



NEGOTIATING JUSTICE?

HUMAN RIGHTS AND PEACE AGREEMENTS

DOCUMENTATION REPORT

**Philippine Launching-Forum on the Study Report
of the *International Council on Human Rights Policy (ICHRP)*
in cooperation with the *South-South Network (SSN)***

14 November 2006

Discovery Suites, Pasig City



“NEGOTIATING JUSTICE? HUMAN RIGHTS AND PEACE AGREEMENTS”

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14 November 2006, Magellan Function Room,
Discovery Suites, Ortigas Center, Pasig City

Program

8.30-9:00 a.m	ARRIVAL & REGISTRATION Surie M. Alip , Development Academy of the Philippines (<i>Master of Ceremonies</i>)
9:00-9:30 a.m.	WELCOME & INTRODUCTORY REMARKS Atty. Soliman (“Sol”) M. Santos, Jr. , Regional Focal Point for Asia, SSN Atty. Dominador N. Calamba II , Member, Commission on Human Rights Atty. Nabil A. Tan , Deputy Presidential Adviser on the Peace Process
9:30-9:40 a.m.	INTRODUCTION OF ICHRP, PRESENTOR & REACTORS Atty. Cecilia Jimenez , Regional Focal Point for Europe, SSN (<i>Moderator</i>)
9:40-10:10 a.m.	ICHRP REPORT PRESENTATION Mr. Robert Archer , Executive Director, ICHRP
10:10-10:40 a.m.	REACTIONS Prof. Sedfrey M. Candelaria Member, GRP Peace Panel for Talks with the NDF Datu Michael O. Mastura Member, MILF Peace Panel
10:40-11:40 a.m.	OPEN FORUM
11:40-11:55 a.m	SYNTHESIS & CLOSING REMARKS Prof. Raul C. Pangalangan , UP College of Law

GUIDE TO ACRONYMS

ABB	<i>Alex Boncayao Brigade</i>
ACT	<i>Alliance of Concerned Teachers</i>
AFP	<i>Armed Forces of the Philippines</i>
CARHRIHL	<i>Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law</i>
CHR	<i>Commission on Human Rights</i>
CLOA	<i>Certificate of Land Ownership Award</i>
CNN	<i>Communist Party of the Philippines – New People’s Army – National Democratic Front</i>
CPLA	<i>Cordillera Peoples Liberation Army</i>
CPP	<i>Communist Party of the Philippines</i>
DAR	<i>Department of Agrarian Reform</i>
HR	<i>Human Rights</i>
ICHRP	<i>International Council on Human Rights Policy</i>
IHL	<i>International Humanitarian Law</i>
IHR	<i>International Human Rights</i>
MILF	<i>Moro Islamic Liberation Front</i>
MNLF	<i>Moro National Liberation Front</i>
NDF	<i>National Democratic Front</i>
NPA	<i>New People’s Army</i>
OPAPP	<i>Office of the Presidential Adviser on the Peace Process</i>
PATH	<i>Peace Advocates for Truth, Justice and Healing</i>
PNP	<i>Philippine National Police</i>
RAM	<i>Reform the Armed Forces Movement</i>
RPA	<i>Revolutionary Proletarian Army</i>
RPA	<i>Revolutionary Peoples Army</i>
RPMM	<i>Rebolusyonaryong Partido ng Manggagawa - Mindanao</i>
RPMP	<i>Rebolusyonaryong Partido ng Manggagawa - Pilipinas</i>
SFP	<i>Soldiers of the Filipino People</i>
SOB	<i>Status of Belligerency</i>
SSN	<i>South-South Network (for Non-State Armed Group Engagement)</i>
TACDRUP	<i>Technical Assistance Center for the Development of Rural and Urban Poor</i>
UN	<i>United Nations</i>
YOU	<i>Young Officers Union</i>

SUMMARY

Study report on human rights in peace agreements launched in the Philippines and Mindanao

Can a human rights framework help our floundering peace processes?

The 2006 study report of the Geneva-based International Council on Human Rights Policy (ICHRP) was launched last week in the Philippines and Mindanao at a time that peace remains elusive despite several finished and ongoing peace processes. Will a fresh and new perspective of “human rights in peace agreements” help add impetus to some of these floundering processes?

These questions were addressed during the Philippine and Mindanao launching-forums of the ICHRP titled “Negotiating Justice? Human Rights and Peace Agreements” organized by the new Filipino-led global initiative South-South Network (SSN) represented by its Regional Focal Points for Asia Atty. Soliman M. Santos Jr. and for Europe Atty. Cecilia Jimenez, in cooperation with its Mindanao partner Technical Assistance Center for the Development of Rural and Urban Poor (TACDRUP) led by its Executive Director Rey Magno Teves.

The Philippine launching-forum was held on November 14 at the Discovery Suites, Ortigas Center, Pasig City while the Mindanao launching-forum was held on November 16 at the Apo View Hotel, Davao City.

The ICHRP report examines the experience with human rights provisions and monitoring mechanisms in the peace agreements of eight countries, namely Cambodia 1991, El Salvador 1992, Mozambique 1992, Bosnia-Herzegovina 1995, Guatemala 1996, Northern Ireland 1998, Sierra Leone 1999, and Burundi 2000. In the process, it discusses how human rights standards can be used constructively in peace processes.

The report develops three main themes to identify areas of tension and complementation between human rights and justice, on one hand, and conflict resolution and peace, on the other hand. These are the themes of frameworks for protection of civilians, forcible displacement of communities, and impunity and accountability for past abuses.

ICHRP Executive Director Robert Archer presented the report. Reactors at the Philippine launching-forum on November 14 included Prof. Sedfrey M. Candelaria, member of the GRP peace panel for talks with the NDF, and Datu Michael O. Mastura, member of the MILF peace panel. Reactors at the Mindanao launching-forum on November 16 were Atty. Carlos Isagani T. Zarate, former president of the IBP Davao City Chapter, and Atty. Mary Ann M. Arnado, leading Mindanao peace advocate.

Key stakeholders and concerned sectors in the areas of human rights and peace processes were invited to both launching-forums. Their participation in the open forum drew out the relevance of the report to the Philippine and Mindanao armed conflicts and peace processes on the Communist and Moro fronts of the country.

WELCOME & INTRODUCTORY REMARKS

Atty. Soliman M. Santos, Jr.
Regional Focal Point for Asia, South-South Network

Good morning to everybody, *magandang umaga sa inyong lahat*, and welcome to this first in a series of two launching-forums on the ICHRP study report “Negotiating Justice? Human Rights and Peace Agreements,” the second one is being organized with help by our local partner in Davao City, an NGO called TACDRUP. Today we have the Philippine launching; the day after tomorrow, we shall have the Mindanao launching. I did not mean to make that sound like two countries. But those wanting “a country of (their) own” in Mindanao are very much part of what the peace process there seeks to address. This is of course part of the backdrop or context to which this ICHRP study report is being brought into.

