

**THE PHILIPPINES: COUNTER-INSURGENCY VS.
COUNTER-TERRORISM IN MINDANAO**

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THE PHILIPPINES: COUNTER-INSURGENCY VS. COUNTER-TERRORISM IN MINDANAO

EXECUTIVE SUMMARY AND RECOMMENDATIONS

U.S.-backed security operations in the southern Philippines are making progress but are also confusing counter-terrorism and counter-insurgency with dangerous implications for conflict in the region. The “Mindanao Model” – using classic counter-insurgency techniques to achieve counter-terror goals – has been directed against the Abu Sayyaf Group (ASG) and has helped force its fighters out of their traditional stronghold on Basilan. But it runs the risk of pushing them into the arms of the broader insurgencies in Mindanao, the Moro Islamic Liberation Front (MILF) and Moro National Liberation Front (MNLF). The U.S. and the Philippines need to revive mechanisms to keep these conflicts apart and refocus energies on peace processes with these groups. That imperative has become particularly acute since the Malaysian government announced withdrawal, beginning on 10 May, from the International Monitoring Team (IMT) that has helped keep a lid on conflict since 2004. If renewed attention to a peace agreement is not forthcoming by the time the IMT mandate ends in August, hostilities could quickly resume.

A policy tool of proven value is at hand. Called the Ad Hoc Joint Action Group (AHJAG), it was designed to facilitate coordination between the Philippines government and the MILF to share intelligence on terrorists and avoid accidental clashes while government forces pursued them. Allowed to lapse in June 2007, it was formally renewed in November but not fully revived. It should be, as a counter-terror and conflict management mechanism that worked, and a similar arrangement should be developed with the MNLF. The problem is that it will only work if there is progress on the political front – that is, in peace negotiations – so that insurgents see concrete benefits from their cooperation with the government.

As part of Operation Enduring Freedom-Philippines, U.S. forces are strengthening the Philippines military and using civic action to drive a wedge between rebels and the Muslim populace. But if their goal is to defeat the ASG and its foreign, mainly Indonesian,

jihadi allies, they are casting the net too widely and creating unnecessary enemies.

Mass-based insurgencies like the MILF and MNLF rely on supportive populations. By extension, small numbers of terrorists rely on sympathetic insurgents. Counter-terrorism’s central task in a setting like that in the Philippines is to isolate jihadis from their insurgent hosts – not divide insurgents from the population. Recent gains against the ASG came only after the MILF expelled key jihadis from mainland Mindanao in 2005. Yet AHJAG, the mechanism that made this possible, is not getting the attention it deserves.

AHJAG was crafted as part of an ongoing government-MILF peace process. For more than two years, it prevented conflict escalation as the search for terrorists intensified in MILF strongholds in western Mindanao and led to a few cases of the MILF’s disciplining extremists in its own ranks. It helped force the ASG’s core group, including Kadaffy Janjalani and Abu Solaiman, to Sulu, where they were killed.

This has come at a heavy price in Sulu, where no equivalent ceasefire machinery exists to separate jihadis from the dominant local guerrilla force, the Moro National Liberation Front (MNLF). Instead, heavy-handed offensives against ASG and its foreign jihadi allies have repeatedly spilled over into MNLF communities, driving some insurgents into closer cooperation with the terrorists, instead of with government.

Ceasefire mechanisms like AHJAG depend on substantive progress toward a comprehensive peace pact, but negotiations with the MILF remain deadlocked. While the Arroyo administration is distracted by turmoil in Manila, and Washington focuses on economic and military approaches to an essentially political problem in the Philippines south, AHJAG has been allowed to wither. As an innovative means of depriving transnational extremists of refuge and regeneration while building confidence with insurgents and strengthening moderates among them, this mechanism needs to be strengthened and expanded.

RECOMMENDATIONS

To the Philippines Government:

1. Facilitate insurgent cooperation against terrorists by addressing substantive political grievances, including by committing immediately to:
 - a) resume exploratory talks with the MILF on the basis of the right to self-determination of the Bangsamoro people, with the goal of a formal agreement on ancestral domain by June 2008 and formal talks on a final agreement to start by July; and
 - b) resume Organisation of the Islamic Conference (OIC) tripartite talks to review implementation of the 1996 Jakarta peace agreement with the MNLF, without further delay, and with Nur Misuari's participation, as sought by the MNLF.
2. Initiate discussion with both MILF and MNLF on reestablishing counter-terrorist cooperation along the following lines:
 - a) appoint senior, full-time AHJAG chairs and staff, ensure full and prompt funding and create teams for Basilan and Sulu;
 - b) encourage the MILF, as a step toward the demobilisation and reintegration of its members

in the event a peace agreement is signed, to clarify its membership, in the first instance by providing a list of expelled members to prevent post-facto alibis;

- c) formalise government-MNLF ceasefire mechanisms, map MNLF camps and communities in Sulu and upgrade the gentlemen's agreement that facilitated Oplan Ultimatum's early success to formal ceasefire and intelligence-sharing mechanisms; and
- d) guarantee in return through a restored international Joint Monitoring Committee that clearly demarcated MNLF camps and communities will not be attacked.

To the U.S. Government:

3. Review official military doctrine with emphasis on clarifying the distinction between insurgents and terrorists, and in the specific Philippines case encourage insurgent cooperation against terrorists by supporting AHJAG and similar mechanisms.
4. Use all the resources at its disposal to encourage the Philippines government and the MILF to finalise a formal peace agreement.

Jakarta/Brussels, 14 May 2008

THE PHILIPPINES: COUNTER-INSURGENCY VS. COUNTER-TERRORISM IN MINDANAO

I. INTRODUCTION

The success of a classic counter-insurgency formula against the Abu Sayyaf Group (ASG) may prove short-lived unless the Philippines government and its American backers recognise the importance of a key factor in the ASG's decline: government coordination with the Moro Islamic Liberation Front (MILF) to share intelligence on terrorists and avoid accidental clashes while pursuing them.¹

The mechanism that made this possible was the Ad Hoc Joint Action Group (AHJAG), designed to identify and root out criminals and terrorists in a way that would protect the peace process. Agreed on in 2002 and made operational in early 2005, it was allowed to atrophy from mid-2007 and has not been fully revived, although both sides agreed on a year's extension in November 2007. Even if it becomes operational again, the MILF's willingness to provide information will depend on significant progress in the peace talks, at a time when the Arroyo government, beset by scandals, may be reluctant to take the bold steps needed. No equivalent to AHJAG exists with the smaller Moro National Liberation Front (MNLF), even as operations on Sulu are having the unintended consequence of pushing it closer to the ASG. Unless one is quickly established, the ASG could regain some of its lost ground.

Gains against the ASG have come from extension to Mindanao of the Philippines branch of Operation Enduring Freedom, the U.S. "global war on terror". Soldiers from the U.S. Special Operations Command, Pacific (SOCPAC) were sent to "advise and assist" the Philippines military's fight against the ASG. The impetus was to rescue three U.S. hostages the ASG seized from a Palawan beach resort, but the deployment was criticised as a politically motivated overre-

action "to demonstrate momentum in the war on terror, deploy troops in a country where they are welcome, show the flag in Southeast Asia and find an enemy that can be quickly beaten".² There was some truth to this, but as the deployment increased from 660 troops to more than 1,200 under Exercise Balikatan 02-1, it took on broader objectives: to boost the professionalism of the Philippines armed forces and win hearts and minds in ASG strongholds through building roads, bridges and schools and providing humanitarian services.³ A program that began as a counter-terrorism operation has become heralded as the "Mindanao Model" of successful counter-insurgency, with global policy implications.⁴

The gains made through the combination of military force and community assistance are real in terms of decimation of ASG ranks and capacity and dwindling popular support in its base on Basilan, off the coast of Mindanao. But the ASG should be seen as more a terrorist network with some guerrilla capacity than an insurgency like the MILF or MNLF. Members of that network, including some two dozen foreign jihadis,

² Nicholas D. Kristof, "The Wrong War", *The New York Times*, 19 February 2002.

³ Balikatan means "shoulder to shoulder" in Tagalog. Balikatan 02-1 was different from earlier Balikatan programs which, beginning in 1981, were simply joint training exercises. These annual exercises continue to this day.

⁴ Glowing accounts of the "Basilan Model" (used interchangeably with "Mindanao Model" and "Philippines Model") include the entire September 2004 issue of *Special Warfare*, the authorised official quarterly of the John F. Kennedy Special Warfare Center at Fort Bragg, North Carolina; Gregory Wilson, "Anatomy of a Successful COIN Operation: OEF-Philippines and The Indirect Approach", *Military Review*, vol. 86, no. 6 (Nov.-Dec. 2006), pp. 2-12 (publication of the U.S. Army Combined Arms Center, Fort Leavenworth, Kansas); William Eckert, "Defeating the Idea: Unconventional Warfare in the Southern Philippines", *Special Warfare*, vol. 19, no. 6 (Nov.-Dec. 2006), pp. 16-22; and David P. Fridovich and Fred T. Krawchuk, "Winning in the Pacific: The Special Operations Forces Indirect Approach", *Joint Force Quarterly*, no. 44 (2007), pp. 24-27 (published by the Institute for National Strategic Studies of the National Defense University for the Chairman of the Joint Chiefs of Staff).

¹ For earlier Crisis Group reporting on the Philippines, see Crisis Group Asia Reports N°80, *Southern Philippines Backgrounder: Terrorism and the Peace Process*, 13 July 2004; and N°110, *Philippines Terrorism: The Role of Militant Islamic Converts*, 19 December 2005.

rely on allies embedded in these broader insurgencies. The crux of counter-terrorism in the Philippines is to separate terrorists from insurgents.

In the Philippines context, the distinction between the two can be roughly defined by four characteristics:

- ❑ chosen targets of violence;
- ❑ negotiable goals;
- ❑ possession of political infrastructure; and
- ❑ control of population and territory.

Terrorists deliberately and systematically target civilians in pursuit of non-negotiable goals, and score relatively low on the other two indices – reflecting their lack of legitimacy. Insurgent movements with negotiable demands, political infrastructure, popular constituencies and territorial control are less likely to depend on terrorist tactics and are more readily held to account for their actions, especially when engaged in peace processes. The MNLF and MILF fall closer to the “insurgent” end of the spectrum. They focus overwhelmingly on military targets but contain relatively marginal terrorist networks, which can be isolated by working with the groups’ moderate majorities. ASG falls at the other end. It has worked closely with a small group of South East Asian jihadis to plan and carry out some of the worst acts of terrorism in the region, but its members can also fight like the MILF or MNLF – particularly when they join forces with allies on their own turf.

Employing mechanisms like AHJAG to isolate ASG and its terrorist allies from their insurgent hosts does not mean engaging terrorists in the peace process. It means using the peace process to build confidence with insurgents who are open to a comprehensive negotiated settlement, while identifying, with their help, extremists among them who have a very different agenda. For more than two years, AHJAG helped prevent conflict from escalating in the MILF’s heartland, as Philippines forces searched for terrorists; it prompted the MILF’s leadership to discipline its own extremists who were harbouring jihadis; and it forced ASG’s core group into Sulu, where key figures, including Kadaffy Janjalani and Abu Solaiman, were hunted down.

On 10 July 2007, three weeks after the two sides failed to renew AHJAG’s mandate, a clash between Philippines marines and MILF fighters on Basilan was followed by the beheading of ten marines. The MILF claimed that government forces failed to coordinate with it, as the marines, searching for a kidnapped Italian priest, entered MILF territory in Al-Barka, Basilan. This was exactly the kind of confrontation AHJAG was designed to avoid. On a lesser scale, the killing of seven civilians and an off-duty soldier in Maimbung,

Jolo, in January 2008 during a military hunt for ASG operatives also might have been avoided had there been a similar mechanism with the MNLF that could have provided the armed forces with information on the whereabouts on the wanted men, thus avoiding an unnecessary attack on a village where in fact no operatives were present .

