



PEACE, CONFLICT RESOLUTION AND HUMAN RIGHTS
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The 1986-1987 Peace Talks: A Reportage of Contention

Maria Serena I. Diokno

UNIVERSITY OF THE PHILIPPINES
CENTER FOR INTEGRATIVE AND DEVELOPMENT STUDIES
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FOREWORD

Dr. Ma. Serena I. Diokno's **The 1986-1987 Peace Talks: A Reportage of Contention** is an invaluable account of the short-lived peace negotiations between the Aquino government and the National Democratic Front (NDF) from December 10, 1986 to February 8, 1987. It is a story of the attempt of two bitter enemies to sit together and break bread in a common table. It chronicles the heated as well as the quiet discussions all the way from the preliminary talks in 1986 to the last meeting on January 22, 1987, mapping the issues of agreement and contention as well as the institutional and individual actors who shaped the outcomes of the negotiations. It also goes beyond the breakdown of the formal talks between the two panels to critically discuss subsequent developments such as the initiation of regional peace talks, the creation of a Peace Commission, and the establishment of Peace Zones by people caught in the cross fire of war between the two parties.

Written by a participant observer, the 'Diokno Report' is a major contribution to peace research. It does not only provide an incisive analysis of the peace process but also serves as an excellent source of the major documents produced and made public during the talks. More than its academic significance, however, the *Report* serves the interest of a public yearning for a just peace. In Dr. Diokno's own words "Despite...the press coverage that attended the talks, not much is known about what actually transpired. Underneath the acrimonious exchange of charges and counter-charges that dominated media reports, there is much to tell and learn from". Ultimately, the lessons from the Peace Talks of 1986-1987 which can enlighten and guide similar endeavors in the future constitute Dr. Diokno's legacy.

The University of the Philippines-Center for Integrative and Development Studies (UP-CIDS) is launching **The 1986-1987 Peace Talks: A Reportage of Contention** as a publication under the *Peace, Conflict Resolution and Human Rights Research Report* Series. Prof. Edmundo Garcia served as reviewer while Miriam Coronel-Ferrer provided editorial assistance. Bella Lucas, Stretch Payawal, and Joy Aparis saw the report through its publication.

As in all UP-CIDS publications, the recommendations are those of the author whose academic freedom is upheld by the University.

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I embarked on this research project upon the suggestion of then UP President Jose V. Abueva, who had also served in the Government panel that negotiated with the Moro National Liberation Front (MNLF) in 1986. I would like to thank him and the UP Center for Integrative and Development Studies (UP-CIDS), then headed by Prof. Jose N. Endriga, for supporting my endeavor.

Imelda B. Adante and Maria Caridad G. Panaligan, who assisted me in my research, also deserve my gratitude. They suffered the meticulous task of digging up tiny details for which historians have a professional fondness.

I also want to thank my good friends, Dr. James Putzel, a faculty member at the London School of Economics, and Caroline Spires, then head of the Asia section of the London-based Catholic Institute for International Relations. They patiently read through my paper and wrote down comments which helped me immensely. James, in particular, sent me a file full of documents on U.S. Congressional hearings (not available here) which filled in the gaps in my research.

Dr. Priscila S. Manalang, professor emeritus, and Dr. Temario Rivera, chairman of the UP Political Science Department, reviewed my paper. I thank them for sharing their views.

My thanks also go to Miriam Coronel-Ferrer, who suggested editorial changes which improved my paper. UP-CIDS Executive Director Dr. Cynthia B. Bautista, from whom I would sometimes attempt to hide, kept faith in me while constantly reminding me of my deadline.

There is one other person I would acknowledge profusely were he alive: my father. "Food and freedom, jobs and justice," he wrote; "these are the key to peace." So were they then as they remain today.

To you all, my thanks. The responsibility for any error falls squarely on me.

Peace.

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LIST OF ACRONYMS

AFP/NAFP	Armed Forces of the Philippines/ New Armed Forces of the Philippines
AO	Administrative Order
BP	<i>Batas Pambansa</i>
BPP	Bulletin of Peace Proposals
CAFGU	Citizens Armed Forces Geographical Unit
CARL	Comprehensive Agrarian Reform Law
CBCP	Catholic Bishops Conference of the Philippines
CCE	Cabinet Cluster E
CfP	Coalition for Peace
CHDF	Civilian Home Defense Forces
CHR	Commission on Human Rights
CL	Central Luzon
COA	Commission of Audit
CPDF	Cordillera People's Democratic Front
CPLA	Cordillera People's Liberation Army
CPP	Communist Party of the Philippines
DAR/MAR	Department of Agrarian Reform/ Ministry of Agrarian Reform
DFA	Department of Foreign Affairs
DILG	Department of Interior and Local Government
DND/MND	Department of National Defense/ Ministry of National Defense
DOH	Department of Health
DOJ	Department of Justice
EBF	Ecumenical Bishops Forum
EFCR	Ecumenical Forum for Church Response
EO	Executive Order
GRP/ Government	Government of the Republic of the Philippines
HR	Human Rights
IA	International Alert
IACG	Inter-Agency Consultative Group

IFI	<i>Iglesia Independiente Filipina</i>
IHL	International Humanitarian Law
INP/PNP	Integrated National Police/ Philippine National Police
JPR	<i>Journal of Peace Research</i>
KMU	<i>Kilusang Mayo Uno</i>
LCC	local ceasefire committee
LGU	Local Government Unit
MAG	Medical Action Group
MBA	Military Bases Agreement
MDP	Mutual Defense Pact
MILF	Moro Islamic Liberation Front
MNLF	Moro National Liberation Front
MOA-CF	Memorandum of Agreement on a Preliminary Ceasefire
MOA-SIG	Memorandum of Agreement on Safety and Immunity Guarantees and Physical Centers and Facilities
MSPA	Multisectoral Peace Advocates
NAPOLCOM	National Police Commission
NCC	National Ceasefire Committee
NCCP	National Council of Churches in the Philippines
NCR	National Capital Region
NDF	National Democratic Front
NGO	nongovernmental organization
NPA	New People's Army
NPC	National Peace Conference
NRDP	National Reconciliation and Development Program
OPC	Office of the Peace Commissioner/ Peace Commission
PAHRA	Philippine Alliance of Human Rights Advocates
PARCODE	People's Agrarian Reform Code
PC/INP	Philippine Constabulary/ Integrated National Police
PCHR	Presidential Committee on Human Rights

PD	Presidential Decree
PHRC	Presidential Human Rights Committee
PnB	<i>Partido ng Bayan</i>
PO	People's Organization
POCL	Peace and Order Council
PPMC	Peace Promotion and Monitoring Council
RAM	Reform the Armed Forces Movement
RUC	Regional Unified Command
SIG	safety and immunity guarantees
SOMO	Suspension of Military Offensives
TWG	technical working group

The 1986-1987 Peace Talks:

A Reportage of Contention

CHAPTER 1

INTRODUCTION

I ran for the Presidency on the platform of the people's long denied desire for freedom, peace and progress. We have freedom. Now I aim to have peace. Peace for a nation worn out from oppression and war. Tranquillity in which our people can heal the deep wounds inflicted by tyranny.

President Corazon C. Aquino¹

The revolutionary movement stands for peace. But it must be principled peace, not the artificial peace of the oppressor who holds a gun to the head of the oppressed.

Antonio Ma. Zumel²

On her fifty-fifth day in office, President Aquino publicly announced she would call for a ceasefire with the communist movement during which negotiations would take place and, it was hoped, a just resolution found of the issues that divide the insurgents from the government.³

In a clandestine interview a top official of the National Democratic Front (NDF) assured the President "her call for a ceasefire ha(d) not fallen on deaf ears."⁴

¹ President Corazon C. Aquino, Commencement Address at the University of the Philippines, 20 April 1986.

² Antonio Ma. Zumel, "NDF Declares Openness to a Ceasefire," *Balita ng Malayang Pilipinas*, 31 March 1986.

³ Pres. Aquino, 20 April 1986.

⁴ Zumel, 31 March 1986.

A ceasefire was indeed effected from December 10, 1986 to February 8, 1987, during which the negotiations moved on to its substantial phase focusing on the terms of the settlement. But the negotiations fell through and in 1992, when President Aquino's term ended, the country found itself still deeply and painfully embroiled in war.

Objectives and Scope

That the President chose to launch her bid for peace before graduates of the University of the Philippines (UP) is perhaps a fitting appreciation of UP's reputation — hopefully deserved — for activism, commitment to social change and dissent. It might be appropriate, then, for a member of this University to look back at the time when, in the euphoria of the "EDSA Revolution," the new government faced an armed movement that had been nurtured by the Marcos dictatorship.

The purpose of this paper is twofold: first, to analyze the peace process during the term of President Aquino and recommend possible approaches to resolving the armed conflict in the light of this experience (Part I); and second, to serve as a source book on the major documents produced and made public during the talks (Part II).

The first objective of this paper is in itself important for the story of the negotiations must be told, difficult as it is. Despite the tremendous public interest and press coverage that attended the talks, not much is known about what actually transpired. Underneath the acrimonious exchange of charges and countercharges that dominated media reports, there is much to tell and learn from. This bears repetition: the purpose is not to reopen debate but to learn from it.

In order to gain from this experience, then, it is necessary to examine the peace process and its component factors and identify the problems that eventually caused the failure of the talks. This study does not attempt to present all the issues that divided the parties in conflict (and still do). Rather, the intent is to focus on the steps taken by the process and the issues that cropped up along the way. By isolating the problem areas, solutions or new approaches might be found, especially since the process is still unfolding.

Furthermore, although the Aquino government entered into negotiations with other armed movements [the Moro National Liberation Front (MNLF) in the south and former New People's Army (NPA) leader Conrado Balweg's group in the Cordilleras], this study examines only the Government's negotiations with the NDF. The conflicts waged by these armed organizations, after all, are distinct from each other and cannot be considered under a single category or process. There is another reason for concentrating on talks with the NDF. The author had the privilege of serving on the Government panel and was present in most of the discussions prior to and during the formal talks.

Though the talks were widely covered by the press, this study does not include an analysis of media reports on the peace talks. However, the impact of media on the negotiations will be tackled generally in relation to the factors that affected the peace process. Worth noting, for example, are the findings of one nongovernmental organization that monitored media reports during the talks (see Chapter 4). These findings would be a useful takeoff point for a separate study on the role of media in the efforts for peace.

The study ends with a survey of the peace process after the collapse of the talks until the end of President Aquino's term. Particular emphasis is given to the role of peace advocates outside of the contending parties.

Methodology

The approach in this study is first of all historical, tracing events and the development of positions from the start of the talks until the end. For this purpose the paper is divided into three phases:

- preliminary talks from May to November 1986;
- formal talks from December 1986 to January 1987; and
- peace efforts since the collapse of the negotiations until the end of President Aquino's term.

The preliminary meetings, although exploratory, in time acquired a specific agenda: the formulation of agreements on safety guarantees for NDF members and on the conduct of the ceasefire. These agreements were signed on November 27, 1986 and the ceasefire commenced on December 10. Thereafter formal talks on substantive issues began between the Government of the Republic of the Philippines (GRP) and the National Democratic Front (NDF), while the ceasefire was monitored by a separate body, namely, the National Ceasefire Committee (NCC).

Each phase of the process is analyzed, focusing on significant issues raised by the contending parties. The purpose of this method is to present the areas of disagreement in order to devise alternative approaches to the problem. Then, as now, peace talks were a highly sensitive subject. Since much of the discussion was confidential, a great deal of prudence was used in disclosing information, especially because it could jeopardize future efforts at peace talks.

The method used in this study also takes into account another level of "negotiation," that is, within the parties themselves. Intra-party discussions were as important a dimension of the peace process as those between the parties and were likely just as contentious. On the side of the Government, panel members had to consult with different officials: the President, defense and military officials and heads of other agencies. These discussions were, however, private, and the author was not present in all of them.

Furthermore, the author was not privy to discussions within the NDF except for what its panel chose to reveal during the talks. If not for their highly confidential nature, an analysis of these discussions would be helpful in understanding the peace process as a whole.

Sources

Primary sources are mostly used in this study including:

- transcripts of formal meetings between the GRP and NDF panels and of the National Ceasefire Committee

(13 recorded meetings in all with an average length of two hours excluding off-the-record discussions), which were transcribed and edited by the author with the assistance of two researchers;

- ❑ notes, some of them handwritten, prepared by panel members, including personal notes of the author;
- ❑ agreements signed by the two panels, including the various drafts of the agreements as they were hammered out meeting after meeting;
- ❑ letters and other communications between the parties, including statements officially released by the NDF; and
- ❑ official documents used or referred to during the talks, such as presidential decrees and laws on human rights and land reform.

A number of difficulties were encountered in using these sources. First of all, the documentation of all the proceedings is by no means complete. Not all of the ceasefire committee meetings were taped, for example, and some records of the Committee seem to be missing.

Moreover, some of the tapes are of such poor quality as to render the transcription effort useless. A full reconstruction of the discussions is thus no longer possible. Also, the most exciting exchanges were off-the-record. These, unfortunately, are lost to history.

Some attempts were made to augment records through interviews with persons involved in the negotiations. This was not successful, however, given the lapse of time since the talks. Unfortunately, too, these persons did not keep records of meetings.

Nature of Peace Research

This study attempts to take part in the relatively new field of peace research in our country. In the West, peace research had its roots in the Cold War and the resulting East-West arms conflict.⁵ European and American peace historians thus tended to focus on wars, pacifist movements and biographies of leaders, subjects usually taken up in diplomatic and military history.⁶

But peace research goes beyond all these subjects. At heart it is:

*First ... a study of conflict and cooperation between states and within states. Second, peace research is interdisciplinary; all established academic disciplines are qualified for participation. Third, peace research is an attempt to find alternatives to war by discovering the condition of peace through scholarly researches.*⁷

And what is peace? All peace theorists agree peace is not just the absence of war (negative peace, in Galtung's words), but "social justice in all its forms"⁸ (positive peace). Peace research, therefore, is "research into the conditions — past, present and future — of realizing peace."⁹ In this context, the true opposite of peace is not war but structural violence.¹⁰ Another peace researcher put it this way:

⁵ Vilho Harle, "Towards a Comparative Study of Peace Ideas: Goals, Approaches and Problems," *Journal of Peace Research (JPR)* 26, 4 (1989): 341-351; Marvin Soroos, "Global Policy Studies and Peace Research," *JPR* 27, 2 (1990): 117-125.

⁶ Berenice Carroll, "Introduction: History and Peace Research," *JPR* 6, 4 (1969): 287-293.

⁷ Mohammed Ahsen Chaudhri, "Peace Research and the Developing Countries," *JPR* 5, 4 (1968): 366.

⁸ Johan Galtung, "What is a Good Peace Proposal?," *Bulletin of Peace Proposals (BPP)* 2, 4 (1971): 291.

⁹ Galtung, "Violence, Peace and Peace Research," *JPR* 6, 3 (1969):183.

¹⁰ Galtung, *The True Worlds: A Transnational Perspective* (New York, 1980), p. 107.

*a peace which does not include social justice is no peace, but a law-and-order 'piece-meal peace' — a peace for the privileged ...*¹¹ *The distinction between negative and positive peace is crucial to understanding how any peace process operates for it explains why, despite everyone's "pro-peace" position (as parties at war are wont to profess), not everyone agrees on the positive meaning of peace. Hence peace becomes difficult to attain.*

There is also a difference between peace in the developed world and in poor countries. A Third World peace researcher explains:

To the affluent society, peace means more directly the absence of a nuclear war and disarmament, the maintenance of higher standards of living, and the protection of individual freedom. To ... developing countries ... peace means, first of all, the absence of social injustice and political instability, and escape from misery, poverty, and hunger. This kind of peace is hard to attain for the developing countries who are caught in a vicious cycle ...

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*... peace to the people in the developing countries means not only the absence of disorder and injustice from society ... but also nonintervention in domestic affairs by big powers and unhampered economic development.*¹²

This framework is perhaps the most appropriate for Filipino peace researchers.

¹¹ Helge Hveem, "Peace Research," *BPP* 4, 2 (1973): 106.

¹² Chaudhri, p. 370.

Contribution to Peace Research

There are two other points that must be raised in connection with peace research in general, and this study in particular. The first is that peace research "does not have a uniform system of research, its own methodology, nor a single universally accepted object of study."¹³

The second is that peace research is, by nature, value-laden. As one peace theorist explains, peace research "does not seek knowledge for its own sake, but to reduce violence."¹⁴ It is, in short, research for peace. Thus "peace research could be characterized both in terms of a problem area *and* in terms of a value orientation."¹⁵ (emphasis added)

If one could call it a "science," peace research "should be a science of value, where peace is defined in terms of freedom and justice. Such a science would combine humanistic ends with scientific methods."¹⁶

In the final analysis it is this which makes peace research a difficult task: finding the right combination of fact and value. But it is here, too, where peace research finds its greatest reward: in working out the conditions that can bring about peace and, as a peace researcher points out, in inducing policy makers and sectors in and outside the academe into becoming more disposed toward the value aspects of social justice issues.¹⁷ The present study is a modest step towards this direction.

¹³ Yuri Barsegov and Rustem Kairov, "A Study of the Problems of Peace," *JPR* 10, 1-2 (1973): 71.

¹⁴ Tord Hoivik, "Peace Research and Science, A Discussion Paper," *JPR* 20, 3 (1983): 263.

¹⁵ Herman Schmid, "Peace Research and Politics," *JPR* 5, 3 (1968): 217.

¹⁶ William Eckhardt, "Research and Education as Approaches to Peace and Justice," *BPP* 3, 1 (1972): 22.

¹⁷ Soroos, p. 124.

CHAPTER 2

DEVELOPMENT OF THE PEACE PROCESS IN 1986: PRELIMINARY TALKS

About a month after President Aquino announced her intention to negotiate with the National Democratic Front (NDF), informal talks began between emissaries of both parties. Though quiet, the discussions invariably found their way to the press. The preliminary discussions can be divided into three stages:

- ❑ first, freewheeling discussions of a general nature;
- ❑ second, formulation of an agreement on safety and immunity guarantees for NDF members who would surface during the talks; and
- ❑ third, framing of an agreement on a preliminary ceasefire during which substantive discussions would take place in a formal setting.

Several contentious points emerged in this phase, namely the identity of the negotiating parties; the terms of the safe conduct pass, the coverage of the safety and immunity guarantees; the holding of a preliminary ceasefire; the contents of the GRP ceasefire agreement; NPA exactions; the disbandment of abusive CAGFU units; the carrying of firearms in population centers; and the arrest of leading CPP officials and alleged ceasefire violations.

The debates on and resolution (or nonresolution) of these issues during the preliminary talks will be discussed in this chapter. A chronology of the talks is provided in Annex A.

Defining the Negotiating Parties

The first four months of talks were exploratory in nature, with no prearranged agenda or structure. The first meeting took place in May 1986 between emissaries of the Government and the NDF. The discussion was informal and centered mainly on the identities and composition of the negotiating parties. The Government emissary wanted the Communist Party of the Philippines (CPP) to be the other negotiating party rather than the NDF, while the NDF preferred to negotiate with civilian rather than defense and military officials.

Both emissaries agreed to consult their respective principals. The NDF emissary also mentioned the names of persons likely to represent it. According to the NDF, the Government emissary personally found these nominees acceptable.¹

On June 4, 1986 President Aquino announced that the CPP/NPA had appointed Saturnino "Satur" Ocampo to represent it in the talks. "That announcement," said the NDF, "established in the public mind that the CPP-NPA, not the NDF, would be negotiating with the Government, notwithstanding the fact that all along the NDF had been speaking for the revolutionary forces on the matter of ceasefire negotiations."²

The President also said she would name her representatives in two days. On June 6 the NDF emissary asked that the President refrain from doing so because:

- first, the issue of who the negotiating parties would be was not yet resolved; and

¹ NDF Aide Memoire No. 1 to the Government of the Philippines, 12 June 1986. See also NDF Aide Memoire "On the First Informal Meeting of the Negotiating Panels of the National Democratic Front and the Aquino Government, Tuesday, 5 August 1986, in Metro Manila."

² NDF Aide Memoire No. 1.

- second, in the meantime the exploratory discussions ought to remain discreet until both parties agreed to publicly disclose their representative.

The Government acceded and on June 26, President Aquino named Chairman of the Presidential Committee on Human Rights (PCHR) Jose W. Diokno and Agriculture Minister Ramon Mitra as her official representatives to the talks.

For its part, the NDF explained it — not the CPP — would represent the revolutionary forces, the NDF being the latter's umbrella organization. Nonetheless, the Government continued to view the NDF as an arm of the Party and feared an agreement with the NDF would not bind the Party. To settle the matter, the other negotiating party was eventually described as the "National Democratic Front, including the Communist Party of the Philippines ('CPP') and the New People's Army ('NPA')." ³

The Safe Conduct Passes

To enable NDF representatives Satur Ocampo and Antonio Zumel to meet freely with the Government (GRP) panel, AFP Chief of Staff General Fidel Ramos issued them and their security escorts a safe conduct pass on July 18, 1986. This pass became the second source of tension during the talks. What exactly did "safe conduct" mean? Did it include immunity of NDF negotiators from arrest?

On July 21, hours before his departure for medical treatment abroad, Diokno met with the NDF representatives and clarified:

³ Memoranda of Agreement on a Preliminary Ceasefire (MOA-CF) and on Safety and Immunity Guarantees and Physical Centers and Facilities (MOA-SIG), 27 November 1986.

SAFE CONDUCT means:

(1) *Freedom from surveillance, harassment, molestation, apprehension or arrest. In short, it means freedom to go to and from places where talks are scheduled.*

(2) *It also means that the personal security guards need not be identified and shall not be disarmed as long as Messrs. Saturnino Ocampo and Antonio Zumel identify themselves.* ⁴

Two weeks later, the NDF expressed its concern over the inadequacy of the pass and preferred instead "a general guarantee of safety and immunity from arrest and prosecution during the negotiation period" for the negotiators as well as their staff, security and consultants.⁵ Their concern was exacerbated by a news account detailing the guidelines for the issuance of passes released by Gen. Fidel Ramos. According to the reports,

- ☐ only the Armed Forces of the Philippines (AFP) chief of staff could issue safe conduct passes;
- ☐ each pass had to provide the holder's name and personal data, purpose, origin and destination;
- ☐ the pass holder could not carry firearms; and
- ☐ the pass itself was limited for thirty days.⁶

The NDF questioned this issuance and accused Gen. Ramos of going against the clarification made by GRP panel head, PCHR Chairman Diokno. On August 5, Sec. Mitra affirmed Diokno's

⁴ Jose W. Diokno, 21 July 1986.

⁵ NDF Aide Memoire "On the First Informal Meeting of the Negotiating Panels of the National Democratic Front and the Aquino Government, Tuesday, 5 August 1986, in Metro Manila."

⁶ *Manila Bulletin*, 11 August 1986.

definition of safe conduct and assured the NDF its people would not be arrested. But the NDF panel was not appeased.

For months the matter of safe conduct passes caused tension between the parties. Even as it was resolved with the signing of the agreements on November 27, the issue was persistently raised during the formal talks. More importantly, the manner in which the issue was handled exposed two aspects of the negotiations that had a bearing on the failure of the talks:

- first, press releases that detracted from face-to-face dialogue and encouraged instead the tendency to negotiate through media; and
- second, the role of the defense-military establishment vis-a-vis civilian negotiators and decision-making on the peace question.

It was not until the day before the December 10 signing of the agreements that the panels finalized the form and content of the safe conduct pass provided for in the agreement on safety guarantees. The parties agreed the pass was not transferable and after some discussion, adopted a form vastly different from that proposed by the military. Consider their differences in the provisions on the safe conduct pass.

GRP-NDF Agreement

1. *GRP panel issues permit to carry firearms.*
2. *Bearer of pass provides name, photograph, designation and signature.*
3. *Pass is not transferable.*

MND/AFP Draft

1. *PC/INP chief issues permit to carry firearms.*
2. *Bearer provides name, alias, address, picture, right thumb-mark and designation.*
3. *Pass is not transferable.*

GRP-NDF Agreement

4. *Bearer can carry firearms (one long and/or one short) without specifying its make, caliber, etc.*
5. *Pass is valid on date of issuance and cannot be revoked during the talks and for at least 30 days after talks end.*
6. *Pass guarantees holder of freedom from search, arrest, surveillance, etc.*

MND/AFP Draft

4. *Bearer can carry firearms but specifies kind, make, caliber and serial number of firearm, amount of ammunition, specific date when and point-to-point area where firearm is carried.*
5. *Pass carries specific date which varies from holder to holder.*
6. *No such guarantee specified.*

Evidently the military viewed the safe conduct pass as a permit to carry firearms while the panels viewed it as a means of enabling NDF members to surface freely during the talks. Hence, the GRP-NDF agreement provided for safeguards not contained in the AFP draft, such as the pass holder's immunity from search, apprehension, surveillance and questioning.

The Safety and Immunity Guarantees

On August 18, 1986, the NDF presented a draft proposal on safety and immunity guarantees (SIG).⁷ For the next nine weeks, this draft became the principal subject of discussion and the first agreement ever fashioned out jointly by the two parties.

In a meeting on September 1, the lawyers for the NDF met with the GRP panel to discuss the draft on security guarantees. They asked that their clients be permitted to surface and put up an office in

⁷ NDF Draft MOA-SIG, 15 August 1986.

order to minimize security risks and facilitate the talks. They also requested that safe conduct passes be transferable to avoid risks and provide mobility for NDF panel members and staff.

Both requests were not accepted by the Government. Instead, Sec. Mitra and additional GRP negotiator Commission on Audit (COA) Chairman Teofisto Guingona proposed an immediate thirty-day ceasefire to "stop unnecessary loss of lives,"⁸ citing the President's concern about the bloodletting. The counsel for the NDF explained they had no authority to discuss the ceasefire; only the NDF draft proposal on safety guarantees.

Nonetheless in that meeting the two parties agreed:

- ☐ they were seeking a "just and genuine peace;" and
- ☐ peace was an internal problem of Filipinos.

On September 6 the two panels once again tackled the NDF's draft SIG proposal and narrowed down their differences to four major points:

- ☐ transfer of safe conduct passes;
- ☐ UN registration and witnesses;
- ☐ open and continuous negotiation; and
- ☐ belligerency status.

It appears from the NDF account of the September 1 meeting, that the Government's reluctance to agree to any proposal stemmed from its apprehension about recognizing the NDF as a belligerent force. Government negotiators made it clear they would not sign nor do anything to confer such a status. The NDF replied that belligerency did not hinge on recognition by Government but on the existence of certain conditions on the ground, such as a wide popular base.

Besides, the NDF added, Government could protect itself through a provision that nothing in the agreement would be taken as

⁸ NDF Briefing Paper on GRP-NDF meeting of 1 September 1986.

either express or tacit recognition of belligerency status. Such assurance failed to assuage the GRP representatives, however.

Perhaps for this reason, as well as the desire to keep the talks an internal affair, the GRP negotiators also rejected the NDF suggestion that the proposed agreement be registered with the United Nations and witnessed by two foreign embassies.

However, pressure from the NDF for safety guarantees compelled the Government to formally respond to the NDF proposal or come up with its own. In a meeting with the NDF on September 16, GRP negotiators presented their objections to the NDF draft. PCHR Chairman Diokno, for example, objected to all references to territory "under the control of the NDF" and the provision on the registration of the agreement with the UN Secretariat.⁹ The NDF acceded by removing some of the objectionable provisions but other important differences remained.

On September 26, government officials led by President Aquino met to formulate the GRP proposal. Executive Secretary Joker Arroyo, PCHR Chairman Diokno, Sec. Mitra, COA Chairman Guingona, Defense Secretary Juan Ponce Enrile and Gen. Ramos attended the meeting. The Government eliminated the NDF provisions unacceptable to it (see comparison of GRP and NDF drafts in Annex B) and provided for additional safeguards against the bestowal of belligerency on the NDF. Section 9 of the GRP draft thus read:

The rebellion covered in this initial agreement and in all subsequent agreements, if any, is agreed between the parties hereto as nothing more than an internal problem of the Philippines, and that this agreement as well as any other subsequent agreement, or any provision or provisions thereof, shall not invest the NDF with the status of belligerency under the laws of war.¹⁰

⁹ Sections 5.1, 10.1 and 11 of NDF draft MOA-SIG, 15 August 1986. See Jose W. Diokno's handwritten corrections on draft.

¹⁰ GRP Proposal on Safety and Immunity Guarantees, 26 September 1986.

