in

many instances (most of them in public settings), spoken of and promoted the use of violence against drug syndicates, pushers and users alike. Clearly, the country is seeing another transitional justice case in the making. The biggest challenge now for the Philippines is how the country can make earnest, serious and significant efforts at justice and peace, addressing past atrocities and abuses of governance, if there is an ongoing transitional justice case unfolding right before its eyes.

Transitional Justice Timeline in the Philippines

National Developments and Negotiations with Communist Insurgency

DATE	EVENT
1968	Former student activist Jose Ma “Joma” Sison establishes the Communist Party of the Philippines (CPP). The New People’s Army (NPA) is formed as its military wing the following year.
September 12, 1972	President Ferdinand Marcos declares Martial Law. He rules with an iron fist for the next 14 years, during which thousands are killed, tortured or have gone missing.
April 1973	The NDF (National Democratic Front) is formed as the legal-political wing of the CPP-NPA-NDF.

DATE	EVENT
February 1986	President Marcos is overthrown by a popular, non-violent mass revolution called the People Power Revolution, ending 21 years of Marcos rule. He is followed by Corazon “Cory” Aquino, who is president until 1992. The Aquino administration immediately begins peace talks with the CPP.
February 1987	The Philippine Constitution is ratified through a nationwide plebiscite. It is otherwise known as the 1987 “Freedom” Constitution.
1992	President Fidel Ramos serves from 1992 to 1998. He begins an amnesty program and initiates the continuation of the peace process with the CPP-NPA-NDF.
1998	Joseph Estrada is president from 1998 to 2001. During President Joseph Estrada’s term, Vice President Gloria Macapagal-Arroyo declares that as president she will reverse Estrada’s “all-out war” policy and resume peace negotiations with the NDF and the Moro Islamic Liberation Front (MILF).
January 20, 2001	Vice President Arroyo assumes the Presidency, following the EDSA 2 Revolution that ousts President Estrada. Shortly after assuming office, she reconstitutes the Government of the Republic of the Philippines (GRP) Negotiating Panels for talks with the NDF and MILF.
July 17, 2009	The Government continues the review of alleged political offenders (APOS) to effect the release of qualified detainees; works for the release of the four NDF priority consultants; facilitates the processing of their travel documents; and coordinates with the Commission on Human Rights on the cases of disappeared NDF figures. However, the NDF then insists on the release of 14 priority detainees (all facing criminal charges in various courts), before formal negotiations can resume.
2010	President Benigno Aquino III assumes the Presidency. He is president from 2010 to 2016. Several meetings and informal talks are held in Manila, Norway, and the Netherlands. Aquino’s term, however, ends at an impasse due to the NDF’s demand for the release of more and more political prisoners.
February 25, 2015	President Aquino signs Republic Act No. 10368, or the Human Rights Victims Reparation and Recognition Act, providing for reparation and recognition of victims of human rights violations during the Marcos regime.
April 19, 2016	President Aquino approves Republic Act No. 10766, which modifies the sunset clause of R.A. No. 10368, the “Human Rights Victims Reparation and Recognition Act of 2013.” This amendatory law gives the Human Rights Victims Claims Board until May 12, 2018 to resolve all claims for reparation and/or recognition, and to bring justice to Martial Law human rights violations victims.
June 30, 2016	President Rodrigo Duterte assumes the Presidency. During his campaign, he vows to continue to pursue the peace negotiations.
July 25, 2016	In his first State of the Nation Address, President Duterte declares a unilateral ceasefire. However, he quickly revokes it after the NPA attacks government militias in Davao del Norte. The NPA says government troops are to blame for violating the truce.
August 22-26, 2016	Peace talks in Norway result in a Joint Oslo Statement expressing commitment to resume peace negotiations “to resolve the armed conflict by addressing its root causes.” They agree to: <ul style="list-style-type: none"> (a) reaffirm previous agreements. (b) reconstitute the Joint Agreement on Safety and Immunity Guarantees. (c) accelerate peace negotiations and set the timeline to resume a substantive agenda on socio-economic reforms, political and constitutional reforms, and on the end of hostilities and disposition of forces. (d) the early release of some prisoners on humanitarian grounds.