And we are presenting it here in what may seem to be an ivory tower, 41 floors high, far removed from the situation on ground zero, the real world of human rights and peace. But this function room is named Magellan – and so perhaps reminds us (or should remind us) of the historical roots of our present-day problems, whether it is the Philippine problem or the Moro problem. The other function rooms are named after other so-called discoverers of other countries, and this building is named Discovery. Perhaps this is also what this launching-forum represents – a discovery of the experience of eight other countries in terms of human rights in peace agreements, a discovery of our own Philippine experience in this, and a discovery of ways to move forward on both fronts of human rights and peace.

In waging the battles on these fronts, sometimes one needs the “commanding heights” as well as the detached perspective of what is referred to in conflict and peace studies as “outsider neutral” – as distinguished from “insider partial.” You might say that the main presenter at this forum is an “outsider neutral” while the two reactors are “insiders partial.” So, we do not also preclude here the latter perspective. Of course, there are also “outsiders partial” and “insiders neutral.” And so this independent internationalist study report is being launched here at a time that peace remains elusive despite several finished and ongoing peace processes at various stages. The ultimate question of course for many of us here is: will the perspective of human rights which ICHRP and its study report represent, will this perspective help add life to some of these floundering peace processes?

Maybe the trick lies in listening well to and appreciating on their merits what such independent internationalist studies have to say. What are the lessons and insights from the experience with human rights provisions and monitoring mechanisms in the peace agreements of eight countries? Of course, the ICHRP has been the first to realize the limitations of this particular study. For one, it only covers eight countries and only one in Asia, and not even the Philippines at that. I believe this is why the ICHRP Executive Director himself has come to the Philippines – as much to share the findings and recommendations of the study in this part of the world, as well as to catch up on and learn more too about the Philippine case. Learning in the interactive process of sharing.

We Filipinos perhaps wonder why a case study on the Philippines was initially left out. You see, the Philippines alone is already eight case studies. Let me count the ways. In terms of finished peace agreements, we have those with the (and I will ask the foreigners here to in the meantime forgive the alphabet soup which follows) CPLA, ALTAS, RAM-SFP-YOU, and MNLF – that’s four. And in terms of still ongoing peace processes, we have those with the NDF, MILF, RPM-P and RPM-M – that makes another four, for a total of eight. We are the experts in peace processes and agreements, whether with or without human rights provisions. This reminds me of the joke about perennial bar flunkers – that they are the real experts on taking bar examinations because they have taken it so many times. Or more to the point, we have the country’s avowed expert in *coup d’etat* – because he has attempted it so many times. The point is: in our so-called “expertise,” there must also be humility. We have a lot to learn from others too.

The country being already archipelagic as it is, we cannot afford to be too insular or parochial. We have to be more appreciative of international experiences and perspectives, including those derived from South-South exchanges. Of course, at some point we also have to draw out the relevance of these to the country context, namely the Philippine and Mindanao armed conflicts and peace processes on the Communist and Moro fronts. The two reactors will just catalyze the discussion on the ICHRP study report’s relevance to the country conflicts and peace processes, which discussion is expected to bloom with your participation and interaction in the open forum. We have imposed strict time limits on our speakers in order to give ourselves adequate time for the open forum. And we expect a discussion with a good balance of local and global perspectives.

This can be expected from the broad spectrum of participants we have for this forum. Let me acknowledge the presence of representatives of the international community, particularly from the various embassies and international agencies. Government, especially its offices primarily concerned with human rights and peace processes, is well represented. We also have some concerned members of Congress, better known to most foreigners here as Parliament, and maybe it is shifting towards that. The defense and military establishment is also represented here. At the same time, we have representatives here of several rebel groups in peace processes with the government. They may be outnumbered here but they will not necessarily be out-talked. Of course the same may be said of the representatives here of our very active and vibrant civil society, such as from the human rights and peace NGOs, church-based groups, Moro professional associations, political formations, the academe and media. There will be no egg-pelting here, at least in the literal sense.

This is not meant as a venue to play out adversarial or partisan political dynamics. Rather, we hope this forum can be treated as part of a mutual search for solutions to problems in the field of human rights and peace processes. The focus should be on what is there to mutually learn from the ICHRP study report that may help address particular problems. The report is *not* a panacea to all the problems. It merely presents the potential positive role of a key framework which is human rights as a handle in navigating peace processes towards the discovery of a just, lasting and comprehensive solution, whether to the Philippine problem or to the Moro problem. It is now up to us to learn more and also contribute our own efforts to this potential. Thank you, *maraming salamat po*.

WELCOME MESSAGE

Atty. Dominador N. Calamba II Member, Commission on Human Rights

Indeed, we have a good morning for today we shall be benefiting from the illustrious study on human rights and peace agreements made by the International Council on Human Rights Policy.

Right at the outset, I would like to take this opportunity to congratulate the ICHRP for its very timely policy study entitled “Negotiating Justice? Human Rights and Peace Agreements”.

I would also like to take this opportunity to thank Atty. Soliman M. Santos, Jr., the Regional Focal Point for Asia of the South-, for his leadership in organizing this forum and launch of the study report.

In behalf of the Philippine Commission on Human Rights, I open this forum and launch with great pleasure.

The Commission On Human Rights Philippines (CHR) as a national human rights institution responsible for the promotion and protection of human rights in the country. The CHR is proud to be involved in the endeavor and we congratulate SSN and ICHRP.

These Negotiating Justice Human Rights and Peace Agreements are not just an investment in our country but lets give PEACE a chance . Peace does not merely mean the absence of war. Peace is manifested in practically many forms, it is shown in the serenity with significant people in our lives. The peace process in the Philippines follows several tracks in order to be comprehensive and reflective of the sentiments and aspirations of the people. These tracks are the formal talks, community-based healing and reconciliation programs, interfaith/tri-people dialogues, and the revitalization of indigenous mechanisms in resolving conflicts. All these are geared toward pursuing a just and lasting peace.

In this country, the road to peace is pockmarked with the cracks of a protracted insurgency problem and myriad potholes of violence and political killings.

The root cause of these atrocities is poverty, lack of social justice and graft and corruption. Add to this the perceived indifference and apathy of our political leaders.

Despite the hurdles, there are government efforts in the pursuit of peace. One example was the establishment of the National Peace Commission in the early ‘90s, with the main objective of eventually forging a lasting peace with all rebel movements in the nation.

The biggest insurgency headache of this country is the Maoist New People’s Army. Despite the work of the Peace Commission, it is also befuddling that the government is still waging an all-out war with this 36-year old rebellion.

Down south in the island of Mindanao, we also have a long-running Muslim insurgency in the form of the Moro Islamic Liberation Front or MILF. In many instances, the government has extended its hand of peace and reconciliation by encouraging MILF rebels to lay down their weapons and go back to the mainstream of society. Some have even become local political leaders. When it comes to our dealings with the MILF, I can humbly declare that we are moderately successful. Proof of this is the relative calm that's been going on for number of years. Let us all that this would eventually lead to genuine peace and prosperity to this, the land of promise.

On another front, there is also an increase in the occurrence of violent incidents such as the abduction and summary execution of a considerable member of human rights workers from non-government organizations, many of which are being investigated by the CHR. What is deplorable is that there is string evidence that most, if not all, of these killings were perpetrated by military soldiers.