The number of terrorists in the Philippines is small relative to the mass-based insurgencies in which they take cover. But the ASG and its allies remain dangerous because of their potential to drag the latter back into war. Denying terrorists sanctuary among insurgents should be a key counter-terrorism goal, and an effective AHJAG, working in the context of a broader peace process, could help achieve it.

This report takes a detailed look at the impact of security operations in Sulu that ended the careers of some of the Philippines’ most notorious terrorists, but also tipped the strategic island of Jolo back into war. It examines the role of AHJAG and other counter-terrorism measures and how they have been affected by U.S.-backed military operations. It is based on extensive interviews in Mindanao, Sulu, Basilan and Manila in 2007 and 2008.

II. ISLANDS, FACTIONS AND ALLIANCES

There is not just one conflict in the southern Philippines, but several. Islamic identity, kinship, shared training and combat experience and a common enemy in the Armed Forces of the Philippines (AFP) provide a basis for uncertain coalitions among geographically, ethnically and ideologically disparate groups.

Today's tangled web of rebel factions grew out of the MNLF, which launched a campaign for the independence of the thirteen Bangsa Moro (Muslim) tribes after Ferdinand Marcos imposed martial law in 1972. Led by Nur Misuari, an ethnic Sama from Sulu, the MNLF drew adherents from the Tausug-dominated Sulu archipelago and the Mindanao mainland, where the Maguindanaon and Maranao are the largest Muslim ethnic groups.

A failed peace agreement signed in Tripoli, Libya in 1976 led Misuari's head of foreign affairs, Salamat Hashim, to break away the next year to form his own faction – renamed the Moro Islamic Liberation Front (MILF) in 1984. Salamat was Maguindanaon and took much of the MNLF's central Mindanao following with him. Emphasising Islam over Misuari's secular ethno-nationalism, Salamat's MILF rode a rising tide of militancy through the 1990s. A "final" MNLF peace agreement in 1996, signed in Jakarta and brokered by the Indonesian government on behalf of the Organisation of the Islamic Conference (OIC), co-opted most of Misuari's remaining followers into accepting a territorial unit called the Autonomous Region of Muslim Mindanao (ARMM).⁵ In Sulu, however, some MNLF members continued to fight under Ustadz Habier Malik, a Saudi-trained religious scholar, and other local commanders. Misuari himself remained under house arrest in Manila until 28 April 2008.

Except in Misuari's base in Sulu, the MILF is now the dominant insurgent group in the Muslim south, fighting and negotiating through three major cycles of conflict (1997, 2000 and 2003) in an effort to win greater autonomy. Despite Salamat's focus on Islam, it also is overwhelmingly an ethno-nationalist insurgency, fighting for self-government of the Bangsamoro people, not against unbelievers and persecutors of Muslims worldwide. But Salamat's international Islamist ties

opened the door to Jemaah Islamiyah, the regional jihadi organisation responsible for the 2002 Bali bombings, which began training in Mindanao in 1994, building on connections established in Afghanistan in the late 1980s.

Ex-MNLF militants opposed to Misuari, meanwhile, formed the nucleus of the Abu Sayyaf Group (ASG) from 1991, initially on Basilan island and nearby Zamboanga City but soon spreading to Sulu. The founder of the ASG, Abdurajak Janjalani, died in 1998 and was succeeded by his brother, Kadaffy Janjalani, who was killed in a battle on Jolo with Philippines marines in October 2006. The new overall *amir* (supreme leader) of ASG is now believed to be Ustadz Yasir Isagan, a religious scholar and like the MNLF's Habier Malik, a University of Medina alumnus.

Intertwined with the three groups are about two dozen foreign jihadis. Half are believed to be under MILF protection in a JI camp known as Jabal Quba 3 in Maguindanao; the rest, led by Indonesian national Umar Patek, are working with the ASG. The latter group includes some JI members, including Patek himself and his better known but less important colleague, Joko Pitono alias Dulmatin, who frequently has been reported dead only to turn up several weeks later. The unit, however, is a mixture of non-Filipino South East Asians from at least three groups (JI, KOMPAK and Darul Islam) and Philippines Muslims from ASG, MILF and the Rajah Solaiman Movement, a group of converted or born-again Muslims.⁶ It appears to be completely independent of the JI leadership and has only sporadic communication with the group in Jabal Quba. Its Indonesian links are more with KOMPAK, but it is now more accurately seen as an ASG offshoot.

Over the last decade, these groups have interacted and realigned in a way that makes any effort to address one in isolation from the others nearly impossible.

A. THE MILF

The largest group of rebels continues to pursue peace talks with the Philippines government, while being unable or unwilling to control commanders who work with the ASG or foreign jihadis. A 1997 "Agreement for General Cessation of Hostilities" became the baseline for all subsequent negotiations. The implementing guidelines established government and MILF Coordinating Committees for the Cessation of Hostilities (CCCH), with six members on each side. These committees remain the principal ceasefire monitoring

⁵ The ARMM, formed in 1990, initially comprised the Muslim-majority provinces of Maguindanao, Lanao del Sur, Sulu and Tawi-Tawi. It was extended in 2001 to include Basilan province (other than its capital, Isabela City). The partition of Maguindanao in 2007 created a sixth province in ARMM, Shariff Kabunsuan.

⁶ For more detail on the Rajah Solaiman Movement, see Crisis Group Report, *Philippines Terrorism*, op. cit.

mechanism.⁷ Negotiations collapsed in 2000 after the Estrada government launched an attack on MILF headquarters; they resumed, with Malaysia facilitating, in 2001, but after five years of slow but incremental progress, they ground to a halt in late 2006 over the key issue of Muslim “ancestral domain”, including the territory to be included in the new autonomous region. Nevertheless, what the sides called “clarificatory” and “technical” meetings took place in December 2006, August, September and October 2007 and January 2008.

On 24 October 2007, both sides announced with great fanfare in a joint statement that the peace process “is firmly back on track toward the holding of the Formal Talks before the end of the year”.⁸ However, in mid-December, just before a memorandum of agreement was to be signed in Kuala Lumpur, the MILF decided not to participate, saying the government had introduced “new and extraneous elements” that violated the consensus. From the beginning, there had been an agreement that the government would not raise the Philippines constitution, which in the MILF’s view reflects non-Moro interests, and the MILF would not raise independence. But in the government’s draft agreement, the inclusion of new territories in the Bangsamoro Juridical Entity was to be “subject to constitutional processes” – meaning there would have to be a plebiscite in the communities to be added to the existing ARMM, many of which have mixed Muslim, Christian and indigenous populations.⁹

The MILF argued the constitution is premised on a unitary state that does not permit genuine power sharing, and a plebiscite would be Manila’s escape clause, allowing the government to renege on treaty obligations, as it had after the 1996 treaty with the MNLF.¹⁰ Other conflicts around the world, such as Bougainville in Papua New Guinea and southern Sudan, had been settled through extra-constitutional means, they argued. Although at least two proposals, discussed in

more detail below, have been floated to get around the stalemate, the talks remain stalled. Despite the impasse, the MILF’s moderate head, Al-Haj Murad Ebrahim, who succeeded Salamat Hashim after the latter’s death in 2003, reinforced his commitment to the peace process at an “expanded” MILF central committee meeting (8-11 March 2008) in Butig, Lanao del Sur, on the Mindanao mainland.

Frustrated at the slow pace of the talks, Malaysia, their facilitator since 2001 and leader of an International Monitoring Team (IMT) in Mindanao since 2004, announced in April 2008 that it would begin withdrawing its ceasefire monitors on 10 May. The 59-strong IMT has played a key role, supporting the CCCH and civil society Local Monitoring Teams (LMTs) in dampening down recurrent skirmishes between government and MILF forces. Without international support, these mechanisms may not be able to withstand a drift toward renewed conflict.¹¹

In the meantime, MILF extremists continue to collude with JI, its freelance jihadi offshoots and ASG, despite attempts by the leadership to curtail such ties. Fighters from South East Asia and the Middle East had been welcome at the MILF’s sprawling Camp Abu Bakar in Maguindanao since the early 1990s. The biggest contingent was from Jemaah Islamiyah, which in 1994 began setting up a military academy, Camp Hudaibiyah, to replace its Afghanistan facilities.¹² In 1998, the camp became the headquarters of JI’s territorial sub-division in the Philippines, Waka-lah Hudaibiyah, part of the regional unit called Mantiqi III, which also covered Sulawesi and East Kalimantan in Indonesia and Sabah in Malaysia.

After the Philippines armed forces overran Camp Abu Bakar in 2000, JI moved its training site to Jabal Quba on Mt. Cararao, also in Maguindanao, where in early 2007 a small group of trainees was receiving regular monthly payments from the JI leadership in central Java. That funding was disrupted but probably not stopped by the arrest of JI leaders, including Abu Dujana, in Indonesia in March and June 2007.¹³ This

⁷ Crisis Group Report, *Southern Philippines Background*, op. cit., p. 6.

⁸ “No sked yet for GRP, MILF talks resumption”, *Mindanews*, 8 January 2008.

⁹ Constitution of the Republic of the Philippines (1987), Article X, Section 10: “No province, city, municipality or barangay [village or precinct] may be created, divided, merged, abolished, or its boundary substantially altered, except ... subject to approval by a majority of the votes cast in a plebiscite in the political units directly affected”.

¹⁰ “MILF offered federal state in 2005, rejects it”, *Luwaran*, 29 December 2007. (Luwaran.com is the official MILF website.) Crisis Group interview, MILF panel member, Cotabato City, 30 June 2007. See also “Government formally asks for new extension on territory”, *Luwaran*, 7 October 2006, which prominently features opinion within MILF opposed to the peace process.

¹¹ Until 10 May 2008, Malaysia provided 41 IMT personnel, Brunei ten, Libya seven and Japan one. All are likely to withdraw by September 2008. The IMT is credited with reducing the number of armed clashes from 559 in 2003 to just seven in 2007. See Abhoud Syed M. Lingga, “Malaysia’s Pull-Out from the International Monitoring Team: Implications [for] Peace and the Peace Process in Mindanao”, Institute of Bangsamoro Studies, May 2008.

¹² Nasir Abas, *Membongkar Jemaah Islamiyah* (Jakarta, 2005), pp. 139-168.

¹³ Interrogation deposition of Arif Syaifuddin alias Tsaqof alias Firdaus alias Wito, 15 August 2007, in case dossier of Ainul Bahri alias Yusron Mahmudi alias Abu Dujana alias Abu

group of “structural” JI members, obedient to the chain of command, is believed to be under the protection of the MILF, likely in exchange for a commitment to lie low as long as there is chance of progress in the peace talks.

Even as Al-Haj Murad consolidates control over the MILF, there is ample evidence that some of his commanders are collaborating with the ASG and the group around Umar Patek. Istiada binti Haja Oemar Sovie, Dulmatin’s wife, who was arrested in October 2006, confirmed reports that her husband had found refuge with the MILF. After entering the Philippines in August 2003, she met him and his brother-in-law, Hari Kuncoro alias Bahar, in an MILF camp known as SKP,¹⁴ in the Liguasan Marsh region where four of the MILF’s thirteen base commands converge.¹⁵

The SKP camp commander – and perhaps the MILF’s most important link with foreign jihadis – is Mugasid Delna alias Abu Badrin, a classmate of Umar Patek in Afghanistan.¹⁶ Also known as H. Solaiman, he is described simultaneously as a member of the 108th Base Command and a “renegade”.¹⁷ In addition to Dulmatin,

a host of other prominent jihadis have passed through SKP, including top Abu Sayyaf commanders and some of the most-wanted Indonesians and Malaysians.¹⁸

The accounts of Istiada and Mohamed Baehaqi, arrested in February 2008, implicate other MILF commanders, including Ameril Umbra, also known as Commander Kato, a powerful warlord whose terror ties are well documented; Ustadz Baguinda Alih of the 105th command in Mamasapano, Maguindanao; and Commander Satar of Pantukan, Compostela Valley province. They also both refer to a man named Zabidi Abdul alias Bedz, a senior MILF commander who is the alleged chief of a group calling itself “al-Khoobar” and responsible for a series of bus bombings in 2007 and possibly a string of fourteen transmission tower bombings in Lanao in early 2008.¹⁹ Bedz is also said to be a member of the MILF’s Special Operations Group, which in the past has worked with JI on major bombing operations. It is now believed to have some twenty members; its relationship to the MILF leadership is unclear.