DATE	EVENT
	<p>(e) recommend to President Duterte the issuance of an Amnesty Proclamation, subject to concurrence of Congress, for the release of prisoners held under the Revised Penal Code or laws in connection with crimes tied to political beliefs.</p> <p>(f) to declare and issue an indefinite unilateral ceasefire order to the NPA and its people's militia.</p>
October 8-12, 2016	Peace Talks in Oslo discuss updates on the release of prisoners, amnesty proclamation, proposed drafts on the framework and outline of the Comprehensive Agreement on Social and Economic Reforms (CASER). They also agree on a common outline for the Comprehensive Agreement on Political and Constitutional Reforms (CAPCR) and on a common outline for the Comprehensive Agreement on End of Hostilities and Disposition of Forces (CAEHDF). Finally, the Joint Monitoring Committee agrees to undertake joint activities to popularise the 1998 Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) and the Parties' ceasefire committees agree to reconcile separate unilateral ceasefire orders into a single unified document within 60 days.
Jan 19-25, 2017	In the third round of formal peace talks in Rome, the GRP and the NDF sign supplemental guidelines for the Joint Monitoring Committee (JMC) under the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL). However, the NDF extends the timeline for a final peace deal to 2019, questioning the sincerity of the Duterte administration.

Mindanao Peace Talks with the MNLF and the MILF

DATE	EVENT
1960s	In the late 1960s, an independence movement is established in Mindanao to separate the Muslim majority areas from the rest of the Philippines. That area is known as Bangsamoro, or "Muslim Nation."
March 18, 1968	The Jabidah Massacre, which leaves more than 60 Muslim military trainees dead in Corregidor, pushes some Moros to take up arms in Mindanao.
1970	The Moro National Liberation Front (MNLF) is established by Nur Misuari to condemn the Jabidah massacre.
1975	The Marcos administration begins peace talks with the MNLF, mediated by the Organisation of Islamic Conference (OIC).
December 23, 1976	The Tripoli Agreement is signed between the Marcos administration and the MNLF, which changes its demand from independence to self-determination.
1977	President Marcos and the legislature pass laws allowing Regions IX and XII to become Autonomous Regions in 1979. This solution is rejected by the MNLF.
1981	The Moro Islamic Liberation Front (MILF) splits from the MNLF over the role of Islam in Bangsamoro and the establishment of an Islamic state.
September 5, 1986	President Cory Aquino visits Nur Misuari in his home province of Sulu to formally resume peace negotiations with MNLF.
January 1987	The Aquino administration and the MNLF sign the Jeddah Accord, agreeing to continue talks on granting Mindanao, Basilan, Sulu, Tawi-Tawi and Palawan full autonomy, subject to democratic processes.
August 1989	RA 6734 or the Organic Act for the Autonomous Region in Muslim Mindanao (ARMM) allows Aquino to establish the ARMM the following February.