The following day Gen. Ramos added another provision, namely: "Peace keeping, public safety, police operations and law enforcement functions of responsible agencies of GRP shall continue during the period of the ceasefire and/or peace talks."¹¹

Two days later military operatives arrested Rodolfo Salas, his wife and their companion as they were leaving the Philippine General Hospital. The NDF protested the arrest, claiming all three were "directly involved in the peace process," especially in drafting a ceasefire proposal.¹² Neither Salas nor his wife, however, were covered by a safe conduct pass.

PCHR Chairman Diokno himself was disturbed by the arrest, believing that although technically, Salas and company were not immune from arrest because they did not have passes, their arrest nonetheless violated the spirit of the talks, which was to encourage and enable dialogue. Few knew Diokno then offered to resign from the panel but was personally dissuaded by the President. Shortly after this incident, he quietly bowed out of the talks owing to his illness.

More than anything, Salas's arrest highlighted the need for security guarantees. Because it resulted in his detention and the charge of rebellion, Salas's arrest proved to be a thorny issue throughout the talks.

The November 1 meeting between the two panels took up the question of the NDF's immunity from arrest and prosecution. The Government agreed to waive

its right to utilize any and all materials, information and data submitted to or produced in the course of the peace talks as evidence in any criminal, civil, administrative or quasi-judicial investigation or proceeding in which the

¹¹ Gen. Fidel Ramos amendment to the 26 September 1986 GRP Proposal.

¹² GRP proposal on SIG.NDF press release, 2 October 1986.

*rights of any individual may be impaired or placed in jeopardy. This does not, however, prevent the utilization of any material, information and data obtained from other sources on the same subject.*¹³

The panels, however, failed to decide the number of safe conduct passes to be issued, although they both agreed the passes would include the authority to carry firearms. In a subsequent meeting of GRP negotiators with military and defense officials, the latter suggested that no more than 30 passes be allowed.¹⁴

On November 5 the two panels went through the SIG draft paragraph by paragraph. The discussions focused mainly on Section 8 ("Waivers and Immunities"). The NDF proposed that those who would provide the panel with facilities be exempted from government accreditation if they did not wish to be identified. They further asked that this distinction be put on paper. The Government agreed. The paragraph was thus revised as follows:

*The GRP hereby grants absolute, binding, permanent and irrevocable immunity from search, arrest and prosecution of those accredited persons who will assist the NDF during the peace talks as consultants, lawyers and staff persons for all acts performed or utterances made in connection with their duties relating to the peace talks, regardless of whether their services are volunteered or remunerated. Lessors, lenders and owners of houses, offices, buildings, motor vehicles and other properties shall enjoy the same immunities, provided that acts or utterances made prior to and after the peace talks, and acts or utterances in no way related to the peace talks, shall not be covered by said immunities.*¹⁵

¹³ GRP-NDF Draft SIG proposal, 1 November 1986.

¹⁴ M. S. Diokno, Notes on GRP panel's meeting with military and defense officials, 3 November 1986.

¹⁵ M. S. Diokno, Notes on GRP-NDF meeting, 5 November 1986.

The NDF also questioned the use of materials obtained from sources other than the talks as evidence against NDF members after the talks. Section 8.2 was thus amended as follows:

All materials, information and data submitted to or produced in the course of the peace talks shall be duly marked by the joint (GRP-NDF) secretariat. The GRP likewise irrevocably waives its right to utilize such materials, information and data as evidence in any criminal, civil, administrative or quasi-judicial investigation or proceeding in which the rights of any individual may be impaired or placed in jeopardy. In addition, any comment on or written reaction to a document produced in the course of the peace talks shall be covered by aforesaid immunity. This does not, however, prevent the utilization of any unmarked materials, information and data obtained from other sources on the same subject.¹⁶

Moreover, both panels agreed to raise the number of safe conduct passes from 30 to 50. They also said they would conduct the talks "with the utmost good faith": "Both parties shall desist from issuing statements or making utterances that question the good faith of each side."¹⁷ This was perhaps the most violated provision of the agreement.

Finally, the safeguard against belligerency status was amended to include a statement on the internal character of the conflict.

The present armed conflict referred to in this and in the preliminary ceasefire agreement (see next section), as well as in all subsequent agreements, is an internal problem of the Philippines. This Agreement, the preliminary ceasefire agreement, and any other subsequent agreement, or any provision or provisions thereof, shall not invest the NDF with the status of belligerency under the laws of war.¹⁸

¹⁶ *Ibid.*

¹⁷ *Ibid.*

¹⁸ *Ibid.*

Except for the content of the new safe conduct passes, the SIG agreement was complete. The NDF urged that it be signed immediately but Government insisted it be signed simultaneously with that on a preliminary ceasefire (which had yet to be formulated). Mitra commented that Government did not care too much about "form" or "process" and was more interested in an immediate cessation of hostilities.

The Preliminary Ceasefire

As early as August 5, 1986, Mitra had proposed an immediate ceasefire. This took the NDF by surprise since at that time, it was primarily concerned with guarantees that would enable them to come out openly and set up office. While no agreement was reached on either Mitra's suggestion of a ceasefire or the NDF's desire for safety guarantees, both panels agreed on the following:

- ☐ The objective of the talks was not merely a temporary ceasefire but lasting peace (for which reason the NDF suggested the negotiations be called "peace" instead of "ceasefire" talks.)
- ☐ The talks must address the "causes of alienation."
- ☐ There was a need to end the war and both sides had to find ways to stop or reduce it during the talks.
- ☐ The NPA would not surrender and this would not be raised as an issue during the talks.
- ☐ Subsequent discussions had to have an agenda.¹⁹

¹⁹ NDF Briefing Paper on GRP-NDF meeting of 5 August 1986.

On September 6, Mitra repeated the proposal, this time for an immediate and unconditional 30-day ceasefire. That both panels were poles apart is evident from the joint statement they issued that day--the first ever in history -- entitled "On the Question of an Immediate Ceasefire." ²⁰

The GRP panel defined the ceasefire as "the complete stoppage of killings on both sides" and stated its ceasefire proposal was premised on the recognition that:

- ☐ both parties wanted to avoid further losses of lives;
- ☐ the conflict is a "purely internal" problem of the country; and
- ☐ an immediate ceasefire will provide the right climate for talks leading to a permanent peace.

On the other hand, the NDF maintained a ceasefire must be taken within the context of "a comprehensive political settlement" encompassing political, economic and social issues. The NDF thus expressed caution about agreeing to an immediate ceasefire agreement "without having first defined (its) premises and guidelines." The NDF added that it, too, desired an end to hostilities and urged the government to adjust AFP operational policies against the NPA.

On November 1, the two parties agreed that the negotiations would be referred to as "GRP-NDF peace talks" and would have a ceasefire "as an integral part." ²¹

In the same meeting, the GRP insisted that the ceasefire agreement be taken up alongside the discussion on the SIG. Earlier, however, the NDF had publicly complained about tying the two together:

²⁰ GRP-NDF Panels, "On the Question of an Immediate Ceasefire," 6 September 1986

²¹ *Ibid.*

Evidently the government wants to convert the agreement on safety and immunity guarantees, on which unity of view had been virtually achieved, into a ceasefire agreement about which almost nothing has been discussed.

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We hold that such a ceasefire agreement, while outside the context of a comprehensive political settlement that alone can promise durable peace, should be the subject of serious and separate discussions.... The provisions for a temporary ceasefire cannot be tacked on so underhandedly so casually, to the guarantees for safety and immunity." ²²

Eventually, both parties agreed to discuss the ceasefire separately and the NDF backtracked from its original position that the ceasefire be taken in the context of a larger political settlement. Hence, the description "preliminary" ceasefire in the title of the agreement.

With the SIG agreement finalized on November 5, the two panels set out to draft a ceasefire proposal. The first point raised was its duration. The GRP panel wanted 30 days; the NDF, 100 days. When asked why the Government wanted a 30-day period, Guingona replied this was the preference of the military. ²³

The NDF proposed the following talking points regarding the ceasefire:

1. Cessation of all military operations by either side against the other.
2. Definition of what constitutes a hostile act.

²² NDF press release, 2 October 1986.

²³ *Ibid.*

3. Disarming and disbandment of notorious Civilian Home Defense Forces (CHDF) units, and deactivation or redistribution of notorious regular units of the AFP.
4. Disarming and disbandment of private armies, armed goons, "lost commands," religious-fanatical sects, "death squads" and armed Marcos diehards.
5. Confinement of police forces strictly to peacekeeping functions directed against ordinary criminal activities, away from active participation in military operations against the NPA and its mass supporters.²⁴

Furthermore, to monitor the conduct of the ceasefire, the NDF suggested the creation of a National Ceasefire Committee (NCC). If violations occurred, the NDF suggested that the party at fault sanction its own members.

The military reacted strongly against the NDF proposals on several grounds. First, 100 days would give the NDF too much time to consolidate its forces politically even as they were restrained militarily. Second, the military believed the NDF proposals implied that the AFP armed or directed paramilitary forces, which the military denied. In fact, according to the military, these forces had taken up arms precisely in self-defense against "sparrow" (special operations) unit killings and tax collections by the NPA. The Ministry of National Defense/Armed Forces of the Philippines (MND/AFP) thus sought the disbandment of sparrow units and the proper identification of NDF forces.

The military also insisted that the Government had shown enough good faith by initiating the talks. It should not therefore cease

²⁴ NDF Letter to GRP negotiating panel, 30 October 1986.

its peacekeeping or defensive activities against NPA actions during the ceasefire lest society suffer. Instead of reacting to points raised by the NDF, the military advised the GRP panel to formulate its own ceasefire proposal.

The GRP Ceasefire Proposal

The Government's draft of the ceasefire agreement, though crafted by civilian negotiators, therefore had the foregoing objections of the military in mind. Basically, the GRP proposal defined a ceasefire as the cessation of hostilities and armed operations. It also maintained a 30-day ceasefire period during which an entire range of actions defined as "hostile" were forbidden. Peacekeeping was allowed and defined as "police patrol, investigation, arrest, search and seizure against criminality ... and other violations of the penal statutes, for the purpose of protecting the civilian population and property."²⁵

On November 10, 1986, the two sides met to discuss this proposal. Note that the topics were of a military nature (*e.g.* definition and enumeration of hostile acts) although the negotiators were political (NDF) and civilian (GRP). The panels therefore had to refer a number of points to their respective war technicians. More importantly, the ceasefire proposal struck at the very heart of the conflict — its armed nature — and directly addressed the more intractable elements of the two parties, namely, their military forces.

Both panels agreed the goal of the ceasefire was "to establish good faith and mutual trust" and set the climate for dialogue "towards the achievement of lasting peace and a resolution of their political differences."²⁶ Quite the opposite happened.

Working out the mechanics of the ceasefire posed even greater difficulty for the panels. The NDF asked, for example, that distinctions be drawn between:

²⁵ GRP Draft MOA-CF, 3 November 1986.

²⁶ M. S. Diokno, Notes on GRP-NDF meeting, 10 November 1986.

- ☐ military operations and political activities;
- ☐ hostile acts/military operations aimed at civilians and noncombatants and those aimed at combatants;
- ☐ peacekeeping functions and Government's anti-insurgency program; and
- ☐ temporary ceasefire and the surrender of one side to the other.²⁷

On at least one issue there was clear agreement — a compromise period of sixty days for the ceasefire. Of the four items lined up by the NDF alone, only the second point was resolved during the talks. Hostility came to be defined by the nature of the act rather than its intended target. Hence, hostile acts were banned whether or not they were aimed at combatants.

The other points remained open-ended to the end. The failure to resolve them contributed heavily to the collapse of the negotiations. For instance, the GRP panel assured the NDF that warrants of arrest issued before the ceasefire would not be effected during that period and no new ones would be issued. The Government also declared that police actions would clearly be confined to ordinary criminal actions.

But during the ceasefire, NDF members outside Manila were arrested and charged with such crimes as murder and frustrated homicide. Thus, during the formal talks, the NDF raised the issue of arrests again and again.

Secondly, though the panels agreed on the initial list of hostile acts in the GRP draft, the GRP negotiators wanted to add the NDF practice of collecting taxes and procuring firearms under acts forbidden during the ceasefire.

²⁷ NDF Panel, "Reactions to the GRP Ceasefire Draft," 10 November 1986.

²⁸ M. S. Diokno, Notes on GRP-NDF meeting of 10 November 1986.

The NDF objected. Zumel explained large multinational firms were heavily taxed as "payment for extracting the country's resources."²⁸ The GRP panel countered by saying that while voluntary contributions were not hostile acts, those given under duress were.

These differences and the issues below were shelved for the next meeting:

- ❑ the disarming and disbandment of notorious CHDF and regular AFP units, private armies and paramilitary forces;
- ❑ the size of police patrol units;
- ❑ the composition of the ceasefire committee; and
- ❑ the imposition of sanctions for violations of the ceasefire.²⁹

On November 13, 1986, *Kilusang Mayo Uno* (KMU) labor leader Rolando Olalia and his driver were brutally murdered. Apart from the shock it generated (President Aquino herself met with Olalia's widow), the timing lent itself to the perception that certain forces were out to scuttle the talks. Citing this murder and the earlier arrest of Salas, the NDF panel called off the meeting scheduled for November 14 and explained:

*We clearly discern the pattern that emerges from the arrest of Mr. Rodolfo Salas and two other members of our negotiating team, your (GRP) panel's refusal to sign the agreement on safety and immunity guarantees even after our two sides had reached final agreement on it, and the escalating campaign of fear, hatred and dissension that is precisely negating and destroying the harmonious atmosphere for peace negotiations that we had hoped to create with the calling of a preliminary ceasefire.*³⁰

²⁹ *Ibid.*

³⁰ Satur Ocampo, Letter to GRP negotiating panel, 14 November 1986.

Government quickly countered the NDF's allegations.

The alleged pattern against your (NDF) safety seems exaggerated. It was our common understanding that the final agreement on safety and immunity guarantees would be signed together with the agreement on (a) preliminary ceasefire. The arrest of Rodolfo Salas did not relate to our talks since your proposition that he was a member of your negotiating panel was never communicated or made known to us.³¹

The talks resumed on November 25, two days before the scheduled date of signing.³² The meeting was tense and lasted nearly eight hours. At least twice, the panels called for a recess to cool off recalcitrant positions. The panels knew they were racing against time but their positions were firm and far apart. Some matters, such as the composition of the National Ceasefire Committee and the size of patrols, were disposed of without too much difficulty. But the panels' respective positions were rigid on two issues:

- ❑ illegal exactions by the NPA; and
- ❑ disbandment of abusive Civilian Home Defense Forces (CHDF) units.

NPA Exactions

The GRP panel strongly objected to NPA taxation and pressed for its inclusion in the list of hostile acts. The NDF admitted it understood Government would not grant any other entity the right to tax citizens. At the same time, the NDF asserted its political authority over certain areas and explained the taxes were necessary to support the movement. To consider illegal taxation a hostile act during the

³¹ Ramon Mitra and Teofisto Guingona, Jr., Letter to NDF panel, 14 November 1986.

³² M. S. Diokno, Notes on GRP-NDF meeting, 25 November 1986.

ceasefire would be to kill the movement even as the essence of the ceasefire was to keep forces of both sides at bay while their representatives dialogued. The question of illegal exactions, argued the NDF, had political rather than military undertones.

The NDF panel then proposed that illegal exactions be included in the substantive agenda of the formal talks instead of in the ceasefire agreement. But the GRP negotiators refused to budge; they were concerned that NPA tax collections would continue during the ceasefire.

As a compromise, the NDF panel suggested a provision that despite the NPA's taxation, the Government would yield neither territorial control nor its right of taxation. At least eight formulations of this provision were drafted in that meeting, none of them mutually acceptable to the panels.

In a last ditch meeting on November 26, 1986, the GRP panel agreed to delete illegal exactions from the list of hostile acts but suggested a provision allowing Government to take action against NPA taxation: "Nothing in this Agreement shall prevent the Government from exercising its lawful powers to stop any form of taxation or illegal exactions or the illegal procurement of firearms and explosives."³³

The NDF disagreed and instead proposed: "Nothing in this Agreement shall prevent the Government from enforcing the laws against any form of taxation or illegal exactions or the illegal procurement of firearms and explosives."³⁴

The effect of both versions was the same but the NDF formulation reflected the movement's attitude toward the Government. Hence it took hours before the panels agreed on a final formulation, which conformed with the government proposal.

³³ *Ibid.*

³⁴ *Ibid.*

Disbandment of Abusive CHDF Units

The second difficult issue was on the disposition of the Civilian Home Defense Forces (CHDF) units. The NDF argued it had stepped back from its original position that *all* CHDF units be dismantled. Now it was seeking a minimum commitment from Government to disarm *notorious* CHDF units and deactivate *notorious* regular units of the AFP. The working draft at the time provided that:

Armed or military operations and hostile acts performed by armed groups outside of both forces, such as by private armies, loyalist goons, religio-fanatical sects and groups such as the "Lost Command," constitute violations of this Agreement and as such, fall within the jurisdiction of the ceasefire committees ... ³⁵

The NDF interpreted the foregoing to mean the Government had no hand in arming or using these paramilitary forces since, as stated above, they operated outside of the AFP. In response the GRP panel explained that the Government indeed had a duty to discipline these armed groups. Instead of the provision above (it was later deleted), the GRP panel offered another to the effect that Government would "continue" or "intensify its efforts to discipline and reorient the CHDF." ³⁶ But this was rejected.

The GRP panel also expressed its concern over the actions of the NDF's armed city partisans. Guingona proposed that: "The AFP will disarm and disband elements of the CHDF proven to be notoriously corrupt and abusive. The NPA will also disarm or disband elements of their own proven to be notoriously corrupt and abusive, including sparrow units." ³⁷

The NDF objected to the proposal. More than five formulations of this proposal were drafted, to no avail.

³⁵ GRP-NDF Draft CF proposal, 6 November and 25 November 1986.

³⁶ M. S. Diokno, Notes on GRP-NDF meeting, 25 November 1986.

³⁷ *Ibid.*

The November 25, 1986 meeting ended with a long discussion of President Aquino's announcement setting a deadline for the signing of the agreements. Zumel complained that the announcement was "unnecessary and unfair" because it implied the NDF panel was not willing to have an agreement when it had been working on the agreements all along. Ocampo added that the President made it appear the NDF was backing out of its commitment or was insincere.

Mitra explained he had been instructed personally by the President to produce a ceasefire agreement before the end of the month. The latest announcement from the Palace, he thought, was a reaction to the NDF statement on the murder of Olalia, which indicated an agreement was no longer possible.

In that statement the NDF had said it was "less and less possible to pursue that chance of finding a negotiated solution to our tragic civil war" unless, "your (GRP) side is able to obtain a working consensus on the Aquino government's peace policy, and to give the NDF team adequate guarantees concerning our safety." ³⁸

It seemed as if the negotiations had gone back to square one just two days before the scheduled signing of the agreements.

The final meeting on November 26 eventually settled the issue. The GRP panel had insisted on its own formulation: "The NAFP will disarm and disband notoriously corrupt and abusive elements of the CHDF. The NDF will do the same with respect to its abusive armed elements." ³⁹

On the other hand, the NDF pushed for the following: "Both sides recognize the need to discipline, disarm and disband notoriously corrupt and abusive units of the NAFP (including the CHDF) and the NPA." ⁴⁰

³⁸ NDF Letter to GRP panel, 14 November 1986.

³⁹ M. S. Diokno, Notes on GRP-NDF meeting, 26 November 1986.

⁴⁰ *Ibid.*

The final provision read:

The NAFP shall disarm and punish abusive members and units in the field, including abusive CHDF. The NPA shall do the same with respect to abusive members, including abusive "sparrow units." ⁴¹

Hostile Acts and Security Patrols

In addition, both sides adopted a single interpretation of provisions likely to be misconstrued. Entitled "Reference to Minutes" of the November 26 meeting, this document provided additional safeguards for the ceasefire and was appended to and signed along with the ceasefire agreement.

Among the grey areas clarified by this document were the acts of coercion and threat. Taken alone these were hostile acts, but when applied to illegal exactions, coercion and threats were not considered hostile acts, although the Government could stop them. ⁴² Furthermore, armed operations were expanded to include "zoning, food and economic blockades, forced evacuations, designation of free fire zones, and armed actions by urban guerrillas." ⁴³

Because the GRP panel insisted that security patrols be allowed for peacekeeping purposes (aside from police patrols), ⁴⁴ the NDF obtained additional safeguards:

the NAFP shall, as a rule, give prior notice to ceasefire committees of joint or security patrols. Where no prior notice is given, due to certain circumstances, and an encounter results, the ceasefire committees shall, in the process of adjudication, take this fact into consideration.

⁴¹ Sec. 5.3 of GRP-NDF MOA-CF.

⁴² Reference to Minutes, MOA-CF, 27 November 1986.

⁴³ *Ibid.*

⁴⁴ Sec. 3.4 of GRP-NDF MOA-CF.

*In addition, the size of the police and security patrol shall be commensurate to the nature of the problem.*⁴⁵

Firearms and Population Centers

One other contentious subject was the carrying of firearms by the NPA. The GRP panel proposed that NPA members leave their firearms behind when entering population centers during the ceasefire. The NDF objected, saying the agreement provided for a "ceasefire in place" and precisely disallowed such actions as disarming and arrests for political crimes.

Moreover, the NDF questioned the meaning of population centers. The GRP panel suggested these covered cities, towns, municipalities and barangays. But a barangay in Samar could have only 50 houses, pointed out an NDF panel member. Would that then constitute a population center? This question was never resolved.

The GRP panel also suggested that if GRP and NDF forces met in rural areas, rural areas loosely defined here as places where the NPA "normally moved around," and both forces were identifiable, neither side would commit a provocative or hostile act. Questions, too, were raised regarding this proposal.

Hence in the evening of December 9, the panels met again.⁴⁶ After hours of heated discussion, NDF panel head Ocampo agreed that

- ☐ NDF forces would not carry their firearms in population centers;

⁴⁵ Reference to Minutes of MOA-CF.

⁴⁶ M. S. Diokno, Notes on GRP-NDF meeting, 9 December 1986, 7:30 p.m.

- ☐ population centers covered cities proper and town centers;
- ☐ any other addition to this definition would have to be worked out by the National Ceasefire Committee (NCC) subject to approval by the two panels; and
- ☐ the means of identification (e.g. arm bands) of NDF forces would also be formulated by the NCC, again subject to approval by the panels.

In short, the panels passed on to the ceasefire committee all that they had failed to resolve on the eve of the ceasefire. At the same time they reserved for themselves the prerogative to accept or reject the Committee's recommendations. A deadlock thus became inevitable.

Ominous Signs

It is little known that the ceasefire was nearly called off on the eve of its commencement on December 10, 1986. Away from the public eye, the most disputatious exchanges took place between the panels over the following issues:

- ☐ the gray areas of the agreements;
- ☐ Rodolfo Salas's case;
- ☐ the composition of the NCC; and
- ☐ accusations by both sides of pre-ceasefire military build-up operations.

On December 5, 1986, the panels tackled two controversial items in the agreements: the number of firearms a pass holder could carry, which was resolved four days later (one short and/or one long firearm); ⁴⁷ and the identification of NDF forces so as to avoid encounters. In principle, the NDF accepted the need for identification but no details were worked out in the December 5 meeting.

⁴⁷ GRP-NDF Amendments to Annex C of MOA-SIG, signed on 10 December 1986.

More serious were the charges of offensive military operations by both parties. The NDF noted a troop buildup in Northern and Central Luzon, forced evacuations in Apayao, and zoning operations in Bataan, all of which, the NDF added, were exacerbated by public pronouncements of defense and military officials on the need (or justification) for security patrols. In a letter to President Aquino on December 7, the NDF protested General Fidel V. Ramos's instructions to the AFP to arrest NPA members carrying firearms without safe conduct passes. The instructions were reported in the newspapers. The NDF panel stressed the newly signed agreement's prohibition on arrests and disarming during the ceasefire.⁴⁸

For its part, the GRP panel blamed the NPA for the murder of a Philippine Constabulary (PC) personnel in Antipolo on November 27, and the ambush of AFP troops in San Luis, Davao del Sur the following day.⁴⁹ These charges — a foretaste of things to come — were not settled.

The NDF also complained about the conduct of the military officer in charge of Salas in Camp Crame. The GRP panel promised to raise the matter with PC/INP chief General Renato de Villa.

The panels met anew in the morning of December 9.⁵⁰ Again, the NDF raised the case of Salas. A petition for *habeas corpus* had been filed before the Supreme Court but was dropped in exchange for the release of Salas's wife and their companion. No agreement was reached on the release of Salas.

On the matter of MND/AFP media announcements, the GRP panel informed the NDF the military would clear all its statements with GRP spokesperson Alice Villadolid before releasing them to the press, a procedure instituted to avoid misunderstandings caused by press reports. In practice, however, this arrangement was frequently ignored by the military.

⁴⁸ Satur Ocampo and Antonio Zumel, Letter to President Aquino (through the GRP negotiating panel), 7 December 1986.

⁴⁹ M. S. Diokno, Notes on GRP-NDF meeting, 5 December 1986.

⁵⁰ M. S. Diokno, Notes on GRP-NDF meeting, 9 December 1986, 7:30 a.m.

CHAPTER 3

FORMAL TALKS: DECEMBER 1986 - JANUARY 1987

About two weeks after the agreements were signed, formal talks on the substantive issues began. At the same time, the National Ceasefire Committee (NCC) was convened to monitor and supervise the implementation of the ceasefire agreement. Talks thus took place along two levels.

Samal Incident

The formal talks started inauspiciously. Teofisto Guingona, now head of the GRP panel (Ramon Mitra had conveniently resigned after signing the agreements), complained about certain actions of the National Democratic Front (NDF). ¹ The first was the NDF rally in Samal, Bataan, which was held on the second day of the ceasefire. There, New People's Army (NPA) forces openly displayed their firearms before the townspeople and a horde of media reporters. Guingona called the display a provocative act and announced he would refer the matter to the NCC. While the NDF could hold rallies, Guingona asserted, firearms should not be carried.

The NDF panel countered by saying the display of arms was intended to show NPA support for the ceasefire, not to provoke Government. In fact, they pointed out, the rally was peaceful and was even attended by a local official.

The GRP panel was not satisfied with the NDF's explanation. That no untoward incident took place, suggested one Government negotiator, could perhaps be attributed to the official policy of maximum restraint. Moreover, said Guingona, Samal is a population center where the NDF should not carry firearms.

¹ Transcript of GRP-NDF meeting, 13 December 1986.

The Samal incident was a far cry from the substantive agenda the panels had intended to tackle. Yet it set the tone for what became an endless exposition of ceasefire violations by one side against the other. More importantly, it called attention to the controversial issue of carrying firearms in population centers. Also, during that meeting, a GRP panel member relayed the military's request that the NDF refrain from using the AFP uniform so as not to confuse the people. Here again was another issue that became highly contested.

The second point raised by Guingona dealt with the anti-government graffiti in Manila. This, he said, did not enhance the climate of the ceasefire or indeed of the talks. In response, NDF panel head Satur Ocampo remarked that a lot of anti-NDF graffiti was also painted along the streets of the city; yet the GRP panel did not condemn it. He added the NDF was not responsible for the anti-government graffiti. Instead of bothering with the graffiti, the NDF challenged Government to attend to the demands of people written on the walls, such as land and jobs.

Third, Guingona questioned Antonio Zumel's remark in a forum at a Manila university alleging that the AFP supported the self-styled vigilante group notoriously known as the *Alsa Masa*, a comment made in reference to the firing of peace rallyists in Davao allegedly by this group on the first day of the ceasefire. Guingona cautioned the NDF not to air public charges without prior investigation by the NCC. But if so, Zumel countered, General Fidel V. Ramos and National Security Adviser Rafael Ileto were guilty of the same for they, too, had publicly accused the NPA of violating the ceasefire without prior NCC investigation.

Gen. Ramos's Ceasefire Guidelines

Moreover, the NDF questioned the issuance of ceasefire guidelines by Gen. Fidel V. Ramos as reported in the papers on December 12, 1986. Note that the GRP-NDF agreement provided that these guidelines would be formulated by the NCC and approved by the panels before they were publicly released and implemented.²

² Sec. 6.1.2 of GRP-NDF MOA-CF.

Was Ramos's issuance cleared with the GRP panel, the NDF wanted to know. The GRP panel had no knowledge of Gen. Ramos's statement and promised to report on it in the next meeting.

The NDF also claimed the NCC was on the verge of approving the guidelines on December 11 when Guingona appeared and disrupted the near agreement of the Committee. The NCC should be left to discuss the guidelines freely, argued the NDF. After all, the Committee would submit its decisions to the panels for approval.

Guingona replied he had been invited by General Renato de Villa, the GRP's NCC representative, when the Committee could not agree on the means of identifying the NPA. Indeed, Guingona added, the problem was that the NDF had an advantage in the presence of its counsel during the NCC meetings. He noted that the NDF counsel was party to all the preliminary discussions prior to the signing, while the GRP representative to the NCC had had no part in the pre-ceasefire discussions.