We learned that the Armed Forces consider these NGO's as leftists and NPA sympathizers. Why they are top priority in their order of battle, as part of this so-called war against terrorism. The killings peaked during the watch of Gen. Jovito Palparan, particularly in the provinces of Mindoro, Samar and finally in Bulacan. When Palparan retired sometime this October, there was a dramatic declined in the number if killings.

In the first semester of this year, there was also a series of political murders and ambushes that were allegedly committed by rival politicians against local officials. These happened on the coattails of the killings of lawyers, fiscals and judges, one of whom was a husband of a former executive director of the CHR.

Aside from the investigation and referral of these cases, the CHR also initiated other courses of action by lobbying for human rights bills and issuing advisories, position papers and resolutions.

In December last year, the CHR endorsed a house resolution to the congressional committee on Justice and Human Rights to conduct an inquiry into what concerned government and military agencies have done to get to the bottom and stop the spate of killings of leftist NGO workers.

We issued an advisory on the killings of members of these NGO's calling on the government, particularly the PNP, the DND and AFP to conduct the necessary investigations, to report violations covering the same, and to furnish us the results of these investigations.

II Significance of Human Rights Principles and Human Rights Principles in Peace Negotiations

Article 1 of the United Nations Declaration of Human Rights states that "all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards on another in a spirit of brotherhood"

The denial of human rights and fundamental freedoms not only as an individual and personal tragedy, but also creates conditions of social and political unrest, sowing the seeds of violence and conflict within and between societies and nations. Every individual has dignity. The principles of human rights were drawn up by the dignity of everyone is properly and equally respected. Therefore, a state, should ensure that people receive some degree of decent, humane treatment. To violate the most basic human rights is to deny individual's their fundamental moral entitlement.

Violations of political and economic rights are the root causes of many crisis. When rights to adequate food, housing, employment and cultural life are denied, and large groups of people are excluded from the societies' decision-making processes, there is likely to be great social unrest. Such conditions often give rise to conflicts. International humanitarian law has been enacted to preserve humanity in all circumstances, even during conflicts. Such law "creates areas of peace in the midst of conflict, imposes the principles of a common humanity and calls for dialogues.

International humanitarian law has been enacted to preserve humanity in all circumstances, even during conflicts. Such law creates areas of peace in the midst of conflict, imposes the principle of a common humanity, and calls for dialogue. It rules out unlimited force or total war and seeks to limit the use of violence in the hopes of maintaining the necessary conditions for a return to peace. But conflicts sometimes progress beyond the state at which international law can help. As the number of victims grows and more individuals are taken prisoners, tortured, or executed, it becomes more difficult to resort to legal measures but rather use peace negotiations using human rights principles as tool.

In response, public authorities must regain control of organized violence. This means establishment of the rule of law and rebuilding of trust in public authorities. Leaders must champion international legal norms and human rights principles. These human rights norms are central to the maintenance of civil society and necessary for grounding attitudes of tolerance and mutual respect within communities. In this manner peace agreements can easily be perfected or rather consummated.

Although the book mentions that peace mediators believe that sometimes the introduction of human rights can be an obstacle to successful negotiations, I still believe that applying human rights can be the best tool to peace agreements. I also agree with Ambassador Thomas Greminger and Mr. Petter Willie to their statement that "it is not possible to give one simple answer to the question of how peace agreements can be reached". With this book as reference, peace negotiations is possible and will therefore contribute to the resolution of conflicts.

We are very pleased to see all of you here. Again, to our foreign guests, welcome to the Philippines, and to all of you, welcome to the Philippines launching of and forum on the study report " Negotiating Justice? Human Rights and PEACE Agreements" GOD BLESS YOU ALL.

WELCOME MESSAGE

Undersecretary Nabil A. Tan Deputy Presidential Adviser on the Peace Process

The Office of the Presidential Adviser on the Peace Process (OPAPP) is privileged to have been invited in this Philippine Launching-Forum on the Study Report of the International Council on Human Rights Policy. We at OPAPP being the mandated agency to look into the implementation, coordination and monitoring of the government's comprehensive peace process felt the relevance of integrating human rights peace agreements as well as in all our efforts to pursue a just and lasting peace in the country.

The present peace situation in country – impasse on the talks with the Moro Islamic Liberation Front (MILF), and the long suspension of the negotiations with the Communist Party of the Philippines-National Democratic Front – New Peoples Army (CPP-NPA-NDF), and the proliferation of extra-judicial/political killings, provides an insight for the government together with our peace partners to reconsider this perspective of “human rights in peace agreements”.

Human rights play a very vital role in our quest to ink comprehensive peace agreements, especially in our work with peace and reconciliation process, we see how human rights violations both emanate from conflict and how they cause conflict. When people have freedom of speech, they use it to make their needs, ideas, views and concerns heard. Respect for human rights can provide a viable path towards peace. And it could be a springboard for bringing the peace process forward.

We are all aware of the initiatives of both the government, the CPP-NPA-NDF and the international community to reach an agreement on the respect of human rights and international humanitarian law, known as CARHRIHL signed in March 1998 and still enforced and monitored by the Joint Monitoring Committee.

The results of the study conducted by the International Council on Human Rights Policy on “Negotiating Justice? Human Rights and Peace Agreement” could enable us to have a glimpse on the learning experiences – the best practices and lessons learned of the counties studied in the report which could contribute to our enormous and arduous work on peace here in the Philippines. I enjoined every one to play an active role and to contribute to this task of pursuing a just and lasting peace.

Lastly, to quote the last lines of Nelson's Mandela autobiography *Long Walk to Freedom* “...to be free is not merely to cast off one's chains, but to live in a way that respects and enhances the freedom of others.” This demonstrates the power of human rights. The more you share the rights, the stronger they become. In our work for peace, it is important that we develop and use this power.

ICHRP REPORT PRESENTATION

Mr. Robert Archer
Executive Director, ICHRP

The International Council on Human Rights Policy conducts applied research into problems and dilemmas that face organisations working in the field of human rights.

The International Council is:

- * strictly independent
- * international in membership and activity
- * consultative in its approach

All Council activities relate directly to human rights.

Why this report?

- Most recent peace agreements contain some commitments to human rights
- Such commitments may be vital to the creation of fair, accountable and sustainable **new** institutions after conflict ends
- Human rights can provide an effective means to address accountability for **past** violations.
- But introducing human rights during negotiation is a challenge for negotiators because it is sensitive to the parties involved.

Why do human rights matter?

- Serious human rights violations commonly occur during a conflict.
- For the wider society they are often a crucial issue.
- Parties often want to discuss human rights - an entry point
- But parties are often unwilling to discuss human rights because of risks to themselves
- Victims are often afraid to come forward

The report looks at 8 recent agreements

- Cambodia (1991)
- El Salvador (1992)
- Mozambique (1992)
- Bosnia-Herzegovina (1995)
- Guatemala (1996)
- Northern Ireland (1998)
- Sierra Leone (1999)
- Burundi (2000)

Goals of the Research

- To analyse how human rights may be used constructively in peace processes.