DATE	EVENT
October 2-4, 1992	The first round of exploratory talks with MNLF is held in Tripoli, Libya.
April 14-16, 1993	The second round of talks with MNLF is held in Jakarta, Indonesia.
1996	Fidel V. Ramos's selection as president is followed by negotiations with MILF.
September 2, 1996	President Fidel Ramos and MNLF chair Misuari sign the Final Peace Agreement. MNLF Chairman Nur Misuari becomes the Governor of ARMM.
1997	Armed conflicts between the Armed Forces of the Philippines (AFP) and MILF lead to repeated cycle of armed clashes and peace negotiations.
July-September 1997	The Agreement for General Cessation of Hostilities with MILF is signed, followed by Administrative Guidelines and creation of the joint Coordinating Committee on the Cessation of Hostilities (CCCH).
February 6, 1998	In the Agreement to Sustain the Quest for Peace forged in Marawi City, GRP and MILF agree on: <ol style="list-style-type: none"> 1) complete repositioning of GRP forces in Buldon, Maguindanao. 2) immediate resolution of watershed issues involving the Upper Minabay-Banganan-Ambal Rivers. 3) suspension of logging by Cotabato Timber Company and nearby concessions. 4) formation of a Quick Response Team.
August 27, 1998	The General Framework Agreement of Intent with MILF is signed.
April 6, 1999	Newly elected President Joseph Estrada establishes the Cabinet Supervisory Committee to implement the 1996 final peace agreement with the MNLF.
October 25, 1999	Talks between the government and MILF open in Maguindanao, with President Estrada setting a June 2000 deadline to conclude peace negotiations.
March 21, 2000	President Estrada declares "all-out-war" against the MILF, causing their withdrawal from the negotiating table.
April-June 2000	The ceasefire is broken and peace talks stop when the MILF fails to sign the peace accord on government deadline. President Estrada orders the armed forces to attack Camp Abubakar As Siddique in Maguindanao, home to an estimated one million displaced people. The MILF redeploys, mosques are destroyed, and the progress of establishing peace in Mindanao is stalled. MILF unilaterally signs a suspension of the peace talks in Cotabato City.
2001	After Gloria Macapagal-Arroyo becomes the president, her government and MILF conduct exploratory talks. Arroyo names a government peace panel to resume talks with the MILF and orders a ceasefire to support resumption of the talks.
March 2001	Representatives of the two parties sign the Agreement of the General Framework for the Resumption of peace talks in Kuala Lumpur, brokered by Malaysia. The same month, President Arroyo signs RA 9054 to expand ARMM to areas initially rejected in 1989. In a plebiscite, Marawi City in Lanao del Sur and the province of Basilan (excluding Isabela City) join the ARMM.
June 22, 2001	The signing of the Tripoli Agreement between the Arroyo administration and the MILF, sets the broad framework for security and for negotiations on the substantive aspects of the conflict. However, the next day, the military attacks the MILF in Basilan due to allegations the insurgents are helping the Abu Sayyaf terrorist group, which is holding American and Filipino hostages.

DATE	EVENT
August 2001	The MNLF's request to postpone the ARMM plebiscite to 2003 is rejected, and ARMM (5 provinces and 1 city) is established. The government and MILF's agreement on peace is signed in Putrajaya, Malaysia, and discusses implementation of the guidelines and security aspects of the ceasefire. Local and OIC ceasefire monitoring teams are established. That same month, the people of North Cotabato vote against joining the ARMM.
October 2001	A joint meeting is led by senior leaders of the MNLF and MILF, who discuss ways to hasten a resolution for the Bangsamoro people in Mindanao, including: <ol style="list-style-type: none"> 1) Strengthening the unity and cooperation of the MNLF and the MILF 2) Assessing issues confronting the Bangsamoro people and their struggle 3) Holding of continuing dialogue on all remaining issues
November 19, 2001	Nur Misuari declares war on the Arroyo government for allegedly reneging on the Final Peace Agreement. The MNLF then attacks Army headquarters in Jolo and Zamboanga City, where heavy casualties derail the ARMM elections.
January 7, 2002	Misuari, who has been arrested in Malaysia, is deported to face rebellion charges in the Philippines.
May 2002	At the 4 th round of formal talks, the government and the MILF implement Guidelines of the Humanitarian, Rehabilitation and Development Aspects of the Tripoli Peace Agreement, guiding the rehabilitation and development of areas affected by conflict and affirming observance of international humanitarian law.
February 11, 2003	A military campaign near MILF headquarters in Maguindanao during the end of the Hajj offends the MILF and other Muslims, igniting a clash that lasts for a week. The MILF agrees to negotiate upon the withdrawal of government troops.
February 2003	AFP attacks the MILF's largest base on the pretext of attacking the US-designated terrorist group "Pentagon", displacing 400,000 people.
April 2, 2003	Davao City is bombed twice, with grenades thrown in three mosques. The government blames the MILF, which denies the allegations.
May 6, 2003	President Arroyo cancels peace talks.
July 2003	MILF chairman and founder Hashim Salamat dies of illness, and is replaced by Al Haj Murad Ebrahim. Mohagfer Iqbal becomes the MILF Panel Chair. In the peace talks in Kuala Lumpur, the parties agree on a Mutual Cessation of Hostilities. The Abaya Doctrine, or the AFP guidelines on the primacy of the GRP-MILF peace process, is formulated.
September 5, 2003	Exploratory talks in Kuala Lumpur yield: <ol style="list-style-type: none"> 1) gradual pull-out of the troops in Buliok, 2) deployment of the Third Party Monitoring Team to Mindanao, 3) formation of the Ad Hoc Joint Action Group (AHJAG), 4) a commitment to put ancestral domain, the lands of indigenous peoples living within the ARMM, next on the agenda.
January 18, 2004	Sixty peace monitors from Malaysia, Brunei, and Libya are deployed to Mindanao to monitor the five-year truce. Malaysia also sends 41 unarmed soldiers.
December 20, 2004	The MILF and the Government form working groups to negotiate Operational Guidelines of the Ad Hoc Joint Action Group. The discussion on ancestral domain, the last of three major agenda items, is divided into four strands: concept, territory, resources and governance.
April 16, 2005	The 7 th round of exploratory talks in Kuala Lumpur concludes the discussion on ancestral domain—the most complex and contentious issue.