This entire exchange took place on December 13, the first day of the talks and the third day of the ceasefire. In hindsight, everything that was raised in the first meeting foreboded what was to come. The formal talks began with the contentious issues on the ceasefire guidelines and six weeks later, concluded on the very same note.

On December 20, the NDF formally protested against the issuance of ceasefire guidelines by the AFP as reported in the press.³ The NDF accused the military of preempting the NCC and the two panels (because guidelines were issued without prior NCC and GRP-NDF panel clearance) and of grossly misinterpreting the provisions of the ceasefire agreement, particularly

- ☐ the carrying of firearms by NDF forces;
- ☐ the use by the NPA of khaki and fatigue uniforms; and
- ☐ illegal taxation by the NPA.

³ NDF Panel, Letter to Pres. Aquino on "Protest over premature issuance of ceasefire guidelines by the Chief of Staff, NAFP" (through the GRP panel), 20 December 1986.

The news account of Gen. Ramos's guidelines reported that NDF forces could not carry firearms in barangays, towns and cities. If they failed to leave their firearms behind, they had to deposit them in prearranged areas such as Philippine Constabulary/Integrated National Police (PC/INP) stations or local ceasefire committees. In addition, only 50 NDF members (those with safe passes) could carry firearms as approved by the PC chief. ⁴

If the news account is to be believed, the ceasefire provisions had indeed been distorted. First of all, the only agreed upon definition of population centers covered cities proper and town centers. Any other definition had to be worked out by the NCC and approved by the panels. This also meant that apart from the 50 safe pass holders, NDF members could carry firearms outside population centers as defined above. Moreover, the passes were issued by the GRP panel.

Second, there was no agreement yet on the means of identifying NDF forces. True, the military had asked that the NDF refrain from wearing khakis and fatigues. Also true, the NDF had agreed in principle to some form of identification. But at the time of the news report, the NCC had not yet decided the matter. Finally, contrary to the argument that illegal exactions were not hostile acts although Government was empowered to stop them, the spurious guideline asserted otherwise.

Exchange of Agenda

On December 23, 1986 the two panels exchanged their peace agenda. No discussions took place but the NDF panel, which came prepared with its written agenda, had to wait for the GRP panel to compose its agenda on the spot. (The NDF apparently viewed this as more than a sign of unpreparedness.)

Nothing could be farther apart than the agenda the panels presented. The GRP panel had the following as its agenda:

⁴ *Manila Bulletin*, 20 December 1986.

- ❑ NEDA's short-run economic recovery program to generate jobs and increase purchasing power;
- ❑ a social amelioration program which included, among others, land reform, housing, cooperatives and manpower training;
- ❑ economic and social reforms which included industrialization; and
- ❑ an "honorable amnesty" intended "to heal the wounds of the past, to help rebuild the nation from crisis." ⁵

On the other hand, the NDF agenda contained proposals designed to:

- ❑ "completely dismantle the remaining features of the Marcos regime," consisting mainly of human rights issues such as the repeal of repressive decrees;
- ❑ promote the livelihood and welfare of the people, which included, among others, land reform, industrialization and the development of tribal communities;
- ❑ assert national sovereignty, which called for the abrogation of unequal military and economic treaties; and
- ❑ seal a lasting peace through a coalition government of "representatives of the GRP, NDF and all other major political forces and social sectors supportive of the peace settlement." ⁶

⁵ GRP Peace Agenda, 23 December 1986.

⁶ NDF Panel, Letter to GRP panel on "Proposal of the National Democratic Front for a Negotiated Political Settlement," 23 December 1986.

The NDF proposal for a coalition government was instantly rejected. Others, such as the dismantling of the CHDF, were unacceptable to the Armed Forces. The AFP generally weighed NDF proposals in terms of how these would advance the communist movement or enable a communist victory. Perhaps for this reason, the National Reconciliation and Development Program (NRDP), designed to attract rebels to return to society through an amnesty program, was the AFP's foremost area of concern.

The problem was to find a starting point in the agenda. As there was no common meeting ground, the NDF seized the initiative by forcing the issue of human rights.

Priority Issues

The first meeting of the new year took place on January 6, 1987. Prior to it, the GRP panel informed the NDF it had narrowed down its agenda to two priorities:⁷

- ☐ land reform; and
- ☐ industrialization based on agricultural development.

But in the first meeting in January, the NDF presented a proposal to take up the following "priority" measures:⁸

- ☐ immediate release of Rodolfo Salas and the remaining political prisoners;
- ☐ immediate repeal of Marcos decrees and issuances which violate human rights;

⁷ GRP Panel, Letter to NDF panel, 3 January 1987.

⁸ NDF Panel, Letter to GRP panel on "Initial Approach to the Substantive Negotiations towards Political Settlement," 6 January 1987.

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- ❑ arrest, trial and punishment of human rights violators;
 - ❑ rehabilitation and indemnification of victims of human rights violations;
 - ❑ dismantling of paramilitary forces and private armies;
 - ❑ transfer of jurisdiction over police from the AFP to local governments and confinement of the police to strictly peacekeeping functions;
 - ❑ reorientation and reorganization of the AFP in keeping with the principle of civilian supremacy;
 - ❑ approval of measures to abolish torture;
 - ❑ accession to Protocol II and other international covenants that uphold human rights; and
 - ❑ just resolution of the murder of KMU labor leader Rolando Olalia and his companion.

A rather general discussion of these issues ensued. The GRP negotiators asked for time to respond concretely to the NDF proposal.⁹ They, however, assured the NDF that the Government was attending to human rights issues. The case of Olalia, for instance, was already under investigation. The government also had a rehabilitation program for rebel returnees (the NRDP).

At the same time, the GRP panel admitted that the Government faced a number of problems. One, human rights measures could not be done overnight and some, such as the prosecution of human rights violators, needed the cooperation of witnesses who were often hesitant to come forward.

⁹ Transcript of GRP-NDF meeting, 6 January 1987.

Two, there was still a problem with the military. The size of the AFP could not be reduced as long as the NPA existed. Already the military was resentful of the Presidential Committee on Human Rights (PCHR) and wanted the PCHR to also investigate NPA abuses. Even so, the GRP panel said the military budget was being reduced. As for paramilitary forces, these would be outlawed in the new constitution that would be drafted.

The NDF responded by saying the President could repeal decrees under the Freedom Constitution. In fact, the NDF stated, it had merely adopted the recommendations of the PCHR in its proposal. Moreover, the Government had the entire justice machinery behind it and human rights lawyers in the Cabinet to boot. It should therefore be able to deal with this problem.

The NDF also maintained that the size of the AFP must be reduced especially since the Government had committed itself to disband abusive CHDF units under the ceasefire agreement. In response to the military's concern about NPA abuses, the NDF said it was willing to have its actions monitored under Protocol II of the Geneva Conventions.

Furthermore, the NDF stressed that the rehabilitation program should not be linked to the surrender of the NPA. Lastly, with respect to the murderer of Olalia, the NDF passed on the name of the suspect, a PC captain who had worked under a military officer notorious for torturing political prisoners during martial law.

On January 13, the GRP panel responded to these points. First, it presented a report on the status of repressive decrees, indicating which had been repealed and those under consideration. Second, the panel explained other steps contemplated by the PCHR, such as the imposition of disciplinary action on superiors of police and military personnel who commit human rights violations.

On most of the issues the GRP panel reported that the Government was doing something. But the NDF panel repeated that its proposals were consistent with the recommendations of the PCHR, which remained largely unheeded. On the question of the CHDF, the

NDF asked how, for example, the CHDF differed from private security forces of loggers and plantation owners. To whom were these forces accountable? These issues along with NDF complaints about continued AFP operations against NPA forces dominated the talks.

Framework of Talks

On January 6, 1987, the GRP panel presented the framework offered by PCHR Chairman Jose W. Diokno, "Food and Freedom, Jobs and Justice," as the guiding principle of the substantive agenda. In his letter to the panels, Diokno explained:

I am deeply concerned about the direction the talks seem to have taken. As our people follow the negotiations intently — because they want peace — there are trends that we should guard against.

First, we should guard against dogmatism of either side and think first and only of what would serve our people best.

*Second, we must guard against interference by any nation, especially the government of the United States, whose interests oppose those of our people.*¹⁰

The NDF panel accepted Diokno's framework but wanted it fleshed out. A good starting point, said the NDF, was its proposal on human rights. The GRP panel also accepted Diokno's framework and, upon Teofisto Guingona's insistence, added the draft constitution as the parameter for the talks. The proposed constitution, Guingona said, was "very broad ... a mixture of free enterprise, a mixture of socialist aspects."¹¹

¹⁰ J. W. Diokno, Letter to the GRP and NDF panels, 6 January 1987.

¹¹ Transcript of GRP-NDF meeting, 6 January 1987.

The use of the proposed constitution as the framework of the talks posed a grave problem. Not only was the constitution a draft but also the NDF refused to be bound by it. To do so would mean to surrender to Government, it claimed. Instead, the NDF proposed the use of the Freedom Constitution. But Guingona objected. Thus, aside from contentions on the implementing guidelines of the ceasefire agreement, which will be discussed next, the disagreement on the framework was a principal cause of the collapse of the talks.

Implementing Guidelines

If the preliminary discussions on the ceasefire agreement were difficult, those on the implementing guidelines were even more so. On the first day of the ceasefire, December 10, 1986, the National Ceasefire Committee (NCC) held its first meeting. In accordance with the agreement, each side had one representative, while the chairperson and two members (called neutral) were mutually chosen by the two parties. The NCC was chaired by Bishop Antonio Fortich. The GRP representative was General Renato de Villa; the NDF's, Frank Pascual. The other two (neutral) members were former UP College of Law Dean Irene Cortes and businessman Augusto Almeda-Lopez.

The NCC had three basic functions: ¹²

- ☐ to oversee and monitor the conduct of the ceasefire;
- ☐ to investigate and adjudicate cases of ceasefire violations; and
- ☐ to formulate the guidelines for the implementation of the ceasefire.

The NCC held its meetings independently of the panels and had its own secretariat and staff. But its decisions on the guidelines

¹² Sec. 6 of GRP-NDF MOA-CF.

were subject to approval by the panels and its rulings on violations subject to appeal. The first task of the NCC was to draft the implementing guidelines which would govern the conduct of the ceasefire. It is here where the most irreconcilable differences surfaced.

There were several ways by which the ceasefire guidelines could be drawn up: for the members to present their respective drafts which the Committee as a whole would reconcile; for the Committee to assign one or more members to create a working draft for deliberation by the entire body; or for the Committee to work on the guidelines as one.

Since the NCC was a heterogeneous group, the last option was out of the question. Instead, the first approach was tried. On December 11, 1986 four members brought drafts or outlines of their ideas on the guidelines, but the drafts were soon set aside in favor of discussing the controversial aspects of the ceasefire as indicated in the NDF draft.¹³

It quickly became apparent that the positions of the two parties were far apart. Hence, the neutral members suggested that the two first work out a draft. If they agreed, the neutral members would support them; but if the two sides failed to agree, the neutral members would step in and formulate their own draft.¹⁴

This was how the ceasefire guidelines came to be written. The first working draft was produced on December 13 and revised on December 17. As the two parties could not agree on major points, each side produced its draft on December 23.¹⁵ The neutral members tried to reconcile the two drafts but failed, and ended up producing their own on December 27. The GRP representative presented his amendments to the neutral members' draft on January 5, 1987, while the NDF member presented his objections on January 15.

¹³ NDF "Suggested Guidelines on Critical Points," 11 December 1986.

¹⁴ Transcript of NCC meeting, 12 January 1987.

¹⁵ Copies of the GRP and NDF draft guidelines of 23 December 1986 have not been located.

At the end of the negotiations, therefore, were three drafts. Those of the neutral members and the GRP were reconcilable; the NDF's simply was not.

The controversial items of the ceasefire guidelines concerned the following:

- ☐ carrying of firearms by NDF forces in population centers;
- ☐ peacekeeping patrols by the AFP; and
- ☐ use of fatigue uniforms by the NPA as a means of identification.

Note that these were the same points of contention during the preliminary stage of the talks.

To understand these issues, one must view them in the context of the GRP-NDF agreements of November 27, 1986 and the panels' verbal agreement on population centers on the eve of the ceasefire, all of which were mutually recognized as the bases of the guidelines. The relevant provisions of these agreements were the following:

- ☐ The NDF was entitled to 50 safe conduct passes with the authority to carry firearms.
- ☐ NDF forces would be identified or identifiable.
- ☐ When entering population centers, NDF members would leave their firearms behind.
- ☐ Population centers were cities proper and town centers.
- ☐ Police and security patrols would be conducted solely for peacekeeping against common crimes.
- ☐ Disarming and arrests for political crimes were prohibited.

- ❑ No warrants would be served and warrants issued before the ceasefire would not be effected during the ceasefire.
- ❑ Violations of the ceasefire would be treated as hostile acts subject to investigation by ceasefire committees and sanctions imposed by each side on its erring members.

Virtually each of these provisions was challenged during the ceasefire.

Identification of Forces

Consider the evolution of the provision on the identification of NDF armed elements. The NDF position on December 11, 1986 was:

*Armed elements shall see to it that they are properly identified or identifiable by means of proper uniforms in the case of the NAFP and other GRP armed elements, and arm bands in the case of the NPAs. Exempted from these requirements are GRP armed elements performing intelligence work related to their peacekeeping functions and armed city partisans of the NDF. Additionally, other means of identification may be adopted by the local ceasefire committees (LCC) especially those that may be found effective at nighttime such as ... passwords.*¹⁶

The NCC working draft of December 13 deleted the exemption for GRP intelligence personnel and NDF armed city partisans. The draft of December 17 added a section requiring the CHDF to wear prescribed uniforms and arm bands. All these were acceptable to the NDF, GRP and the neutral NCC members.

¹⁶ NDF "Suggested Guidelines on Critical Points."

But an entirely new provision was inserted into the December 13 draft prohibiting NDF members from wearing "any uniform identical with or similar to those worn by members of the NAFF/INP such as fatigue, camouflage and khaki uniforms." ¹⁷

The NDF opposed this provision on the grounds that khakis and fatigues were the universal uniform of armies and the most suitable for jungle conditions. For practical considerations, NDF armed elements could not be expected to buy new uniforms. ¹⁸ To break the impasse, the neutral members added a compromise in their draft: "To prevent any mistake in identity, the NDF shall not wear khaki, fatigue, or camouflage uniform *as a complete outfit*." ¹⁹ (emphasis added)

As one of them explained,

We (neutral members) took into account your (NDF) position regarding uniforms, for example, that ... you can't expect them (NPA) to all of a sudden get new uniforms. Khaki and fatigues are the most inexpensive ones available in the market. So I said alright, let's say that it should not be as a complete outfit. That is our formulation ... and we put that hoping that it would solve the impasse between you two. ²⁰

But the NDF was not content. Its representative stated:

We believe this proposal carries a sinister motive and political bias behind it. It is in line with the propaganda of the reactionary forces in Philippine society, including the

¹⁷ NCC Working draft of guidelines, 13 December 1986.

¹⁸ Transcript of GRP-NDF meeting, 15 January 1987.

¹⁹ Antonio Fortich, Irene Cortes, Augusto Almeda-Lopez, "Initial Implementing Guidelines on the Preliminary Ceasefire Agreement (Neutral Members' Draft)," 27 December 1986.

²⁰ Transcript of NCC meeting, 22 January 1987.

NAFP, that portray the NDF armed elements as a band of ragtag, undisciplined and uncouth terrorists, incapable and unworthy of wearing uniforms. ²¹

The GRP panel assured the NDF that the matter of uniforms was intended merely to set apart one force from the other so as not to sow confusion. It was not meant to be derogatory in any way. ²² The NDF replied it would only accept arm bands as the mark of identification for its armed elements.

Carrying of Firearms

Like the matter of uniforms, the carrying of firearms by the NDF was a highly sensitive issue.

The agreement prior to the start of the ceasefire was that NDF armed elements could not carry firearms in population centers (*i.e.*, cities proper and town centers). But in drafting the guidelines, the NCC expanded the coverage of population centers to include "other places in rural areas where a large number of people live and/or conduct their activities as part of their daily lives." ²³

In addition, the NCC draft stipulated that should a question arise as to whether a place was a population center or not, the local ceasefire committee (LCC) would rule on the question taking into account these factors:

- ☐ existence of national, provincial or municipal roads;
- ☐ whether or not the place was in a rural area where NDF armed elements "moved about" prior to the ceasefire; and

²¹ Francisco Pascual, "NDF Comments on the Draft Guidelines: Preliminary Statement," 15 January 1987.

²² Transcript of GRP-NDF meeting, 15 January 1987.

²³ NCC Working draft of guidelines, 13 December 1986.

- threat/danger of armed encounters between the two forces.

In the December 13 draft, therefore, the NDF could carry firearms only in rural areas *not* considered population centers and where they "usually moved about" before the ceasefire. But they had to wear arm bands and give prior notice to the LCC *and* the local military or police commander. In all other rural areas or places, the NDF could not carry firearms despite the NDF's argument that its units, even prior to the ceasefire, were already in place in major urban centers.²⁴

This last provision was softened in the December 17 draft, to wit: "The NDF/CPP/NPA shall *avoid* other rural areas or places which do not satisfy the foregoing description of rural areas where ... (they) may carry their firearms."²⁵ (emphasis added)

Nonetheless, the provisions effectively restricted the carrying of firearms beyond what had been agreed upon on the eve of the ceasefire. Hence, the comment of the NDF-NCC member that if "this were the interpretation now of the agreement, we would not have agreed (to it). I'm sure of that ..." ²⁶

The debate over the limitation on the carrying of firearms arose from each side's understanding of the ceasefire, the signed agreements notwithstanding. On the part of the Government, peacekeeping (which was itself subject to conflicting interpretations) would continue as laws would on the possession and carrying of firearms. The GRP-NCC member stressed that the ceasefire agreement did not suspend such laws. "If (the) carrying of firearms, which is important had GRP's agreement," asked de Villa, "why is it not in the document?" ²⁷ "For the sake of the peace process," he added, Government could "give in only in a limited way." ²⁸

²⁴ *Ibid.*

²⁵ NCC Working draft of guidelines, 17 December 1986.

²⁶ Transcript of NCC meeting, 12 January 1987.

²⁷ Transcript of NCC meeting, 22 January 1987.

²⁸ Transcript of NCC meeting, 23 December 1986.

The neutral members agreed. One told the NDF:

*the only reason why you are not considered in violation of law (on carrying firearms) and therefore subject to arrest immediately because of your insurgency ... is that there is a ceasefire and therefore the government has waived that. But the waiver is only up to a certain point and there are certain limitations which would apply.*²⁹

Hence the restriction of firearms to areas outside population centers. The GRP representative then asked the NDF:

*If the government allows you to carry your firearms ... allows you to bear firearms in formation outside of population centers, certain activities of the revolutionary movement should likewise be suspended, meaning, don't move about with your firearms in population centers individually or in groups. Why should the government be the only one to suspend its action if this agreement is mutual?*³⁰

NDF Rationale

The NDF replied it operated on several premises which the guidelines on firearms failed to consider. First, carrying firearms was integral to the revolutionary movement, mobility being the key to guerilla warfare. Second, not only did the NDF operate outside the legal system; the ceasefire, being temporary and preliminary, was "(a) ceasefire in place — one that recognize(d) existing political realities including the political authority of the NDF in certain areas of the country."³¹

This last point was stressed by the NDF representative:

²⁹ Transcript of NCC meeting, 22 January 1987.

³⁰ Transcript of NCC meeting, 12 January 1987.

³¹ NDF Comments on draft guidelines, 15 January 1987.

the very premise ... of the agreement is that it is a ceasefire in place, meaning two parties, two different political authorities coming together, neither side submitting itself to the authority of the other. Otherwise, if the premise is our submission to the political authority of the government, I am very sure that the agreement would not have been signed. ³²

The foregoing argument hinted at a belligerent status which a neutral member remarked upon.

Unless you (NDF) get the belligerency status, you will not have any standing with respect to the application of certain rules on warfare and an insurgency in a country would be considered as not operating outside ... of the law but in violation of the law. ³³

The NDF contended that the ceasefire agreement did not contain any prohibition on the carrying of firearms anywhere (true) and that the restriction was made *after* the signing of the agreements (also true). As the NDF panel had "accommodated" the GRP request on the original definition of population centers, it could not now accept the broad definition proposed by the other NCC members.

The NDF, too, was not satisfied with the compromise which allowed its forces to carry firearms in areas where they used to move about prior to December 10. "An exception from your (GRP) point of view becomes a general rule when applied to the NPA ... because historically we have never been in any other place except the *barangay*." ³⁴

If that were so, asked the others in the NCC, what then was the purpose of the safe conduct pass or indeed of the guidelines? The NDF replied that passes were for NDF members actively involved in the negotiations. As for the rest, they had to abide by the agreed upon

³² Transcript of NCC meeting, 22 December 1986.

³³ Transcript of NCC meeting, 22 January 1987.

³⁴ *Ibid.*

definition of population centers. The NDF also stressed that the prohibition on disarming, which applied to both sides, had to be observed at all times.

Definition of Population Centers

On December 23, 1986, the NDF had proposed the deletion of "other places in rural areas where a large number of people live, etc." from the definition of population centers and introduced instead "commercial centers."³⁵ This meant, then, that for the NDF, population centers would cover

- ☐ cities proper;
- ☐ town centers; and
- ☐ commercial centers outside cities and towns.

The GRP representative objected to the proposal. Since no agreement could be reached, the neutral members proposed that a population center include the following:

- ☐ city proper, town center or *poblacion*; and
- ☐ *barangays* outside cities and towns where large numbers of people lived and worked including, *barangay* commercial centers; *barangay centros*; *barangay* school zones; and *barangay* chapels or social halls.

Exempted from the above were *barangays* where NDF armed forces used to move about before December 10, 1986. Here they could carry their firearms provided they

- ☐ wore the appropriate arm bands; and
- ☐ gave prior notice of their presence to the local ceasefire committee (LCC) and local military or police commander in the area.

³⁵ Transcript of NCC meeting, 23 December 1986.

In addition, the LCC would rule on any question regarding the past presence of the NDF in a *barangay*.³⁶

The issue of population centers gave rise to a number of controversies that marred not merely the climate of the talks but the negotiations themselves. The most important questions raised were:

If caught with a firearm in a population center, would the NDF member be charged with a crime in violation of the law or a hostile act in violation of the ceasefire agreement?

If the former, would the crime be considered common or political?

Equally important, who would determine the nature of the crime?

In answer to the first question, the GRP representative said the NDF member would be charged with the crime of illegal possession of firearms. If an NDF armed member entered a population center without a safe conduct pass,

*then he is not supposed to be armed and there at the same time. We say he can be there but he should not be armed. But if he is there and he is armed, then he runs afoul not only with the law but with the agreed documents. This is our (GRP) position.*³⁷

The NDF objected, saying the offense should be considered a hostile act. "It was already a concession on our part that we agreed ... not (to) carry our firearms in urban centers when, in fact, before the ceasefire we did carry our firearms."

In one meeting with the GRP panel, NDF panel head Satur Ocampo admitted he had made a mistake in agreeing to the idea of population centers in the first place.³⁸

³⁷ Transcript of NCC meeting, 12 January 1987.

³⁸ Transcript of GRP-NDF meeting, 22 January 1987.

Furthermore, the NDF argued that carrying a firearm was a political act. "By whatever interpretation you give to it," said its NCC member, "he (NPA member) was carrying a firearm because he was an NPA."³⁹ To support its position, the NDF invoked Ministry of Justice Circular No. 20 (1986), which defined political prisoners as those charged with rebellion and sedition and acts committed in furtherance thereof.⁴⁰

Hence the NDF position was diametrically opposed to that of the Government. Where the GRP said NDF members could be arrested and charged in court, the NDF insisted its members would submit themselves to sanctions by the NDF for violating the restriction on firearms in population centers. "But certainly ... (the NDF) cannot be arrested, disarmed, detained and prosecuted for violation of the ... Omnibus Firearms Law, which is PD 1866."⁴¹

The distinction between political and common crimes also posed practical problems. How would the arresting officer know the person belonged to the NDF? While some mechanism of identification could perhaps be worked out, a more serious problem arises if a person were arrested outside a population center (which was allowed by the agreement) and subsequently charged with a crime. In this case, General Renato de Villa clarified, the Government would have to talk to the fiscal and judge concerned in order to have the person released. In one or two instances, the NCC did make such representation, but some of those arrested remained in jail even after the talks had come to an end.

Arrests without Ceasefire Guidelines

As the NCC debated on the guidelines, NDF members were being arrested in various parts of the country. More than 20 cases of

³⁹ Transcript of NCC meeting, 12 January 1987.

⁴⁰ Ministry of Justice Circular No. 20, "Guidelines Relative to Criminal Cases Involving Political Prisoners/Detainees," 29 August 1986.

⁴¹ Transcript of NCC meeting, 12 January 1987.

arrests (some involving more than one person) were reported. The NDF claimed most of these arrests took place outside population centers and that a good number of those detained were charged with illegal possession of firearms, murder and frustrated homicide.

The NDF asked the NCC for an immediate ruling on the arrests lest more be made. But the NCC decided not to make such a ruling since the guidelines had yet to be agreed upon in order to take effect. The NCC opted instead to investigate the cases individually. Only a few, however, were investigated.

An excerpt from a discussion between General Renato de Villa (RV) for the GRP, Frank Pascual (FP) for the NDF, and Bishop Antonio Fortich (AF) for the neutral members,⁴² illustrates the debate on the guidelines and the arrests.

RV: *But the matter of arrest with the carrying of firearms and the charge of illegal possession of firearms is carried in our guidelines the matter of arrests with firearms is covered by the guidelines.*

FP: *You mean the guidelines that have not been approved?*

RV: *Yeah, the guidelines that haven't been approved. So my, my suggestion is to ask the two panels then to make a ruling on these guidelines that we submitted so that it would come out very clearly what actions are actionable and what are not actionable because that is precisely the purpose of the guidelines...*

On the NDF's motion for the NCC to rule on the cases, Bishop Fortich replied: "But the trouble is the guidelines have not yet come out."

This debate was virtually repeated in a subsequent meeting of the NCC, when a neutral member inquired if the Government could arrest NDF members for illegal possession of firearms.⁴³

⁴² *Ibid.*

⁴³ Transcript of NCC meeting, 22 January 1987.

RV: *Our position here is ... if they are in places other than those allowed in the guidelines, the answer is yes.*

FP: *Which guideline?*

RV: *Oh, well, the guidelines that are supposed to come out. In the meantime, if there are no guidelines, we say that the laws should be followed. That's our position.*

FP: *That's even worse.*

RV: *Oo, that's even worse nga.*

FP: *That's even worse, meaning everybody can be arrested now.*

RV: *No ... you will note, we do not mount operations.*

FP: *Not really, General. I'd like to take exception to that ...*

Peacekeeping Patrols

The final area of disagreement was the conduct of patrols. The National Democratic Front (NDF) wanted additional guarantees that government patrols would not be deployed against its forces and thus proposed that before any arrest could be made:

- ☐ the patrols should serve a judicial warrant for an offense not in any way connected with NDF political objectives;
- ☐ the patrols should serve warrants only through the LCC;
- ☐ judicial warrants should exclude citizen arrests; and
- ☐ the patrols should give the LCC prior notice so as to avoid encounters. ⁴⁴

⁴⁴ Transcript of NCC meeting, 23 December 1986.

The GRP representative objected to all four proposals on the grounds that these would hamper the GRP's peacekeeping ability. In addition, General Renato de Villa commented that the term "political objective" was so broad it could cover anything. Also, he argued that prior notice of patrols was impractical.

As a compromise, General Renato de Villa suggested to distinguish between routine patrols (periodic visits) and reaction-type patrols (in response to specific peace and order problems). The first would give prior notice provided the time period was reasonable. But the second would only give prior notice whenever practicable. These suggestions were incorporated into the draft guidelines adopted by the neutral members, but with a specific 15-day prior notice of routine patrols.⁴⁵

The NDF did not think the suggested safeguards were adequate. To go around the general rule of using police patrols, the NDF alleged that the AFP would deputize other units to conduct patrols on a routine basis.⁴⁶ Most of all, the NDF averred that the provisions on patrols would "give official imprimatur to a military policy and frame of mind that views insurgency as (a) law and order problem which should be solved by the full force of the law."⁴⁷

As in the other matters, the question of patrols was never resolved. Indeed the ceasefire guidelines were never approved.

Breakdown of Talks

On January 22, 1987, the GRP and NDF panels met for the last time. While the panels were in session, farmers were demonstrating in Mendiola. Both the rally in Mendiola and the meeting of the panels were tense and uneasy. The former resulted in the death of peasant demonstrators; the other, in the collapse of the peace talks.