- To develop recommendations and questions that can assist those involved in peace negotiations,
 - including parties to the conflict, negotiators, external actors, civil society.
- The report does **not** look at the long term success of the peace agreements or the impact of human rights on the effectiveness of peace agreements

When are Human Rights raised and ‘negotiated’?

- During a conflict to reduce the incidence or seriousness of violations
 - As part of a negotiated **settlement**, bringing the conflict to an end
 - As an element of new institutional arrangements put in place after the conflict
- Phasing

Factors that influence how human rights are raised

- The character of human rights abuses that occur
- Presence or not of international actors
- Whether the conflict spills across borders
- Attitudes to human rights in society
- Do institutional mechanisms exist to hold authorities accountable?

Options for negotiators

- An aspirational or justiciable approach?
- International or tailored standards
- International or domestic enforcement
- Outline or detail
- Final or revisable form

Policy issues studied

One: Forcible displacement

Displacement, and the return of populations and property

Two: Dealing with the past

Impunity and Accountability

Three: Implementation

1: Repairing the Past- Displaced persons

- An indicator of peace and the end of conflict
- Important for legitimacy of post-conflict regime
- Sometimes a precondition of peace e.g. where returnees are politically active
- Contributes to economic recovery
- To avoid future conflict, dealing with land disputes may be vital.

Restitution and Compensation for property and land but

- Land claims by returnees can create territorial compromises at the heart of an agreement
- the treatment of refugees and displaced people, and management of land disputes can cause new instability.
- Return may occur independently, unconnected to peace agreements. Provisions to deal with returnees and property disputes are nevertheless essential

Rights relevant to displaced persons

- A right to return
- A right not to return
- Property rights
- A right to compensation

2: Dealing with the Past - Impunity

- Impunity undermines the authority of political institutions
- Society needs to come to terms with the past
- Institutional reforms to implant peace will not be legitimate if impunity persists
- Individual victims cannot forgive and communities cannot reconcile
- Accountability provides a deterrent against future abuse.

In addition

- Prisoners who have committed minor crimes need to be released
- Vetting cannot be done without an accountability process.

Obstacles and risks

- Prosecutions may block negotiations or reignite conflict
- Complex due process issues arise
- Prosecutions often fail to achieve their legal, moral or political objectives.
- Traditional forms of legal action and punishment may not always be appropriate to the conflict or culture
- Other responses may be appropriate where a large proportion of the population was involved in abuses.

Amnesties and Accountability

- International human rights law and international humanitarian law do not permit **blanket amnesties** for serious crimes.
- ICC, universal jurisdiction, make amnesty for serious crimes less realistic
- **Amnesties** can be acceptable for minor crimes
- Variable mechanisms can help to make punishment proportional
- Focus on victims' needs: bringing help effectively makes a difference.

3: Implementing Peace Agreements

- **Difficult** - often relies on external support but **must** be taken over by national institutions in the long term
- **Obstacles** include weak monitoring and verification, weakened civil society, impunity, collapse of agreement
- Building and implanting new political, judicial and law enforcement institutions takes time.

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Recommendations for Mediators

- Learn about human rights and humanitarian law
- Appoint advisers with human rights expertise
- Use international human rights standards as the framework for discussion of rights claims.
- Monitor violations at different stages of conflict
- Engage with civil society - particularly in the collection of human rights information
- Sequence discussion of rights issues carefully

Conclusions I

Key factors

- Is the process internally or externally driven?
- How do “bottom up” and “top down” processes interact?
- What constitutional arrangements are in place?
- What human rights issues need to be addressed?

Conclusions II

- Human rights bring a complementary approach to negotiation and are a key element in most settlements
- There is some tension between closing a peace deal and affirming human rights principles.
- The two are not incompatible: judgement and timing are crucial.

REACTIONS

Prof. Sedfrey M. Candelaria

Member, GRP Peace Panel for Talks with the NDF

1. Theory of two legal regimes
 - introduce the history of the two documents:
 - note: GRP gave a litany of HRs-oriented draft agreement while CNN practically culled out the core of IHL standards and incorporated these into their draft.
 - this approach springs from the background obviously of the two negotiating panels.
 - Problems posed: fear of (GRP side) and preoccupation with (CNN side) “S.O.B.”
 - Effect: GRO focused on “principles” of HRs and IHL without reference to treaties
 - Even the manner of style and language referred to: “review laws and jurisprudence”.
 - Concept of “separate duties and responsibilities” premised on the nature of the mandate of both panels: GRP is not in a position of binding the Legislature and the Judiciary.

2. Content of Human Rights in GRP-CNN CARHRIHL
 - as finally drafted, the CARHRIHL is viewed by some observers of the peace process as primarily addressing the HRs needs of those affiliated with the CNN (affects interest).
 - Need for undertaking the delicate balancing act of ensuring that “other” constituencies not necessarily affiliated with the CNN are covered by the CARHRIHL.
 - How to address now the contentious issue of violation of human rights committed by “non-state actors” (e.g. Military/police have asked – could the provisions of CARHRIHL now be taken in the context of purgings within the movement, extortion (revtax), use of child soldiers, violation of the right of electorate and electoral candidates through the use of PTC demands, violation of the rights of women police in the course of the course of monitoring street demonstrations or killings done against AFP/PNP in non-combat situations.
 - Risk of “marginalizing” other rights (socio-economic, cultural and development rights)

3. Enforcement through JMC
 - inherent “impasse prone” provisions of the CARHRIHL (consensus rule)
 - “S.O.B.” and theory of two-legal regimes
 - Third party facilitation as conducive to creating an enabling environment for addressing the implementation and enforcement of CARHRIHL constructively
 - Assistance of HR specialist in making sense out of the periodic “violations” in the course of the negotiations provides an objective assessment and reporting.

REACTIONS

Datu Michael O. Mastura **MILF Peace Panel Member**

I take great pleasure to participate in this forum initiated by the South-South Network (SSN) for constructive engagement of non-state armed groups in the pursuit of peace and human development. It is commendable that your forum organizers have launched on this occasion the presentation to Philippine publics a report of International Council on Human Rights Policy Study based in Geneva, Switzerland. The title of the ICHRP Study Report (2006) is: Negotiating Justice? Human Rights and Peace Agreements.”

Here I note the use of the question mark (?) curiously from the start. For we can track the increasing attention given to just peace in conflict resolutions because of the new perspective of human rights in peace agreements. This action for peace with justice that is linked to human rights instruments (and humanitarian law) fits into “resonance proposition.” Two trends must be kept in mind that help to provide the current climate of opinion within which state and nonstate political actors now operate on international scale.

First of all, most states in contemporary times have given consent for the operation and authority of non-state actors to promote human rights as well as the control of foreign policy. But the current changed context of ‘peace escalation’ dynamic (see page 12) in the South has yet to be asserted in terms of third generation collective right to self-determination. Still it is a useful tool for the democratic group rights spin for understanding the impact on power in the Southeast Asian state borders.

In the second place, the individual as found in single or group entities have gained increasing authority to act in international relations with cumulative effect of their operation in the various regimes in the South. Political actors incrementally adapt to human rights norms in response to both internal and external pressures in reframing political violence to establish legitimacy for the ‘peace process’ dynamic. Thus respect for human rights has evolved into formal expression of the norms that separate legitimate from illegitimate conduct in which most Southeast use of coercive power is sharply circumscribed for constructive engagement with separatist forces.