Despite the evidence, however, MILF leaders consistently deny terrorist ties, saying the movement has repeatedly denounced violence against non-combatants and has no contact with JI, and that the government uses accusations of sheltering terrorists as an excuse to attack it.²⁰

Musa alias Sorim alias Sobirin alias Pak Guru alias Dedy alias Mahsun bin Tamli Tamami, September 2007.

¹⁴ “After Custodial Debriefing Report on Istiada Bte. Hja Oemar Sovie”, 5 October 2006. SKP is short for Salipada K. Pendatun, a municipality on the Maguindanao-Sultan Kudarat provincial border.

¹⁵ The four are Ameril Umbra’s (Commander Kato’s) 105th, the 106th, 108th and 109th. A reorganisation over the last few years has established four MILF fronts in Mindanao (Northminfront, Southminfront, Westminfront and Eastminfront. The old 101st and 106th base commands under Gordon Syafullah and Samir Hashim have been restored to their former status as the General Headquarters Division and National Guard Division, independent of the regional fronts.

¹⁶ Mugasid is variously spelled Mogasid, Mokasip and Mukasip. His collaboration with Patek’s group is confirmed in the testimonies of several other Indonesians who trained or were arrested in Mindanao. Patek and Mugasid were in the same intake at the JI military academy in Sada, Pakistan, on the Afghan border, in 1991. Other members of that class were Bali bombers Imam Samudra, Ali Imron and Sarjiyo alias Sawad, as well as KOMPAK leader and financier Aris Munandar. After the academy was forced to disband in 1992, Mugasid moved to Torkham, Afghanistan with a group of JI members that included Patek, as well as Abu Dujana and Zarkasih, the JI leaders arrested in June 2007. His nom de guerre, Abu Badrin, means “father of two Badrs” because, when he left for training on the Afghan border, he had two young children, a girl named Badriyah and a boy named Badruddin. When Fathur Rahman al-Ghozi, one of JI’s most senior operatives, was shot dead at a checkpoint outside Cotabato City in October 2003, Mugasid reportedly was riding the lead motorcycle in his convoy.

¹⁷ “Organisation Structure of Mindanao Command BIAF MILF”, undated, 2007, a chart used by the IMT. BIAF stands for Bangsamoro Islamic Armed Forces, the MILF armed wing.

¹⁸ Among the ASG leaders accommodated there were Kadaffy Janjalani, Jainel Antel Sali and Isnilon Hapilon. One of two Malaysians who have been frequent visitors is Zulkifli bin Hir alias Marwan, formerly of the JI-affiliated Kumpulan Mujahidin Malaysia (KMM) and believed responsible for some of the most serious bombings on Mindanao in 2007. At least six Indonesians have stayed there at different times as well as a Singaporean named “Manobo”, also known as Muawiyah and Mohamad Ali. Crisis Group interview, senior investigator, Manila, 10 July 2007. See also testimonies of Istiada and Baehaqi.

¹⁹ Bedz is implicated with Elmer Abram in the 12 December 2004 General Santos bombing, which targeted the public market’s pork section to avoid Muslim casualties. The attack killed fifteen (including one Muslim woman) and wounded 80. See Regional Trial Court, Region 11, Branch 22, General Santos City, criminal case no. 18368 for multiple murder with multiple frustrated murder, 31 March 2005. Abram alias Elmer Emran, reportedly born to Indonesian parents in the Philippines, is also implicated in the joint JI-ASG-RSM Valentine’s Day bombings of 2005. He was arrested in Manado in late 2006. For a report on the transmission tower bombings, see Froilan Gallardo, “Extortion group behind bombings”, *Sun Star*, 29 January 2008.

²⁰ See, for example, “The Issue of Terrorism” in Salah Jubair, *The Long Road to Peace: Inside the GRP-MILF Peace Process*, Institute of Bangsamoro Studies (Manila, 2007), pp. 54-62. “Salah Jubair” is the pseudonym of a top MILF negotiator.

B. THE MNLF

The MNLF is an often forgotten element in the terror-insurgency relationship. A “final” peace agreement signed with the government of President Fidel Ramos in 1996 seemed to end its rebellion. But the so-called Jakarta agreement did not require the disarmament of its armed wing, the Bangsa Moro Army (BMA), and only 7,500 of an estimated 45,000 fighters were integrated into the armed forces and police.²¹ While most MNLF veterans on mainland Mindanao melted back into civil society, or realigned themselves with the MILF, those in the Sulu archipelago retained their separate identity as an armed force. On Jolo and Basilan, their ethno-linguistic and kinship ties with the ASG eventually drew them back into the conflict.

On 23 April 2000, the ASG seized a group of tourists in a raid on the Malaysian resort island of Sipadan, just south of Sulu. This was followed a year later by another high-profile abduction of tourists from Dos Palmas beach resort on Palawan. The abductions led to the escalation of the military campaign against the ASG in Sulu and created a dilemma for the MNLF: remain scattered in civilian communities across Sulu, or consolidate forces in clearly demarcated camps. The first would allow fighters to defend kith and kin against military depredations but risk their being caught up in anti-ASG sweeps. The second would create a clear line between ASG and MNLF but leave civilians defenceless. BMA fighters in camps could also be tempting targets for both sides. The ASG could try to pull the MNLF back into combat, and some elements of the military could see any insurgent base as a threat.

Resolving that dilemma was further complicated by MNLF chairman Nur Misuari’s waning authority, as his first term as regional governor, a position he secured as an informal corollary to the 1996 agreement, came to an end. In February 2001, the Philippines Congress finally passed legislation implementing the second phase of the agreement, involving new elections and an expanded ARMM.²² Misuari opposed the

terms, and rival candidates for Manila’s imprimatur as new ARMM governor began manoeuvring against him. In April 2001 they announced an Executive Council of Fifteen (EC-15) had assumed control of the MNLF – and it was promptly recognised by the government.

To ensure his continued authority over BMA forces in Sulu, Misuari formed the Jabal Uhud Islamic Task Force, circumventing the MNLF chief of staff, Yusop Jikiri – then a member of the EC-15 and Manila’s choice to become governor of Sulu. Misuari loyalist Habier Malik became Task Force commander, and the MNLF’s de facto headquarters shifted to Malik’s camp in Bitanag, Panamao on Jolo.²³ Misuari’s message to the MNLF was unmistakable: do not betray your leader’s command for the material rewards of political office.²⁴

Following the ransoming of most of the Sipadan hostages, the administration of President Joseph Estrada, fresh from its victory over the MILF at Camp Abubakar in July 2000, launched a major offensive, Oplan Sultan, on Jolo on 16 September 2000. Civilians endured the most brutal campaign since Ferdinand Marcos’s martial law, as swathes of the municipalities of Patikul, Talipao and Maimbung were virtually depopulated in the search for ASG.²⁵ The MNLF lodged official complaints through a Joint Monitoring Committee – which deployed Indonesian military observers during phase one of the Jakarta agreement – but for more than a year did not strike back at the AFP.²⁶

City) and Marawi City to the region; new ARMM officials were elected on 26 November 2001.

²³ The MNLF’s base of operations until that point had been in Timbangan, Indanan, under the influence of Jikiri and another Misuari rival, Alvarez Isnaji.

²⁴ In the battle outside Mecca in 625 CE to which Malik’s task force and main camp owe their name, Muslim archers disregarded the Prophet’s orders not to abandon their post atop Jabal (Mt.) Uhud, when they caught sight of pagan women taking the field to tend their dead and wounded. Instead, the Muslims stormed down the hill in pursuit of spoils – and were slaughtered. See Muhammad Muhsin Khan, *The Translation of the Meanings of Sahih Al-Bukhari* (New Delhi, 1984), vol. v, p. 258, for the definitive *hadith* (sayings of the Prophet) in circulation in Sulu, and the Holy Koran, 3:121, 3:155 and 3:166.

²⁵ Crisis Group interviews, Jolo, March 2003. For details, see “The Hidden War: Report on the Sulu Fact-Finding and Medical Mission, April 18-23, 2002”, Alliance for the Advancement of People’s Rights (Karapatan), 2002. Martial law lasted from 1972 to 1986 in Muslim Mindanao.

²⁶ See, for example, “Deliberate Raid on MNLF Supporters and Civilians in Parang, Sulu Province”, MNLF-JMC, 8 July 2001. In this case, it is alleged that an MNLF village official’s

²¹ “Report on the Implementation of the 1996 Final Peace Agreement between the Government of the Republic of the Philippines [GRP] and the Moro National Liberation Front [MNLF]”, Office of the Presidential Adviser on the Peace Process (OPAPP), Manila, 2004, p. 52. The figure of 45,000 was bloated by friends and relatives seeking benefits from the settlement, but thousands of armed men did remain unabsorbed.

²² Alexander P. Aguirre, “The GRP-MNLF Peace Agreement: Revisited June 2001”, *Autonomy and Peace Review*, vol. 2, no. 3 (Oct.-Dec. 2006), p. 48. The legislation, Republic Act 9054, amended RA 6734 (1989) creating ARMM, and led to a plebiscite on 14 August 2001 adding Basilan (less Isabela

That changed after an assault on a camp under Malik's command in Tiis, Talipao, on 19 October 2001. Seven MNLF men were killed, including several sons of local commanders Ustadz Mahmud and Unding Amang. The latter, brother of MNLF Sulu State Congress chairman Dawud Amang, called for retaliation against the AFP's Camp Bautista. Exactly a month later, Misuari supporters stormed 104th Army Brigade headquarters in Jolo, killing eighteen soldiers, including a colonel. The AFP bombarded the home of Misuari's in-laws the same day, and he fled to Malaysia.²⁷

The MNLF on Jolo has inhabited a no-man's-land ever since. Rather than acknowledge the breakdown of the Jakarta agreement, the government maintains the pretence that unintegrated BMA fighters are a fringe "renegade" group and a law-and-order issue. After Malaysia deported him in January 2002, Misuari remained in detention until April 2008. Manila meanwhile deals with co-opted rival leaders who command no significant armed following and are not recognised by the Organisation of the Islamic Conference (OIC), the peace process broker.

An OIC representative visited Jolo in May 2006 and called for renewed "tripartite" consultations (government-MNLF-OIC) in Jeddah over the 1996 agreement. Manila repeatedly reneged on the meeting, only carrying through in November 2007 after in effect barring Misuari from taking part.²⁸ The Jeddah meeting established five Joint Working Groups (on Sharia law, education, political representation, a regional security force and the economy and natural resources) to review the agreement's implementation. Further meetings were held in Manila and Istanbul in January and February 2008.

Despite his prolonged incarceration, Misuari has urged supporters to cooperate with Balikatan and resist the tendency for ASG and MNLF fighters to close ranks in the face of the Philippines military's pressure and strong kinship ties.²⁹ MNLF forces, and most of the population, have completely abandoned interior

relative was shot dead after a clan enemy purposely misinformed the AFP as to Abu Sayyaf's presence. Similar reasons have been given for a February 2008 massacre in Ipil, Maimbung, Jolo (see below).

²⁷ Crisis Group interview, Nur Misuari, Santa Rosa, Laguna, 31 March 2003.

²⁸ The government insisted that Misuari obtain a "sovereign guarantee" from Saudi Arabia that he would not seek political sanctuary there. There is no question of the Saudis providing such a guarantee.

²⁹ Al Jacinto, "Misuari to MNLF Followers: Don't Disrupt RP-US Military Exercises in Sulu", *Manila Times*, 9 February 2006.

villages of Patikul – the movement's spiritual home – to avoid being identified as ASG in what has essentially become a free-fire zone. Misuari reassigned Tahil Sali – the MNLF vice-chairman on Sulu and son of legendary commander Usman Sali – from Patikul to Camp Marang in order to distance him from ASG leader Radullan Sahiron, his relative.³⁰ Yet, informal ceasefire mechanisms in Sulu have proven too weak to withstand the drift toward MNLF-ASG coalescence.