⁴⁵ NCC Neutral members' draft, 27 December 1986.

⁴⁶ Transcript of GRP-NDF meeting, 15 January 1987.

⁴⁷ NDF Comments on draft guidelines, 15 January 1987.

Most media reports cited the massacre at Mendiola as the reason for the failure of the talks. It was not, though it reinforced the NDF view of the military as the dominant force in Government. The truth is the NDF panel came to the meeting with a firm decision to discontinue the talks but to maintain the ceasefire until its expiry on February 8, 1987. Before the meeting, the heads of panels held a private one-on-one dialogue, after which the NDF panel formally presented a letter entitled "NAFP Bad Faith and Fundamental Breach of the Ceasefire Agreement."⁴⁸

Specifically, the NDF accused General Fidel V. Ramos of bad faith as evidenced by the reported release of ceasefire guidelines to the AFP command prior to the finalization of the guidelines. On two previous occasions the NDF had formally complained about Gen. Ramos's issuance but in both instances, the GRP panel brushed the complaint aside with the assurance that the AFP would clear the guidelines first before releasing them. This time, the NDF asserted, they had evidence that Gen. Ramos had issued the guidelines. As proof, the NDF presented a copy of the guidelines handed by Regional Unified Command (RUC) 5 commander General Eduardo Tadiran to the NDF leader in Bicol.⁴⁹

The NDF then charged that Gen. Ramos had not only violated the ceasefire agreement; his guidelines, too, distorted the provisions of the agreement. The NDF alleged that as a result of these distortions, its members were being attacked by GRP forces. It cited the case of two security escorts of NDF representatives in Cebu who were reportedly shot and killed by the military.

The copy of the guidelines allegedly distributed to the AFP and presented by the NDF as evidence of bad faith was actually the draft primer on the ceasefire agreement prepared by the AFP for its troops. The GRP panel was aware of the draft primer. In fact, on December 10, 1986 it had met with military officials precisely to go over the

⁴⁸ NDF Letter to President Aquino, "NAFP Bad Faith and Fundamental Breach of the Ceasefire Agreement," 21 January 1987.

⁴⁹ Transcript of GRP-NDF meeting, 22 January 1987.

draft. In that meeting, the GRP panel pointed out to the military officials the flawed interpretations of the ceasefire agreement in the AFP guidelines, such as the following: ⁵⁰

- ❑ including progressive taxation as a hostile act classified under armed extortion. [The ceasefire agreement did not define it as a hostile act but asserted that the Government had the power of law to stop the practice.]
- ❑ defining molestation as "illicit" or "improper advances." [In the agreement, molestation referred principally to harassment.]
- ❑ including the disarming of sparrow units and armed city partisans as part of government peacekeeping. [Disarming was prohibited by the agreement.]
- ❑ failing to include the Chairman as the third neutral member.
- ❑ limiting acts of disarming to *agaw armas* (stealing arms). [Disarming was prohibited for both parties but the AFP definition implied the ban applied only to the NDF.]

In that same meeting, the GRP panel asked the AFP to correct the guidelines and clear them with the panel before releasing them.

Apparently, however, the uncorrected primer was circulated within the AFP. In response to the NDF charge of bad faith, the GRP panel explained it was possible the draft primer was distributed in an AFP command conference and not subsequently recalled. The fact that the primer had been given openly to the NDF representative in Bicol showed there was no bad faith, the GRP panel pointed out. Moreover, the primer eventually published by the AFP contained the corrections the panel had made.

⁵⁰ M. S. Diokno, Notes on GRP panel meeting with the military, 4 December 1986.

The GRP panel also decried the NDF's public charge of bad faith, saying that both parties had agreed to desist from making statements that questioned the other's good faith.⁵¹

As the talks began, so they ended — with serious doubts about the other's sincerity and good faith. That final meeting covered all the areas of debate and disagreement from start to finish: the NCC guidelines, the detention of Rodolfo Salas, various ceasefire violations and the framework of the talks.

Here then was the ultimate summary of failure. As if it were not enough, a new development was added: reports of an assassination plot not just against one panel but against both. NDF panel members disclosed they had received reliable information about an assassination attempt on their lives. Teofisto Guingona replied by citing a military intelligence report of a similar plan against the GRP panel.

On the evening of the 22nd of January, 1987, the NDF shut down its office and prepared to return to their life before the ceasefire. The time for talking had all too soon come to an end. It was now time to go back to war.

⁵¹ Transcript of GRP-NDF meeting, 22 January 1987.

CHAPTER 4

ANALYSIS OF THE TALKS: LESSONS AND RECOMMENDATIONS

If the peace talks in 1986-87 are to have any meaning, it is necessary to learn from them so that the future process might be less tedious and traumatic. This chapter seeks to weave the story into a whole in order to derive lessons from it. The important role played by groups outside of the contending forces is also discussed.

Factors for the Future of the Talks

The Aquino government was unprepared when it entered into negotiations with the National Democratic Front (NDF). This can be explained by several factors: the Government was new; the cabinet was a "rainbow" coalition; and no clear direction had as yet been defined. Thus, even when the GRP panel revised its December agenda and offered agrarian reform as Government's priority measure, the only land reform program in existence then was Marcos's Presidential Decree (PD) No. 27, which the NDF opposed. More importantly, there seemed to be a rather simplistic view of peace in relation solely to violence, rather than to the larger questions of social justice.

But the new government wanted to talk, and for many that was good enough. Its singular source of strength, which no other past Philippine government ever had, was the tremendous support of the people for President Corazon C. Aquino. Popular clamor alone sustained her call for reconciliation and overrode the military's objection to peace talks.

If a negotiation, therefore, is to take place anew, popular support for the peace process is indispensable. It cannot make up for the lack of official will or preparation, as the past has shown, but without it, neither can the peace process succeed. It is here, in the

development of a peace constituency, where churches and nongovernment organizations (NGOs) can (and do) make the greatest contribution.

On a conceptual level the two parties evidently had no meeting ground. The Government proposed the draft constitution as the framework of the substantive agenda; the NDF rejected it. True, arriving at a common framework was difficult, given the NDF's ideological position and the Government's unclear direction. But even when both panels had narrowed down their respective agenda to specific points — land reform for the Government and human rights for the NDF— no agreement on the agenda was in sight.

This was so because the NDF insisted human rights were more immediate and actionable than land reform, especially since the NDF had lifted most of its proposals from the PCHR recommendations of April and May 1986. When the GRP suggested that the two panels break up into joint technical working groups, each in charge of a specific area (*e.g.* land reform, human rights), the NDF objected. The Government had no land reform program, the NDF argued; what then was there to discuss?

On the other hand, the absence of a program should have been the best reason to make one and, in the context of the talks, the program could have been formulated *jointly* by the panels. But the idea did not appeal to the NDF and a valuable opportunity was lost. Why?

One reason was that the suggestion to create technical panels had been overtaken by discussions on the mechanism and conduct of the ceasefire. Not only was the substantive agenda virtually set aside; but also the exchanges on the ceasefire guidelines were so vitriolic that they aggravated the feeling of mutual distrust. This was the tragedy of the ceasefire: it ended up defeating its very purpose, which was to set the atmosphere for dialogue. Such can be explained in turn by a number of reasons.

First, the GRP and NDF panels had contradictory views of the ceasefire. From the NDF's standpoint, a ceasefire was possible only

in the context of a "negotiated political settlement." The Government, on the other hand, looked at the ceasefire as immediately possible and unconditional even before talks commenced. When the panels finally agreed to a preliminary ceasefire, the NDF insisted on a ceasefire in place, while the Government retained its peacekeeping prerogatives. Their positions were irreconcilable.

Second, the ceasefire brought out the most difficult aspect of the conflict — its armed component — an aspect perhaps better decided *after* some settlement is reached rather than before. The mechanics of the ceasefire came to be viewed by the parties not as mere technicalities but as substantial issues themselves.

The distinction between common and political crimes, the practice of taxation, carrying of firearms in population centers were positions premised on the NDF's assertion that it enjoyed political authority over certain areas of the country, an assertion which the Armed Forces of the Philippines (AFP) denies. Thus, the AFP was careful to describe the level of NPA activity in terms of "influenced," "infiltrated" or "threatened" barangays, but not controlled.

Third, charges of ceasefire violations nurtured a climate of distrust. Despite the panels' agreement to act in good faith and submit cases for investigation to the National Ceasefire Committee (NCC), the panels themselves dwelled on the matter of ceasefire violations. Recall that the first formal meeting opened with GRP charges of NDF violations of the ceasefire. These and other accusations were played up by the media.

On the part of the NDF, a major problem arose from its concession on the question of population centers. As a matter of policy, the NDF position was not to yield to the restrictions on the carrying of firearms on the premise that the cessation of hostilities was a ceasefire in place. NDF forces would honor the ceasefire, yes, but keep their firearms. Hence the prohibition on disarming by both sides.

The GRP panel, however, prodded by the military, pushed for a restriction on the carrying of firearms. It was on the eve of the

ceasefire, and under tremendous public pressure to make good the signed agreements when Satur Ocampo agreed to the restrictions on carrying of firearms in population centers. Both parties then adopted a general, rather imprecise definition of population centers, thus creating another gray area in the agreements. Having conceded this point and unable to take it back, the NDF sought to limit the coverage of population centers in order to rectify its error, while on the other hand, the GRP panel tried to expand the definition. The battlefield had moved to the National Ceasefire Committee.

This explains why the NDF's position was intractable and why the debates in the Committee hovered around practically the same issue. When the ceasefire guidelines were raised to the panels, the NDF again objected, explaining that if agreed upon, the proposed (expanded) definition of population centers would leave them no place to move about.¹

On the policy level, two questions had to be clarified by the Government: first, its peace policy toward armed groups in general; and second, the role of the military in the peace process.

At about the time the Government was negotiating with the NDF, it was also meeting with two other armed movements in the country. While these groups were distinct from one another and had to be treated each in a particular way, some general guidelines would have been helpful to the negotiators. As it turned out, each set of negotiators entered into its own arrangements which were not consistent with those made by other government panels.

For example, the NDF pointed out that the Moro National Liberation Front (MNLF) and the Cordillera People's Liberation Army (CPLA) were allowed to bear firearms while the NDF was not. Indeed, the MNLF's open display of sophisticated weaponry was widely featured in the press while in Manila, the GRP and NDF panels were bickering about how to define population centers where the NPA could not carry firearms. Moreover, President Aquino refused to meet

¹ Transcript of GRP-NDF meeting, 15 January 1987.

with NDF leaders who had come to Manila for the talks while she personally met with Nur Misuari and Conrado Balweg in their respective home ground.

The second policy question was more complicated. The role of the defense establishment in the peace process was defined by the Government's initial perception of peace as a cessation of hostilities (negative peace) and of the peace process as basically a process of monitoring the ceasefire. Hence the mechanics of peace fell squarely on the lap of the military.

Since the questions raised during the preliminary talks were perceived as military issues — firearms, patrols, uniforms — civilian agencies of Government generally left the decisions to defense and military officials. By the time the talks had entered the second stage, the discussion of the substantive agenda (positive peace), the process had come to be so dominated by the question of the ceasefire that the process itself came to be controlled by the military.

In this connection, the Mendiola massacre was disastrous for the talks, apart from the injustice it heaped upon the peasants, for it addressed the fundamental concept of peace. All the farmers had asked for was the reform of land illegally acquired by Marcos and his cronies and large privately owned idle land. Even a confidential military report conceded the farmers were willing to take part in a "rational and attainable land reform." Moreover, in 1986 the Ministry of Agrarian Reform (MAR) task force had recommended the reform of sequestered and idle lands. These recommendations jibed with the farmers' demands.

At the time the farmers were camping out at MAR, the GRP Secretariat was in the process of going through these agrarian reform proposals. For this purpose, the Secretariat met with peasant leader Jaime Tadeo and presented the recommendations of the MAR task force. Tadeo assured the Secretariat that the recommendations would satisfy the farmers.

The Secretariat then informed Minister of Government Reorganization Luis Villafuerte, who was in charge of the various task

forces. He later claimed he had raised the issue in the cabinet meeting prior to the Mendiola massacre but tragically, neither the Minister of Agrarian Reform nor the Cabinet acted on the issue.

The confrontation at Mendiola could therefore have been avoided. But having happened, it reinforced the view that the Armed Forces, contrary to the GRP panel's assertion, was not reformed and reoriented.

Neutral NCC Members as Mediators

If certain aspects of the ceasefire were not resolved prior to the signing of the agreement, why did the panels pass them on to the ceasefire committee? Did the panels really believe the National Ceasefire Committee (NCC) would be able to do what the panels could not?

The main reason for passing on the knotty issues to the NCC was the lack of time. Had the panels attempted to clarify every single gray area of the agreement, the preliminary stage would have lagged on indefinitely at the expense of the substantive agenda.

The second question is more complex. By putting in neutral members into the Committee, it was implicitly hoped that the NCC would provide another perspective from which to view problems facing the two sides. In this sense and this sense alone, the NCC, or more precisely its neutral members, present an interesting case study in conflict mediation. Note that mediation here does not mean the power of the mediator to impose decisions on the parties if they fail to agree (an extreme case), but rather the ability to offer compromises acceptable to both panels.

Two factors affected the role of the neutral members:

- ☐ the presence of an NDF counsel in NCC meetings; and
- ☐ the NDF's refusal to observe the principle of majority rule in NCC deliberations.

Apparently, the presence of an NDF counsel had stifled the independent assertion of the NCC neutral members. As one neutral member complained:

... I'm here as a neutral member. I'm looking at this from the point of view of the Committee with the three neutral members, not for your (NDF) side nor for the other side. What I am saying is that the fresh view that we were supposed to contribute was not possible because all the time we were getting what you (NDF counsel) said the panels had intended in the first place (Regarding) those knotty problems that we encountered, we could not give our own fresh input to it because already those things entered.² (sic)

In an earlier meeting of the panels, Teofisto Guingona had also complained about the NDF's advantage in the NCC owing to the presence of its lawyers. The GRP representative, on the other hand, had no such assistance. The NDF panel then proposed that Maria Serena (M.S.) Diokno take part in the NCC meetings since she, too, had participated in the preliminary talks. But M.S. Diokno refused precisely to give the NCC free rein.³

On the whole, the neutral members stepped into the fray only after the two sides had failed to agree on the draft. "So ... the fresh thinking that was expected of the (neutral members) wasn't forthcoming until much later..."⁴

On the question of majority rule, Guingona argued that, since the three neutral members were mutually approved by the panels, their decision should carry some weight. Second, he agreed that while the NCC's decisions would be reviewed by the panels, this did not mean one party could exercise veto power. The NDF could, after all, attach a dissenting opinion and if abuses should arise, the guidelines could still be amended.

² Transcript of NCC meeting, 12 January 1987.

³ Transcript of GRP-NDF meeting, 13 December 1986.

⁴ Transcript of NCC meeting, 12 January 1987.

The NDF panel, however, maintained that the guidelines could not be decided by majority rule because these might alter the essence of the agreements signed by the two panels. Furthermore, a distinction must be made between a decision on the guidelines affecting the interpretation of agreements (where majority rule should not apply), and decisions on cases of alleged violations (where majority rule applied). Besides, added the NDF, the panels had the right to approve or disapprove decisions made by the NCC in part or as a whole.⁵

Unfortunately, both arguments failed to consider the role the neutral NCC members could have played in reconciling the differences between the two parties. Since these members belonged to neither party, they might have been able to view the matter in a different light and perhaps introduce new insights or compromises. And since the neutral members were chosen by both panels, they would presumably be able to talk to both in an attempt to resolve the latter's differences.

But as it turned out, the neutral members were unable to play this role. The NDF viewed them as sympathetic to the Government; the neutral members' and the Government's respective drafts were not dissimilar and on the issue of population centers, the neutral members even went beyond the GRP proposal.⁶ On the other hand, it is likely the neutral members objectively found the NDF position unreasonable. Hence the disparity between their draft and that of the NDF.

But it is also true the ceasefire agreement provided for the approval of the guidelines by the panels. In this respect, the NCC could have acted more informally, talking to both parties outside of the formal NCC setting and using their influence with both sides to the maximum.

The Role of Churches, NGOs and the Media

One element in the peace process dealt with the role of the churches and nongovernmental organizations (NGOs) in basically

⁵ Transcript of GRP-NDF meeting, 15 January 1987.

⁶ Transcript of NCC meeting, 22 January 1987.

three areas:

- ☐ monitoring the ceasefire;
- ☐ presenting proposals to the panels; and
- ☐ monitoring the media.

The ceasefire could not have been implemented without the cooperation of the bishops, priests and other religious who served in the national and local ceasefire committees. In Manila, not only was the National Ceasefire Committee (NCC) chaired by a bishop; but also the entire secretariat was staffed by the social action arm of the Catholic Bishops Conference. The role of the church was so important that after the talks ended in January 1987, the GRP panel pursued the possibility of regional talks through "bishop-negotiators" in every region of the country.⁷

Some NGOs, such as the Peace Promotion and Monitoring Council (PPMC) and the National Citizens' Peace Monitoring Council — both church-affiliated organizations — documented reports of ceasefire violations and conducted their own fact-finding missions. Their reports were submitted to the NCC. The NCC accepted these reports but ruled that investigations of alleged violations would not be delegated to outside persons.⁸

These NGOs also submitted proposals on the ceasefire guidelines. The PPMC, for example, suggested that the NCC state the instances in which NPA members can carry firearms and delegate the definition of population centers to local ceasefire committees. In the matter of patrols, the PPMC proposed that the key issue be the authorization by the local ceasefire committee (LCC). As for uniforms, the PPMC suggested that forces outside of regular Armed Forces of the Philippines/Integrated National Police (AFP/INP) units refrain from wearing AFP uniforms in order to distinguish the armed parties.⁹ Unfortunately, the NCC did not take up these suggestions.

⁷ "Report on the Sectoral Dialogue for Peace held in Iligan City, Lanao del Norte on May 17, 1987."

⁸ Transcript of NCC meeting, 27 December 1986.

⁹ Peace Promotion and Monitoring Council (PPMC), Letter to GRP panel, 21 January 1987.

The Role of the Media

The media was also a factor in the talks. For both parties, the negotiations turned into a propaganda war. Within the Government, there seemed to be deeper concern about the image of the GRP panel rather than its agenda for the talks. The National Democratic Front (NDF) held daily press conferences at its office (conveniently located at the National Press Club), which prompted some in the GRP panel to hold their own. To a considerable extent, the preoccupation with the media adversely affected the talks.

During the preliminary stage of the negotiations, the panels had agreed to keep the discussions informal and quiet. But press conferences were nonetheless held, some clandestinely. Several members of the press later claimed that some information, even documents, were leaked by a member of the GRP panel.

Internally, the GRP panel and the military agreed that all press releases from the Armed Forces of the Philippines (AFP) would be cleared with the panel's press officer. But defense and military officials continued to issue press statements in total disregard of this arrangement. Thus the GRP panel found itself having to respond to the NDF's queries about statements made by government officials outside of the panel. When asked about these statements, the officials concerned invariably denied them or claimed they were "misquoted." The NDF's reaction to explanations such as these was often one of disbelief.

In a sense, the GRP panel was caught in a bind, having to defend statements it did not make or deny them and assuage the NDF at the same time. At some point, a balance had to be created between the public's right to know and the confidentiality of the talks, given their delicate nature. But no such attempt was made, and the climate worsened with each and every allegation of a ceasefire violation or act of bad faith.

Though this study does not attempt to analyze the media's role in the peace process, some observations have been made since the media had a direct bearing on the development and outcome of the

process. The PPMC conducted a media survey of seven national dailies to determine the media exposure and projection of four major groups: GRP, NDF, AFP and NCC.¹⁰ It found that prior to the ceasefire, the military ranked first and the NDF second in terms of media coverage, while during the ceasefire (first 15 days only), the GRP and AFP obtained more space allotment than the NDF. In both periods, the NDF was projected negatively as compared to the GRP and AFP. Though these are preliminary findings, they are interesting subjects for further research.

U.S. Attitude toward Peace and Negotiations

There is one final factor that needs to be examined, and that is the position of the American government with respect to the negotiations. The only data available at the time of the study were congressional hearings on the Philippines in 1986 and 1987, which reveal the attitudes of leading figures in the United States (U.S.) Congress as well as the State and Defense Departments.

The documents dealt with the following points:

- ☐ CPP/NPA strength;
- ☐ peace and peace talks;
- ☐ the means to achieve peace; and
- ☐ assessment of the failed talks.

Official American estimates of the strength of the New People's Army (NPA) tended to be contradictory in one sense: while State Department officials asserted that the movement had weakened in the wake of a popularly supported government, they, too, maintained the

¹⁰ PPMC, "Results of Media Monitoring" in letter to GRP panel, 21 January 1987.

NPA remained a serious threat that would continue to grow if unchecked. According to John Monjo, Deputy Assistant Secretary of State for East Asia and Pacific Affairs, the installation of the Aquino government set back the movement because, apart from the President's popularity, the dictatorship ("the principal propaganda target of the communists") was gone and the election boycott called by the Communist Party of the Philippines (CPP) was repudiated by a large voter turnout.¹¹

At the same time, Assistant Secretary of Defense for International Security Affairs Richard Armitage cautioned that:

*In the longer term, however, the positive effects of this event (EDSA) will probably be diluted when it becomes apparent that many of the problems were not solved quickly. The NDF will exploit this situation, claiming that nothing has really changed.*¹²

Indeed, Armitage admitted that the NPA had achieved substantial military gains in the aftermath of the EDSA Revolution, both in the acquisition of firearms and the number of offensive actions against the AFP.¹³

Neither were U.S. officials optimistic that many NPA members would surrender in the light of the negotiations. If at all, they expected only the "nonideological" members to come down from the hills. Explained Monjo: "But the hardcore elements will fight on. To believe otherwise is to underestimate the discipline and indoctrination of the communists."¹⁴

¹¹ Prepared Statement of John C. Monjo, 15 May 1986, Hearing before the Committee on Foreign Affairs, Subcommittee on Asian and Pacific Affairs, U.S. House of Representatives, 99th Congress, 2nd session on H.R. 5081, "Philippines Assistance Act of 1986."

¹² Hearing of House Subcommittee on Asian and Pacific Affairs, 15 May 1986.

¹³ Prepared Statement of Richard L. Armitage, 15 May 1986.

¹⁴ Prepared Statement of Monjo, 15 May 1986.

This brings us to the question of amnesty and ceasefire. U.S. officials were cautious, if not wary about both an amnesty and ceasefire:

First, because the CPP announced it would not surrender its firearms as a precondition for talks. In his statement before the House Subcommittee on Asian and Pacific Affairs, Armitage stressed:

What has changed with the new Armed Forces of the Philippines is a lot more than the new uniforms and a lot more than just the new patch on the uniform

But what has not changed, is the Communist Party of the Philippines, and its New People's Army, has not changed a bit. They remain committed to armed struggle, and in my view, to the violent overthrow of the now existing government.¹⁵

Second, in the U.S. view, the NPA would simply use the ceasefire to its advantage. Armitage noted a decline in the number of armed incidents initiated by the AFP,

while ... the aggressiveness of the New People's Army is up, casualties to civilians are up, and casualties to the New People's Army are down. Approximately 13 people a day were being killed prior to the revolution. There are now 16, according to press accounts, in the Philippines.¹⁶

Third, the U.S. believed that neither ceasefire nor amnesty would effectively wipe out the "hardcore" NPA, a view the U.S. apparently shared with the Aquino government. Consider this statement by John Monjo (JM) in the U.S. House hearing on foreign affairs.

¹⁵ Statement of Armitage, 15 May 1986.

¹⁶ *Ibid.*

JM: ... During one of the meetings that I had the luck to attend, (President Corazon C. Aquino) ... spoke of trying to separate and bring back from the hills those people who are not ideologically committed. She said she thought some of these people could be brought back to society. And then she turned to (Juan Ponce) Enrile who was there, and said, of course, that he would have to deal with the hardcore.¹⁷

Clearly the more important question was the U.S. attitude toward the negotiations. It is here where official reluctance becomes apparent. When questioned by the U.S. House Subcommittee, Armitage replied:

We are not opposed to her (President Aquino's) efforts to try to negotiate. We would at the same time take every opportunity to make her extraordinarily aware that we don't believe that they're (CPP/NPA) going to do anything but try to further their ends through that negotiation.

*But we'd be as pleased as the Filipinos if people came down from the hills and took part in a genuine democratic political system.*¹⁸

In order to deal with the communists, Armitage urged the Philippine government to formulate a "comprehensive counterinsurgency plan" combining military and civilian objectives especially at the local level¹⁹ which, according to another official, should "address the root causes of the insurgency: poverty, ineffective and unresponsive local government, and military abuses."²⁰ U.S.

¹⁷ Hearing of House Subcommittee on Asian and Pacific Affairs, 15 May 1986.

¹⁸ *Ibid.*

¹⁹ Prepared Statement of Armitage, 15 May 1986.

²⁰ Prepared Statement of Monjo, 15 May 1986.

officials were quick to add that military reforms were already under way, including the reorganization and retraining of the Civilian Home Defense Forces (CHDF).²¹

However, it did not seem clear to the U.S. what exactly the counterinsurgency strategy entailed from the Philippine end. Armitage told the U.S. House Subcommittee:

*... I am not sure yet to what extent the present Government of the Philippines has truly embraced, and has truly intellectualized, the need for a total integrated counterinsurgency package. It has come to grips with the fact that it needs political, economic, social, and military components to that package, and it has not yet come to grips with the paramount importance of local officials through that process.*²²

When questioned by the Subcommittee, Armitage elaborated:

*This (Aquino) government seems to spend the majority of time talking about political reconciliation, but in truth it's the economic, social, political, and military aspects which will in the end bring victory to the Filipino people.*²³

The American assessment of the failed negotiations confirmed their skepticism on the talks at the outset. First, U.S. officials pointed out that the military capability of the armed movement did not diminish as a result of the ceasefire. Quite the contrary occurred — an unfavorable "kill ratio" of the AFP to the NPA. In fact, American officials asserted that the movement grew during the ceasefire though at a slower rate than during the dictatorship.²⁴

²¹ *Ibid.*; Statement of Armitage, 15 May 1986.

²² Statement of Armitage, 15 May 1986.

²³ Hearing of House Subcommittee on Asian and Pacific Affairs, 15 May 1986.

²⁴ Statement of Armitage, 17 March 1987, Hearing of Subcommittee on Asian and Pacific Affairs, U.S. House of Representatives.

Second, fewer NPA members surrendered than expected while "revolutionary tax" collections increased.²⁵ Armitage told the U.S. House Subcommittee: "The hope for Communist defections has yet to be realized. We hold figures that say a total of 518 NPA soldiers defected since the February revolution. Some of these have since returned to their former units."²⁶

Third, although in the U.S. view the resounding support for the Constitution in the February plebiscite adversely affected the CPP, the latter gained media exposure which, in some instances, "made them almost folk heroes."²⁷

It is therefore not surprising that a month after the talks ended, Armitage concluded that the CPP was "still absolutely determined to undermine the democratic process, and establish the foundation of an eventual Communist triumph."²⁸

More frustrating for the U.S. government was the perceived indecisiveness of the Aquino government in the wake of the failed talks. Noted Armitage:

Counterinsurgency strategies are developed and then discarded. Military advice is often ignored. Distrust and apathy pervade civil-military relations As with the Marcos regime before it, the Aquino government has also regrettably failed to develop a comprehensive counterinsurgency plan that integrates military, political, economic, and social programs. Marcos erroneously relied exclusively on military action. Some members of the Aquino administration believe that they can rely almost exclusively on symbolic political acts to cure the insurgency. They continue to cling to the now forlorn hope that the insurgents

²⁵ Prepared Statement of Honorable Gaston Sigur, Assistant Secretary of State, East Asian and Pacific Affairs, 17 March 1987.

²⁶ Statement of Armitage, 17 March 1987.

²⁷ *Ibid.*

²⁸ *Ibid.*

will fade from the scene and that coordinated civil and military action will not be necessary ²⁹

The fault, however, did not lie with the Aquino government alone. Armitage also blamed the "disaffected elements" of the AFP for their coup attempts against the Aquino government which "unwittingly furthered the cause of their communist rivals." ³⁰

Since the U.S. officially viewed peace in the context of counter-insurgency rather than within the framework of genuine social reform, the caution with which they dealt with the talks is perhaps understandable. To conclude his statement before the U.S. House Subcommittee, Armitage stated:

... our strong uncategorical support for the Aquino government and for the President herself must be based on a clear reckoning of the problems facing the Filipino leadership. I believe those problems are solvable, if— first and foremost — both we and the Philippines agree that there is no basis for complacency, particularly with respect to the insurgency. ³¹
(underscoring supplied)

In a display of firmness, the Aquino government unveiled its counterinsurgency policy after the talks. Interestingly, Operation *Lambat Bitag*, as the strategy came to be called, had practically the very features suggested by the U.S. government: close military-civilian cooperation, participation of local governments, integration of military and socioeconomic objectives (see next chapter), and recycling of the CHDF into CAFGU units under AFP supervision.