As we know it, the Philippines entered the phase of prescriptive status in 1986 entailing international jurisdiction on human rights and implementation of legal standards. I find some parallels, post-1996, on a range of issues and principles distilled in this ICHRP Study report that resonate in the on-going peace talks between the Moro Islamic Liberation Front (MILF) and the Government of the Philippines.

To recapitulate, the internationalization of the human rights factor in the Mindanao conflict has played a role in how various actors (notably OIC-member countries) evaluated the internal conditions of Muslims (impunity) in Southern Philippines and their refugee situation in Sabah since the 1970s. Displacements and killings of almost “genocidal proportions” during martial rule were the consequence of the conflict. The granting of OIC-observer status in 1974 to

the Bangsamoro people as represented by the Moro National Liberation Front (MNLF) made the Government of the Philippines (GRP) officially adapt to normative pressures for (1) instrumental reasons; (2) discursive purposes; and (3) economic considerations.

The ICHRP Study Report provides dilemmas in understanding the clash of justice and peace in regard to the balance of power at the time of negotiation. In this stage, human rights issues emerge as confidence-building measures to keep the cessation hostilities in place. There is a specific reference in the GRP-MILF Framework of Peace Agreement of 2001 to safeguard “the observance of international humanitarian law and respect for internationally recognized rights instruments.” Besides securing to all persons within Philippine jurisdiction of territory fundamental freedoms; the Implementing Guidelines provides for any “recognized accredited human rights agencies and organizations full access to monitor the human rights situation in conflict-affected areas.”

Mindano has once entered a “no war no peace” stage in the aftermath of state-sponsored violence (media tag it “all-out war”) without safeguards against abuse of power. Subsequent GRP-MILF peace processes continue to produce a range of documents that allow for classification under the informal typology of the ICHRP Study report (see page 14). What human rights provisions in peace agreements do, in effect, is to disaggregate issues arising from ‘internal conflict’ and ‘political violence.’

Since the force international law has come under challenge, post 9/11, the technology of ‘political control’ has begun to preoccupy new “securocrats”. Now a realist understanding of the “war against terror” seems to have characterized the GRP-MILF ad hoc joint action group (AHJAG) for the interdiction of criminal syndicates. This serves, whatsoever, a unique but interesting example of an interim communiqué compromise. Given that police power is an exercise is an exercise of sovereign authority, the shared duty with regard to nonstate actors is a type of dynamic to build on internal legitimacy in which functions can be handed off to them at a proper stage of the peace agreements.

Overall, the power of human rights in peace negotiations has often, for us who live in the Mindanao conflict-affected areas, influenced to deter Government pre-emptive strikes as optimal tactics for counter-insurgency. Other pragmatic considerations explain how, why and in what form human rights provisions might enter our agreed texts. The discourse on ancestral domain is compelling enough in that GRP rule-consistent behavior more than tactical concession contribute to conceptualize MILF incremental, irreversible strategy in ‘preventive diplomacy.’

My concluding comments further add on to the factors affecting the role of human rights in peace agreements (see page 114). How the entrenchment of territorial and political arrangements is crucial to the GRP-MILF peace process on what to include as human rights measures particularly in regards to right of self-determination. Negotiated arguments can create tensions between territory and people during post-agreement as in Kosovo and South Sudan, which are outside scope of the ICHRP case studies in the present report.

For brevity, in sovereignty-based conflict could be linked to the broader political context wherein facilitators or peace brokers or mediators play a vital role to the extent of consented ad hoc intervention via protocol or through international monitoring team or human security mission. For the Bangsamoro people, a complementary South-South response to reconcile principles of sovereignty and self-determination can benefit from the new “unity with option to secede” formula in South Sudan. Once we no longer treat states as unitary actors we can define “trigger” issues for devolution of powers framed on the ‘territorial fix’ and paired with the ‘big constitutional fix.’ A key to our option roadmap to peace lies on transition process, sequence, timeframe, and periods.

OPEN FORUM

Moderated by: Atty. Cecilia Jimenez
SSN Focal Point. Geneva

QUESTIONS & COMMENTS

Rep. Satur Ocampo
Bayan Muna Party List
House of Representatives
Philippine Congress

I would like to react to what Datu Mastura said about the intrusion of 9/11 or the US War on Terror on the peace processes of the government with the NDF, MILF, and MNLF.

In the case of the NDF, this has become a very serious obstacle. The intrusion of the war on terror in practical terms led to the US Government's inclusion initially in August 1992 of the CPP-NPA and Mr. Jose Ma. Sison in its list of international terrorist organizations. This was when Pres. Arroyo visited the US, subsequently followed by then Foreign Undersecretary Blas Ople in a mission to the European Union to campaign for the inclusion by the European Council of the CPP-NDF in its terror listing in November 2002. That element triggered the present impasse that has been referred to.

I just traveled recently to Europe and conferred with some officers of the European Commission. We talked of the possibility of reopening the formal talks. I raised the issue of their possible contribution by withdrawing the listing of the CPP-NPA and Mr. Sison. They said they can not do that. That was taken by the European Council on the instance of the Phil. government so the Phil. government had to be the one to request or undo it.

This has also impacted not only on political killings, because in place of the counterinsurgency now being transformed into a war on terror, everybody suspected of association with the CPP-NPA including us members of Congress are called enemies of the state and subjected to physical elimination.

This is a very important point both for the work of advisers on the peace process, the government negotiating panel, and to everybody concerned in seeking to put an end to political killings and correlating it with the resumption of the peace negotiations that would create the proper atmosphere for the implementation of the CARHRIHL.

Secondly, I am glad to hear both Undersecretary [Nabil] Tan and Prof. [Sedfrey] Candelaria said that the CARHRIHL is alive and being implemented. But what I understand is that the Joint Monitoring Committee (JMC) has not met. While complaints are being accepted by both sides, I think action has been held, pending the activation of the JMC. It is a very important element if that is operationalized. Action can be taken on any and all sufficient number of complaints. It can establish mutual trust and create the pathway for the resumption of the peace negotiations.

Rep. Etta Rosales
AKBAYAN Party List
House of Representatives
Philippine Congress

I appreciate this and we are learning a lot. The point raised by Mr. Archer, with respect to the capability of our institutions to implement the aspirational aspect/dimension can perhaps be one day operational, not only aspirational. The truth is that the Republic of the Philippines is rich as party or signatory of International Human Rights Instruments. We are one of the richest in Asia. But there's a world of difference between being a signatory and domesticating these international instruments so that they *can* be operational. I'm addressing the military here, and we can help bring this about.

There is human rights education within the military and the Armed Forces of the Philippines. I've talked to generals who attend our human rights meetings, so it is not as if the Armed Forces or the PNP are not aware of or not concerned about these.

The more important question is that this depends on the President or Commander-in-Chief to articulate this political will. I would like some comments on this because we have a lot of specifics to go by.