DATE	EVENT
September 17, 2005	Silvestre Afable, head of the GRP panel, and Iqbal announce that the Panels successfully finished the “most difficult hurdle in the ancestral domain agenda.”
February 2006	Agreement is reached and peace talks resume in Malaysia. Peace negotiators promise a framework for ancestral domain by late March.
March 6, 2006	Malaysia cancels the talks due to the political situation in Manila, after Arroyo had declares a week-long state of emergency on February 24.
May 18-20, 2006	An OIC fact-finding mission is formed to review the implementation and status of the 1996 Peace Agreement.
September 3, 2006	Talks between GRP and MILF resume, but difficulties arise as parties disagree on the areas to be placed under the Bangsamoro Judicial Entity.
July 14, 2007	President Arroyo said she will prohibit the MILF to “hide under the negotiating table” if they are found responsible for beheading and mutilating Marines in Basilan.
July 17-19, 2007	Nur Misuari has just been allowed to leave the country for Saudi Arabia, where he attends a meeting of the MNLF, GRP and OIC in Saudi Arabia.
July 25, 2007	MILF chairman Al Haj Ibrahim Murad reiterates a commitment to peace talks, despite an expected assault by government troops in Basilan.
August 21, 2007	The government postpones talks just as parties are supposed to meet for the 14 th Exploratory Talks in Kuala Lumpur. President Arroyo assures the MILF that negotiations will push through in September.
August 26, 2007	Malaysia urges the government to resume peace talks with Muslim rebels.
October 24, 2007	Government and MILF panel chairs state jointly that talks on ancestral domain are concluded, ending a 13-month impasse.
November 14-15, 2007	The government and MILF meet to settle border disputes hindering the establishment of a Muslim homeland and the signing of a peace deal. The parties agree on the scope and boundaries of the ancestral domain and affirm “all previous points of consensus on the core items of the territory issue.”
December 16, 2007	Peace talks stall due to constitutional issues between the two parties. The ancestral domain negotiations reach a deadlock.
February 8, 2008	President Arroyo announces that the government is close to a final peace agreement with the MILF during a two-day Local Peace and Security Assembly.
April 21, 2008	Malaysia, a member of the International Monitoring Team, starts to pull out soldiers from Mindanao. The Philippine Government says that the peace negotiations with the MILF will continue anyway.
April 2008	MNLF’s EC15 faction selects Muslimin Sema as chairman, but the Misuari faction does not recognise him. Misuari is released on bail and charges are later dropped. The Department of Justice expresses hope that granting him bail will pave the way for the resumption of peace talks with the MILF.
May 2008	The Malaysian Government says it will not abandon its role as a mediator in peace talks, even as it withdraws ceasefire monitors from Mindanao. British experts promise to help restart the stalled negotiations.
July 9, 2008	An informal emergency meeting between the GRP and the MILF is called to defuse tensions. The MILF complains about the deployment of troops near their bases, claiming the move is “a clear violation of the ceasefire agreement.”