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*

Recommendations

There is much to learn from the experience in 1986-87. The first is that the Government must prepare seriously and earnestly for the talks. This is the best proof of sincerity: not the rhetoric of peace but the extent to which the parties come to the negotiating table prepared. When one party comes unprepared, the other concludes that the contending party is not interested or is not serious about the talks or has some other (hidden) agenda, and goes through the motion of negotiations for the sake of image.

To avoid such a perception, the Government must arrive at a single position on the talks. Intra-party negotiations, especially with the Armed Forces of the Philippines (AFP), must be conducted way before the talks take place with the other side. At all times decisions of the civilian leadership must prevail.

Second, confidence-building measures can help create the atmosphere necessary for peace talks. Such measures could include, for example, a limited suspension of armed urban operations on the part of the National Democratic Front (NDF) and a moratorium on demolition of urban poor homes rather than an outright ceasefire. These steps are intended primarily to pave the way for talks and should not in themselves sow greater conflict.

Third, a ceasefire need not precede the talks. In fact, talks can take place without a ceasefire. For one, this reduces the role of armed elements since the discussions focus primarily on political matters. Intra-party differences between civilian and military elements are thereby also reduced. In this manner, too, an early confrontation between the armed components of both parties is postponed until such time that the talks reach a stable position marked by reduced suspicion.

As the past experience has shown, it is not healthy for the talks to begin with accusations of bad faith. Equally important, the absence of a ceasefire could compel the parties to focus on the substantive agenda rather than on violations of the ceasefire.

Fourth, in talking with the NDF, the Government must also consider its policy of negotiating with other armed groups in the country. This is not to say the official policy should be uniform; clearly the armed opposition groups in the country differ from each other. But the Government must be consistent in the concessions it makes to various groups.

Fifth, from a practical viewpoint, it is best that talks be held discreetly, away from public and media attention, at least initially. The worst thing that can happen is for the talks to again develop into a media battle, with both parties currying favor with the public. When negotiations are conducted in public view, the stakes rise and the need to save face becomes more compelling than if the talks were conducted privately.

This does not mean the people should not know what is happening. Reports on the talks can and should be made when both parties are sufficiently confident they are headed somewhere. There is also concern about unduly raising the level of popular expectation.

Sixth, neither party should tie itself to a framework or set this as a precondition for the talks. Rather, the formulation of the framework should itself be a subject and product of negotiation.

The Government's tendency would be to use the constitution from which it derives its power and authority. On the other hand, the NDF will likely refer to international covenants on internal conflicts as these recognize the existence of an armed force apart from that of Government, though they do not necessarily confer belligerent status on a dissident force. The framework should be regarded as a substantive issue, not a precondition for talks.

Finally, there is a role to be played by individuals or groups who belong to neither party and who could help facilitate the talks. Current negotiations in other parts of the world show a broad role for such persons, extending from mere observer status to actual mediation. The role of outside persons and groups can be jointly defined by them and the parties in conflict. What is important is that the "third" party itself does not become a source or cause of conflict. Hence the need for complete acceptance by the parties concerned.

Postscript

About two weeks before the talks ended, the GRP Secretariat proposed a series of popular consultations to be conducted jointly by the panels in order to determine:

- ❑ first, whether the ceasefire should be extended and for how long; and
- ❑ second, the major issues that both panels should address in the negotiations.

Entitled "Arriving at a People's Agenda," the proposal sought to course the consultations through the local ceasefire committees in which both panels enjoyed representation. As explained in the draft, the idea was "for the two panels to listen together to our people's sentiments rather than to debate or argue before them or to compete for their support." ³²

But the talks broke up before the proposal could reach the negotiating table. Three years later, however, two broad non-governmental peace initiatives formulated a peace agenda independently of the parties in conflict. All was not lost.

³² GRP Peace Secretariat, "Arriving at a People's Agenda" (draft), January 1987.

CHAPTER 5

THE PEACE PROCESS AFTER THE TALKS: 1987-1992

After the talks ended, the peace process evolved into various directions, each with its own set of players. On the part of Government, the thrust of the process was toward local rather than national talks, while some nongovernment organizations (NGOs) and communities established peace zones or "zones of life." In 1990 two large initiatives outlined an agenda for peace as the subject of national level negotiations between the Government and the National Democratic Front (NDF). Also about that time, a parallel effort at discreet, exploratory talks between Government and NDF emissaries began. A chronology of the peace process after the talks is outlined in Annex D.

The context of the peace process, however, departed radically from the elation of EDSA in 1986. Soon after the ceasefire ended, the Government declared a "total" approach to insurgency, which was heavily dictated by military strategy. The NDF, too, resumed military operations in rural and urban areas.

Regional Talks

The GRP and NDF negotiating panels met for the last time on January 22, 1987. The National Ceasefire Committee (NCC), however, continued to meet until the sixty-day ceasefire expired on February 8. With the collapse of the talks, President Corazon C. Aquino instructed her negotiating panel to pursue peace talks at the regional instead of national level.

The NDF rejected the proposal, saying it was "a malicious move to sow dissension and division within insurgent ranks."¹ But the NDF announced it was willing to return to the negotiating table

¹ "NDF bucks regional peace talks, *Philippine Daily Inquirer (PDI)*, 10 February 1987.

provided the Government withdrew the Constitution, which by then had been overwhelmingly ratified, as the framework for the talks.

The Government launched its regional peace campaign by appointing twelve bishops as negotiators for each of the country's regions. These negotiators were:

Region	Bishop-Negotiator
I	Archbishop Orlando Quevedo
II	Bishop Miguel Purugganan
III	Bishop Cirilo Almario
IV	Bishop Ruben Profugo
V	Bishop Concordio Sarte
VI (Panay)	Archbishop Alberto Piamonte
VI (Negros)	Bishop Antonio Fortich
VII	Archbishop Pedro Dean
VIII	Monsignor Jose Borces
IX	Bishop Antonio Tobias
X	Archbishop Patrick Cronin
XI	Archbishop Antonio Mabutas
XII	Bishop Fernando Capalla

One achievement at the regional level was a multisectoral meeting in Iligan City in May 1987 organized by Bishop Fernando Capalla. The meeting was attended by representatives of the NDF, MNLF, MILF, and GRP, including the military. Workshops were set up to answer the following questions:

- ☐ What is our sectoral vision of peace?
- ☐ What are the barriers to peace?
- ☐ What actions can we take to bring about peace?

In a way these workshops foreshadowed the series of consultations conducted by peace advocates among various sectors in 1990. But even here the Government's response was to push for talks

at a local level. There were several reasons for this move by the Government:

- ❑ first, the Government believed local dialogues were more manageable than national talks and, therefore; had greater chances of success.
- ❑ second, the Government could more easily respond to community needs arising from local dialogues than deliver services on a large scale which national talks would likely require.
- ❑ third, it was strategically important for the Government, particularly the military, to test the hold of the NPA high command over its local forces. ²

The NDF rejected the call for local talks, accusing Government of applying "divide-and-rule tactics." In separate statements the National Executive Committee of the NDF ³ as well as its regional leaders in Central Luzon, ⁴ Visayas, ⁵ and South Mindanao, ⁶ denounced this "piecemeal" approach. More fundamentally, the NDF maintained that the armed conflict addressed "basic questions that can only be resolved at the national level." ⁷

² M. S. Diokno, Notes on the meeting of technical working groups of the Multisectoral Peace Advocates (MSPA) and Cabinet Cluster E, Office of the Peace Commissioner, 10 April 1990.

³ NDF National Executive Committee, "In Reply to Drilon, *et al.*," 29 June 1992.

⁴ NDF-Central Luzon, "NDF-CL assails government proposal for local peace talks," 3 July 1991.

⁵ Visayas NDF Secretariat, "NDF Visayas Rejects Localized Peace Talks," 12 July 1991.

⁶ NDF-Far South Mindanao Council, "NDF-Far South Mindanao Rejects Local Peace Talks," 28 September 1991.

⁷ Cordillera People's Democratic Front (CPDF) Provisional Council and NPA Chadli Molintas Command, "Once More on the Question of Peace: On the Proposal for the Demilitarization of Sagada," 30 January 1989.

Furthermore, since the military was the strongest proponent of local talks, it was likely they would decide where and with whom talks would take place. And since they tended to dominate the local Peace and Order Councils, the military would probably end up dictating the terms and directions of the peace process. For this reason, among others, peace advocates among the NGOs rejected the government proposal for local talks.

Peace Commission

In June 1987, the bishop-negotiators recommended the creation of a permanent peace commission or secretariat which would attend to the peace question "conceptually as well as operationally" vis-a-vis all armed parties.⁸ President Aquino approved the recommendation and issued Administrative Order No. 30 creating the Peace Commission. In it, she stated: "There is need to systematize the pursuit of peace on an organized process that will involve the mobilization of the various components of the whole society."⁹

The Commission would serve as the President's staff in implementing the following components of the peace process:

- ☐ a National Program for Peace;
- ☐ negotiations between the parties in conflict; and
- ☐ support from NGOs.

Health Secretary Alfredo Bengzon, in his maiden speech as head of the Peace Commission, declared:

*Let me say that our peace is not the pacifist's acceptance,
nor is it the peace that comes from security in fortifications,
nor is it surrender and accommodation. Our goal is*

⁸ Confidential report, 8 July 1987.

⁹ Administrative Order No. 30, "Defining the Systematic Approach and the Administrative Framework for the Government's Peace Efforts," 11 August 1987.

*peaceful diversity and competition, where different groups seek alternative solutions in open debate and with free choice.*¹⁰

To build a "momentum for peace," Bengzon suggested that work be done on "four fronts":¹¹

- ☐ delivery of services at the community level;
- ☐ official consensus on approaches to peace;
- ☐ NGO/other support for delivery of services; and
- ☐ negotiations with armed parties.

Implicit above was a recognition of the lack of agreement within Government on how to deal with the peace question, the inadequacy of social services and the need for popular support for the peace process.

Sword of War

But as it turned out, the Peace Commission devoted most of its effort to the autonomy bill for Mindanao.¹² Moreover, its public pronouncements tended to contradict other policy statements and official actions. Consider, for instance, Bengzon's view in the context of the President's speech at the graduation rites of the Philippine Military Academy in March 1987:

*The answer to the terrorism of the Left and Right ... is not social and economic reforms but police and military action.*¹³

¹⁰ Secretary Alfredo R. Bengzon, "Now that we have freedom, let us seek peace," Speech before the Coalition for Peace, Club Filipino, 20 August 1987.

¹¹ *Ibid.*

¹² Office of the Peace Commissioner Information Kit, February 1991.

¹³ Quoted in *PDI*, 23 March 1987.

And at the luncheon tendered after the rites:

*I told you when we were discussing the peace initiatives that when they fail, as we feared they would, and when it becomes necessary to take out the sword of war, that I want a string of honorable military victories ...*¹⁴

The shift in policy from peace to war was welcomed by the military. In the words of Defense Secretary Fidel V. Ramos:

*... after that experience with the CPP-NPA, our Commander-in-Chief ... espoused and dictated a more hardline policy against the communist insurgents since February 1987. In effect, in a speech on the 11th of February, 1987, she said: "Let us now draw the sword of war." And therefore the policy of conciliation which was the priority policy in 1986 gave way again to a higher priority of security of combat operations to be waged by the Armed Forces of the Philippines.*¹⁵

The military's position stemmed from the fact that in the first place, it was not disposed toward the ceasefire.

*... the 60-day ceasefire ... was initially objected to by the Armed Forces of the Philippines, and our position was heard at the higher levels of government, and in fact was discussed among many of us.*¹⁶

Moreover, the military believed the ceasefire had strengthened the NDF:

... the ceasefire has of course served to give the CPP-NPA and its newly emerged propaganda and political front, the National Democratic Front, more elbow room, especially in

¹⁴ *Ibid.*

¹⁵ Secretary Fidel V. Ramos, Question Hour at the House of Representatives, *House Journal* No. 39, 29 September 1988, p. 49.

¹⁶ *Ibid.*, p. 48.

*media not only before the national audience but also in the international arena. This also perhaps gave them the opportunity to consolidate their positions especially in areas where they were under great pressure.*¹⁷

At the same time Sec. Ramos admitted that Government had gained

*a lot of advantages in the form of intelligence information about the identities, other personal data, as well as pictures of the many commanders, regional leaders, and national leaders of the party. And this ... has enabled the Armed Forces of the Philippines to capture many of their top leaders during the last 18 months.*¹⁸

Interestingly, the "higher priority of security" under AFP direction was officially denied as a policy of total war. Instead the military called it a "total approach" to the insurgency conducted by a "three-tiered national defense organization" composed of the following:¹⁹

- ☐ civilian volunteer organizations or *Bantay Bayan* at the lowest level;
- ☐ PC/INP (Philippine Constabulary/Integrated National Police) and CAFGU (Citizens Armed Forces Geographical Units) at the next; and
- ☐ AFP mobile forces (Army, Marines, PC Special Action Forces, Air Force helicopter support and Navy patrol craft support).

Together, these forces implemented the "clear-hold-consolidate-develop" strategy launched in 1987 as Operation *Lambat Bitag*.²⁰

¹⁷ *Ibid.*, pp. 48-49.

¹⁸ *Ibid.*, p. 49.

¹⁹ *Ibid.*, p. 54.

²⁰ Handouts of the National Conference on Children in Situations of Armed Conflict: Children as Zones of Peace, Alabang, 15-19 December 1991.

Zones of Peace

Fortunately, the war failed to silence the voices for peace. The Coalition for Peace, founded in January 1987, was perhaps the first group to call for a resumption of negotiations. Foremost among its projects was the establishment of peace zones or

geographical areas, ranging in size from the area covered by a purok or neighborhood to a province, which community residents themselves declare to be no-war zones, maintained and reinforced by the community's sustained, creative expressions of commitment to peacebuilding. ²¹

The first zone was established in Naga City (zone of peace, freedom and neutrality) in 1988. Four other zones were subsequently declared: Sagada, Mountain Province; Tabuk, Kalinga-Apayao; Sitio Cantomanyog in Candoni, Negros Occidental; and Barangay Bituan in Tulunan, North Cotabato. A number of institutions such as schools and churches were also declared "pockets of peace." ²²

Except for the Naga City peace zone, these "pockets of peace" demanded a demilitarization of the area by the Armed Forces of the Philippines (AFP) and the New People's Army (NPA). Generally, the peace zone communities asked for two conditions:

- ❑ the regulation of armed movements and avoidance of instances that could lead to an outbreak of violence; and
- ❑ the promotion of dialogue and the "spirit of pluralism" within the zone. ²³

²¹ Coalition for Peace (CfP), "People-Initiated Ceasefires: Peace Zones, Present Status and Recommendations," 18 October 1990.

²² See CfP, "Peace Zones in Schools: Preliminary Notes," July 1991.

²³ *Ibid.*

Both the National Democratic Front (NDF) and the AFP rejected the peace zones for their own reasons. The AFP asked: "why should we dialogue with Communists and NPAs ... (who) are already on the run, whose defeat is already imminent, and whose legality is not ever recognized by our government?" ²⁴

The military objected to peace zones, first, because these would give the NPA breathing space, "... a safe haven and sanctuary to which they can freely rest and enjoy the facilities of the government which the(y) seek to destroy ..." ²⁵ Should the peace zones result in a *de facto* ceasefire, this would be "divisive and counterproductive because it will stop the pressure against the NPA;"

they would use that time to consolidate their forces, expand their organization (especially their front organization and armed wing), engage in agitation in urban areas, and in general ... prepare for the continuation of their protracted war against the government on a new and definitely higher level. ²⁶

Second, peace zones would allow the NPA to mingle freely with civilians, spread their ideology and, consequently, terrorize the people. In the case of Naga City,

(the civilians) will no longer be free to speak or move about or do what they want to do for fear of the Communists, who will now proliferate in the city, and who can easily overhear what they are saying. Thus, the city will become a chamber

²⁴ Lt. Col. Rufo R. Pulido, PC Provincial Commander and Provincial Police Spdt., "Comments, Reactions and Positions of the Camarines Sur Constabulary/Integrated National Police Command to the Proposal of the Hearts of Peace (HOPE) to Make Naga City a Permanent Zone of Peace, Freedom and Neutrality (ZOPFAN)," no date.

²⁵ Lt. Col. Ramon Y. Garcia, Commanding Officer, 1st Infantry Battalion, Philippine Army, Pamplona, Camarines Sur, Letter to Bernadette M. Gavino, Secretary-General of HOPE (Hearts of Peace), Naga City, 28 February 1989.

²⁶ *Ibid.*

of terror instead of becoming a city of peace, Naga City will become a city of fear! ²⁷ (original underscored)

Third, the military claimed on several occasions that communities in peace zones coddled the NPA. AFP officials, for example, accused Sagada residents of extending support to a nearby NPA camp in Mount Sipitan.²⁸ A community leader retorted that the camp and Mount Sipitan "are not part of Sagada and are not effectively covered by the Sagada Peace Zone." How then can the community of Sagada be responsible for the camp? ²⁹

Colonel Benjamin Enrile (Army) replied that: "it is a fact that the town of Sagada is the nearest major population center and the only access and passageway to what is probably the most inaccessible part of the Cordilleras." ³⁰ Concluding that the peace zone was used by the NPA as a transit point in building up their camp, Col. Enrile asked: "Where does one draw the line between what is and what is not the responsibility of a people who have sworn responsibility (for) and virtual control (over the task) of preserving peace in the community?"³¹

On the other hand, the NPA Northern Luzon command reproached the people of Sagada for not condemning the AFP bombings of the outer fringes of Sagada (near Mount Sipitan). Ironically, both the AFP and the NPA asked the people to denounce the other side to show that they were truly for peace.

The AFP reacted differently to the peace zones. In the case of Naga, since the military found the peace zone incongruous, if not unnecessary — the city being fairly peaceful with respect to the insurgency ³² — no military action was taken against it. However, in

²⁷ Pulido, "Comments, Reactions ..."

²⁸ *PDI*, 10 August 1991.

²⁹ Quoted in Ms. Rina Jimenez-David, "No time for peace?," *PDI*, 23 July 1991.

³⁰ *Ibid.*

³¹ *Ibid.*

³² Garcia, Letter to HOPE.

Negros residents complained that the military blocked their peace caravan to Cantomanyog.³³

The rest of Government was rather ambiguous about peace zones. The Peace Commission supported the idea; so did some local government units. But Local Government Secretary Luis Santos warned that the zones would only serve as sanctuaries for the NPA.³⁴

NDF Objections

For its part, the NDF criticized the peace zones conceptually and operationally. The proponents of the zones were not spared either from such criticism. Essentially, the NDF viewed these projects as a way of fragmenting their movement, giving Government the upper hand, and diverting away from the solution to the conflict, which was not only to end the war but also to address its root causes.

The NDF maintained that the peace zones were flawed conceptually because of their perspective of peace (and of the armed conflict).

Peace zones have failed and will continue to fail, in paving the way for a genuine and lasting peace because, first of all, they are based on an avoidance of the fundamental issues that lie at the heart of the civil war raging throughout the country.

Peace zone advocates narrow down the people's problems to simple lack of peace, singling out violence as the main obstacle to their progress and development.³⁵

³³ *Manila Chronicle*, 18 February 1990.

³⁴ CfP, "LGU Responses to People's Peace Zone Initiatives," Paper presented at the Dialogue with the League of Governors, Development Academy of the Philippines, 27 December 1989.

³⁵ "Peace Zones' — Anti-People and Counter-Revolutionary Scheme," *Ang Bayan*, September 1990, p. 8.

The NDF added it had no quarrel with development programs provided these did not maintain the status quo. Otherwise, the NDF warned, "their reformist approach will only be used by enemy propaganda."³⁶

Operationally, the NDF believed that the peace zones served the purpose of counterinsurgency in several ways. First,

Because they focus attention on eliminating violence without eliminating the conditions that spawn violence, "peace zones" cannot help but end up as a defender of the status quo

They thus serve a counter-revolutionary purpose: quelling the people's desire for change through palliatives and false hopes. They delay the revolution of the fundamental problems of the Philippine society.³⁷

Second, the peace zones were "a refurbished version of the strategic hamlet"³⁸ used to "isolate the revolutionary forces from their mass base"³⁹ and "to pressure and trap the revolutionary forces and people into giving up or laying aside the armed struggle."⁴⁰

Third, the peace zones enabled the Government to deliver social services in areas they had long neglected. In effect, the zones were not neutral.⁴¹

³⁶ CPDF Provisional Council and NPA Chadli Molintas Command.

³⁷ *Ang Bayan*, p. 8.

³⁸ NDF National Council, "Message to Advocates of a Just Peace," 5 October 1990. See also NDF *Critique of Some Proposed Peace Frameworks*, 6 November 1990, pp. 9-10.

³⁹ Jason Montana, "Tried and Found Wanting: Why the 'peace zone' in Sagada failed," *Liberation*, September-October 1990, p. 13.

⁴⁰ *Ang Bayan*, p. 10.

⁴¹ MSPA meeting with the NDF, 9 April 1991.

Furthermore, the NDF asserted that the peace zones were not effective even in demilitarizing conflict areas. Police functions continued while AFP units controlled areas outside the zone. Though organized at a local level, the NDF urged that the peace zones be approved by the central authorities of both the GRP and the NDF in order to ensure that "the peace zone is not used as an instrument to sow intrigues or divisions within the revolutionary movement, as well as that the AFP High Command does not override the agreements made at the local levels."⁴²

Finally, the NDF questioned the motives and role of proponents of the peace zones (described as "neutral entities" and "schemers of pacification").⁴³ The NDF claimed these persons and groups were biased against the NDF and that therefore:

*The management of the peace zone cannot be entrusted to self-proclaimed mediators Political authority within it should be vested in a neutral political entity, such as an international body or a joint committee with an equal number of representatives from the Philippine government (GRP), NDF and a mutually agreed third party which can be a neutral international or local organization.*⁴⁴

Proponents of Peace Zones

In defense of the zones, the Coalition for Peace (CfP) argued that:

One, the peace zones were managed entirely by the communities whose responsibilities included monitoring the agreement on the zone, conducting consultations in the

⁴² *Ang Bayan*, p. 12.

⁴³ NDF Message to Advocates of a Just Peace.

⁴⁴ *Ang Bayan*, p. 12.

community, liaising with the armed parties, and overseeing development projects.

Two, the zones were able to "negotiate their space" with the AFP and NPA, a few more successfully than the rest, to the extent that the communities "have gained a level of capability to intervene or mediate in situations involving issues or incidents between the contending armed parties which occur within their immediate or neighboring vicinity." ⁴⁵

These, peace zones were also able to start "explor(ing) the space for addressing the roots of the armed conflict on the local level through the pursuit of a local development agenda on their own terms." ⁴⁶

For instance, the Coalition pointed to the infrastructure projects in Sagada by Government and NGOs and to efforts for the delineation of the ancestral domain in Tabuk. It is precisely this, however, which raised the NDF's suspicion about the motives of peace zone proponents. In the future, it would perhaps be advisable for NGOs to carry out their programs on their own, independently of any party — Government or NDF — especially in areas of conflict.

The Multisectoral Peace Advocates (MSPA), to which various church representatives, NGOs and people's organizations (POs) belong (including the CfP), asserted that peace zones, like limited ceasefires in disaster areas or during Christmas, are first and foremost humanitarian responses to conflict situations. They do not by themselves constitute peace. But they can help bring about peace. For communities weary of war, this is no small matter.

Moreover, to the NDF, the MSPA pointed out that

... the presence of peace zones can neither diminish nor obscure the fact that solutions to the problems you raise are

⁴⁵ CfP, "People-Initiated Ceasefires."

⁴⁶ *Ibid.*

national in scope and character. We say this with certainty because when such problems are raised at the community level, local officials invariably point to the national government for the answer. ⁴⁷

Whether peace zones are effective as an alternative mechanism of conflict resolution is a separate subject altogether. ⁴⁸ Preliminary accounts tend to suggest that as long as the initiatives emanate from local communities *in areas of conflict*, and people are sufficiently organized, these zones can provide, as a minimum measure, some relief from war.

Peace Agenda and Peace Building

The emergence and continued growth of churches, nongovernment organizations (NGOs) and political organizations working for a resumption of talks have been the most positive development in the peace process. The National Council of Churches in the Philippines and the Catholic Bishops Conference of the Philippines issued separate statements on peace with identical titles: "Seek Peace and Pursue It." ⁴⁹

Upon the prodding of some peace advocates and church people, and in the midst of war, President Corazon C. Aquino declared the period 1990-2000 the Decade of Peace. In it she said: "... the peace we seek is not just an absence of conflict, but we seek peace through an authentic Development with Justice, whose fruits benefit all, and which shall form the foundation of a true and lasting peace." ⁵⁰

⁴⁷ Senator Wigberto E. Tanada and M.S. Diokno, Letter to the NDF, 21 December 1990.

⁴⁸ Professors Cecilia Conaco and Zosimo Lee studied the peace zones in the context of conflict resolution.

⁴⁹ National Council of Churches in the Philippines, "Seek Peace and Pursue It," 13 October 1989; Catholic Bishops Conference of the Philippines, "Seek Peace, Pursue It," 31 January 1990.

⁵⁰ Proclamation No. 487-A, "Declaring the Period from 1990 to 2000 as the Decade of Peace," 26 December 1989.

This declaration became the backdrop of renewed efforts among NGOs and people's organizations to press for negotiations between Government and armed opposition parties. In general the goals of peace advocates were and continue to be as follows:

- ☐ to develop an agenda for peace;
- ☐ to build a peace constituency; and
- ☐ to work for another round of negotiations.

The first objective was achieved through two major peace initiatives: the National Peace Conference and the People's Caucus, both loose multisectoral coalitions which held their respective consultations in late 1990 in order to come up with a peace agenda. Both defined peace in the context of justice and agreed on basically all issues — especially the most contentious ones — such as agrarian reform, the US bases and the external debt. The highlights of their agenda are presented in Annex E.

These initiatives were of immense value to the peace process because of their emphasis on social justice as the overriding framework for peace and the consensus arrived at by a broad cross section of Filipino society on the peace question.

In October 1990 the Multisectoral Peace Advocates (MSPA) presented their peace framework which called for direct national level talks between the Government and not only the National Democratic Front (NDF) but also other armed groups. The fundamental premises of the MSPA proposal were as follows:

- ☐ people outside of the parties in conflict expect to participate in the peace process;
- ☐ their participation would be multisectoral and dialogical, aimed at both the Government and the various armed groups in the country; and
- ☐ the contribution of NGOs and people's organizations would derive from their vision and agenda for peace,

their willingness to face the contending parties, and their commitment to the peace process.⁵¹

The peace advocates further envisioned the process in four stages:

- ☐ confidence-building measures;
- ☐ discreet, informal, exploratory talks;
- ☐ formal bilateral talks at the national level; and
- ☐ agreements to resolve the conflict.

Drawing upon past experience, the MSPA also suggested that Government keep an open mind with respect to a foreign venue for the talks. This would, at one go, avoid the possibility of another media battle and answer the security needs of the NDF. While it is true that the NDF could gain international mileage and recognition if negotiations were held abroad, so could Government enhance its international standing if it handled the talks correctly. The MSPA did not envision any foreign mediators in the peace process.

The NDF reacted negatively to the MSPA proposal, citing five problem areas:⁵²

- ☐ the holding of multilateral talks among various armed parties;
- ☐ the Constitution as the basis of the talks;
- ☐ local dialogues and zones of peace;
- ☐ the NPA's integration into the AFP; and
- ☐ people's participation in the peace process.

The NDF objected to multilateral negotiations for all the armed organizations opposed to Government since they differ from each other. The MSPA proposal, however, spoke not of multilateral talks but of separate bilateral talks between Government and each

⁵¹ MSPA Framework for a Peace Agenda and Process, 5 October 1990, revised 25 January 1991.

⁵² NDF Letter to Senator Wigberto E. Tanada and Other Members of the Multisectoral Peace Advocates, 5 November 1990.

party to the conflict. Also, the MSPA neither implied nor stated that the Constitution should serve as the framework of the talks. To remedy the problem of NPA integration into the AFP, the MSPA used the term "disposition of the armed forces."

The MSPA's suggestion to include people outside of the parties in conflict in the peace process was particularly offensive to the NDF for it (according to the NDF) implicitly questioned the movement's popular following. The NDF insisted that its proposals had a popular basis and that, therefore, there was no need for people to participate in the talks.