Satur worries about political activists - Bayan Muna, Anakpawis, the latest being Joey Javier in Cagayan. I know he was killed because they texted me about this. While that was going on, in Iloilo, our peasant leaders and peasants in the field were also being attacked by private armies of the landowner who refused to give land to the CLOA holders. The PNP says "we're ready to protect them, but we need to have a DAR directive to install this." I talked to the DAR, PNP, and people in the field. There is confusion in the report of facts and information. The Armed Forces are being called to help in this effort.

At the same time, what is of importance is impunity. Because where you will have PNP offices at the regional and national level and the army willing to help, at the same time, *there seems to be impunity in the extra-judicial killings* and everyday you hear about it from among the political activists, the human rights organizations, the media, even the religious and the peasant leaders as in the case in AKBAYAN. I would like to hear comments from panel and military representatives present.

Dean Carmen Abubakar
Dean, University of the Philippines Institute of Islamic Studies

I was in a forum only two weeks ago when a military person said in his presentation that "justice is something that stopped negotiations." I was floored by that kind of observation. To him, justice is a problem that will stall negotiations.

To the presenter, first question, in your recommendations, many of the laws you cite always refer to international human rights law or international legal instruments. I wonder if specific countries have problems with minorities – like the Moros in the Philippines – where recourse to Islamic

law will not be useful. Instead, it always refers to international law or international human rights standards that may not be compatible with some of the issues being debated. Second, whether in the advancement of justice through human rights, are we always able to answer marginalized groups of people who are always victims of human rights?

I read in a paper that the Prime Minister of Thailand, for example, has issued a very strong declaration. First, he apologized to the Muslims in Southern Pattani for the years of neglect and injustice that they had. This was not even a subject of negotiations. He took this as an initiative on his part. Second, he declared also that Muslims who were killed in two cases were to be given reparation. Again, this was not a subject of negotiation. ***To what extent can an executive person or an executive office push forward the peace process?***

Jing Mable

Freelance Writer

To SSN regarding the aspirations of Muslims based on their historical claims: ***Is there a parallel effort to look into the impact of international treaties in the past like the Treaty of Paris on its effect on our brother Muslims in the Philippines.***

Bobby Garcia

Peace Advocates for Truth, Justice and Healing (PATH)

We at PATH have been monitoring the peace processes between the GRP and NDF for quite some time now. Our initial impression is that it seems that human rights and accountability is the last thing on their minds. We've been looking at the agenda of the peace process and apparently the questions of justice and accountability for past human rights violations are not even being talked about.

We welcome the CARHRIHL and the implementing mechanisms of the JMC, but it seems that there are no enforceable mechanisms in-built. If complaints are filed against any party; they will just be thrown to either party for further investigation. But there is no enforcing mechanism for them to do that. Should they decide to leave cases in the filing cabinet, there's nothing to really compel them to act otherwise.

Apart from that, the effectivity of CARHRIHL, if I'm not mistaken, was only in 2002. That's why the Human rights violations that have been committed during the Martial Law years and the revolutionary purges done by the CPP before 2002 will not be covered by the JMC. *Yung kalakhan ng violations na na-commit ay hindi rin masyadong mapakikialaman ng JMC.* (Translation: The JMC cannot do anything about majority of the violations committed.) Apparently, there's still a lot to do with respect to justice and accountability in the peace process.

Just last month, we exhumed the remains of two revolutionaries who were killed during the purges, but we don't know the legal recourse of these victims. ***We would like to implore the NDF and the government to really look seriously into the questions of human rights and justice in the peace negotiations.***

Paulyn Siccarn

Government Peace Panel/Former Commissioner on Human Rights

What has bothered me about human rights within the peace process is the tendency that I see from both armed groups to use human rights for propaganda points. There's a great defensiveness on both sides on the matter when it comes to human rights, and there's a tendency to have a head count or an accountant's approach to human rights violations. Instead of looking at the whole picture and trying to solve the problem, there's this "tit for tat" approach. I wonder if this is happening in other countries or if it's just part of our national characteristics. Mr. Mastura talked about us not being able to achieve closure. *I would like to know if in your examination of the other human rights and peace agreements in other countries, you have come across the same problem.*

Fr. Archie Casey

JPICC, Association of Major Religious Superiors in the Philippines (AMRSP)

Everyone remembers the furor about what Pope Benedict said in Germany when he visited his alma mater. What did he mean to say? This takes me back to negotiating of justice, human rights, and peace agreements – what do we mean to say when we make these agreements?

In the Philippines, we have an amazing richness of cultural and religious diversity. In Mindanao, we have Christians, Muslims, indigenous peoples and people of non-faith. We don't want to define the debate in religious terms, but religion is a major component of anything we are trying to do today or in the future.

The role of religion unfortunately did not seem to come out in the report. But at the same time, most of the people who have spoken so far have mentioned religion. It's a powerful tool to bring about justice, human rights, and peace agreements. *How can we empower these kinds of values, meanings, and ethics of what we mean to say when we make any kind of statement about justice, human rights and peace agreements?*

Clarissa Militante

GMA News.TV, GMA 7's Online News Public Affairs

- 1) For Mr. Archer: *Although the Philippine case has not been included in the study, have you had the opportunity to familiarize yourself with the peace processes in the Philippines? If so, what do you think are the areas that need strengthening or the areas that provide obstacles in the processes here?*
- 2) For USec Tan: *Is there a possibility for the CNN and the GRP¹ to go back to the negotiation table soon? Would there be preconditions and what would those preconditions be?*

Flora Arellano

¹ The GRP is the Government of the Republic of the Philippines while the CNN is the Communist Party of the Philippines-New People's Army-National Democratic Front, more known by the acronym CPP-NPA-NDF.

Alliance of Concerned Teachers (ACT) & Faculty, Polytechnic University of the Philippines

- 1) ***How do the parties (government, rebel groups, NDF and MILF) come to terms with addressing seriously the peace question?*** From our end, we view that there is a race going on in terms of the government's initiative of dwelling on insurgency. At the same time, the rebel movement [want] state power through armed revolution. This process is affecting the whole constituency -- the Filipino people. Probably, this is a challenge for all parties concerned to really consider the aspect of genuine peace.

- 2) ***Do they represent their constituencies in really addressing the true essence of peace?***

Rey Casambre
Philippine Peace Center

I'm glad Prof. Mastura mentioned 9/11 as a factor, which was of course not mentioned in the book because the cases were written before 9/11 occurred. I think we should see based on Cong. Ocampo's and Cong. Rosales's points raised that 9/11 is not just an additional factor but has become a major, even a dominant factor in the human rights and peace problem, not only in the Philippines but in the entire world.

We have here the war on terror, which has openly flaunted or flagrantly violated international law. It arrogantly exempts American troops from prosecution with their refusal to join ICC and even sabotaging the ICC by entering into bilateral agreements with other countries by using economic and political clout to make exemptions on prosecution of American personnel.

And of course, you have not only the phenomenon of the US Patriot Act, but also the US pushing all other governments to adopt similar legislation, including in our case, the anti-terrorist bill or law which mirrors most of the provisions in the Patriot Act. This is an indication of the problem which Cong. Rosales pointed out – where is the political will?