C. THE ABU SAYYAF GROUP

The ASG is not an insurgency in the same sense as the MILF or MNLF, or even a clearly delineated organisation. It is best understood as a network of networks, an alliance of smaller groups around individual charismatic leaders who compete and cooperate to maximise their reputation for violence. The greater the violence, the bigger the pay-off, in terms of higher ransom payments and foreign funding. Contrary to some assumptions, the ASG was not an Islamist insurgency that "degenerated" into criminality following the death of its founder, Abdurajak Janjalani, in 1998. Kidnapping and extortion were part of its modus operandi from the outset and its religio-political motivations did not disappear with Janjalani's death.

Janjalani founded ASG in 1991. He was then a charismatic young preacher in the mosques and madrasas of Zamboanga and Basilan. While training in Libya in the mid-1980s, he had opposed Nur Misuari's entry into peace talks and insisted that the sole objective of the Muslim struggle was an Islamic state – not autonomy, not independence, not revolution.³¹ ASG's original name, indeed, was Al-Harakat al-Islamiyah, Arabic for "Islamic movement". In 1990 he had met Osama bin Laden's brother-in-law, Muhammad Jamal Khalifa, then heading the Philippines office of the International Islamic Relief Organization (IIRO). Khalifa began directing funds his way and eventually drew him into an al-Qaeda cell in the Philippines that included Ramzi Yousef, the 1993 World Trade Center bomber, and Yousef's uncle, 9/11 mastermind Khalid Sheikh Mohammad. This cell plotted spectacular acts of terrorism from Manila while providing training to Abdurajak's Zamboanga- and Basilan-based followers. Their numbers swelled while Misuari talked peace.

The outside world paid little note as the ASG made Basilan increasingly ungovernable. Its seizure of for-

³⁰ Radullan Sahiron's cousin was Usman's first wife and Tahil's mother, Crisis Group interviews, Jolo, July 2003 and June 2007.

³¹ Abdurajak Janjalani, "Jihad: The Misunderstood Doctrine" (undated sound recording, c.1992).

eign hostages from Sipadan and Dos Palmas in 2000-2001 came as if from the blue. Joint bombing operations involving JI, ASG, and extremists within MILF began well before the first Bali bombing and could have provided early clues to the regional jihadi nexus but were not taken seriously as instances of international terrorism. From early 2002, the ASG extended its operational reach into the nation's capital, using militant converts to Islam.³² Organised as the Rajah Solaiman Movement (RSM), and trained and commanded by ASG and JI, converts struck at Manila's transport infrastructure in February 2004 and February 2005, taking more than 120 lives. These attacks anticipated parallel developments elsewhere (Madrid, London). Time and again since the early 1990s, terrorists in the Philippines have been ahead of the global curve but have been subjected to little informed analysis.

The ASG has been the principal target of U.S. intervention since Balikatan operations began in early 2002. After those operations drove the group's core leadership from Basilan into MILF territory on the Mindanao mainland, sympathetic MILF commanders protected the leaders and their foreign allies. AHJAG played a key role in getting them expelled, with MILF help, in late 2005 to Jolo, where pursuit by the U.S.-backed Philippines armed forces then shifted in 2006. Top leaders like Kadaffy Janjalani have been killed there, but survivors have been driven into cooperation with the MNLF.

The dangers of this development could be compounded by the emergence of new ASG leadership with the capacity to exploit both local and international alliances.³³ In 2006, following six years' absence in the Middle East, Ustadz Yasir Igasan alias Tuan Ya reportedly returned to Sulu to take up the mantle as ASG's spiritual leader.³⁴ While media speculation has

centred on Igasan's Libyan and Syrian training background, it is his education at the Islamic University of Medina in Saudi Arabia that makes him one of the most qualified religious authority figures in Sulu.³⁵

He was also among the defenders of Abu Sayyaf's base camp, Al-Medina, in the ASG's first major confrontation with the AFP.³⁶ When marines assaulted the camp, in Kapayawan village outside Isabela, Basilan province on 3 May 1993, the fledgling group that had begun with just five rifles was able to muster 60 fighting men. It took the marines more than a week to subdue ASG resistance and seize the base.³⁷

The battle of Al-Medina was a turning point in ASG's evolution. Its loss drove Abdurajak Janjalani to seal an alliance with MNLF commanders on Jolo disgruntled by the resumption of peace talks with the government. Foremost among these was Radullan Sahiron, zone two commander in Patikul, who spurned Misuari's entreaties to join the peace process in 1992 and pledged to "continue his sacrifices in the jungle".³⁸ He later married Abdurajak's widow. Many other

September 2006 and June 2007. See also Jim Gomez, "Unknown militant may be new Abu Sayyaf chief", *The Washington Post*, 3 March 2007; and Jaime Laude, "Scholar is new Abu Sayyaf leader", *Philippine Star*, 28 June 2007, p. 12.

³⁵ According to one account, Igasan was among the leadership contenders in 1999, outranking Kadaffy as *musrif* (top graduate) of the second batch at Darul Imam Shafie, a religious and military training academy established by al-Qaeda. Arlyn dela Cruz, "New Abu chief Igasan is Tausog, 'very spiritual'", *Philippine Daily Inquirer*, 12 July 2007. For details on Darul Imam Shafie, see Crisis Group Report, *Southern Philippines Background*, op. cit., p. 22.

³⁶ The "front buyer" for the land used to set up the Al-Medina camp was Ustadz Husein Manatad, Kadaffy's father-in-law and a teacher in the *Shuhada al-Islam* madrasa in the Tabuk neighbourhood of Isabela. He was also the head of IIRO's Halaqat ul-Koran program in Basilan. See "Debriefing Report, Noor Mohamad Umug", Philippine National Police, 18 December 2002. The area was familiar to Abdurajak, who was born in nearby Lunot village, Crisis Group interview, Basilan, January 2008.

³⁷ Nilo Barandino, "List of Victims of Abduction, Kidnapping and Violent Death for the Year 1993", unpublished document made available to Crisis Group. "Revelations of Noor Mohamad Umug", Philippine National Police, undated, 2002; Arlyn dela Cruz, "New Abu chief", op. cit. According to Umug, a ranking ASG operative and Darul Imam Shafie graduate, the group began with two M-16s, two World War II-era M-1 Garands and a single .30 calibre machinegun. Two kidnap victims – a Spanish priest and a four-year-old boy – were liberated as a result of the attack on Camp Al-Medina.

³⁸ Crisis Group interview, Shakiruddin Bahjin, Jolo, 12 June 2007.

³² Christians working with ASG who have "reverted" to Islam in the belief that it preceded Christianity in the Philippines are often affiliated with the RSM, see Crisis Group Report, *Philippines Terrorism*, op. cit.

³³ In this respect, Kadaffy Janjalani's passing may be as significant a point in ASG's evolution as the death in 1998 of his elder brother and ASG founder, Abdurajak. The first leadership transition saw a dramatic escalation in violence on Basilan. Contenders jostled for advantage, and a wave of kidnapping spectaculars in 2000-2001 won the group new wealth and notoriety, plunging the Sulu archipelago into a crisis from which it has never recovered. Many observers view those events as marking a decisive break with ASG's original religio-political motivations – the "degeneration" into common criminality.

³⁴ Yasir's presence on Jolo was brought to Crisis Group's attention on 29 September 2006; he was reportedly chosen as new *amir* in early June 2007, Crisis Group interviews, Jolo,

such marriages have taken place, knitting ASG tightly into the fabric of Sulu society and the MNLF.³⁹

But Yasir Isagan also rose to prominence at a time when al-Qaeda influence in the Philippines was at its height. In the early 1990s, he reportedly managed IIRO's largest program in the country, Koran-reading classes for children (*Halaqat ul-Koran*), with 6,500 students and a multi-million dollar budget.⁴⁰ Igasan's longstanding ties to Saudi sponsors may recharge the flow of foreign funds, while his religious training provides the basis for wider local alliances.⁴¹

The ASG network continues to work closely with foreign jihadis. Its early partnership in 2001 was with JI, reportedly at the initiative of the then head of JI's regional sub-division (*wakalah*) head in Jabal Quba, but it is the relationship with freelance jihadis that has assumed greater significance over the last three or four years after the *wakalah* structure was disrupted by arrests.

Umar Patek, Dulmatin and a few other other foreign jihadis from KOMPAK and Darul Islam accompanied ASG leaders when they were forced back to Jolo in September 2005; others, including Dulmatin's brother-in-law and Malaysian JI member Zulkifli bin Hir alias Marwan, stayed with MILF contacts in Maguindanao but were in regular communication by phone.⁴² The arrival of the ASG contingent in Jolo quickly reignited conflict there in November 2005, and a new wave of violence swept through Jolo town, the capital, from February 2006. On the same day a U.S. ad-

vance logistics team arrived on Jolo for the 2006 Balikatan "exercises", the local police intelligence chief was shot dead inside Camp Asturias, the provincial police headquarters. A week later, a bar outside Camp Bautista was bombed, killing at least three; a more powerful bomb wrecked a downtown store on 27 March, killing five.⁴³ And in the six months before the military offensive known as Oplan Ultimatum began in August 2006, about 70 victims fell to motorcycle assassinations and kidnap-murders by the ASG's "Urban Terrorist Group" (UTG), also in Jolo town.⁴⁴

It is unclear whether the foreign jihadi presence has influenced ASG's diversifying tactics.⁴⁵ Umar Patek and Dulmatin were on the team that prepared the first Bali bombs and are believed to have imparted their skills in explosives to their ASG colleagues. They and Marwan have been in occasional communication by telephone and internet with associates in Indonesia. But UTG's kidnapping of Christians remains an established tactic, although recent victims have more often been wealthy townspeople than the villagers

³⁹ Crisis Group interviews, Jolo, June 2007. The second of Janjalani's sisters married into the Jalmaani clan, which has produced the group's longstanding foreign liaison in Saudi Arabia, Haji Hasan Jalmaani, and a respected former MNLF fighter, Julasbi Jalmaani, based in Tanum, Patikul. Other marriage alliances binding ASG commanders include the families of "Doctor Abu Pula" Gumbahali and Albader Parad.

⁴⁰ *Halaqat ul-Koran*'s budget more than doubled annually between 1989 and 1991, from about \$500,000 to \$2.5 million, out of IIRO's official total country spending of \$2.9 million in 1989, \$3.7 million in 1990 and \$6 million in 1991. Given that each student cost 14 Saudi riyals a month (\$3.75), there was ample room for diverting funds. See "International Islamic Relief Organization", undated, c. 1992, pp. 7, 16. On Igasan's role, see Taharudin Piang Ampatuan, "Abu Sayyaf's New Leader: Yasser Igasan the Religious Scholar", *RSIS Commentaries* 71/2007, 9 July 2007.

⁴¹ Crisis Group sources on Jolo indicated, however, that Igasan's stringent control over the use of funds was already causing friction and would be an obstacle to his assuming overall leadership. Crisis Group interviews, Jolo, June 2007.

⁴² Testimony of Baehaqi. Two KOMPAK recruits are thought to have entered the Philippines from Sabah around June 2005. See Crisis Group Report, *Philippines Terrorism*, op. cit., p. 15; also, Crisis Group interview, Manila, 10 July 2007.

⁴³ "Special Report on Bomb Explosion at the Notre Dame Multi-Purpose Cooperative Inc.", Philippine National Police (PNP), Camp Asturias, Jolo, 29 March 2006; and "Blast Victims," Integrated Provincial Health Office, Jolo, 20 February 2006, and "Manmade Disaster," 31 March 2006.