By suggesting that people take part in the peace process, however, the MSPA had in mind persons and groups who were not NDF members but who could meaningfully contribute to facilitating the process. "Surely," the advocates averred, "proposals for the resolution of the conflict are not always the product of sheer number alone, though whatever solutions may be reached will undoubtedly require the broadest popular support in order to be successful."⁵³

The matter of peace zones remains to this day an area of disagreement between the NDF and peace advocates.

As for Government, members of Cabinet Cluster E (see next section) simply dismissed the MSPA framework as a rehashed version of the NDF proposal.

Cabinet Cluster E

On July 25, 1990, through the initiative of Senator Wigberto Tanada, seventeen senators signed a resolution calling for "a nationwide ceasefire by all contending rebel and insurgent militarist forces ... to facilitate a national agenda for reconstruction, reconciliation and

⁵³ Tanada and Diokno, Letter to the NDF.

renewal with the active participation of religious, cause-oriented and other peace organizations." ⁵⁴ In the House of Representatives, a similar resolution was filed by Congressman Oscar Santos. ⁵⁵

On July 31, 1990, Sen. Tanada wrote President Corazon C. Aquino pursuant to the Senate resolution and on behalf of the peace advocates. ⁵⁶ The President then referred his letter to Cabinet Cluster E (CCE), ⁵⁷ which handled security and political affairs and consisted, among others, of the Secretaries of Justice, Defense, Local Government, Press and the National Security Adviser. The AFP chief of staff and the Peace Commission also attended the MSPA-CCE meetings. (Notably the head of the Peace Commission, Health Secretary Alfredo Bengzon, never attended a meeting.)

The first meeting took place in September 1990 and the last, in March the following year. Nine meetings were held, a summary of which is provided in Annex F. The differences between the Government and the peace advocates emerged early on in the dialogue and persisted throughout the discussions.

- The advocates battled for negotiation as the path to peace, whereas the Government pushed for the surrender of the NPA as the necessary ingredient of the peace process.

⁵⁴ Senator Wigberto E. Tanada, *et al.*, Senate Resolution No. 891, "Urging President Aquino to call for a nationwide ceasefire by all contending rebel and insurgent militarist forces, notably the NDF/CPP/NPA, RAM-SFP, YOU, MNLF and to facilitate a national agenda for reconstruction, reconciliation and renewal with the active participation of religious, cause-oriented and other peace organizations," 25 July 1990.

⁵⁵ Congressman Oscar Santos, Proposed House Resolution No. 1817, "Urging President Aquino to call for a nationwide ceasefire by all contending rebel and insurgent militarist forces, notably the NDF/CPP/NPA, RAM-SFP, YOU, MNLF and to facilitate a national agenda for reconstruction, reconciliation and renewal with the active participation of religious, cause-oriented and other peace organizations," 23 July 1990.

⁵⁶ Sen. Tanada, Letter to President Aquino, 31 July 1990.

⁵⁷ Pres. Aquino, Letter to Sen. Tanada, 2 August 1990.

- ❑ The advocates believed fundamental issues had to be addressed in the talks while the Government viewed such agenda as mere reiterations of the NDF program.
- ❑ The advocates maintained that the top civilian leadership of the Government — not the defense establishment — should play the decisive role in the peace process for the Government. It had become evident during the meetings that civilian officials deferred to the military, whose views consequently prevailed.
- ❑ The advocates recommended bilateral negotiations at the national level, while the Government preferred to talk at the local level.

GRP Peace Agenda

In October 1990, the Government presented its peace agenda to the Multisectoral Peace Advocates (MSPA). The general principles which would govern the peace process were as follows: ⁵⁸

- ❑ supremacy of the Constitution as the "basis for national peace and progress;"
- ❑ existence of "only ... one authorized and recognized armed forces (*sic*) of the country;"
- ❑ renunciation by the NDF of the "use of force and violence to achieve political ends;" and
- ❑ importance of peace to the well-being of the people and the resolution of the "current internal conflict ... through a peace process."

⁵⁸ GRP, "A General Framework for a Peace Process," 1 October 1990.

The GRP agenda itself addressed mainly the military aspects of the war:

- ☐ mutually agreed upon suspension of hostilities;
- ☐ amnesty for insurgents;
- ☐ laying down of arms by the NPA;
- ☐ disbandment of the NPA;
- ☐ return of insurgents to peaceful life;
- ☐ assistance to and protection of returnees;
- ☐ legalization of the CPP; and
- ☐ treatment of NPA "holdouts."

To address "complementary programs designed to minimize the root causes of insurgency over a period of time and within the resources available to the nation," the Government suggested the following:

- ☐ promotion of reconciliation and national unity;
- ☐ establishment of cooperative endeavors; and
- ☐ "other meaningful" programs.⁵⁹

The peace advocates disagreed with the Government's framework. Why talk if one party has surrendered to the other? This framework, moreover, stressed the military components of the conflict — an expected outcome since the agenda was prepared not by the Peace Commission nor civilian agencies but by the Department of National Defense.

From another point of view, it seemed as if the Government had learned little from its first experience at negotiations. By repeating the conditions it had set before — which had failed — the Government prescribed its own recipe for failure.

Because no agenda could be agreed upon, the MSPA suggested a more limited accord on the conduct of armed parties, particularly

⁵⁹ *Ibid.*

with respect to noncombatants. For this purpose, the peace advocates presented a proposal to respect and protect civilians in conflict situations.⁶⁰

The proposal was ignored by Cabinet Cluster E although later, the AFP issued an order commanding its forces to observe humanitarian law.⁶¹

The Government, it appeared, was not willing to sign an agreement *with* the NDF but was prepared to issue its own instructions regarding the matter. The irony was that both the Government and the NDF cited provisions of humanitarian law in their respective proposals. (See Annex G for a comparison of their proposals.)

NDF Peace Agenda

The NDF proposal on human rights and the conduct of the war constituted what it called the "minimum" subject of future peace talks. Its larger agenda, however, included

- ☐ socioeconomic reforms (*e.g.* agrarian and urban land reform, industrialization, foreign debt);
- ☐ political, constitutional and electoral reforms; and
- ☐ ending of hostilities and disposition of the armed forces (including mechanisms to implement reforms and the cessation of hostilities).⁶²

⁶⁰ MSPA Proposal on a Code of Conduct for War, December 1990.

⁶¹ Joint Circular No. 2-91, "Providing Implementing Guidelines re: Presidential Memorandum Order No. 393 dtd September 9, 1991, Directing the Armed Forces of the Philippines (AFP) and Philippine National Police (PNP) to Reaffirm their Adherence to the Principles of Humanitarian and Human Rights in the Conduct of Security/Police Operations," no date.

⁶² Luis Jalandoni, "Sovereignty and Peace: Options and Alternatives of the Philippine Revolutionary Movement," 17 November 1990.

The specific items under each broad heading spanned nearly every issue of national concern. It is therefore not surprising that the Government balked at the NDF agenda. Fundamentally, the Government objected to the NDF agenda for reasons explained by Defense Secretary Fidel V. Ramos:

Unfortunately, the NDF position in the current discussions on the framework for peace process is far from being conciliatory. While the Government has in context proposed rehabilitation of the insurgents — suspension of hostilities, amnesty, disarming and disbanding the NPA, livelihood assistance and protection of the insurgents returnees and even possible legalization of the CPP — the NDF proposals bear directly on political governance which is the sole and exclusive prerogative of the duly constituted government — removal of US bases, abandonment of the Government's economic program, implementation of a "genuine land reform," protection of human rights, environmental protection, granting "genuine autonomy to cultural communities, relief from economic crisis and others." ⁶³

Nothing could be farther apart than the positions juxtaposed above. Furthermore, the NDF's attempts to acquire belligerency status discouraged the Government from seriously pursuing the possibility of peace talks. Although the NDF dropped its old (1986) proposal for a coalition government in its 1990 peace agenda, its insistence on such recognition became a stumbling block to the peace process.

In 1990 and 1991, quiet meetings were held between unofficial Government emissaries and NDF international representatives. These meetings took place abroad but were never officially admitted by President Corazon C. Aquino. In one meeting, the NDF presented its agenda to Government representatives, particularly its proposal on

⁶³ Defense Secretary Fidel V. Ramos, Statement in a dialogue of local government officials, AFP-PNP personnel and concerned citizens, Bondoc Peninsula, Quezon, 15 January 1991.

human rights and humanitarian law. The discussions that ensued differed little from the arguments previously raised in the 1986-87 talks.

As the Aquino administration neared its end, many hoped the President would once again answer the call of history and boldly undertake peace negotiations. She had, in the view of the peace advocates, little to lose and much to gain. But she chose not to. Before stepping down from office, President Aquino returned to the University of the Philippines (UP) — where six years ago she had unveiled her peace policy — to render an account of her administration.

My basic reason for the talks was that while we were talking, we wouldn't be killing each other. A deeper reason was my sense that — timed for Christmas — the talks would soften the rebel resolve. Few who tasted peace in its preeminent season could stomach war again, even if reasons for it still existed in their minds.

*A deeper reason was my belief that if the talks failed through no fault of my own, I would acquire the moral ascendancy to wage a proper war.*⁶⁴

The President blamed the Left and the Right for the failure of the talks. "Their survival depended on it," she said, "so fail the talks did."⁶⁵ Early on in her term, President Aquino, was perceived by the Reform the Armed Forces Movement (RAM) as being soft on the communists. A possible rapprochement with the NDF thus tended to confirm their image of the President. Indeed the talks in 1986 were almost interrupted by a coup attempt in November.

On the other hand, questions about the NDF's sincerity persisted. In particular, it was not clear whether the movement had entered into the talks for merely tactical rather than strategic reasons.

⁶⁴ President Corazon C. Aquino, "Reflections on our Democracy," in *The Aquino Administration: Record and Legacy* (1986-1992), UP Press, 1992, p. 6.

⁶⁵ *Ibid.*

Evidently, the NDF would have been hard put to refuse President Aquino's offer of peace talks in 1986. But having accepted the offer, the question was how and how far to proceed.

President Aquino was therefore correct in her assessment, *in part*. But the other part of the blame fell upon her government.

The paradox of 1992 is that the official most outspokenly opposed to peace talks, Defense Secretary Fidel V. Ramos — now President — declared that in his first one hundred days of office, he would push for peace talks. That story has yet to unfold before it can be told.

BIBLIOGRAPHY

I. PRIMARY SOURCES

A. Agreements and Draft Ceasefire Guidelines (1986 Talks)

De Villa, General Renato. Memorandum for GRP-NDF Panels on Initial Implementing Guidelines on the Preliminary Ceasefire Agreement, 5 January 1987.

Fortich, Bishop Antonio, Irene Cortes and Augusto Almeda-Lopez. "Initial Implementing Guidelines on the Preliminary Ceasefire Agreement (Neutral Members' Draft)," 27 December 1986.

Government of the Republic of the Philippines (GRP). Draft Memorandum of Agreement on Safety and Immunity Guarantees, 26 September 1986.

GRP-NDF (National Democratic Front). Amendments to Annex C of Memorandum of Agreement on Safety and Immunity Guarantees and Physical Centers and Facilities, 10 December 1986.

GRP-NDF. Memorandum of Agreement on a Preliminary Ceasefire, including Reference to Minutes, 27 November 1986.

GRP-NDF. Memorandum of Agreement on Safety and Immunity Guarantees and Physical Centers and Facilities, including Reference to Minutes, 27 November 1986.

GRP-NDF. "On the Question of an Immediate Ceasefire," 6 September 1986.

NDF. Draft Memorandum of Agreement on Safety and Immunity Guarantees, 15 August 1986.

_____. "NDF Comments on the Draft Guidelines: Preliminary Statement," 15 January 1987.

_____. "NDF Suggested Guidelines on Critical Points," 11 December 1986.

B. Official Documents

Administrative Order No. 30, "Defining the Systematic Approach and the Administrative Framework for the Government's Peace Efforts," 11 August 1987.

Aquino, Corazon C. Commencement Address at the University of the Philippines (UP), 20 April 1986.

_____. Letter to Senator Wigberto E. Tañada, 2 August 1991.

_____. "Reflections on our Democracy," *The Aquino Administration: Record and Legacy (1986-1992)*, UP Press, 1992, p. 6.

Bengzon, Alfredo R. "Now that we have freedom, let us seek peace," Club Filipino, 20 August 1987.

Codera, Commissioner Isidro O. Memorandum to Armed Forces of the Philippines (AFP) Inspector-General, "Clearance from CHR," 10 April 1991.

Commission on Human Rights (CHR). Guidelines on Visitation and the Conduct of Investigation, Arrest, Detention and Related Operations, 6 May 1988.

_____. Resolution No. A91-039, "Human rights clearance of AFP and Philippine Constabulary/Integrated National Police (PC/INP) personnel recommended for promotion," 20 September 1991.

_____. Statement on Human Rights, 6 May 1988.

Confidential Report, 8 July 1987.

Cunanan, Rear Admiral (ret.) Carlito Y. Memorandum to AFP Chief of

Staff on clearance from CHR, 4 April 1991.

De Villa, Gen. Renato. Memorandum to Major Service and Area Commanders, "Facilitating Delivery of Goods and Services to the Countryside," 22 September 1990.

_____. Memorandum to Major Service and Area Commanders, "Guidelines on Human Rights and Improvement of Discipline in the AFP," 2 January 1989.

_____. Memorandum to Major Service and Area Commanders, "Safety of Innocent Civilians and Treatment of the Wounded and Dead," 6 September 1989.

Departments of Foreign Affairs, Justice, Interior and Local Governments, National Defense and Health; Philippine National Police; Philippine Alliance of Human Rights Advocates; and Medical Action Group (MAG). Memorandum of Agreement on delivery of health services and medical missions by MAG, 10 December 1990.

Department of National Defense (DND), Armed Forces of the Philippines (AFP), National Police Commission, Philippine Constabulary/Integrated National Police (PC/INP). Joint Declaration of Undertaking, 6 May 1988.

DND-DILG. Joint Circular No 2-91, "Providing Implementing Guidelines re: Presidential Memorandum Order No. 393 dtd September 9, 1991 Directing the Armed Forces of the Philippines and Philippine National Police to Reaffirm their Adherence to the Principles of Humanitarian Law and Human Rights in the Conduct of Security/Police Operations," no date.

Diokno, Jose W. Letter to the GRP and NDF panels, 6 January 1987.

_____. "Meaning of Safe Conduct," 21 July 1986.

Garcia, Ramon Y. Letter to Bernadette M. Gavino, Naga City, 28 February 1989.

GRP (Cabinet Cluster E). "A General Framework for a Peace Process," 1 October 1990.

GRP Panel. Letter to NDF panel, 3 January 1987.

_____. Peace Agenda, 23 December 1986.

GRP Peace Secretariat. "Arriving at a People's Agenda" (draft), January 1987.

Guingona, Teofisto Jr. Memorandum for the President, "Proposed Organization and Requirements of the Secretariat of the Government Negotiating Panel for the Peace Talks," 2 December 1986.

Guingona, Teofisto Jr. and Ramon Mitra. Letter to NDF panel, 14 November 1986.

Magno, Jose Jr. Draft Memorandum to the President, "Constituting the Secretariat of the Government Negotiating Panel for Ceasefire and Peace Negotiations with the National Democratic Front," 24 November 1986.

Ministry of Justice. Circular No. 20, "Guidelines Relative to Criminal Cases Involving Political Prisoners/ Detainees," 29 August 1986.

Office of the Peace Commissioner. Handouts prepared for the National Conference on Children in Situations of Armed Conflict: Children as Zones of Peace, Alabang, 15-19 December 1991.

_____. Information Kit, February 1991.

PC/INP. "Special Permit to Carry Firearms" (draft), no date.

Presidential Human Rights Committee. Guidelines on Visitation of Detainees by Private Physicians and Other Health Personnel, 10 December 1986.

_____. Resolution No. 91-001, "A Resolution Providing for Guidelines on Evacuation," 26 March 1991.

Presidential Memorandum Circular No. 139, "Prescribing the Guidelines for the Implementation of Memorandum Order No. 398 dated September 26, 1991," 19 November 1991.

Presidential Memorandum Order No. 393, "Directing the Armed Forces of the Philippines and the Philippine National Police to Reaffirm their Adherence to the Principles of Humanitarian and Human Rights in the Conduct of Security/Police Operations," 9 September 1991.

Presidential Memorandum Order No. 398, "Providing for a Policy and Guidelines on the Delivery of Goods and Services in the Countryside," 26 September 1991.

Proclamation No. 487-A, "Declaring the Period from 1990 to 2000 as the Decade of Peace," 26 December 1989.

Pulido, Rufo R. "Comments, Reactions and Positions of the Camarines Sur Constabulary/Integrated National Police Command to the Proposal of the Hearts of Peace (HOPE) to Make Naga City a Permanent Zone of Peace, Freedom and Neutrality (ZOPFAN)," no date.

Ramos, Fidel V. Question and Answer before the House of Representatives, *House Journal* No. 39, 29 September 1989.

_____. Statement in dialogue of local government officials, AFP-PNP personnel and concerned citizens, Bondoc Peninsula, Quezon, 15 January 1991.

"Report on the Sectoral Dialogue for Peace held in Iligan City, Lanao del Norte, on May 17, 1987."

Santos, Congressman Oscar. House Resolution No. 1817, "Urging President Aquino to call for a nationwide ceasefire by all contending rebel and insurgent militarist forces, notably the NDF/CPP/NPA, RAM/SFP, YOU, MNLF and to facilitate a national agenda for reconstruction, reconciliation and renewal with the active participation of religious, cause-oriented and other peace organizations," 23 July 1990.

Tañada, Senator Wigberto E. Letter to President Aquino, 31 July 1990.

_____. *et al.* Senate Resolution No. 891, "Urging President Aquino to call for a nationwide ceasefire by all contending rebel and insurgent militarist forces, notably the NDF/CPP/NPA, RAM/SFP, YOU, MNLF and to facilitate a national agenda for reconstruction, reconciliation and renewal with the active participation of religious, cause-oriented and other peace organizations," 25 July 1990.

Yap, Congressman Jose V. Press statement, 3 October 1990.

C. M. S. Diokno's Transcripts and Notes of Meetings

Notes on GRP-NDF meeting, 1 November 1986.

Notes on GRP-NDF meeting, 5 November 1986.

Notes on GRP-NDF meeting, 10 November 1986.

Notes on GRP-NDF meeting, 25 November 1986.

Notes on GRP-NDF meeting, 26 November 1986.

Notes on GRP-NDF meeting, 5 December 1986.

Notes on GRP-NDF meeting, 9 December 1986, 7:30 a.m.

Notes on GRP-NDF meeting, 9 December 1986, 7:30 p.m.

Notes on meeting of GRP panel and military and defense officials,
3 November 1986.

Notes on meeting of GRP panel and military, 13 November 1986.

Notes on meeting of GRP panel and military, 4 December 1986.

Notes on meeting of Multisectoral Peace Advocates (MSPA) and the NDF,
9 April 1991.

Notes on MSPA-CCE meeting, 1 September 1990.

Notes on MSPA-CCE meeting, 5 September 1990.

Notes on MSPA-CCE meeting, 12 September 1990.

Notes on MSPA-CCE meeting, 19 September 1990.

Notes on MSPA-CCE meeting, 28 September 1990.

Notes on MSPA-CCE meeting, 26 October 1990.

Notes on MSPA-CCE meeting, 21 November 1990.

Notes on MSPA-CCE meeting, 12 December 1990.

Notes on MSPA-CCE meeting, 6 March 1991.

Transcript of GRP-NDF meeting, 13 December 1986.

Transcript of GRP-NDF meeting, 6 January 1987.

Transcript of GRP-NDF meeting, 15 January 1987.

Transcript of GRP-NDF meeting, 22 January 1987.

Transcript of National Ceasefire Committee (NCC) meeting,
22 December 1986.

Transcript of NCC meeting, 23 December 1986.

Transcript of NCC meeting, 12 January 1987.

Transcript of NCC meeting, 22 January 1987.

Transcript of NCC meeting, 27 December 1986.

D. NDF Documents

Aide Memoire No. 1 to the Government of the Philippines, 12 June 1986.

Aide Memoire "On the First Informal Meeting of the Negotiating Panels of the National Democratic Front and the Aquino Government, 5 August 1986, in Metro Manila."

Briefing Paper on GRP-NDF meeting, 5 August 1986.

Briefing Paper on GRP-NDF meeting, 1 September 1986.

Central Luzon. "NDF-CL assails government proposal for local peace talks," 3 July 1991.

"Chronology of Important Events Related to Peace Process 1986-1990," *Peace Proposal*, November 1990.

Cordillera People's Democratic Front Provisional Council and New People's Army (NPA) Chadli Molintas Command. "Once more on the Question of Peace: On the Proposal for the Demilitarization of Sagada," 30 January 1989.

Critique of Some Proposed Peace Frameworks: "Framework for a Peace Agenda and Process by Multisectoral Peace Advocates (MSPA), October 5, 1990, with Critical Annotations, November 6, 1990."

Far South Mindanao Council. "NDF-Far South Mindanao Rejects Local Peace Talks," 28 September 1991.

International Office. "Hongkong Meeting Falls Below NDF's Expectations but Moves Peace Process Forward," *Peace Update*, 11 September 1991.

_____. "NDF presents peace agenda at Brussels Forum," 17 November 1990.

Jalandoni, Luis. "Sovereignty and Peace: Options and Alternatives of the Philippine Revolutionary Movement," 17 November 1990.

Letter to President Aquino, "NAFP Bad Faith and Fundamental Breach of the Ceasefire Agreement," 21 January 1987.

Letter to President Aquino, "Protest over premature issuance of ceasefire guidelines by the Chief of Staff, NAFP" (through the GRP panel), 20 December 1986.

Letter to President Aquino, (through the GRP negotiating panel), 7 December 1986.

Letter to GRP negotiating panel, 30 October 1986.

Letter to GRP negotiating panel, 14 November 1986.

Letter to GRP panel, "Initial Approach to the Substantive Negotiations towards Political Settlement," 6 January 1987.

Letter to GRP panel, "Proposal of the National Democratic Front for a Negotiated Political Settlement," 23 December 1986.

Letter to Sen. Tanada and other members of the MSPA, 5 November 1990.

Letter to Teresita Q. Deles, 11 April 1988.

Melito Glor Command. Memorandum No. 8806-03, "NPA Policy Towards Prisoners of War," 18 June 1988.

_____. "Sagot sa alok na localized peace at ceasefire negotiations," 13 October 1991.

National Council. "Message to the Advocates of a Just Peace," 5 October 1990.

National Executive Committee. "In reply to Drilon, *et al.*," 29 June 1992.

_____. "NDF calls nationwide ceasefire effective midnight tonight," 11 September 1991.

_____. "NDF declaration ending its unilateral ceasefire," 21 September 1991.

_____. "NDF Statement on the Bases Issue," 8 May 1991.

"NDF Declares Openness to a Ceasefire," *Balita ng Malayang Pilipinas*, 31 March 1986.

"Peace Zones' — Anti-People and Counter-Revolutionary Scheme," *Ang Bayan*, September 1990.

Press release, 2 October 1986.

Proposal Towards A Draft Agreement on Respect for Human Rights and International Humanitarian Law, June 1991.

"Tried and Found Wanting: Why the 'peace zone' in Sagada failed," *Liberation*, September-October 1990.

Visayas Secretariat. "NDF Visayas Rejects Localized Peace Talks," 12 July 1991.

E. Documents of Nongovernmental Organizations and Churches

Cariño, Dr. Feliciano. "A Brief on the concern of the National Council of Churches in the Philippines for Peace and the NCCP Peace Program," 6 July 1990.

Catholic Bishops' Conference of the Philippines. "Seek Peace, Pursue It," 31 January 1990.

Coalition for Peace. Letter to NDF, 24 March 1988.

_____. "LGU Responses to People's Peace Zone Initiatives," Paper presented at the Dialogues with the League of Governors, Development Academy of the Philippines, 27 December 1989.

_____. "Peace Zones in Schools: Preliminary Notes," July 1991.

_____. "People-Initiated Ceasefires: Peace Zones," October 1990.

Diokno, Ma. Serena and Sen. Wigberto E. Tanada. Letter to the NDF, 21 December 1990.

Ecumenical Bishops Forum and Ecumenical Forum for Church Response. Church Unity Congress, 11 July 1990.

Gaston Z. Ortigas Peace Institute. *Peace Zones Primer*, 1991.

MSPA. Draft Memorandum on the Adoption of the Principles of Humanitarian Law and Human Rights in the Conduct of Armed Hostilities, 5 December 1991.

_____. Framework for a Peace Agenda and Process, 5 October 1990, revised 25 January 1991.

National Council of Churches in the Philippines. Resolutions passed during the 14th Biennial General Convention, UP Diliman, 21-24 November 1989.

_____. "Seek Peace and Pursue It," 13 October 1989.

_____. "Spirit of Truth, Set Us Free," 4 March 1992.

National Peace Conference. "Call to Solidarity Action," Asian Institute of Management, 12-13 October 1991.

_____. Resolutions and Action Plans of Solidarity Workshops, Conference Report: I, 19-21 October 1990.

_____. "Updates on the Peace Agenda," *NPC Update*, 31 July 1991.

Peace Promotion and Monitoring Council. Letter to GRP panel, 21 January 1987.

Peace Secretariat. Draft Concept Paper, 24 January 1991.

_____. Summary of Events Beginning June 1991-March 1992.

Peace Vote Secretariat. "Peace Vote Campaign '92 Activity Report," 7 April 1992.

People's Caucus. Conference on National Unity, Survival and Reconstruction, UP Diliman, Quezon City, 13-14 October 1990.

_____. Executive Summary of the People's Agenda, Conference on National Unity, Survival and Reconstruction, UP Diliman, Quezon City, 13-14 October 1990.

_____. "The Role of the People's Caucus," no date.

Promotion of Church People's Rights. "Our Agenda for Peace," 14 September 1989.

Sin, Cardinal Jaime L. Letter to Sen. W. Tanada, 16 August 1990.

Supreme Council of Bishops, *Iglesia Filipina Independiente*. "An Open Letter to President Corazon C. Aquino and the National Democratic Front," 9 May 1991.

F. Others

European Parliament. Resolution on the continuing human rights violations in the Philippines, 12 July 1990.

_____. Resolution on the human rights situation in the Philippines, 12 December 1990.

Wilson, Joe. Letter to Luis Jalandoni, 6 March 1992.

II. SECONDARY SOURCES

A. Books and Journals

Adiseshiah, Malcolm S. "Peace Research," *Bulletin of Peace Proposals (BPP)* 4, 2 (1973): 112.

Alcock, Norman and Gernot Kohler. "An Empirical Table of Structural Violence," *Journal of Peace Research (JPR)* 13, 4 (1976): 343-356.

Angell, Robert *et al.* "Approaches to the Study of Social Conflict: Introduction by the Editors," *Journal of Conflict Resolution (JCR)* 1, 2 (1957): 105-110.

Barsegov, Yuri and Rustem Khairov. "A Study of the Problems of Peace," *JPR* 10, 1-2 (1973): 71-80.

Beck, Louise Doswald. "The Civilian in the Cross fire," *JPR* 24, 3 (1987): 251-262.

_____. *et al.* "Preface," *JPR* 24, 3 (1987): 213-214.

Blondel, Jean-Luc. "Getting Access to the Victims: Role and Activities of the ICRC," *JPR* 24, 3 (1987): 307-314.

Boulding, Elise. "Peace Research: Dialectics and Development," *JCR* 16, 4 (1972): 469-475.

Boulding Kenneth E. "Twelve Friendly Quarrels with Johan Galtung," *JPR* 14, 1 (1977): 75-86.

Brecher, Michael and Jonathan Wilkenfeld. *Crisis, Conflict and Instability*. Oxford, 1989.

Carroll, Berenice A. "Introduction: History and Peace Research," *JPR* 6, 4 (1969): 287-293.