It is not that our current de facto president has no political will. In fact she does have a lot of political will, principally to survive! That survival is clearly linked to her full unqualified support of the US, and this I believe is the reason why we have even in the military this culture of impunity, which is a mirror of the impunity which the US forces or the entire US War machinery is enjoying now all over the world.

RESPONSES

Undersecretary Nabil Tan
Deputy Presidential Adviser on the Peace Process
Office of the Presidential Adviser on the Peace Processes (OPAPP)

Sa tanong na kelan mag-reresume [ang GRP-CNN peace talks] eto vina-validate siguro, ina-assess periodically based on developments by the President and her advisers. So hindi ko po masabi, kasi as of now, there's no directive for the resumption. (Translation: On the question

of when the GRP-CNN peace talks will resume, the President and her advisers are probably assessing and validating based on developments. So I cannot say when, because as of now, there's no directive for the resumption.)

Mr. Robert Archer
ICHRP Executive Director

- 1) On the implementation of human rights/value of human rights: Obviously, this is a difficult and a complicated issue in most countries. I'd just like to emphasize one thing: In terms of peace negotiation, ***there are two levels of human rights – substance and process.*** Substance is what's done and what should be done. There is also another element, the process question, the course of negotiating a peace agreement in itself. Human rights is a very useful element in the course of facilitating discussion. It's frequently the case, and probably is true here, that parties to the discussion are interested in addressing some human rights questions. Usually one party is more interested than the other parties. But often, all parties have some interest in human rights though they may have a different interest. And it is often the case that ***human rights can be an issue where all parties can gather and create space for discussion of other matters using human rights.***

It's certainly the case that if steps are taken to prevent certain violations occurring (as raised in the peace talks), that also can create space for further talks and assistance and for useful change on the ground. It's not looking at it as a bit of the agenda; it's a bit of the process as well.

- 2) On including the excluded/minorities and whether international law is the only tool: This is raising complicated issues in this question. ***There is quite a lot of experimentation and exploration in different countries about using rules or values recognized locally by communities and groups rather than the language of international law.*** Where that generates legitimacy and credibility and where it helps implementation -- that is certainly a direction where you can borrow from other experiences and explore. Speaking from a human rights perspective, the key test there is whether the practices and local norms are consistent with the international norms. If one is careless about that, and goes unthinkingly into adoption of local norms that risk conflicting with international norms, one is likely to generate problems down the line, and indeed human rights law and activists are going to be critical. The difficulty is matching – making useful creative use of local values without infringing the international standards.
- 3) On the tit for tat issue/Accountant's approach to human rights: ***We take a more realistic approach in the book.*** Parties to a conflict negotiate when they recognize that they can't win militarily. When that is not clear to them, it is hard to proceed to negotiate beyond a certain point. When they negotiate, they do so as political actors, not as idealists. They are political players, negotiating power. So the report takes the view that it is quite unsurprising that human rights would be a tactical instrument for the parties, both to exploit the weaknesses of the other side and maximize the strength of your own side. And so in that sense, it's normal and that would be true of most peace agreements.

That's why it's crucial to involve a wider framework of interest when assessing and influencing the peace negotiations. That's why the roles of civil society actors, national human rights institutions, and other independent processes are important. ***It is often very useful to have Third Party international voices*** in the room, simply in Sol's words ***to lift the burden of being "insider partial,"*** which of course all negotiators are. They can't avoid that. We need to lift away from that to get "outsider impartial" voices from civil society or other international actors.

- 4) On the question of religion: ***I can't answer that question.*** The author of this report is from Northern Ireland, which is a country that has a strong religious component. She herself was involved directly in the peace talks. So I am quite certain that she understands the religious dimension to many conflicts and wouldn't minimize it. The thinking is that in every conflict there is a different mixture of values and cultural norms that weigh on the process. Perhaps, we should have named religion more explicitly as a dimension in the report. Though not stated explicitly, this does not prevent the reader from bringing religion in. It would be useful to raise that to the author.
- 5) On the Philippine peace process: To be entirely frank with you, I feel surrounded by experts on that issue and I think ***it would be very unwise for me to say anything at all.***

SYNTHESIS & CLOSING REMARKS

Prof. Raul C. Pangalangan
UP College of Law

1. Ironies of human rights in Asia:
 - It took a Honolulu/Seattle court to hold Marcos responsible for human rights violations -- not any Philippine court.
 - It took 30 years after Pol Pot's genocide of 1.7 million Cambodians before a Khmer Rouge tribunal was formed -- and only 7 will be charged.
 - Not a single Indonesian general has been convicted by an East Timor or Jakarta tribunal for the East Timor massacres.

2. Incorporating IHR in Peace Agreements
 - Fosters post-conflict institutions (e.g., constitutions, truth commissions, independent courts, CHR)
 - Enables societies to deal with past violations (e.g., return of displaced populations and property)
 - Breaking through the threshold sensitivity to IHR (place humanitarian values on the agenda)

3. ICHR Report: Typical tensions
 - Between peace *and* justice
 - Between politics *and* principle
 - Between negotiated positions *and* justiceable norms
 - Between ad hoc arrangements *and* institutional mechanisms
 - Between practical negotiators *and* impractical lawyers

Michael Mastura: Can we really negotiate justice? Historical and legal nature of rebel claims. Cultural element: Pinoys never find "closure."

Sedfrey Candelaria: Two overlapping legal regimes. Peace agreement as a special law, an island in itself. Also, Holmes: Law is not about "logic, but experience."

Michael Mastura: Refusal to incorporate self-determination in peace pact.

4. Role of TIMING and JUDGMENT in incorporating IHR in peace talks.

Example: Even Rome Statute of the International Criminal Court incorporates political considerations: Allows 1-YEAR STAY of proceedings upon request by the UN Security Council.

Advantages in incorporating IHR

- Provides neutral authoritative uniform minimum standards to judge partisans
- Translates large ideological aims into workable standards (SC: “norms of a lower order of generality”). Parallel to IHL shift from *jus ad bellum* to *jus in bello*.
- Ensures legitimacy by ending impunity, precluding blanket amnesties, and facilitate reconciliation (*Robert Archer*)
- Both individual and group responsibility. Group responsibility may be political, but individual responsibility should depoliticize.
- Brings in global civil society, so that local IHR and peace groups are not isolated and vulnerable. Availability of treaty bodies and neutral outside monitors (*Robert Archer*)

Disadvantages in incorporating IHR

- Asymmetrical *obligations*. Only state is bound. Not rebel groups. Contrast to IHL, which binds all state parties, including Non-State Actors. *Michael*: National Liberation Movements (Protocol I). No Status of Belligerency (SOB) problem in IHL.
- Asymmetrical *benefits*. Rebels and sympathizers are main beneficiaries, government troops are main burden-bearers.
 - *Prof. Candelaria* shows symmetry: Left purges, revolutionary taxation, child soldiers, permit to campaign demands. Vis-à-vis violations against women police during dispersals of rallies, NPA attacks on AFP/PNP in non-combatant situations.
 - Thus IHR issues have been used against NDF asylum-seekers in The Netherlands, Germany, etc.
- Derogable rights under IHR instruments. “State of emergency officially declared.” Proclamation 1017 of February 24, 2006.
- Strains weak post-conflict institutions. Threatens to break fragile peace. South Africa. East Timor. Cambodia.
- Tends to gloss over deeper social and economic issues, and fixate on “procedural” IHR issues. Forcible evictions of squatters. Forcible dispersal of rallies.