⁴⁴ UTG, also known as Abu Sofian and the Freedom Squad, exemplifies the mixed motives typical of ASG joint ventures. Its commander was Joselito "Sofian" Nasari, son of a retired army major, driven underground by an abusive relative in military intelligence. Deeply religious, of mixed ethnic background, and just nineteen years old, Sofian was tortured and pressured to infiltrate the group of ASG leader "Dr Abu" Pula. Instead, he joined it. He was killed in an intelligence operation in Zamboanga City on 23 November 2006, and the group seems to have dissolved in early 2007. Crisis Group interviews, Jolo, September 2006 and June 2007. Urban violence in Jolo is comprehensively catalogued by the local vicariate's Justice and Peace desk; see its "Peace Watch 2006". UTG operations extended to Zamboanga City, where they spiked in October 2006, with twelve shootings in the last week of the month. Bong Garcia, "Officials tag Sayyaf hit men as behind Zambo killings", *Manila Times*, 1 November 2006.

⁴⁵ In Indonesia, in late 2005 at the time of the second Bali bombs, Noordin Mohamed Top's followers were circulating Indonesian translations of al-Qaeda online material stressing the need to engage in urban guerrilla warfare, including kidnapping and targeted assassinations, but they apparently had no capacity to carry it out. Internet communication was clearly taking place between the Patek group and its associates in Indonesia; Patek was a regular contributor in 2004-2005 to a website run by KOMPAK, www.muhammadh.com, now closed. In 2005-2006, Marwan was also in contact with his brother-in-law detained in Cipinang Prison in Jakarta, according to others detained there.

(and foreigners) typical in the past.⁴⁶ Intended primarily to raise funds, these attacks also increase religious tensions and, if undertaken on a wider scale, might provoke renewed polarisation between Christians (mostly settlers from outside Jolo) and Muslims. Whether the ASG and foreign jihadis acquire the capacity to do this depends on their relationship with the MNLF and MILF.

III. AHJAG: A MECHANISM THAT WORKED

AHJAG, renewed in November 2007 but still moribund, offers a model for preventing such coalescence of terrorists and insurgents. On mainland Mindanao, it helped prise ASG and foreign jihadis away from the MILF, leading to their flight to Sulu. A similar mechanism is needed there as the fugitives disappear into MNLF territory. Isolating a carefully defined terrorist enemy from insurgents is the only way to remove the threat without inflaming wider hostilities.

The problem of “lawlessness” in insurgent enclaves was first addressed in May 2002, when the Philippines government and MILF negotiating panels agreed to the “isolation and interdiction” of all criminal syndicates, kidnap-for-ransom groups and lost commands “suspected of hiding in MILF areas [and] communities”.⁴⁷ The mechanism for this endeavour was an Ad Hoc Joint Action Group (AHJAG), formally established only in January 2005.⁴⁸

AHJAG’s baptism of fire came quickly. Following Kadaffy Janjalani’s flight to mainland Mindanao in mid-2003, U.S. electronic and aerial surveillance led to a series of air strikes in MILF-controlled areas of southern Maguindanao province, from November 2004 to April 2005. These were followed by a major AFP ground operation, Oplan Tornado, from July to October 2005. The MILF did not retaliate, and escalation to full-scale hostilities, as occurred in 2000 and 2003, was avoided.⁴⁹ Instead, key ASG leaders and their foreign jihadi confederates were forced back to Sulu, with MILF assistance.⁵⁰

⁴⁶ This reflects ASG’s territorial shift from Basilan – with its Christian enclaves in rural Lantawan (Matarling) and Sumisip (Tumahubong, Manggal, Sinangkapan), as well as Isabela and Lamitan – to Jolo, where the tiny Christian minority is exclusively urban. Survivors usually flee the province rather than attempt to seek justice.

⁴⁷ “Joint Communiqué between the Government of the Republic of the Philippines and the Moro Islamic Liberation Front”, Cyberjaya, Malaysia, 6 May 2002, paras. 1, 3. “Lost commands” refers to units led by allegedly renegade commanders, but it has not always been clear how removed they really were from central MILF control. For the full text of the joint communiqué, see Crisis Group Report, *Southern Philippines Backgrounder*, op. cit., Appendix D, p. 33.

⁴⁸ “Updates on the GRP-MILF Peace Talks”, OPAPP, 28 February 2007, p. 3. AHJAG’s operationalisation was finally approved by the two parties’ negotiating panels in Kuala Lumpur on 21 December 2004 and implemented at the 24th joint meeting of the Coordinating Committees on the Cessation of Hostilities (CCCH), to which AHJAG reports, on 12-13 January 2005, in Davao City.

⁴⁹ Hostilities in 2000 displaced approximately one million civilians; about 400,000 were displaced in 2003.

⁵⁰ The first air strike, on 19 November 2004, came close to the mark, injuring a top JI graduate of the Abubakar camp system, Rahmat Abdulrahim, who went on to manage the

The AHJAG concept rests on intelligence sharing. At the third joint AHJAG meeting in Davao City on 23 April 2005, the government presented a list of 53 persons of priority interest, including 32 foreign jihadis, it believed were hiding in MILF territory. Two months later, according to a well-placed source, Al-Haj Murad sent a personal letter to Kadaffy, ordering him to leave within 72 hours. At the end of this period, the MILF gave the government the “exact location” of Kadaffy’s group.⁵¹ The willingness of the MILF to expel the ASG leader was unprecedented; its readiness to provide information on the whereabouts of ASG was even more significant.

Armed with this intelligence, U.S.-trained Light Reaction Company troops formed the spearhead of Oplan Tornado, which was to begin with a night operation on 30 June 2005. But the troops reached the target area six hours late, and a protracted chase began, leading to several encounters with MILF forces. Three weeks into the operation, new ground was broken with a Philippines government (GRP)-MILF agreement to reposition 280 MILF fighters in safe areas in Talayan and Datu Saudi Ampatuan towns in Maguindanao.⁵² Intelligence personnel inspected the men as they crossed the highway to ensure no wanted individuals had smuggled themselves into the ranks, and the pursuit continued.

Tensions on both sides threatened the success of this unprecedented joint counter-terrorist drive. The government was under pressure from the International Monitoring Team (IMT), a Malaysian-led peacekeeping force deployed in October 2004, to halt the operation altogether, while the MILF leadership around Murad faced recalcitrant field commanders who viewed the jihadis as allies and sought to aid their escape. Complaining that they were unable to harvest their crops as Oplan Tornado dragged on, fighters began returning to the MILF’s camps Omar and al-Badr

multiple Valentine’s Day bombings three months later. See Crisis Group Report, *Philippines Terrorism*, op. cit. A subsequent air strike was recorded by the Abu Sayyaf on their first known jihadi DVD, captured in an October 2005 raid in Zamboanga City. It shows the ASG’s riverside encampment being bombed and strafed, while the main group observes from a safe distance; a mujahid is shown with a serious leg wound resulting from the attack. “Al-Harakatul Islamiyyah”, Al-Harakatul Islamiyyah Productions, 2005.

⁵¹ Crisis Group interview, Manila, June 2007. Murad is said to have taken umbrage at Janjalani after he called Murad a *kafir* (unbeliever).

⁵² “Joint Monitoring and Assistance Center, GRP-MILF CCCH/AHJAG Press Statement”, 22 July 2005.

after about a month’s cantonment, and minor clashes ensued.⁵³

Even if AHJAG did not result in the terrorists’ capture, the new arrangement did prevent potentially disastrous conflict escalation in the MILF’s central Mindanao heartland; prompted the first demonstration of Murad’s willingness to control extremists in his own fold; and forced key ASG and jihadi targets back into their corner on Jolo. These were significant achievements for an untested mechanism – undoubtedly aided by the generally positive mood of the wider peace process at the time. Yet, for several reasons, AHJAG has received no credit for the counter-terrorism victories it later made possible in Sulu.

Collaboration with terrorists is a sensitive issue. To acknowledge the breaking of a terrorist link is to admit its existence in the first place. As noted, the MILF refuses to acknowledge that its commanders harbour terrorists. Media and civil society organisations supporting other aspects of the peace process tend to deny the problem exists or suggest that counter-terrorism measures are “nothing but a smokescreen for the assertion of hegemonic U.S. interests”.⁵⁴ AHJAG’s own reports emphasise cooperation against common criminality, reflecting a formal mandate that does not even mention terrorism.⁵⁵

There are other factors as well, however. Not everyone believes AHJAG was the key reason for the expulsion of ASG and its allies in 2005. A Philippines

⁵³ On 1 September 2005, men under Ustadz Abdul Wahid Tundok, operations officer of the MILF’s 105th Base Command, confronted police special action forces and army troops in Gawang village, Datu Saudi Ampatuan, preventing a raid on a suspected safehouse. Following IMT, ceasefire officials’ and AHJAG intervention, the opposed forces were separated, and Tundok accompanied monitors to the safehouse, but the suspects had fled, leaving food and radio equipment behind. According to a senior ceasefire official present at the scene, 105th base commanders “tried to arrange an escape by the JI and ASG, shuttling them out by motorbike”. The jihadis’ weapons were smuggled out in a separate vehicle, but then confiscated by the MILF. Janjalani, Dulmatin and their companions fled back to Sulu shortly afterwards. Crisis Group interview, senior officer involved in the operation, Manila, June 2007. A total of eight ASG/JI were reported killed in the course of Oplan Tornado.

⁵⁴ Kit Collier, “Terrorism and the Internationalisation of the Southern Philippines Conflict: Towards a More Balanced Perspective”, unpublished conference paper, 2004.

⁵⁵ During its first two years to January 2007, AHJAG reports facilitating the rescue of 27 kidnap victims. The expulsion of Kadaffy and Dulmatin’s group from mainland Mindanao is not mentioned, but the recovery of a stolen cow in Lanao del Sur is. “Updates on the GRP-MILF Peace Talks”, OPAPP, 12 January 2007, pp. 3-4.

official made the implausible argument that after security forces tracked down and shot Fathur Rahman al-Ghozi, ASG and its foreign allies became convinced that MILF commanders had betrayed them. Fearful of further betrayals, they fled to Jolo on their own.⁵⁶ The flight to Jolo, however, took place two years after al-Ghozi was shot. Other officials suggested that AHJAG in fact had not worked, because the MILF continued to turn a blind eye to the activities of commanders like Mugasid.

But its achievements were real,⁵⁷ and strengthening a proven mechanism should be an obvious policy choice. The five-month hiatus between the June 2007 expiration of AHJAG's mandate and its renewal at the 14 November 2007 exploratory meeting in Kuala Lumpur, however, was costly, as many of its personnel had moved on to new assignments, including its government chairman Major General Ben Dolorfino, now Marine Commandant, based in Manila.⁵⁸

It is in the context of a complex set of intertwined organisations and a demonstrably successful counter-terrorism mechanism that the flaws of Balikatan and Oplan Ultimatum must be understood.

IV. BALIKATAN AND OPLAN ULTIMATUM

Oplan Ultimatum, a nine-month offensive in Sulu by a ten-battalion Philippines joint services task force, was directed against an estimated 500 ASG and a small number of "High Value Target" foreigners – principal among them Dulmatin and Umar Patek. Supported by a U.S. military contingent of about 200, the offensive, which began in August 2006, built on gains won since Balikatan 02-1, a joint U.S.-Philippines "military exercise" conducted on Basilan between January and July 2002. Those manoeuvres had driven the ASG's core leadership out of Basilan, established a tenuous peace on the island and upgraded local infrastructure and AFP skills, especially intelligence fusion and interoperability of weapons, tactics and communications systems. Balikatan has since become a paradigm of successful counter-insurgency, with global policy implications.

A. EARLY SUCCESSES

The new offensive was spurred by information derived from the capture some weeks earlier of a Malaysian-born Philippines Muslim, Binsali Kiram, also known as Binsali Omar, as he attempted to re-enter Sabah in the company of two Malaysian Darul Islam (DI) operatives.⁵⁹ Binsali had extensive knowledge of the whereabouts of the wanted jihadis in Sulu, in which the Malaysians showed little interest. Improving Malaysian cooperation with the Philippine National Police (PNP), however, allowed a senior PNP investigator to interview Binsali and brief the AFP Southern Command (Southcom) chief, Major General Gabriel Habacon, on the actionable intelligence, and a plan of attack was prepared for midnight of 31 July 2006.⁶⁰

⁵⁶ Crisis Group interview, Manila, 4 April 2008.