DATE	EVENT
July 2008	A deal on ancestral domain of some Muslim communities is reached in Kuala Lumpur. The Memorandum of Agreement on Ancestral Domain (MOA-AD) is initiated, providing approximately 700 villages in Mindanao the opportunity to hold a referendum within 12 months, in order to determine whether they would like to join the Muslim homeland. A formal peace deal is scheduled to be concluded in November 2009.
August 2008	The agreement runs into some resistance: <ul style="list-style-type: none"> Local officials from North Cotabato ask the Supreme Court to block the signing of the agreement between GRP and MILF. The Supreme Court issues a temporary restraining order blocking the signing of the MOA-AD that is scheduled on August 5 in Malaysia, and later deems it unconstitutional. Armed clashes displace 600-750 thousand people. Senator Mar Roxas and former Senator Franklin Drilon file petitions with the Supreme Court to stop the government from concluding the MOA.
October 14, 2008	The Supreme Court declares the MOA-AD unconstitutional and illegal.
September 15, 2009	The Framework Agreement on the Formation of International Contact Group for the GRP-MILF Peace Process is signed.
October 27, 2009	The parties agree to establish a Civilian Protection Component of the talks.
November 2009	The “Maguindanao massacre” tied to May 2010 elections leaves 57 dead.
August 2010	Talks between President Aquino and MILF’s Chairman take place near Tokyo.
January 2011	First informal meeting is held between the government and MILF.
February 9, 2011	Second exploratory talks and resumption of peace negotiations take place between the government and MILF. The MILF panel submits a draft Comprehensive Compact.
April 27-28, 2011	The 21 st Exploratory Talks between the parties begin.
August 4, 2011	President Aquino meets MILF chairman Ebrahim in Japan to show sincerity of the government and fast-track peace negotiations.
August 22, 2011	The government panel submits its three-for-one proposal to the MILF, committing to (1) massive social services and economic development (2) a political settlement with the MILF and (3) cultural, historical acknowledgement.
November 3, 2011	The government and MILF meet for an informal executive session in Kuala Lumpur, Malaysia to address fighting that has erupted in Basilan and Zamboanga.
January, February, and March 2012	The 24 th to 26 th exploratory talks between the government and MILF take place.
April 24, 2012	The 27 th exploratory talks begin, and the Decision Points on Principles as of April 2012 are signed, laying out common standpoints between parties.
May 28-30, 2012	The Government and MILF agree to refine their positions on the substantive agenda, including wealth-sharing, power-sharing, governance, transition roadmap and normalisation for the new political entity to replace the ARMM.
August 8-11, 2012	Issues on power and wealth-sharing are resolved.
September 5-8, 2012	31 st round of exploratory talks are held between the government and MILF.