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| 7. Rep. Satur C. Ocampo , Bayan Muna Party List | C. 0917-8226184; fax 0-2-9511027; T.
9315001 loc. 7031 |
| 8. Jonell Torrecampo, Chief of Staff, Rep. Satur Ocampo | c/o Anna 0917 8870876; c/o Grace 0917 8222774 |
| 9. Rep. Loreta Ann P. Rosales | T. 9117294 |
| 10. Staffer of Rep. Ocampo | |
| 11. Staffer of Rep. Rosales | |
| 12. Staffer of Rep. Rosales | |

EMBASSIES (9)

- | | | |
|--------------------------|---------------------------|---------------------------------|
| 1. Clarisa Aseron | Royal Netherlands Embassy | T. 8125981 ext. 213 Fax 8154579 |
|--------------------------|---------------------------|---------------------------------|

- | | | |
|-----------------------------|---|---------------------------------|
| 2. Faith Currey | Second Secretary (Political/Economic)
Australian Embassy | T. 7578104 Fax 7578345 |
| 3. Theresa De – Haan | Political and Economic Relations
Canadian Embassy | T. 8579126 Fax 8431075 |
| 4. Mr. Fortin | Embassy of France | T. 8576907 Fax 8576948 |
| 5. Ms. Saya Kiba | Embassy of Japan | T. 5515710 Fax 5515780; 5515782 |
| 6. Cecilia Ohlsson | Embassy of Sweden | T. |
| 7. Elina Poikonen | Dep. Head of Mission, Embassy of Finland | T. 8915011 to 15 Fax 8914107 |
| 8. Andrei Seeto | Political and Economic Section
Australian Embassy | T. 7578104 Fax 7578345 |
| 9. Emma Sundblad | Embassy of Britain | T. 5808311 |

INTERNATIONAL ORGANIZATIONS (5)

- | | | |
|-------------------------------|--|-----------------------------------|
| 1. Felipe Donoso | International Committee of the Red Cross | T. 8928901 to 04 Fax 8195997 |
| 2. Leon Fajardo | UNICEF | T 9010100 Fax 8928126 |
| 3. Atty. Alberto Muyot | UNICEF | T 9010100 Fax 8928126 |
| 4. Gerardo Porta | USAID | T. 552 9800, 5529900 Fax 552 9899 |
| 5. Bebot Kimpo | Centre for Humanitarian Dialogue (CHD) | |

MEDIA (3)

- | | | |
|------------------------------|---------------------------------|------------|
| 1. Roel Landingin | <i>Financial Times</i> | |
| 2. Jing Mable | Freelance/Philippine Free Press | |
| 3. Clarissa Militante | gmanews.tv | T. 9276268 |

SSN Organizers and Secretariat (8)

1. **Robert Archer** ICHRP Executive Director (Keynote Speaker)
2. **Atty. Cecilia Jimenez** SSN, Focal Point for Europe (Open Forum & Panel Moderator)
3. **Atty. Soliman M. Santos Jr.** SSN, Focal Point for Asia (Opening Remarks & Welcome)
4. **Dr. Paz Verdades M. Santos** SSN Philippines (Logistics & Finance)
5. **Paz Resurreccion M. Alip** Development Academy of the Philippines (Emcee)
6. **Kara Santos** Women's Features Services (Documenter)
7. **Lorie Cruz** University of the Philippines (Reception)
8. **Ida Pamandanan** (Reception)

Informal Lunch: (Rm. 1605 Discovery Suites, 14 November 2006)

1. **Rep. Satur Ocampo**, *Bayan Muna*
2. **Ruth Cervantes**, Karapatan
3. **Rey Casambre**, Consultant for NDF Peace Talks
4. **Susan Granada**
5. **Robert Archer**
6. **Cej Jimenez**
7. **Sol Santos**

Informal Dinner: (Akagi, Podium, 14 November 2006)

1. **Atty. Wigberto Tañada**, Former Senator, Philippine Rural Reconstruction Movement (PRRM)
2. **Atty. Byron D. Bocar**, Party List-Akbayan! T. 9315001 loc 7289 Fax 9316288
3. **Rep. Etta Rosales**, Party List- Akbayan!
4. **Robert Francis Garcia**, PATH
5. **Gil Navarro**, PATH
6. **Susan Granada**, Non-Violence
7. **Robert Archer**
8. **Cej Jimenez**
9. **Sol Santos**
10. **Doods Santos**

PHOTO DOCUMENTATION



SSN and TACDRUP Banner



The ICHRP Study Report



Participants sign up at the Registration Table



Prof. Pangalangan, Prof. Candelaria & Mr. Robert Archer



Atty. Cecilia Jimenez greets Rep. Satur Ocampo



A participant gets a program and brochure



Over 125 participants attended the Philippine Launching Forum. They come from a broad range of organizations including embassies and international agencies, government, concerned members of Congress, defense and military establishments, rebel groups, human rights and peace NGOs, church-based groups, Moro professional associations, political formations, the academe and media.





Atty. Sol Santos of SSN formally opens the forum



Prof. Candelaria delivers his Welcome Remarks



Robert Archer presents Mr. Nabil Tan with the book



Prof. Calamba prepares to give his reactions



Mr. Robert Archer delivers the ICHR report



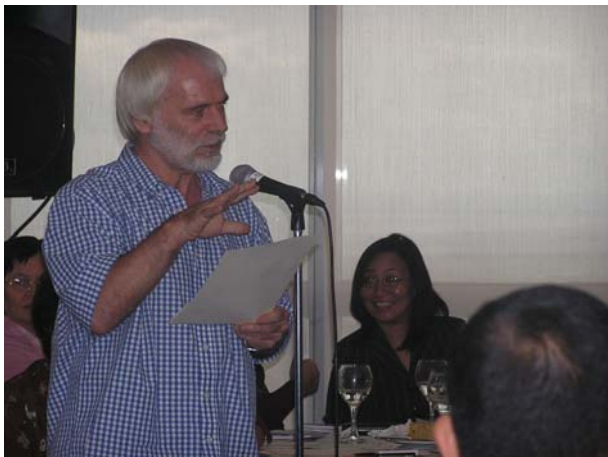
Mr. Mastrua gives his reactions



Rep. Satur Ocampo, Bayan Muna



Rep. Etta Rosales, AKBAYAN



Fr. Archie Casey, AMRSP asks a question during the Open Forum



Prof. Raul Pangalangan gives the Synthesis and Closing Remarks



L-R: Prof. Sedfrey Candelaria, Atty. Nabil Tan, Prof. Raul Pangalangan, Rep. Satur Ocampo, Mr. Robert Archer, Atty. Sol Santos, Atty. Cecilia Jimenez, Rep. Etta Rosales & Datu Michael Mastura.