⁵⁷ See further below.

⁵⁸ Crisis Group interview, Brig. Gen. Reynaldo Sealana, chairman, GRP-CCCH, Cotabato City, 24 January 2008. Gen. Sealana indicated to Crisis Group that most inquiries reaching the CCCH concern AHJAG business.

⁵⁹ Darul Islam (DI) was the name given to several Islamic insurgencies in Indonesia, including in West Java, Aceh and South Sulawesi, that united briefly before their defeat by the Indonesian army in the early 1960s. They regrouped in the 1970s and gradually adopted a more radical ideology. Several members, including Abu Bakar Ba'asyir, now known as a JI leader, fled to Malaysia in 1985 and recruited both Malaysian and Singaporean nationals. Most of these recruits joined a breakaway faction of DI that in 1993 became Jemaah Islamiyah, but others opted to stay in DI. These included many members of the South Sulawesi DI who fled to Sabah after their leader was killed in 1965; they were later joined by DI members from elsewhere, returning from training in Afghanistan.

⁶⁰ Crisis Group interview, Manila, 10 July 2007.

U.S. groundwork over the previous year had been extensive. A military “needs assessment” team arrived on Jolo in May 2005, and Bayanihan (“Community Spirit”) exercises began on the island in September. In February 2006, Jolo hosted about 250 of the 5,000 U.S. troops taking part in wider “Balikatan 2006” manoeuvres. When Balikatan 2006 ended in early March, U.S. forces stayed on in Jolo, building deep-water wells, roads and schools and conducting medical civic action programs (Medcaps) to build local goodwill and turn the population against ASG.

The August offensive was also preceded by a “gentlemen’s agreement” with the MNLF that reaffirmed its 1996 peace pact signed in Jakarta and established an informal Ad Hoc Coordinating Group (AHCG) and Peace Monitoring Group (PMG). A verbal agreement was struck between the MNLF and the Philippines government in the village of Bitanag, Jolo on 20 May 2006. It was modelled on the elaborate ceasefire mechanisms crafted with the MILF but absent from the Jakarta agreement. This “gentlemen’s agreement” came into play on the afternoon of 31 July, as AFP and MNLF representatives haggled over conditions for the forthcoming attack on the ASG.

Representing Southcom was its deputy commander for operations, General Dolorfino, also head of AHJAG, with extensive experience coordinating counter-terrorist action with the MILF on mainland Mindanao. Opposite him sat Khaid Ajibun, chairman of the Sulu State Revolutionary Committee, with overall command of MNLF forces in Sulu province. The venue was Ajibun’s Camp Khalid bin Walid, better known as Camp Marang, in the hamlet of Marang, Buansa village, on the slopes of Mount Tumantangis, overlooking the provincial capital of Jolo and just 5km from it.

The delicacy of the situation lay in the extreme proximity of the operation’s targets to Ajibun’s camp. As Dolorfino negotiated with the MNLF commander, he received updates on enemy movements from a U.S. surveillance plane circling overhead. It placed Abu Sayyaf forces within 500 metres of Dolorfino’s position.⁶¹ As the agreement was being translated into Tausug, the predominant language in Sulu, AFP artillery and air strikes suddenly erupted, throwing the scene into chaos. Ajibun’s men rushed to defend the camp perimeter to cries of “Allahu Akbar!” and “Our Muslim brothers are under attack!” However, the ceasefire pact held. Ajibun’s men were confined to an agreed 6

sq. km “no fire zone,” and there were no serious “mis-encounters” between AFP and MNLF forces.⁶²

Operational successes against the ASG during the first four months of Oplan Ultimatum went hand-in-hand with close MNLF cooperation and were noteworthy for the limited civilian displacement. An estimated 3,000 villagers were dislocated in August 2006, compared with up to 70,000 in February 2005 clashes and 12,000 in November 2005.⁶³ The decisive factor enabling more discriminate AFP tactics may have been as much clear demarcation of MNLF forces as U.S. training, equipment and intelligence.

The initial fighting was largely contained to the Mount Kagay and Mount Taran areas to the immediate south west of Camp Marang. Early on the first morning, two Philippines special operations platoons engaged ASG fighters under Radullan Sahiron in Kagay village, Indanan, killing Radullan’s son, Ismin Sahiron alias Young Hunter. Foreign jihadis took part in that battle, according to information that recently has emerged from an Indonesian participant, Mohamed Baehaqi, almost certainly including Umar Patek, Dulmatin and the Singaporean, Manobo. The group withdrew to a camp in Bai Bitu.⁶⁴ Six more encounters ensued over the following week in the same area.⁶⁵

In the third week, the action shifted north east. Unable to draw Ajibun’s men into the fray, the ASG made a break for Radullan’s home turf – the rugged and sparsely populated municipality of Patikul – taking many of the foreign jihadis with them. According to Dolorfino, the MNLF called to inform him of a large Abu Sayyaf group on the move, attempting to break out of the AFP cordon.⁶⁶

Marines and scout rangers closed in on the ASG core group in a series of intensifying battles between 18 and 28 August 2006. Shortly before dawn on 4 September, marines came upon a small group of men at prayer in the village of Tugay, Patikul. Six marines died and nineteen were wounded in the fierce exchange that followed, as the group was reinforced from

⁶¹ Crisis Group interview, Maj. Gen. Ben Dolorfino, Manila, 25 June 2007.

⁶² Events reconstructed from Crisis Group interviews, Jolo, June 2007, and a sound recording of the opening moments of the offensive made inside Camp Marang.

⁶³ Tabang Mindanaw (Mindanao Aid), “Developing a Culture of Peace for Sulu”, unpublished report, 2006, pp. 1, 57.

⁶⁴ Testimony of Moh. Baehaqi, 22 February 2008.

⁶⁵ “Southcom Oplan 03-06 (Ultimatum), 01 August-09 Mar 2007”, Armed Forces of the Philippines, pp. 1-2. Elsewhere on the island, there was only minor harassment of the 51st Infantry Battalion (IB) headquarters 20km to the east in Talipao.

⁶⁶ Dolorfino passed the message on to the 3rd Marine Brigade commander, Brig. Gen. Juancho Sabban, warning him that the group would be crossing the main provincial road.

the surrounding woods. Only on 19 January 2007 did FBI (U.S.) forensic analysis confirm that Kadaffy Janjalani, the ASG's supreme leader (*amir*), was among the dead.

In February 2008, an account of the battle surfaced from Mohamed Baehaqi, the Indonesian KOMPAK member captured in Mindanao. He said that before it began, ASG forces had divided into two parts, with Kadaffy leading one and Umar Patek the other. They had been marching the whole night and were so tired that they neglected to secure their perimeters and were attacked. One of Radullan Sahiron's men tried to persuade Kadaffy to withdraw, but he thought he could exploit the weakness of the government forces, since so many had been wounded. In the battle that followed, Kadaffy was fatally hit in the neck. The ASG then withdrew, and a small group of top ASG leaders gathered to bury him, with one man recording the event on a video camera. Baehaqi, who appears to have been the only foreigner present, said they all kissed Kadaffy's forehead as he was laid in the grave.⁶⁷

By the time Kadaffy's death was confirmed, Oplan Ultimatum had achieved another victory. Jainal Antel Sali alias Abu Solaiman, the ASG's high-profile mastermind, was shot dead by Philippines army special forces near the summit of Bud Dajo, in Talipao, on 16 January 2007. Coming in such rapid succession, its top two commanders' deaths provoked premature obituaries for the group.⁶⁸ But just as the AFP prepared for the campaign's conclusion, its gains began to slip through its fingers, as the "gentlemen's agreement" with the MNLF broke down.

B. BREAKDOWN

In a complaint to the OIC, which brokered the Jakarta and Bitanag agreements, the MNLF described an incident that occurred just two days after Abu Solaiman's death as the start of military operations against it.⁶⁹ Elements of the 3rd Marine Brigade were on patrol in the hamlet of Tandu Batu, Timpook, Patikul, on 18 January 2007, when, according to their after battle report, they encountered 50 to 60 ASG under Albader Parad. Nine "enemy" and five AFP fa-

talities resulted.⁷⁰ Surviving villagers told a different story.

Siliya Usman, whose husband Kaddam, an MNLF commander, and adult son Taib were among at least eight local residents killed, claimed the military attacked her community without provocation, killing three on the spot. Taib and Kaddam fled, flagging down a passenger jeep bound for Jolo town, 25km distant. The vehicle ran a marine checkpoint, which fired on it, killing the driver, his son, Taib, Kaddam and another passenger.⁷¹

Local leaders explained to Crisis Group that the Tandu Batu villagers were involved in a clan feud (*rido*) and had been startled by the sudden appearance of armed men over a rise near the Usmans' house. It is unclear who opened fire first, but the origins of the tragedy lie in the ambiguous status of armed MNLF communities in Jolo's volatile environment. One month earlier, a military raid on another MNLF community on Daungdong Island, south of Jolo, caused a pregnant woman to miscarry. And a month after Tandu Batu, inexperienced scout rangers ambushed two boys returning home late in the evening in Tagbak, Indanan, on the fringes of Camp Marang. Fourteen-year-old Hakim Hamsijani Abbilul, a nephew of Khaid Ajibun, died, as did one soldier, apparently from friendly fire.⁷²

Mounting tensions became manifest on 2 February 2007, when government negotiators were detained in the MNLF's second major camp on Jolo – Jabal Uhud – by its commander, Ustadz Habier Malik. The government party, led by General Dolorfino, was there to negotiate a settlement of the Tandu Batu incident. They agreed on a payment of 50,000 pesos (\$1,100) per victim as "financial assistance", with a deduction for the dead marines, and for both sides to return captured weapons.⁷³ But then Ramon Santos, undersecretary with the Office of the Presidential Adviser on the

⁶⁷ Testimony of Moh. Baehaqi, 22 February 2008.

⁶⁸ For example, Alcuin Papa, "Esperon: Final battles vs Abus at hand", *Philippine Daily Inquirer*, 22 January 2007, citing AFP Chief of Staff Gen. Hermogenes Esperon, Jr.

⁶⁹ "Follow-up Report by the Secretary General on the Outbreak of Hostilities between the GRP and the MNLF in the Province of Sulu in Southern Philippines", Organisation of the Islamic Conference, OIC/ICFM-34/MM/SGREP. (GRP. MNLF), undated, p. 3.

⁷⁰ Southcom Oplan, op. cit., p. 7.

⁷¹ "Partial Report Re: Killing in Patikul, Sulu on January 18, 2007", Commission on Human Rights, Zamboanga City, 22 January 2007.

⁷² Crisis Group interviews, Jolo, June 2007. The Tagbak incident was officially recorded as an encounter with "more or less 30 ASG". And just 48 hours after Tandu Batu, Albader Parad reportedly led an ambush in Saldang, Parang town – on the opposite side of Jolo Island. While not inconceivable, this does stretch the credibility of the official account further. Albader usually operates in Parang and Indanan. See Southcom Oplan, op. cit., p. 7.

⁷³ The settlement followed the traditional Tausug formula of "blood money" payments in clan feuds. Since this only applies between Muslims, the term "financial assistance" was used instead.