DATE	EVENT
October 2-7, 2012	32 nd round of exploratory talks between the government and MILF forge the Framework Agreement on the Bangsamoro (FAB).
October 15, 2012	The government and MILF sign the FAB in Malacañang Palace.
November 12-17, 2012	The parties convene the Technical Working Group on Normalisation.
November 15-17, 2012	The 39 th Conference of Foreign Ministers is held in Djibouti. The Philippines Government, MILF and the Malaysian Government are invited to improve on the Framework Agreement by linking it to the Peace Agreements of 1976 and 1996.
December 7, 2012	University of the Philippines Professor Miriam Coronel-Ferrer is appointed new Chair of the Negotiating Panel of the GRP.
December 17, 2012	Aquino issues EO 120 on the creation of the Bangsamoro Transition Commission (BTC) to draft the Bangsamoro Basic Law (BBL).
January 21-25, 2013	As a zero skirmish record is reported between the government and MILF in 2012, the 35 th exploratory talks begin. Parties sign the Terms of Reference for the Third Party Monitoring Team to assess, evaluate and monitor the implementation of the FAB and its Annexes.
February 11, 2013	Aquino and MILF's Ebrahim jointly launch the Sajahatra Bangsamoro program at the Bangsamoro Leadership and Management Institute in Maguindanao.
February 25-27, 2013	The 36 th exploratory talks begin, and both parties sign the Annex on Transitional Arrangements and Modalities, detailing the road map toward the creation of the Bangsamoro.
February 2013	An armed group called the Royal Sulu Army clashes with Malaysian security forces in Sabah, Malaysia.
May 2013	National and local elections take place, with Benigno Aquino III elected President.
July 12, 2013	The Annex on Revenue Generation and Wealth-Sharing to the FAB is signed.
September 2013	MNLF Misuari faction clashes with the AFP in Zamboanga City. The fighting spreads to Basilan Island, with over 200 casualties and more than 110,000 people internally displaced.
October 13, 2013	At the 41 st exploratory talks in Kuala Lumpur, parties discuss the remaining annexes on power-sharing and normalisation.
December 8, 2013	The Annex on Power-Sharing to the FAB is signed between the Aquino administration and the MILF.
January 22-26, 2014	The 43 rd round of peace talks with MILF resume in Malaysia, discussing what to do with firearms and what will happen to those who will lay down their arms. The Annex on Normalisation to the Bangsamoro and Addendum on Bangsamoro Waters (the final annexes of the FAB), are signed, including the creation of the Transitional Justice and Reconciliation Commission (TJRC).
March 22, 2014	Terms of Reference for the Joint Normalisation Committee, Independent Decommissioning Body, Transitional Justice and Reconciliation Commission (TJRC) are finalized.
March 27, 2014	A comprehensive peace deal, the Comprehensive Agreement on the Bangsamoro, or CAB, is signed after two decades of negotiations.
April 2014	The Bangsamoro Transition Commission (BTC) drafts the Bangsamoro Basic Law (BBL) to replace the ARMM with a new Bangsamoro Autonomous Region and enact the Comprehensive Agreement on the Bangsamoro.

DATE	EVENT
June 24, 2014	President Aquino and MILF Chairman Murad Ibrahim are invited to a peace conference in Hiroshima, Japan, where they hold a surprise meeting.
July 2014	Peace panels of the government and the MILF iron out concerns on the proposed BBL in Kuala Lumpur, which end on a “positive note.” President Aquino appeals for understanding for the delay in the drafting of the BBL.
August 20, 2014	Mohagher Iqbal, chief peace negotiator of the MILF and head of the BTC, submits to President Aquino the final draft of the BBL.
September 2014	After months of delay, President Aquino hands over the proposed BBL to Senate President Drilon and House Speaker Belmonte. The Senate conducts its first briefing and the House ad hoc committee holds its first public hearing on the bill.
September 27, 2014	Members of the peace panels of both the GRP and MILF discuss the disarmament process in Kuala Lumpur.
January 21, 2015	The ad hoc committee holds its 36 th and last public hearing on the BBL.
January 25, 2015	The Mamasapano incident results in more than 60 deaths, including 44 police Special Action Forces, a big challenge to the peace negotiations. As a confidence-building measure, the AFP and MILF later begin operations against the armed groups known as the Bangsamoro Islamic Freedom Fighters (BIFF) and Abu Sayyaf Group (ASG).
January 27, 2015	The MILF urges lawmakers not to delay deliberations on the BBL.
January 29, 2015	Certification (Renewal of the International Monitoring Team mandate) and protocol on the implementation of the Terms of Reference of the Independent Decommissioning Body lay a foundation to disarm and decommission the rebels.
February 25, 2015	The Armed Forces of the Philippines order an “all-out war” against the BIFF.
March 2015	Congress sets June 30 as the new deadline to pass the BBL. Pulse Asia releases survey results showing 62% of Mindanao residents do not want BBL to become law, while nationwide, 44% are opposed. President Aquino creates the Citizens’ Council to help the public understand the BBL.
April 2015	The leader of the BIFF, Ameril Umbra Kato, dies.
May 2015	House ad hoc committee approves the Basic Law for the Bangsamoro Autonomous Region (BLBAR, HB5811), the substitute bill to the BBL to be submitted to the House plenary.
August 2015	Senate Committee on Local Government approves the substitute BBL bill, to be submitted to the Senate plenary.
September 2015	MILF appealed to Congress to pass BBL’s original draft.
January 2017	Congress has not yet been able to pass the BBL, once again stalling the peace process. However, it has reconstituted the BTC and named its members.