- Chamberlain, Mary and Michael Stohl. "Alternative Futures for Peace Research," *JCR* 16, 4 (1972): 523-530.
- Chaudhri, Mohammed Ahsen. "Peace Research and the Developing Countries," *JPR* 5, 4 (1968): 365-374.
- Committee on Society, Development and Peace. "Peace Education," *BPP* 2, 2 (1971): 133.
- Coser, Lewis A. "The Termination of Conflict," *JCR* 5, 4 (1961): 347-353.
- Dahrendorf, Ralf. "Toward a Theory of Social Conflict," *JCR* 2, 2 (1958): 170-183.
- Dalen, Kjell Harald. "Meaning of Peace," *BPP* 3, 4 (1972): 335.
- Dasgupta, Sugata. "Peace Research," *BPP* 4, 2 (1973): 111.
- _____. "Peacelessness and Maldevelopment," *BPP* 5, 4 (1974): 346-347.
- Davies, Ruth, Barbara Munske and Paul Smoker (eds). *A Reader in Peace Studies*. Oxford, 1990.
- Durr, Olivier. "Humanitarian Law of Armed Conflict: Problems of Applicability," *JPR* 24, 3 (1987): 263-273.
- Eckhardt, William. "Peace Education," *BPP* 3, 1 (1972): 22.
- Eide, Asbjorn. "International Law, Dominance, and the Use of Force," *JPR* 11 (1974): 1-20.
- _____. "Peace Research," *BPP* 4, 2 (1973): 103.
- _____. "Schools in Peace Research," *BPP* 5, 4 (1974): 342-343.
- _____. *et al.* "Schools in Peace Research," *BPP* 7, 2 (1976): 146-147.

Everts, Philip. P. "Developments and Trends in Peace and Conflict Research, 1965-1971: A Survey of Institutions," *JCR* 16, 4 (1972): 477-510.

Falk, Richard A. and Samuel S. Kim (eds). *The War System: An Interdisciplinary Approach*. Colorado, 1980.

Fink, Clinton F. "Some Conceptual Difficulties in the Theory of Social Conflict," *JCR* 12, 4 (1968): 412-460.

Galtung, Johan. "Institutionalized Conflict Resolution," *JPR* 2, 4 (1965): 348-397.

_____. "Peace Research," *BPP* 3, 2 (1972): 101-102.

_____. "Peace Research and Human Needs," *BPP* 7, 2 (1976): 148-151.

_____. "Peace Teaching," *BPP* 2, 2 (1971): 126-127.

_____. "The Form of Peace Education," *BPP* 5, 3 (1974): 212.

_____. *The True Worlds: A Transnational Perspective*. New York, 1980.

_____. "Violence, Peace and Peace Research," *JPR* 6, 3 (1969): 167-191.

_____. "What a Challenging Issue Peace Education Is!," *BPP* 5, 3 (1974): 195-196.

_____. "What is a Good Peace Proposal?" *BPP* 2, 4 (1971): 291-294.

Gurr, Ted Robert and Mark Irving Lichbach. "The Conflict Process, A Formal Model," *JCR* 25, 1 (1981): 3-29.

Harle, Vilho. "Towards a Comparative Study of Peace Ideas: Goals, Approaches and Problems," *JPR* 26, 4 (1989): 341-351.

Hettne, Bjorn. "Peace and Development Contradictions and Compatibili-

- ties," *JPR* 20, 4 (1983): 329-342.
- Hoivik, Tord. "Peace Research and Science, A Discussion Paper," *JPR* 20, 3 (1983): 263-265.
- _____. "Peace Research and Social Science," *BPP* 2, 2 (1971): 187-189.
- _____. "Peace Research: the Rational and the Real," *BPP* 4, 2 (1973): 99-102.
- _____. "The Laws of Hunger," *BPP* 14, 3 (1983): 295-297.
- Hveem, Helge. "Peace Research," *BPP* 4, 2 (1973): 106-107.
- Irwin, Robert A. *Building a Peace System*. Washington D. C., 1988.
- Kende, Istvan. "The History of Peace: Concept and Organizations from the Late Middle Ages to the 1870s," *JPR* 26, 3 (1989): 233-247.
- Kim, Samuel S. "Global Violence and a Just World Order," *JPR* 21, 2 (1984): 181-192.
- Klineberg, Otto. "Peace Research," *BPP* 2, 2 (1971): 128-129.
- Krippendorff, Ekkehart. "Peace Research," *BPP* 4, 2 (1973): 114-115.
- Laszlo, Ervin and Jong Youl Yoo (eds). *World Encyclopedia of Peace*. 2 vols. Oxford, 1986.
- Mack, Andrew. "Peace Research," *BPP* 4, 2 (1973): 113.
- Mack, Raymond W. and Richard C. Snyder. "The Analysis of Social Conflict — Toward an Overview and Synthesis," *JCR* 1, 2 (1957): 212-248.
- Maranto, Robert. "Better to Fight Another Day: A Pre-Theory of Insurgent Coalitions," *JPR* 25, 2 (1988): 137-148.

-
- Mendlovitz, Saul H. and R. B. J. Walker. *Towards a Just World Peace*. London, 1987.
- Meurant, Jacques. "Inter Arma Caritas: Evolution and Nature of International Humanitarian Law," *JPR* 24, 3 (1987): 237-249.
- Mitchell, Chris R. "Evaluating Conflict," *JPR* 17, 1 (1980): 61-75.
- Moreillon, Jacques. "Contemporary Challenges to Humanitarian Law," *JPR* 24, 3 (1987): 215-218.
- Most, Benjamin A. and Harvey Starr. "Conceptualizing 'War'; Consequences for Theory and Research," *JCR* 27, 1 (1983): 137-159.
- Naess, Arne. "A Systematization of Gandhian Ethics of Conflict Resolution," *JCR* 2, 2 (1958): 140-155.
- "Peace Research," *BPP* 2, 2 (1971): 137.
- "Peace Research," *BPP* 3, 1 (1972): 26.
- Pope Paul VI. "Meaning of Peace," *BPP* 1, 2 (1970): 114.
- Rapoport, Anatol. "Applied Peace Research," *BPP* 2, 2 (1971): 138.
- Roling, Bert V. A. "Peace and Law," *BPP* 5, 4 (1974): 344-345.
- Rosas, Allan. "The Frontiers of International Humanitarian Law," *JPR* 24, 3 (1987): 219-236.
- Rummel, R. J. "Dimensions of Conflict Behavior Within Nations, 1946-59," *JCR* 10, 1 (1966): 65-73.
- Russet, Bruce M. "From Peace Research to Peace Action: Some Pertinent Ethical Questions," *BPP* 5, 4 (1974): 366-371.
- Schmid, Herman. "Peace Research and Politics," *JPR* 5, 3 (1968): 217-232.

Senghaas, Dieter. "Peace Policy," *BPP* 4, 2 (1973): 104-105.

_____. "Peace Research Priorities," *BPP* 5, 4 (1974): 351-352.

Shalom, Stephen Roskamm. "The Implications of the Pre-War Philippine Experience for Peace Research," *JPR* 26, 1 (1989): 19-31.

Skjelsbaek, Kjell. "Peace Research," *BPP* 4, 2 (1973): 110.

_____. "Peace Research in Action: A Rejoinder," *BPP* 5, 4 (1974): 372-376.

_____. "Value Systems and Peace Research," *BPP* 5, 1 (1974): 3-6.

Soroos, Marvin S. "Global Policy Studies and Peace Research," *JPR* 27, 2 (1990): 117-125.

Targ, Harry R. "Peace Research," *BPP* 4, 2 (1973): 116.

Tefft, Stanton K. "Structural Contradictions, War Traps and Peace," *JPR* 25, 2 (1988): 149-163.

Thee, Marek. "Scope and Priorities in Peace Research," *BPP* 14, 2 (1983): 203-208.

Walker, R. B. J. *One World, Many Worlds Struggles for a Just World Peace*. Colorado, 1988.

Wehr, Peter. "Peace Research and Action," *BPP* 3, 4 (1972): 337.

Weissbrodt, David. "Humanitarian Law in Armed Conflict: The Role of International Nongovernmental Organizations," *JPR* 24, 3 (1987): 297-306.

Wright, Quincy. "The Value for Conflict Resolution of a General Discipline of International Relations," *JCR* 1, 1 (1957): 3-8.

Young, Nigel. "Some Current Controversies in the New Peace Education: Debates and Perspectives," *BPP* 15, 2](1984): 103-109.

B. Newspapers

Conjuncture, May-August 1991.

Daily Globe, 14 September 1991; 1 October 1991; 3 October 1991; 16 October 1991; 6 March 1992; and 12 March 1992.

Manila Bulletin, 11 August 1986 and 20 December 1986.

Manila Chronicle, 18 February 1990.

Manila Standard, 8 October 1991 and 10 March 1992.

Philippine Daily Inquirer, 10 February 1987; 1 March 1987; 3 March 1987; 23 March 1987; 21 October 1987; 23 February 1989; 24 July 1989; 12 September 1990; 16 June 1991; 29 June 1991; 2 July 1991; 23 July 1991; 10 August 1991; 9 September 1991; 4 October 1991; 31 October 1991; 5 March 1992; and 13 March 1992.

Philippine News and Features, 23 November 1991.

ANNEX A
Chronology of Preliminary and Formal Talks
May 1986 - January 1987

<u>Date of Meeting</u>	<u>Topic/Issue</u>
May 1986	Identities and composition of negotiating parties/Procedural matters
06 June 1986	NDF's request to hold back announcement of parties' representatives to talks
21 July 1986	J. W. Diokno's clarification of the meaning of "safe conduct"
05 August 1986	GRP's proposal for immediate ceasefire NDF's suggestions on conduct of preliminary talks and the granting of safety and immunity to the NDF panel/Objectives of talks
01 September 1986	NDF's draft proposal on Safety and Immunity Guarantees (SIG)/GRP's proposal for a 30-day ceasefire
06 September 1986	NDF's draft proposal on the SIG/ GRP's reiteration of its 30-day ceasefire proposal Issuance of first joint statement
16 September 1986	Comparison of the GRP and NDF drafts on the SIG
01 November 1986	Waivers and immunities under the SIG proposal

Chronology of Preliminary and Formal Talks (continued)

<u>Date of Meeting</u>	<u>Topic/Issue</u>
05 November 1986	Finalization of the SIG agreement NDF's criticism on manner of SIG proposal formulation GRP's response to NDF criticism on manner of SIG proposal formulation GRP's proposal on a preliminary ceasefire
10 November 1986	Draft of the preliminary ceasefire agreement
25 November 1986	Draft of the preliminary ceasefire agreement
26 November 1986	Finalization of the preliminary ceasefire agreement
27 November 1986	Signing of agreements
05 December 1986	Manner of identification of NDF forces Annex C on the safe conduct pass Composition of the ceasefire committees Reports of pre-ceasefire military buildup operations
09 December 1986	Population centers Patrols Amendment to Annex C Case of Rodolfo Salas
10 December 1986	Amendment on Annex C in the safe conduct pass (Annex C) Start of ceasefire

Chronology of Preliminary and Formal Talks (continued)

<u>Date of Meeting</u>	<u>Topic/Issue</u>
13 December 1986	NPA display of arms in Samal, Bataan on 11 December Anti-government graffiti in Metro Manila NDF's accusation of AFP support for <i>Alsa Masa</i> Display of NDF flag at SAAC on 10 December News report of Ramos's issuance of ceasefire guidelines
23 December 1986	Exchange of respective agenda for substantive discussions
06 January 1987	NDF's human rights proposals based on letter of 6 January J. W. Diokno's peace framework
13 January 1987	GRP's response to the human rights proposals of NDF
15 January 1987	Application of majority rule in NCC-formulated guidelines on ceasefire Controversial sections of the guidelines GRP's proposal for division of panels into technical working groups
22 January 1987	NDF's accusation of bad faith on the part of AFP NDF's call for suspension of talks NDF's rejection of ceasefire guidelines Danger to the lives of panel members Release of Salas

ANNEX B

Comparison of the GRP and NDF Drafts of Memorandum of Agreement on Safety and Immunity Guarantees and Physical Centers and Facilities

GRP	NDF	Comments
Introduction	Item 1 (Parties)	The NDF Proposal does not include the name of Guingona as GRP negotiator, while the GRP proposal adds CPP/NPA after the names of NDF negotiators Ocampo and Zumel.
	Items 2 (Subjects), 3 (Purpose) and 4 (Authorizations)	No corresponding items in the GRP proposal.
Item 1 (Venue)	Items 5 and 5.1 (Venue)	Items 1 (GRP) and 5 (NDF) are the same; Item 5.1 (NDF) elaborates the second line of Item 1 (GRP) by referring to conditions on safety and security and to areas under NDF control as possible meeting sites.
Item 2 (Offices and Residences)	Item 6 (Headquarters)	The GRP proposal makes no mention of headquarters, preferring to call them offices. Both proposals provide offices and residences with safety guarantees, but the NDF adds "other privileges and courtesies normally accorded by law to a negotiating panel in peace talks."

Comparison of the GRP and NDF Drafts (continued)

GRP	NDF	Comments
Item 3 (Conference Site and Secretariat)	Item 7 (Conference Site and Secretariat)	The same
Item 4 (Hiring of Consultants/Staff)	Item 8 (Hiring of Consultants/Staff)	Essentially the same, except that the NDF adds that hiring be done at each side's expense.
Item 5 (Immunity from Arrest): "During the ceasefire and/or peace talks, the government grants absolute, binding, permanent and irrevocable immunity from arrest and prosecution of those persons who will assist the NDF. As against any individual directly and actively involved in the ceasefire and/or peace talks, the government irrevocably waives its right to use any and all materials, information and data submitted at the ceasefire and/or peace talks, as evidence in any investigation or proceedings in which the rights of that individual may be impaired or placed in jeopardy."	Item 9 (Waivers and Immunities): "The GRP hereby grants absolute, binding, permanent and irrevocable immunity from arrest and prosecution of those persons who will assist the NDF during the peace talks as consultants, lawyers, staff persons or any other capacity including lessors, lenders and owners of houses, offices, buildings, motor vehicles and other properties for all acts performed or utterances made in connection with their duties relating to the peace talks regardless of whether their services are volunteered or remunerated. Whenever necessary or upon request of any interested party, similar immunities	Questions: (a) The NDF proposal does not clarify if the immunity would last for the duration of the peace talks only. (b) Does the immunity from arrest cover those acts or utterances made during the talks? What if the information that crops up in the course of the negotiation pertains and acts or plans that took place or are intended to happen — would the authors of these plans be immune from arrest? (c) The GRP Proposal is less specific on the coverage of individuals "directly involved" in the talks the NDF proposal refers specifically to lessors, lenders of cars, offices, etc.

Comparison of the GRP and NDF Drafts (continued)

GRP	NDF	Comments
Item 6 (Safe Conduct Passes)	shall be granted by the GRP to those who will work for the conference secretariat as well as those who will assist the GRP. The GRP likewise irrevocably waives its right to utilize any and all materials, information and data submitted to or produced in the course of the peace talks or emanating from the conference secretariat or from the offices and/or headquarters of both parties as evidence in any criminal, civil, administrative or quasi-judicial investigation or proceeding in which the rights of any individual may be impaired or placed in jeopardy." Items 10 to 10.4 (Security and Safety)	Item 10.1 of the NDF proposal is covered by Items 2, 4 and 5 of the GRP proposal. Both do not state the number of safe conduct passes that would be issued. The NDF wants passes to be in force during peace talks and "within a reasonable period afterwards."

Comparison of the GRP and NDF Drafts (continued)

GRP	NDF	Comments
		The GRP does not want passes to be transferable, as proposed by the NDF. Item 10.2.c (NDF) is covered by Item 6 (GRP). The NDF proposal (Item 10.2) gives the pass holder freedom from arrest and from the obligation to identify himself/herself or to give the purpose/destination of his/her trip, place of origin, "but shall be valid in any place or part of the country provided that the holder is performing duties and responsibilities related to the peace talks." Item 10.3 (NDF) is covered by Item 6 (GRP). Item 10.4 refers to each side's appointment of its respective chief security officers who will jointly coordinate and carry out safety provisions.

Comparison of the GRP and NDF Drafts (continued)

GRP	NDF	Comments
	Item 11 (Publication, Announcements and Registration)	No corresponding item in the GRP proposal.
Item 7 (Repeal of Inconsistent Laws)	Item 12 (Repeal of Inconsistent Regulations)	Essentially the same.
Item 8 (Good Faith)	Item 13 (Good Faith and Cooperation)	The NDF proposal makes reference to arriving at a "principled settlement of the political questions" and achieving "a lasting peace that is anchored on justice, democracy and genuine independence for the Filipino people."
		The GRP proposal call for both sides to desist from making statements that question the other side's good faith.
Item 9 (No Status of Belligerency) and provision on ceasefire committees		No corresponding items in the NDF proposal.

N.B. These drafts were the subject of discussion from September to November 1986 (preliminary talks).

Sources: GRP Draft MOA-SIG, 26 September 1986.
NDF Draft MOA-SIG, 15 August 1986.

ANNEX C
GRP/NDF Positions on the NCC Initial Implementing Guidelines
on the Preliminary Ceasefire Agreement
Using Neutral Members' Draft as Basis

Section	Neutral NCC Members	GRP Member	NDF Member
Section 3 Police and Security Patrols	3.1 Gov't patrols, arrests and seizures against criminality shall continue, excluding political crimes.	Same	3.1 Police and security patrols may be conducted by the GRP solely for peacekeeping or protection of the population against criminal elements.
	3.2 Police and security patrols shall not be conducted against the NDF. But an NDF member may be arrested for committing a criminal offense as defined in Sec. 3.1, after notifying the LCC.	Same	3.2 Neither the peacekeeping functions nor patrols of any kind shall be conducted by the GRP against the NDF/CPP/NPA.
	3.3 A citizen's arrest may be made in accordance with Rules of Court and the spirit/letter of the ceasefire agreement.	Same	3.6 No member of the NDF may be arrested, for political crimes as defined by existing statutes and the MOJ Circular No. 20, dated 29 August 1986. If an NDF member is alleged to have committed a crime and is arrested, the LCC shall be notified of the arrest. In case of doubt as to whether the crime is political or not, the LCC shall decide on the matter.
	3.4 Patrols are normally conducted by the PC/INP. But where inadequate, the AFP shall conduct patrols and give prior notice to the LCC.	Same	None
	3.5 Prior notice means the unit commander shall notify the LCC 15 days before the conduct of the patrol; and in case of reaction-type patrol, whenever practicable.	Same	3.3 Patrols shall be conducted by the PC/INP except in areas where they are inadequate. In such cases, patrols may be conducted by other units after prior notice to the LCC.
			3.4 Prior notice may cover a reasonable period of time depending on particular local conditions.

GRP/NDF Positions (continued)

Section	Neutral NCC Members	GRP Member	NDF Member
Section 3 Police and Security (cont.)	3.6 Routine patrol is a periodic visit in a unit's area of responsibility. Reaction-type patrol is a response to a call for assistance or to a report of a crime in a specified place.	Same	None
	3.7 The size and extent of patrols shall be commensurate to the peacekeeping problem in the area.	Same	3.5 The size and extent of patrols shall be commensurate to specific peace and order problems.
Section 4 Carrying of Firearms in Population Centers			The right of the GRP to carry arms shall be regulated by PD 1866 and AFP/INP rules. Authority of the NDF shall be governed by internal code of discipline. Both sides shall discipline the respective forces.
	4.1 NDF forces, when entering population centers, shall leave their firearms behind.	Same	NDF forces shall not carry firearms in population centers. Any violation is a hostile act and shall be referred to the ceasefire committee.
	4.2 Whenever armed GRP and NDF members, properly identified/identifiable, meet in rural areas, neither side should disarm the other/commit a hostile act.	Same	None
	4.3 A population center is a contiguous area which includes: 4.3.1 city proper; 4.3.2 town center or poblacion; 4.3.3 barangays outside cities and towns proper where large numbers of people live and/or conduct daily activities; provided that in barangays where NDF forces used to move about prior to 10 December,	Amended as follows: provided that as an exception, in barangays in rural areas where NDF used to move about and	A population center is a contiguous area which includes: -- city proper -- town center or poblacion; -- such other places which may be classified as such by the NCC or LCC taking into account: (a) existence of national, provincial or municipal roads;

GRP/NDF Positions (continued)

Section	Neutral NCC Members	GRP Member	NDF Member
	NDF elements may continue to carry arms provided they wear arm bands and give prior notice of the presence to the LCC, the local AFP or INP commander in the area. If questioned, the LCC shall rule on matter.	openly carry their arms prior to 10 December, NDF elements may continue to carry arms provided they wear arm bands and coordinate and give prior notice of presence to the LCC and the local AFP or INP commander in the area.	(b) whether or not it is a rural area in which the NDF operated or moved about prior to 10 December; (c) avoidance of armed confrontation.
Section 4 Carrying of Firearms in Population Centers	4.4 In case an area is questioned as a population center, the LCC shall rule taking into account: 4.4.1 existence of national, provincial or municipal roads; 4.4.2 whether or not it is a rural area in which the NDF moved about before 10 December; and 4.4.3 avoidance of armed confrontation.	Amended as follows: 4.4.2 whether or not it is a rural area in which the NDF moved about and openly carried arms before 10 December;	See above
Section 2.2 Wearing of Uniforms by NDF Members	2.2 NDF members shall not wear uniforms identical with or similar to those of the AFP/INP. The NDF shall not wear khaki fatigue or camouflage uniform as a complete outfit.	Same	None

Sources: NCC Neutral Members, (Draft) "Initial Implementing Guidelines on the Preliminary Ceasefire Agreement," 27 December 1986.
 Gen. Renato de Villa, Memorandum for GRP-NDF Panels on the Initial Implementing Guidelines on the Preliminary Ceasefire Agreement, 5 January 1987.
 NDF "Comments on the Draft Guidelines: Preliminary Statement," 15 January 1987.

ANNEX D

Chronology of Events Related to the GRP-NDF Peace Process, January 1987 - April 1992

Date	GRP	NDF	NGOs/POs	International Organizations
23 Jan 87	President Aquino instructs GRP panel to pursue regional talks; bishops were appointed as regional peace negotiators. [1]			
28 Feb 87	Aquino announces her rebel returnee plan, including surrender of weapons in return for amnesty, money and job training. [2]	The NPA leadership condemns the returnee program as a form of bribery. [3]		
22 Mar 87	Aquino announces its "total war" policy against NDF. [4]			
17-21 May 87	Bishop Fernando Capalla holds dialogue among GRP, NDF, MNLF and MILF in Region 12. [1]			
11 Aug 87	Aquino establishes the Peace Commission. [5]			
13 Oct 87		The NDF offers to reopen negotiations. [3]		
20 Oct 87	Aquino rejects talks with NDF: "this is still fighting time." [6]			
24-26 Dec/31 Dec 87 1 Jan 88	The GRP observes a holiday ceasefire.	The NDF observes a holiday ceasefire.		

Chronology of Events (continued)

Date	GRP	NDF	NGOs/POs	International Organizations
24 Mar 88			The CFP asks for the NDF position on renewal of talks and ceasefire with GRP. [7]	
11 Apr 88		NDF spokesman S. Ocampo answers CFP the inquiry: "the Aquino regime is not disposed to talk peace ... it appears delighted in carrying out its 'total war.'" [8]		
Sep 88			First peace zone is set up in Naga City. [9]	
Nov 88			Sagada peace zone is declared. [9]	
12-16 Dec 88			International conference on conflict resolution proposes creation of peace zones and code of conduct for combatants. [10]	
24-26 Dec/ 31 Dec 88 1 Jan 89	The GRP observes a holiday ceasefire.	The NDF observes a holiday ceasefire.		
22 Feb 89	In response, Aquino rejects the NDF's precondition for talks. [11]	NDF says it is willing to talk if Aquino does not extend the US-RP military bases agreement. [11]		
02 Jul 89		Ocampo reiterates the NDF's offer of ceasefire and talks if the GRP terminates the bases agreement. [3]		
21 Jul 89	GRP announces reward money P47 million for capture of top NDF leaders. [12]			

Chronology of Events (continued)

Date	GRP	NDF	NGOs/POs	International Organizations
14 Sep 89			The PCPR presents a peace agenda. [13]	
Oct 89			Tabuk, Kalinga Apayao is declared a peace zone. [9]	
13 Oct 89			The NCCP issues statement: "Seek Peace and Pursue It." [14]	
Nov 89			Bituan, Tuluhan, Cotabato is declared a peace zone. [9]	
21-24 Nov 89			14th General NCCP convention calls for peace. [15]	
24-26 Dec/ 31 Dec 89 1 Jan 90	The GRP observes a holiday ceasefire.	NDF observes a holiday ceasefire.		
26 Dec 89	Aquino launches "Decade for Peace." [16]			
31 Jan 90			The CBCP issues pastoral letter: "Seek Peace, Pursue It." [17]	
Feb 90			Candoni, Negros is declared a Peace Zone. [9]	
01 Apr 90			The NCCP forms its Peace Committee. [18]	
Apr-Jun 90			The CfP and IA approach the NDF meeting with GRP representative in Hongkong in July. [19]	The IA and CfP approach the NDF meeting with GRP representative in Hongkong in July. [19]

Chronology of Events (continued)

Date	GRP	NDF	NGOs/POs	International Organizations
11 Jul 90	17 senators and 10 congressmen urge Aquino to call for nationwide ceasefire with all rebel forces in the wake of the earthquake. [22]	The NPA declares unilateral ceasefire in earthquake-affected areas in response to appeal from peace advocates. [3]	Various churches and church-based organizations hold a congress to express their peace agenda. [20]	The European Parliament calls for end to total war. [21]
12 Jul 90				
21 Jul 90				
23/25 Jul 90				
31 Jul 90			Tañada, on behalf of peace advocates, writes Aquino seeking for a peace dialogue. [23]	
02 Aug 90				
16 Aug 90			Cardinal Sin, in a letter to Tañada pledges the Catholic church's support for Senate Resolution 891. [25]	
01 Sep 90			The MSPA meets with the CCE	
05 Sep 90			The MSPA meets with the CCE	
11 Sep 90				
	Aquino orders a limited ceasefire in earthquake-affected areas. [26]			

Chronology of Events (continued)

Date	GRP	NDF	NGOs/POs	International Organizations
12 Sep 90	The CCE meets with the MSPA	The NDF International meets with Rep. Yap abroad. [27]	The MSPA meets with the CCE	
19 Sep 90	The CCE meets with the MSPA		The MSPA meets with the CCE	
27-29 Sep 90	Rep. Yap meets with the NDF International abroad. [27]			
28 Sep 90	The CCE meets with the MSPA		The MSPA meets with the CCE	
13-14 Oct 90			The People's Caucus formulates a peace agenda. [28]	
19-21 Oct 90			The NPC formulates a peace agenda. [28]	
26 Oct 90	The CCE meets with the MSPA	The NDF offers a 13-month timetable to seek a political settlement. [30]	The MSPA meets with the CCE	
15-16 Nov 90				
16 Nov 90	The CCE and MSPA technical working groups meet.		The MSPA and CCE technical working groups meet.	
21 Nov 90	The CCE meets with the MSPA		The MSPA meets with the CCE	
05 Dec 90	The CCE and MSPA technical working groups meet.		The MSPA and CCE technical working groups meet.	
11 Dec 90	AFP/PNP and mayors meet with leaders of demonstrators.		Leaders of demonstrators meet with AFP/PNP and mayors.	
12 Dec 90	The CCE meets with the MSPA		The MSPA meets with the CCE	The European Parliament passes resolution endorsing peace talks. [31]

Chronology of Events (continued)

Date	GRP	NDF	NGOs/POs	International Organizations
24-26 Dec/ 31 Dec 90 1 Jan 91	The GRP observes a holiday ceasefire.	The NDF observes a holiday ceasefire.		
06 Mar 91	The CCE meets with the MSPA.		The MSPA meets with the CCE.	
08 May 91		The NDF offers a unilateral ceasefire if the Senate rejects the bases treaty. [32]		
09 May 91			The IFI issues an open letter to Aquino offering to facilitate GRP-NDF talks. [33]	
14 May 91			12 barangays in Tinoc, Ifugao become peace zones. [9]	
16 May 91			The NPC meets Ramos to discuss prospect of talks. [34]	
15 Jun 91		The NPA declares a ceasefire in areas affected by the eruption of Mt. Pinatubo. [35]		
28 Jun 91	The GRP prefers local level talks since the AFP says the NDF no longer controls its local forces. [36]			
01 Jul 91			PnB urges the NDF to return to the negotiating table and work out a peace settlement. [37]	
02 Jul 91	The CCE meets with the MSPA		The MSPA meets with the CCE	
02 Aug 91			The IFI bishops meet with Aquino to follow up May open letter. [38]	

Chronology of Events (continued)

Date	GRP	NDF	NGOs/POs	International Organizations
05-06 Sep 91	The GRP and NDF emissaries hold first high-level unofficial meeting in Hongkong. [39]	The GRP and NDF emissaries hold first high-level unofficial meeting in Hongkong. [40]		
11 Sep 91		The NDF declares a unilateral ceasefire in response to a clear trend of a Senate rejection of the bases treaty. [41]		
13 Sep 91	The AFP rejects the NDF ceasefire declaration. [42]			
21 Sep 91		The NDF lifts its ceasefire. [43]		
30 Sep 91	The local government in Quezon declares a local truce. [44]			
02 Oct 91	PNP Chief Nazareno tells regional/provincial police commanders to initiate talks with the local NPA. [45]			
03 Oct 91	The Negros peace committee announces a local truce. [46]	The NDF rejects the call and reiterates it does not want local talks. [46]		
07 Oct 91	The PNP spokesman says the NDF rejects the GRP's call for a ceasefire. [47]			
12-13 Oct 91			The NPC holds its 2nd annual meeting, repeats its call for peace talks and announces its campaign for a peace vote. [48]	

Chronology of Events (continued)

Date	GRP	NDF	NGOs/POs	International Organizations
13 Oct 91		The NPA's Melito Glor Command says that local talks must lead to national talks. [49]		
15 Oct 91	The AFP in Negros resumes its offensive operations after the NDF ignores the local truce. [50]			
30 Oct 91	The GRP rejects holding of talks abroad and repeats its policy favoring local talks [51]			
19-21 Nov 91			The NCCP reaffirms its commitment to pursue peace and justice agenda and pushes for peace talks in 15th General Convention. [52]	
14-15 Dec 91			The CFP supports the peace vote campaign during elections. [53]	
15-19 Dec 91			The Conference on children in situations of war raises concern for children. [54]	
24-26 Dec/ 31 Dec 91 1 Jan 92	The GRP observes a holiday ceasefire.	The NDF observes a holiday ceasefire.		
24 Jan 92	The CCE and MSPA hold an informal meeting.		The CCE and MSPA hold an informal meeting.	
28 Jan 92			The Peace Vote is organized upon the recommendation of the NPC. [55]	
29 Feb 92			The Peace Vote campaign is launched. [55]	

Chronology of Events (continued)

Date	GRP	NDF	NGOs/POs	International Organizations
04 Mar 92		J. Sison says the GRP and NDF are moving towards negotiations. [56]	The NCCP issues a Lent statement on May 1992 elections and cites the need for leaders who will work for a just peace. [57]	
05 Mar 92	The GRP calls off its Brussels meeting with the NDF set for March 9-10. [58]			
06 Mar 92				The European Parliament member offers venue for talks. [59]
09 Mar 92	Aquino questions the NDF's sincerity. [60]			
11 Mar 92		The NDF says Aquino aborted the planned Brussels peace talks. [61]		
12 Mar 92	Aquino rejects national level talks but approves local talks; A DND spokesperson denies the planned trip to Europe. [62]			
01 Apr 92			The Peace Vote Campaign holds its kick-off activity for month-long "Di Paloloko sa Trapo" campaign. [55]	

Chronology of Events (continued)

Sources:

1. Confidential Report, 8 July 1987.
2. *Philippine Daily Inquirer* (PDI), 1 March 1987; PDI, 3 March 1987.
3. NDF Peace Proposal, "Chronology of Important Events Related to Peace Process 1986-1990," November 1990.
4. PDI, 23 March 1987.
5. Administrative Order No. 30, "Defining the Systematic Approach and the Administrative Framework for the Government's Peace Efforts," 11 August 1987.
6. PDI, 21 October 1987.
7. CfP Letter to the NDF, 24 March 1988.
8. Satur C. Ocampo, Letter to Teresita Q. Deles, 11 April 1988.
9. Gaston Z. Ortigas Peace Institute, *Peace Zones Primer*, 1991.
10. Conflict Resolution in the Philippines: An International Conference, Quezon City, 12-16 December 1988.
11. PDI, 23 February 1989.
12. PDI, 24 July 1989.
13. Promotion of Church People's Rights, "Our Agenda for Peace," 14 September 1989.
14. NCCP Statement of Officers, "Seek Peace and Pursue It," 13 October 1989.
15. NCCP Resolutions passed during the 14th Biennial General Convention, UP Diliman, 21-24 November 1989.