Peace Process (OPAPP), told Malik that the planned OIC meeting in Jeddah had been postponed, and Malik “became agitated”.⁷⁴

Dolorfino recalled being led to the watchtower in the centre of the camp and confined. “So the meeting has been postponed”, Malik said, “but we cannot postpone the misencounters – I am losing face with my men! You are here risking your life, but the policy-makers do not value your work”! The government party, twenty in all, was not permitted to leave Jabal Uhud until a definite date was set for the OIC tripartite meeting, due to review implementation of the Jakarta agreement, but repeatedly delayed.⁷⁵

For two days, Jolo teetered on the brink of war. Some military hawks invoked the massacre of General Teodulfo Bautista and 35 of his men after he agreed to talk to MNLF Commander Usman Sali 30 years earlier.⁷⁶ But Dolorfino insisted that he was never in real danger: “We weren’t hostages. My twelve security men weren’t disarmed, some were allowed to travel to town, and we had our mobile phones”.⁷⁷

On 4 February, Manila guaranteed that tripartite talks would proceed in July, and Dolorfino’s party was free to go. But the pace of mistaken engagements increased. Five days after Ajibun’s nephew was shot, a scout ranger platoon fought about “40 ASG believed to be under Radullan Sahiron and Doctor Abu” 2.5km further up the slopes of Mount Tumantangis⁷⁸ – the heart of Ajibun’s territory. The scout ranger commander was reported as saying, “the Abu Sayyaf ran to the MNLF area; it looks like the Abu Sayyaf were joined by the MNLF”.⁷⁹ Dolorfino cautioned that “somebody is trying to get the AFP to attack the MNLF and start a confrontation again”, adding,

⁷⁴ Crisis Group interview, Maj. Gen. Ben Dolorfino, Manila, 25 June 2007.

⁷⁵ The OIC-GRP-MNLF meeting was originally scheduled for July 2006 after a fact-finding mission to Jolo led by the OIC special envoy, Ambassador Sayed Kassem al-Masri, in May, Crisis Group interview, Maj. Gen. Ben Dolorfino, Manila, 25 June 2007.

⁷⁶ The 10 October 1977 massacre in Patikul is still commemorated in the name of the AFP headquarters in Jolo, Camp Bautista. Tausug celebrate Usman Sali, vice mayor of Patikul when the war began in November 1972, as a leading hero of the MNLF struggle. His exploits are recounted in the popular ballad “Kissa kan Usman Sali” (Mock’s Records, Tawau, Sabah).

⁷⁷ Crisis Group interview, Maj. Gen. Ben Dolorfino, Manila, 25 June 2007.

⁷⁸ Southcom Oplan, op. cit., p. 7.

⁷⁹ Julie Alipala and Joel Guinto, “6 Abu rebels slain, 13 soldiers hurt in Sulu”, *Philippine Daily Inquirer*, 26 February 2007.

“there is a need to put up a [formal] coordinating committee between the MNLF and AFP to prevent hostilities. There is a truce, and we signed a peace agreement with the rebels, but sporadic clashes still occur”.⁸⁰ His warnings were in vain.

C. THE APRIL WAR

By March 2007, the AFP estimated it had killed 79 ASG and captured 28 in 61 incidents over the course of Oplan Ultimatum. This was achieved at the price of 28 AFP dead and 123 wounded. Remaining ASG strength was put at 432 men with 284 firearms. By these conventional counter-insurgency metrics, the extended operation had reduced ASG manpower by 20 percent.⁸¹

In addition to killing the group’s top two leaders, the AFP was closing in on the foreign jihadis. On 3 October 2006, Dulmatin’s wife, Istiada, was captured in a safe house in Patikul, just a kilometre from the site of Kadaffy’s last battle a month before. Another Indonesian with the Patek group, Abu Samur alias Gufran, died together with five ASG, including Jundam Jamalul alias Black Killer, in a maritime encounter off Panglima Sugala, Tawi-Tawi (60km south west of Jolo) on 6 January 2007. And on 9 April, the AFP claimed to have narrowly missed Dulmatin, Patek and prominent ASG commander Isnilon Hapilon in a pre-dawn raid in Kanlibot, Talipao.⁸²

Two days later, the tottering truce with the MNLF collapsed. ASG led by Radullan Sahiron were monitored near a satellite camp of Khaid Ajibun’s, under the command of Bitting Jalaidi. Working through the Ad Hoc Coordination Group and Peace Monitoring Group, the Philippines army commander and his MNLF counterpart pressured Ajibun to evacuate his forces and allow military operations to proceed. Five of Ajibun’s sub-commanders agreed to withdraw,⁸³ and 70 MNLF fighters from Bitting’s camp in Talibang were taken by military trucks to Langpas, Indanan – site of another MNLF camp, Amilhamja.

However, Ajibun himself, and his lieutenant, Tahil Sali, were reluctant to abandon Camp Marang, which lies 3km from Talibang, “quite far from where the

⁸⁰ “Hundreds flee, 6 killed, 13 hurt in Jolo clash”, GMANews (TV), 26 February 2007.

⁸¹ Southcom Oplan, op. cit., p. 1, and “ASG (AHAI) Strength and Firearms”, op. cit., pp. 1,-2.

⁸² Joel Guinto, “Abu Sayyaf leader, JI bomber elude arrest in Sulu”, *Philippine Daily Inquirer*, 9 April 2007.

⁸³ They were Bitting Jalaidi, Nandi Udih, Hassan, Bahid and Ajjul.

ASG members were”, as Bitting pointed out.⁸⁴ Ajibun also mistrusted AFP motives. After having being told that operations around Camp Marang would only last a few days at the start of Oplan Ultimatum, he had remained surrounded even after fighting shifted to Patikul, with his men unable to carry arms in areas through which they previously moved freely.

Ajibun phoned MNLF chairman Nur Misuari, under house arrest in Manila, for advice, and was told not to vacate the camp. AFP operations began anyway, and Ajibun’s men were drawn into the fighting. It is unclear if there were any ASG casualties, but two soldiers and two MNLF men were killed in a six-hour skirmish. A ceasefire monitor based on Jolo told Crisis Group: “If the withdrawal had been coordinated properly, it could have been done. This splitting up of the MNLF is what made a mess of it. The partial evacuation gave a signal to the military to begin operations – but it shouldn’t have been rushed”.⁸⁵ If all MNLF forces had stayed in place, or if all had moved out, conflict could have been avoided. Instead, a domino effect took hold across Jolo.

In an MNLF command conference on 7 April 2007, Ustadz Habier Malik had assured Ajibun that he would retaliate if Camp Marang came under AFP attack. Accordingly, on the night of 13 April, Malik’s forces mortared the headquarters of the 11th Marine Battalion in Seit Lake, Panamao, killing a civilian. The next morning they attacked a marine patrol base 7km to the east, in Tayungan, and the army special forces headquarters 16km to the west, in Talipao. Two marines died and eight were wounded. Malik declared that he had had enough of misencounters. “We have been cooperating with you”, he told a government negotiator, “but our men are becoming collateral damage”.⁸⁶

The marines responded by overrunning Camp Jabal Uhud on 15 April, and the army took a third MNLF camp in Tiis, Talipao. The fighting was the fiercest since February 2005, with gun battles erupting in Kalingalan Kaluang and Parang, towns at opposite ends of the island, as well as around the seized MNLF camps. More than 40,000 villagers were displaced in the first few days and 67,000 by the end of May 2007 – more than 12 per cent of Jolo’s population.⁸⁷ ASG

under Albader Parad took advantage of the chaos by abducting seven civilians and demanding ransom from provincial governor Ben Loong. Several days later, their heads were dumped at army bases in Parang and Indanan.⁸⁸

While difficult to quantify, much of the civilian goodwill so painstakingly cultivated through the civil-military operations component of Balikatan was clearly lost in the mass evacuations. The armed forces’ own tactical intelligence estimates are unambiguous. With the followers of at least seven MNLF commanders driven into the arms of the Abu Sayyaf, the number of enemy combatants on Jolo instantly jumped from 432 to 609 – more than 40 per cent – while the group’s armed strength rose from 284 to 458 – an increase of over 60 per cent.⁸⁹

⁸⁴ Julie Alipala and Christine Avendano, “MNLF commander declares ‘holy war’ on gov’t”, *Philippine Daily Inquirer*, 16 April 2007; and Crisis Group interviews, Jolo, June 2007.

⁸⁵ Crisis Group interview, Jolo, 12 June 2007.

⁸⁶ Crisis Group interview, Manila, 25 June 2007.

⁸⁷ “Status of Internally Displaced Persons as of May 2007”, Office of the Provincial Governor, Sulu. Jolo’s population in 2007 was 546,800, out of 753,446 in Sulu province.

⁸⁸ Joel Guinto, “Abu Sayyaf beheads seven captives in Sulu”, *Philippine Daily Inquirer*, 19 April 2007.

⁸⁹ “ASG (AHAI) Strength and Firearms”, op. cit.

V. COLLUSION AND COOPERATION

The seizure of the MNLF's principal bases on Jolo recalls the MILF experience on mainland Mindanao from 2000 to 2003. Relatively disciplined and hierarchically accountable guerrilla formations have again been dispersed into an anarchic environment, where there are many possibilities – and even imperatives – for them to deepen collusion with terrorists.

In counter-insurgency terms, capturing guerrilla strongholds may be seen as a victory. But from a counter-terrorism perspective, anything that drives mainstream guerrillas and extremist jihadis closer together is a defeat. On Mindanao, the AFP's occupation of the MILF's Camp Abubakar, from July 2000, did impede the JI training facilities – though this was not presented as an objective at the time.⁹⁰ But smaller groups of freelance foreign jihadis have continued to seek partnerships with militants inside, as well as outside, the MILF and MNLF.

The most dangerous of these liaisons came about as a direct result of Balikatan's "success" in Basilan. As described above, driving the ASG core group onto the mainland had the unintended effect of cementing its alliance with radical MILF commanders. Defusing this combination was the basis for recent achievements against the ASG. Though the story remains untold in the official account, it holds important lessons for Sulu and for many situations where terrorists are embedded in popular insurgencies.

Where distinguishing between insurgents and terrorists is possible, encouraging the first to cooperate against the second, rather than collude with them, must be a central pillar of counter-terrorism programs. Moreover, in the longer term, such cooperation helps build mutual trust necessary for a durable peace agreement. Quiet MILF cooperation against ASG and foreign jihadis continued until shortly after the expiry of AHJAG's mandate on 21 June 2007. An ASG plan to re-infiltrate mainland Mindanao, due to intensifying pressure from Oplan Ultimatum on Jolo, was frustrated in November 2006. Bashir Takasan, an MILF member working with AHJAG from Davao Oriental, where the jihadis had hoped to land, "died in the line of duty preventing their re-entry".⁹¹

On 19-20 June, notorious terrorists Omar and Iting Sailani were gunned down in Baywas, Sumisip town, on Basilan, the home village of local MILF commander Amir Mingkong, who has a long history of collusion with the ASG. News reports credited a marine unit with the kills, but according to the marine commander on Basilan, it was Mingkong himself who delivered the *coup de grace*. This was more likely motivated by a personal dispute than a conscious embrace of the peace process but was an encouraging development, nonetheless.⁹²

A. THE AL-BARKA INCIDENT: JUNE 2007

Across the Moro Gulf on the Zamboanga peninsula, however, a dangerous situation was evolving that would have serious consequences for Basilan. On 10 June 2007, Fr. Giancarlo Bossi, an Italian priest, was kidnapped from his parish in Payao, Zamboanga Sibugay province. MILF forces helping in the search for Bossi stood down at the end of the month, expressing concern that a mistaken encounter might occur in the absence of a clear AHJAG mandate, since it had expired on 21 June.⁹³ Ten days later, those fears were realised in Al-Barka.

Basilan's unique volatility arises from the fact that the small island is home to all three main separatist rebellions – MNLF, MILF and ASG. Clans are often involved in all three networks, as well as local electoral politics, where access to high-powered firearms is at a premium. Acting on information that Fr. Bossi had been sighted in Al-Barka municipality, Philippines marines set out on patrol on the morning of 10 July 2007.

Two days earlier, Basilan marine commander Col. Ramiro Alivio told Crisis Group that unusually large formations of armed men – several hundred strong – had been making their presence felt in the area for some months. Rather than attempting to distinguish their component members, which could have involved a complicated "paper trail" with the ceasefire committee, Alivio chose to regard them as undifferentiated "lawless elements". As his men turned back for base camp with no sign of Bossi, a truck bogged down in the mud, and, following standard operating procedure, marines fanned out around the vehicle to secure the

⁹⁰ Despite detailed documentation by Crisis Group and others, the MILF has never acknowledged the systematic nature of the JI program in Camp Abubakar between 1994 and 2001. For more detail, see Crisis Group Report, *Southern Philippines Backgrounder*, op. cit.