Chronology of Events (continued)

Sources:

16. Proclamation No. 487-A, "Declaring the Period from 1990 to 2000 as the Decade of Peace," 26 December 1989.
17. CBCP Pastoral letter, "Seek Peace, Pursue It," 31 January 1990.
18. Dr. Feliciano Carino, "A Brief on the concern of the NCCP for Peace and the NCCP Peace Program," 6 July 1990.
19. Peace Secretariat, Concept Paper (draft), 24 January 1991.
20. Ecumenical Bishops Forum and Ecumenical Forum for Church Response, Church Unity Congress, 11 July 1990.
21. European Parliament, Resolution on the continuing human rights violations in the Philippines, 12 July 1990.
22. Senate Resolution 891 and House Resolution 1817, "Urging President Aquino to call for a nationwide ceasefire by all contending rebel and insurgent militarist forces, notably the NDF/CPP/NPA, RAM/SFP, YOU, MNLF and to facilitate a national agenda for reconstruction, reconciliation and renewal with the active participation of religious, cause-oriented and other peace organizations," 23 and 25 July 1990, respectively.
23. Senator Wigberto Tanada, Letter to President Aquino, 31 July 1990.
24. President Aquino, Letter to Sen. Tanada, 2 August 1990.
25. Jaime Cardinal L. Sin, Letter to Sen. Tanada, 16 August 1990.
26. *PDI*, 12 September 1990.
27. Congressman Jose V. Yap, Press statement, 3 October 1990.
28. People's Caucus, Conference on National Unity, Survival and Reconstruction, UP Diliman, Quezon City, 13-14 October 1990.

Chronology of Events (continued)

Sources:

29. National Peace Conference, Tagaytay City, 19-21 October 1990.
30. NDF International Office, "NDF presents peace agenda at Brussels Forum," 17 November 1990.
31. European Parliament, Resolution on the human rights situation in the Philippines, 12 December 1990.
32. NDF Executive Committee, "NDF Statement on the Bases Issue," 8 May 1991.
33. Supreme Council of Bishops, *Iglesia Filipina Independiente*, "An Open Letter to President Corazon C. Aquino and the National Democratic Front," 9 May 1991.
34. "Updates on the Peace Agenda," NPC Update, 31 July 1991.
35. *PDI*, 16 June 1991.
36. *PDI*, 29 June 1991.
37. *PDI*, 2 July 1991.
38. Interview with Rev. Tito E. Pasco, August 1991.
39. *PDI*, 9 September 1991.
40. NDF International Office, "Hongkong Meeting Falls Below NDF's Expectations but Moves Peace Process Forward," *Peace Update*, 11 September 1991.
41. NDF Executive Committee, "NDF calls nationwide ceasefire effective midnight tonight," 11 September 1991.
42. *Daily Globe (DG)*, 14 September 1991.

Chronology of Events (continued)

Sources:

43. NDF Executive Committee, "NDF declaration ending its unilateral ceasefire," 21 September 1991.
44. *DG*, 1 October 1991.
45. *DG*, 3 October 1991.
46. *PDI*, 4 October 1991.
47. *Manila Standard (MS)*, 8 October 1991.
48. NPC "Call to Solidarity Action," Asian Institute of Management, 12-13 October 1991.
49. "Sagot sa alok na localized peace at ceasefire negotiations," New People's Army-Melito Glor Command, 13 October 1991.
50. *DG*, 16 October 1991.
51. *PDI*, 31 October 1991.
52. "Protestant churches issue peace agenda," *Philippine News and Features*, 23 November 1991.
53. Peace Secretariat, Summary of Events Beginning June 1991-March 1992.
54. Children as Zones of Peace, National Conference on Children in Situations of Armed Conflict, Alabang, 15-19 December 1991.
55. Peace Vote Secretariat, "Peace Vote Campaign '92 Activity Report," 7 April 1992.
56. *PDI*, 5 March 1992.
57. NCCP Lenten statement, "Spirit of Truth, Set Us Free," 4 March 1992.

Chronology of Events (continued)**Sources:**

- 58. *DG*, 6 March 1992.
- 59. Mr. Joe Wilson, member of European Parliament, Letter to Luis Jalandoni, 6 March 1992.
- 60. *MS*, 10 March 1992.
- 61. *DG*, 12 March 1992.
- 62. *PDI*, 13 March 1992.

ANNEX E

Highlights of the Peace Agenda of the National Peace Conference and of the People's Caucus

Agenda	National Peace Conference	People's Caucus
1.0 Political		
1.1 Electoral reforms	Clean up the voters' list Involve citizens in monitoring the COMELEC Draw up a people's agenda that will serve as criteria for judging the platform of candidates Appoint a nonpartisan Chief of Staff Devise economic projects to prevent sale of votes	Translate the people's agenda into a political platform Enable genuine people's participation in the electoral process Elect people based on the people's political platform
1.2 Administration of law and justice	Dialogue with court officials	
1.3 Governance: accountability and services	Support the National Council for Transparency Report graft to the ombudsman and media Establish a mass movement against the <i>lagay</i> and <i>bigay</i> system (bribery) Monitor and publicly denounce the nondelivery of services File administrative cases against nonperforming officials Monitor the use of government funds	Separate the three branches of government with firm checks and balance Support transparency and accountability in government Support honest, responsible leaders committed to people's rights for freedom and democracy and public good Trim down the bureaucracy
1.4 Popular empowerment	Devolve power from the central government to regions Recognize people's rights to self-determination Appoint sectoral representatives to Congress to determine the majority will	Push for grassroots participation in the formulation and implementation of policies and programs Represent all classes and groups according to the principle of democratic pluralism Hold fair, open and free discussions of issues
1.5 Human rights	Release political prisoners on humanitarian grounds Promote and protect human rights as ensured by the Constitution and international covenants Grant a presidential waiver until PD 1850 is repealed Dismantle the CAFGUs and vigilantes Launch the campaign against Umil vs. Ramos	Release all political prisoners Defend, protect and promote people's basic rights and civil liberties Dismantle the CAFGUs and vigilantes Rescind the Supreme Court Ruling on warrantless arrest

Highlights of the Peace Agenda (continued)

Agenda	National Peace Conference	People's Caucus
1.6 Military reforms	Uphold civilian supremacy Strengthen the office of the military ombudsman Implement the Davide Commission's recommendation on national dialogue Propose a bill disallowing military persons from being appointed to civilian positions in government	Ensure civilian supremacy Remove all anti-people and corrupt elements from the AFP and reorient its personnel along nationalist and democratic values Call on the AFP to join and support the people's agenda for national emancipation and true democratic rule
2.0 Socioeconomic 2.1 Agrarian reform and rural development	Defend and protect peasant initiatives Build up a peasants' vote Implement land ownership transfer based on owner cultivatorship Prohibit tenancy Approve the Peasants' Magna Carta Accelerate the implementation of RA 6657 (CARL) while conducting a campaign on PARCODE Promote and strengthen the organizations of farmers and fisherfolk Increase farm productivity Establish proper relations with business and industry Push for the acquisition and transfer of VOS (voluntary offer to sell), idle and abandoned lands Declare a moratorium on land and water conversion Preserve and rehabilitate fishery resources Propose and implement pilot projects of the Resource Management Councils Stop projects inimical to fishing communities Approve and implement the Unity Bill re: protection of fishery areas Increase the participation of fisherfolk in the management and implementation of fishing project policies Carry out an information campaign and advocacy on the situation of fisherfolk Provide social services for fisherfolk Call for the passage of a Fisheries Code	Implement genuine agrarian reform Give land to the tiller and abolish absentee land ownership Cover all types of arable lands Grant progressive and selective compensation for landowners Include all previous land rentals and unpaid labor as direct payments for land Allow the participation of beneficiaries in decision-making and implementation Give preferential option to cooperatives and collectives Revert to Filipino control all lands covered by multinational corporations Recognize the right of small fisherfolk to greater access and use of water resources Use local resources for funding agrarian reform Provide just labor conditions for farm-workers Recognize and respect peasant initiatives Repeal the CARL and adopt the PARCODE

Highlights of the Peace Agenda (continued)

Agenda	National Peace Conference	People's Caucus
2.2 Urban land reform	Press for a moratorium on demolitions, evictions and relocations Ensure affordable land and housing Repeal PD 772 (Anti-Squatting Law) Pass HB 25108 (Urban Land Reform)	Stop demolitions and support urban land reform
2.3 Labor	Attain decent and living wage through legislation Implement strict protection laws for woman and child labor Review the legal provisions for domestic helpers Work for cooperation among labor groups Provide livelihood projects for labor Repeal PD 1850, BP 130, BP 227 and EO 272	Increase workers' wages to enable them to cope with the rising cost of living
2.4 Environment	Support community-based resource management Support the total log ban Lobby for a comprehensive anti-pollution law Conduct educational campaigns on ecology Promote the use of anti-pollution devices and recycling of bio-degradable materials	Uphold the right of people and future generations to enjoy a clean earth and environment Work for sustainable ecological development Enforce the total log ban Set up an effective drainage system Indemnify the people affected by environmental destruction
2.5 Foreign debt	Address the debt issue on the basis of people's welfare Support the debt cap Selectively disengage from onerous and fraudulent loans Repeal PD 1177	Work for a pro-people debt policy Pursue measures to free people from the debt trap and pave the way for sustainable development Demand a moratorium on debt service payments Impose a 10% debt cap on merchandise export earnings Repudiate all onerous and fraudulent loans Repeal PD 1177 Oppose IMF-WB conditions and impositions Rechannel funds from debt-servicing to socioeconomic reforms
2.6 Economic policy and trade relations	Build consensus on issues of economic sovereignty and their impact on domestic economic policy Disperse industries to nonprime agricultural lands	Abrogate all unequal economic treaties End the import liberalization policy Roll back oil prices to just and affordable levels Protect Filipino-led industries

Highlights of the Peace Agenda (continued)

Agenda	National Peace Conference	People's Caucus
2.7 Industrialization		Nationalize industries towards freeing the national economy from foreign control Base industrialization on genuine agrarian reform Develop science and technology
3.0 Sociocultural		
3.1 Indigenous communities	Draft a bill on ancestral domain and Magna Carta of Indigenous Peoples Create a Commission on Ancestral Domain Respect indigenous people's right to defend their traditional culture Recognize tribal Filipinos' right to seek redress of grievances Repeal laws allowing intrusion on ancestral domain Demilitarize indigenous communities Support genuine Muslim autonomy Eliminate all forms of discrimination against Muslims Recognize Muslim participation in resource management Implement the Organic Law Work for Muslim representation in government offices Promote qualified Muslim military personnel Accredit and integrate the Madrasah school system into the educational system in Muslim areas	Declare the autonomy and integrity of indigenous peoples and communities Recognize ancestral rights of tribal communities and indigenous settlers
3.2 Mass media	Stop stereotyping of indigenous groups on media Show peace-oriented programs Lobby for advertisers to withdraw support for programs that do not promote peace values Ask the media not to glorify violence and sex	

Highlights of the Peace Agenda (continued)

Agenda	National Peace Conference	People's Caucus
3.3 Education	Hold a multisectoral congress on education reform Conduct consultations on matters affecting students Reorient the curriculum towards peace Adopt a Magna Carta of Students' Rights, Responsibilities and Welfare Create a multisectoral council to decide matters affecting students	Uphold the people's right to develop critical faculties, talents and skills
3.4 Gender equality	Respect women's rights Protect women from domestic servitude and domestic and societal violence Recognize men's contribution to family life Recognize and enhance women's contribution in and outside the home	Uphold people's rights regardless of gender, race, age, status and belief Respect the right of pregnant and nursing mothers to lead full lives and contribute to society Recognize women's rights to land ownership
3.5 Children	Protect and promote the rights and welfare of the child	Uphold the right of children to receive special care and support
3.6 Disabled		Uphold the right of the aged and disabled to receive special care and support to enable them to live fully and participate in society
4.0 National Sovereignty		
4.1 Foreign policy	Declare that sovereignty is nonnegotiable	Oppose all forms of foreign intervention
4.2 U.S. bases and conversion	Remove the U.S. bases by 16 September 1991 Enforce the nuclear-free provision in the Constitution Plan and implement base conversion programs	Work for a new treaty within an independent, nonmilitary and nonaligned framework Repeal the MBA, Mutual Defense Treaty and Military Assistance Agreement and ensure the removal of all U.S. personnel, weapons and vessels by 16 September 1991 Convert the bases into peace-related enterprises Demand that the U.S. government clean up the bases of pollution and other destructive effects Reject moves to link foreign debt to the continued stay of bases Draw up an inventory of U.S. troops and facilities

Highlights of the Peace Agenda (continued)

Agenda	National Peace Conference	People's Caucus
5.0 Peace		
5.1 Principles	Declare peace not merely as the absence of war but as the creation of conditions that will enable the majority to live better and in dignity and take part in decision-making State that the peace process is a national and continuing undertaking involving all groups	State that people desire peace based on justice and social emancipation which can be achieved through militant struggle and national consensus-building Call for a national dialogue to resolve basic ills of society Support the MSPA peace initiatives
5.2 Conduct of war	Promote and protect human rights based on humanitarian principles Stop food blockades and respect medical neutrality	Stop the "total war" Uphold Protocol II
5.3 Peace zones	Develop peace zones	
5.4 Role of PO and NGO	Support and participate in national and local peace efforts initiated by the people	Participate in the formulation of a people's peace agenda Actively promote and implement the peace agenda

Sources:

1. National Peace Conference, Resolutions and Action Plans of Solidarity Workshops, Conference Report: I, October 1990.
2. People's Caucus, Executive Summary of the People's Agenda, Conference on National Unity, Survival and Reconstruction, 13-14 October 1990.
3. People's Caucus, "The Role of the People's Caucus," no date.
4. "Building Blocks to a Pluralist Political Platform: A Matrix of Coalition Agendas," *Conjuncture*, Nos. 5-8, May-August 1991.

ANNEX F

Summary of Meetings between Multisectoral Peace Advocates and Cabinet Cluster E, September 1990 - March 1991

<u>Date of Meeting</u>	<u>Topic/Issue</u>
01 September 1990	MSPA proposal for Government to respond to NDF unilateral ceasefire in areas affected by the July earthquake and ultimately, for direct GRP-NDF talks CCE decision to study MSPA proposal
05 September 1990	CCE acceptance in principle of limited ceasefire but need to define and thresh out the matter People-initiated ceasefires a separate issue
12 September 1990	GRP declaration of SOMO in NCR and earthquake-affected areas Creation of technical working group on peace zones
19 September 1990	MSPA objection to AFP/PNP treatment of anti-bases demonstrators MSPA proposal to expand areas covered by SOMO
28 September 1990	CCE position on continuation of SOMO despite NPA withdrawal of its ceasefire The Agreement to exchange respective peace frameworks
26 October 1990	<i>Welga ng bayan</i> marred by violence Agreements and disagreements on peace agenda MSPA report on People's Caucus and NPC peace proposals Pursuance of peace process along "multiple" tracks
21 November 1990	AFP assessment of SOMO Formation of local monitoring committees for SOMO MSPA request for guidelines on treatment of demonstrators
12 December 1990	MSPA draft proposal on combat behavior MSPA report on meeting between AFP/PNP, mayors and leaders of demonstrators CCE offer of 12 June 1991 as deadline for direct talks
06 March 1991	CCE report on SOMO MSPA draft accord on peaceful assembly DND proposal for local talks MSPA proposal for national talks MSPA draft proposal on combat behavior

ANNEX G

Comparison of Proposals on Human Rights and International Humanitarian Law: GRP, NDF and MSPA

A. International Humanitarian Law

Item	GRP*	NDF	MSPA
A 1 Civilian population and property	Use force only against enemies, not against civilians or non-combatants [1]; refrain from unnecessary actions that cause destruction to property; repair damage whenever possible. [1-3]	Distinguish between civilians and combatants; spare civilian population and property; direct attacks solely against military objectives, do not loot; respect schools, hospitals, churches, evacuation centers and genuine NGO development projects. [9]	Distinguish between civilians and combatants; spare civilian population and property; direct attacks solely against military objectives; do not loot or burn property. [11]
A 2 Enemies out of combat, sick, wounded and surrendered	Treat them humanely and with respect; turn them over to higher command. [1-3]	Do not kill or injure them; respect their lives and physical and moral integrity; collect and care for wounded and sick; disarm and turn them over to higher command. [9]	Do not kill or injure them; respect their lives and physical and moral integrity; disarm and turn them over to superiors. [11]
A 3 Medical visits to the sick and wounded	None	Give safe conduct to ICRC and other medical personnel across battle lines. [9]	Allow medical visits. [11]
A 4 Captured combatants and civilians	Treat them humanely and with respect; turn them over to higher command. [[1-2]	Respect their lives, dignity, and personal rights; allow them to correspond with their families and receive relief. [9-10]	Respect their lives, dignity, and personal rights; allow them to correspond with their families and receive relief. [11]
A 5 Recruitment of minors	None	None	Do not recruit them. [11]

*Excludes Constitutional provisions.

Comparison of Proposals (continued)

Item	GRP	NDF	MSPA
A6 Judicial guarantees	None	Entitle all to guarantees; do not torture, commit vengeance or cruel acts. [9]	Entitle all to guarantees; do not torture, commit vengeance or cruel acts. [11]
A7 Food blockades	Subject delivery of goods and services to public safety and coordinate with the POC, appropriate line agencies and NGOs [4]; may control delivery of goods, etc. during tactical operations; if disputes arise, have the POC resolve them, but do not suspend delivery for more than three days [5-6]; do not attack or remove foodstuff and others necessary for the survival of the civilian population. [7]	Do not allow food blockades in areas of conflict. [9]	None
A8 Evacuations	Closely coordinate with local governments prior to security operations so as to provide for evacuees and assist in their rehabilitation [1, 6-7]; keep families together; do not threaten evacuees; indemnify damage as a result of evacuations. [7]	Stop forcible evacuations; indemnify all internal refugees; respect right of evacuees to return to their homes and farms. [9]	None
A9 Hamletting	Do not hamlet. [7]	None	None
A10 Choice of methods and means of warfare	Use utmost restraint and only reasonable force needed to accomplish the mission; do not use aerial/naval gunfire and mortar/artillery fire for interdiction and harassment especially when fire missions are unobserved and near populated areas; subject use of artillery/mortar fire to approval of	Prohibit weapons or methods that cause unnecessary losses or excessive suffering; destroy no more than the mission requires; desist from aerial warfare and strafing. [9]	Prohibit weapons or methods that cause unnecessary losses or excessive suffering; do not attack indiscriminately. [11]

Comparison of Proposals (continued)

Item	GRP	NDF	MSPA
A10 Choice of methods and means of warfare (cont.)	the commander; use preparation fire only against confirmed hostile positions subject to the commander's approval; use air strikes only under judicious circumstances. [1-2]		
A11 Hostages	None	Do not take hostages. [9]	Do not take hostages. [11]
A12 Prisoners [of war]	None	Treat prisoners of war humanely; do not compel them to divulge more than their identity; do not torture; exchange prisoners through ICRC or UN agency. [9-10]	Treat prisoners humanely; do not torture. [11]
A13 Summary executions and assassinations	None	Take steps to eliminate these practices. [9]	Do not commit these acts. [11]
A14 Occasional local truces	None	For humanitarian reasons, call local truces of definite duration. [9]	None
A15 International and neutral parties	Respect persons and objects bearing Red Cross emblem, white flag of truce or emblems designating cultural property. [1]	Respect persons and objects bearing Red Cross emblem, white flag of truce or emblems designating cultural property; provide safe conduct for ICRC and humanitarian personnel. [9]	Respect persons and objects bearing Red Cross emblem, white flag of truce or emblems designating cultural property. [11]
A16 Conduct of soldiers	Be disciplined and obey code of honor [1]; hold commanders responsible for conduct of personnel and inform them of HR/IHL. [1, 8]	Be disciplined and obey laws of war; abstain from acts of vengeance. [9]	Be disciplined and obey laws of war; abstain from acts of vengeance. [11]

Comparison of Proposals (continued)

Item	GRP	NDF	MSPA
A17 Violations	Investigate violations and report them to commander. [1, 8]	Investigate violations, report these to superior and punish the guilty according to each's rules and procedures; indemnify victims within one's capacity. [9]	Act to prevent violations. [11]
A18 Total war	None	Recall the policy. [9]	None

B. Human Rights

Item	GRP	NDF	MSPA
B1 Violations	Investigate violations and charge offenders in court; report actions to AFP and PNP HQs, DND and DILG [1-2, 8]; do not promote those with pending cases of human rights violations. [12, 14]	Investigate and prosecute violators and indemnify victims. [9]	None
B2 Political detainees	Allow family, relatives, lawyers and spiritual advisers free access [1, 15-18]; do not use secret detention places. [19]	Respect the right to bail; in the course of negotiations, determine the appropriate legal procedure and timetable for the release of detainees. [9]	None
B3 Right to associate freely	None	Guarantee this right. [9]	None
B4 Freedom of expression	None	Guarantee this right. [9]	None
B5 Repressive decrees/orders	None	Repeal repressive measures. [9]	None
B6 Arrests and searches, etc.	Avoid unnecessary use of force in arrests and investigations; follow Rule 113 of the Rules of Court.[15-16]	Correct Supreme Court decisions on warrantless arrests, searches and checkpoints. [9]	None

Comparison of Proposals (continued)

Item	GRP	NDF	MSPA
B7 Prize money for suspected communists	None	Stop the practice of putting up prize money for the capture of suspected communists. [9]	None
B8 Paramilitary forces	None	Dismantle the CAFGU and all paramilitary units. [9]	None

C. Implementation of Proposals

Item	GRP	NDF	MSPA
Monitoring and investigation of reports of HR/IHL violations	None	Put up separate human rights offices (GRP and NDF), each with three members; have these offices meet every three months or upon request by either party; have a mutually acceptable third party serve as good office or intermediary between the parties. [9]	Create monitoring bodies at national and local levels composed of five members mutually acceptable to the GRP and NDF.

N.B. The GRP measures exclude constitutional provisions and existing procedures on implementation of human rights measures. The MSPA proposal is basically a code of conduct for combatants.

Comparison of Proposals (continued)

Sources:

1. Presidential Memorandum Order No. 393, "Directing the Armed Forces of the Philippines and the Philippine National Police to Reaffirm their Adherence to the Principles of Humanitarian Law and Human Rights in the Conduct of Security/Police Operations," 9 September 1991.
2. DND-DILG Joint Circular No. 2-91, "Providing Implementing Guidelines re: Presidential Memorandum Order No. 393 dtd. September 9, 1991 Directing the AFP and PNP to Reaffirm their Adherence to the Principles of Humanitarian and Human Rights in the Conduct of Security/Police Operations," April 1991.
3. General Renato de Villa, Memorandum to Major Service and Area Commanders, "Safety of Innocent Civilians and Treatment of the Wounded and Dead," 6 September 1989.
4. Presidential Memorandum Order No. 398, "Providing for a Policy and Guidelines on the Delivery of Goods and Services in the Countryside," 26 September 1991.
5. Presidential Memorandum Circular No. 139, "Prescribing the Guidelines for the Implementation of Memorandum Order No. 398 dated September 26, 1991," 19 November 1991.
6. De Villa, Memorandum to Major Service and Area Commanders, "Facilitating Delivery of Goods and Services to the Countryside," 22 September 1990.
7. PHRC Resolution No. 91-001, "A Resolution Providing for Guidelines on Evacuations," 26 March 1991.
8. De Villa, Memorandum to Major Service and Area Commanders, "Guidelines on Human Rights and Improvement of Discipline in the AFP," 2 January 1989.
9. NDF Proposal Towards a Draft Agreement on Respect for Human Rights and International Humanitarian Law, June 1991.

Comparison of Proposals (continued)

10. Melito Glor Command, Memo No. 8806-03, "NPA Policy Towards Prisoners of War," 18 June 1988.
11. MSPA Draft Memorandum on the Adoption of the Principles of Humanitarian Law and Human Rights in the Conduct of Armed Hostilities, 5 December 1991.
12. Secretary Fidel V. Ramos, Memorandum to AFP Chief of Staff on measures to discipline AFP, 23 June 1989.
13. CHR Resolution No. A91-039 on clearance of AFP and PC/INP personnel recommended for promotion, 20 September 1991.
14. Rear Admiral Carlito Y. Cunanan (ret.), Memorandum to AFP Chief of Staff on clearance from CHR, 4 April 1991.
15. Commodore Isidro O. Codera, Memorandum to AFP Inspector-General, "Clearance from Commission on Human Rights," 10 April 1991.
16. CHR Guidelines on Visitation and the Conduct of Investigation, Arrest, Detention and Related Operations, 6 May 1988.
17. DND, AFP, NAPOLCOM, PC/INP Joint Declaration of Undertaking (in support of CHR Guidelines), 6 May 1988.
18. DFA, DOJ, DILG, DND, DOH, PNP, PAHRA AND MAG, Memorandum of Agreement on delivery of health services and medical missions by MAG, 10 December 1990.
19. PHRC Guidelines on Visitation of Detainees by Private Physicians and Other Health Personnel, 10 December 1990.
20. CHR Statement on Human Rights, 6 May 1988.

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