⁹¹ Crisis Group interview, Manila, June 2007.

⁹² Crisis Group interview, Col. Ramiro Alivio, commanding officer, 1st Marine Brigade, Basilan, 8 July 2007. See also, "2 Sayyaf gunmen killed in Basilan clashes", *Daily Tribune*, 22 June 2007, p. 3, and "2 Sayyaf men killed in Basilan", *Philippine Star*, 22 June 2007, p. 2.

⁹³ Christine Avendano, Julie Alipala and Edwin Fernandez, "MILF troops pull out from search for Bossi", *Philippine Daily Inquirer*, 4 July 2007, pp. 1, 17.

perimeter. The site – in Guinanta village – is the location of two of the MILF's three brigade commands in Basilan. Unknown to the marines, MILF forces were closely observing their movements. As the marines came within metres of the guerrillas' high ground, gunfire erupted.

A CCCH official described what ensued as a "*pintakasi*" (a fight in which everyone joins in). Once combat began, armed men from surrounding neighbourhoods, including ASG fighters, joined against the marines in the hope of sharing in the spoils – captured equipment, arms or ammunition – or of avenging past wrongs. Followers of local politicians were embittered by the marines' rigid enforcement of the previous May's election gun ban. Fourteen marines died, ten of whom were decapitated and otherwise mutilated. Triggered by a lack of coordination between AFP and MILF, the Al-Barka incident demonstrated the power of a momentary tactical alliance across organisational boundaries. An MNLF commander from Basilan noted: "MILF's three brigades [about 500 men] will become 3,000 men if 'loose arms' on the island are consolidated by the failure of the peace talks".⁹⁴

B. THE IPIL INCIDENT: FEBRUARY 2008

A mechanism like AHJAG with the MNLF might have helped avert an incident like the AFP's reported killing of seven civilians and an off-duty soldier in Ipil village, Maimbung, Jolo on 4 February 2008. Claiming they had intelligence that ASG, led by Abu Pula ("Dr Abu") and foreign jihadis were in the area, a unit of the regional military Task Force Comet stormed the village. Two soldiers were killed. According to the Sulu governor (confirmed to Crisis Group by official sources in Manila who did not wish to be identified), they died from friendly fire between the army's Light Reaction Company and the navy's Special Warfare Group, both of which are part of the task force.

The army's version was that one of the victims, Ibnul Wahid, a former MNLF rebel turned AFP soldier, who was reportedly on leave, was a suspected ASG member and killed the two Task Force members before he died.⁹⁵ Wahid's wife said he was tied up and executed with a shot to the back of the head. Of the seven civilians killed, two were children aged four

and nine; one was a pregnant woman, one was a village councilman, and three were local men aged nineteen, 24 and 37.

"It was a legitimate encounter", Maj. Gen. Ruben Rafael was quoted in the Philippines press as saying. "As far as we are concerned, troops clashed with the Abu Sayyaf and Jemaah Islamiyah".⁹⁶ His statement was refuted by the regional director of the national Commission on Human Rights, who also documented attacks and looting of village houses by the government troops and recommended that criminal charges be filed against the attackers. A team of prosecutors from the justice department was sent to investigate on 26 March.⁹⁷

The apparent misinformation about ASG presence in the village was reportedly linked to a *rido* (traditional clan feud) in which an informant for the military saw an opportunity to get the army to attack his rivals. It resembled incidents previously contained by international ceasefire monitors on Jolo, but for which victims now have little recourse.⁹⁸ The local knowledge of ex-MNLF army integreees like Ibnul Wahid is potentially an enormous resource in the conflict with the ASG but is prone to misuse in petty local vendettas. Ideally, it should be mediated through a rigorous intelligence-sharing mechanism like AHJAG.

C. THE MANY DEATHS OF DULMATIN

Two weeks after the Ipil incident, the military announced, as it had several times before, that Dulmatin was dead. It said a source, Alfa Moha alias Bin, had led it to a grave in Lubbok, Panglima Sugala, Tawi-Tawi, where a battle between ASG and AFP forces had taken place on 31 January 2008. An AFP naval unit had been looking for the killers of Fr. Reynaldo Roda, a Catholic priest shot on Tabawan Island, Tawi-Tawi, on 15 January in what appears to have been a botched kidnapping.⁹⁹ Wahab Upao, an ASG member whom the military suspected of involvement in that murder, was killed in the 31 January attack, and Dulmatin was allegedly wounded.¹⁰⁰

⁹⁴ Crisis Group interviews, Basilan, July 2007 and January 2008, and Cotabato City, January 2008.

⁹⁵ Julie Alipala, "Sulu 'massacre' survivor claims seeing U.S. soldiers", *Philippine Daily Inquirer*, 7 February 2008; and Julie Alipala, "Sulu gov: Military 'massacred' villagers", *Philippine Daily Inquirer*, 5 February 2008.

⁹⁶ Alipala, "Sulu gov: Military 'massacred' villagers", op. cit.
⁹⁷ "DOJ sets prove of Maimbung killings", *Manila Times*, 27 March 2006.

⁹⁸ Such as the 2001 Parang incident and the Tandu Batu incident of 2006.

⁹⁹ "Oblate priest killed in Tawi-tawi", *Mindanews*, 15 January 2008.

¹⁰⁰ "FBI takes DNA sample from suspected Dulmatin body", *Mindanews*, 20 February 2008.

But while results of DNA tests on the body found in Tawi-Tawi have not yet been announced, doubts are growing that the body was Dulmatin's – particularly after reports began to surface in Indonesia that the fugitive had made new contact with jihadis there. The question is why Philippines authorities apparently were wrong yet again. One explanation is money: eagerness to claim the cash reward may be leading to overly hasty pronouncements. Dulmatin has a \$10 million bounty on his head from the U.S. "Rewards for Justice" program, which is credited with the downfall of some of ASG's most wanted figures. But the program has led some military informants to equate amount of bounty with the importance of the individual concerned.

Dulmatin is now seen internationally as the top terrorist in the Philippines, in part because the reward for his capture is the highest. But Umar Patek, who only merits a \$1 million reward, is in fact the top commander among the foreigners, with technical expertise at least equal to and probably greater than Dulmatin's. A senior Philippines police officer was critical of the bounties in more general terms, suggesting they were leading to undue focus on individuals at the expense of more carefully thought-through strategies.¹⁰¹

On 19 February, the same day the alleged body of Dulmatin was recovered, the military announced the capture on the Mindanao mainland, in Davao Oriental, of Indonesian JI member Mohamed Baehaqi. He was in fact KOMPAK, not JI, and he reported to Patek. The fact that he was arrested not on Jolo, nor even in western Mindanao in the MILF heartland, but had moved through both to the other side of the island, suggests the complexity of jihadi alliances and the need to look beyond the big-name targets.

D. THE GEOGRAPHICAL REACH OF TERRORISM IN MINDANAO

Unlike Indonesia, where no serious bombings have occurred since 2005, jihadis continue their attacks in the Philippines. The geographic spread of those attacks is instructive, because it demonstrates that members of all three rebel factions are involved – and foreign jihadis may be providing a vital link among them. One week after the capture of Dulmatin's wife in October 2006, coordinated explosions in three towns across central Mindanao (Makilala, Tacurong and Cotabato City) killed six and wounded 36. Zulkifli bin Hir alias Marwan, the Malaysian national who has been in Mindanao since 2000, was almost certainly

involved, together with an MILF commander, Abdul Basit Usman, and likely Dulmatin's brother-in-law Hari Kuncoro as well.¹⁰² Exactly three months later, a second string of bombings struck General Santos City, Cotabato City and Kidapawan, killing another six bystanders; on 8 May 2007, eight more died in Tacurong. The same group may have been involved in these as well.

On 18 May 2007, 8 June, 15 June, 7 July, 18 July, 3 August, and 18 September, buses were bombed in Cotabato, Matalam, Bansalan, Koronadal and Tacurong, killing at least nineteen and injuring dozens.¹⁰³ As noted above, these were said to be the work of Jabidi Abdul alias Bedz and the al-Khobar group.¹⁰⁴ As with the degeneration thesis with regard to the ASG, however, distinctions between "political" and "criminal" violence can be exaggerated. The bus bombings are widely written off as an extortion racket unrelated to the conflict.¹⁰⁵ Even if this proves the case, the diffusion of bombing technology into the criminal underworld is a destabilising consequence of jihadi activity in the Philippines.¹⁰⁶ More generally, Indonesian jihadis have long used armed robberies of non-

¹⁰² Baehaqi told Philippines investigators that he received an SMS from Marwan saying "It has exploded, Allah Akbar!" He said Marwan was in Mamasapano, Maguindanao at the time and that he believed him to be working with Abdul Basit Usman.

¹⁰³ For an overview of IED (improvised explosive device)-type bombings in the Philippines – which have killed more than 400 and injured over 1,400 since the resurgence of conflict in the south in 2000 – see "Lives Destroyed: Attacks Against Civilians in the Philippines", Human Rights Watch, July 2007.

¹⁰⁴ Significantly, Bedz is believed to have trained with Ahmad Faisal bin Imam Sarjian alias Zulkifli, former head of JI's Wakalah Hudiabiyah. Zulkifli was arrested in Sabah, Malaysia in December 2003, as he was returning to Indonesia to assume the leadership of Mantiqi III. He was returned to the Philippines in 2006 to face trial for involvement in multiple bombings. To Crisis Group's knowledge, the trial has never taken place.

¹⁰⁵ Edith Regalado, "Bombers targeting family of bus owner", *Philippine Star*, 18 June 2007, pp. 1, 11. Davao City mayor Rodrigo Duterte blamed the bus bombings on "disgruntled employees".

¹⁰⁶ One extraordinary example is a subcommander of the MILF's 104th Base – renowned for its mercenary inclinations. Known only as Commander Kayob, he is believed to have guided Kadaffy Janjalani's group during its mainland sojourn, taking custody of its weapons when it returned to Sulu. Yet Kayob has also allegedly freelanced as a "special operations" agent for the region's traditional Muslim political kingpin, Datu Andal Ampatuan, disrupting elections in May 2007 by firing M-79 rifle grenades at a municipal hall outside Cotabato City. Crisis Group interviews, Zamboanga City, 28 September 2006, Cotabato City, 1 July 2007.

¹⁰¹ Crisis Group interview, Manila, 26 March 2008.

Muslims, called *fa'i*, as a religiously sanctioned way of raising money for jihad and have offered common criminals a way of atoning for past acts by using their skills in the service of war.

Other devices, including a second bomb in Makilala and a car bomb rigged with ten mortars and 4kg of nails near the Surallah public market, did not detonate.¹⁰⁷ Bombs in Kidapawan on 5 October and 22 November 2007 and in General Santos on 30 January 2008 killed at least six more civilians. It is probably not coincidental that these target locations radiate out from the MILF's SKP camp like the spokes of a wheel.

Marwan's role has been underestimated. Between September 2005 and November 2006, he appears to have stayed on the Mindanao mainland with his MILF associates, while Patek's group and Kadaffy joined forces in Jolo. He kept in touch with his colleagues in Jakarta and also had contact with Zulkifli alias Danny Ofresio, the former head of the *Ji wakalah*, detained in Manila, and with his colleagues in Jolo who were involved in other bombings, including the March 2006 explosion at the Notre Dame Cooperative Centre in Jolo. (Baehaqi claims to have witnessed the assembling of the mortar used, in which Kadaffy and Tariq, a Muslim "revert", were involved.)¹⁰⁸ In addition to staying in touch, Marwan and Patek appear to have relied on the same source of funding.

In November 2006, Patek ordered Baehaqi to leave Jolo. Baehaqi went to Davao, where he joined up with two Muslims, perhaps linked to the Rajah Solaiman Movement, whom he had first met in Jolo. In April 2007, he had a rendezvous with Marwan and Hari Kuncoro somewhere between the borders of Mamasapao, Manguindanao and Shariff Aguak town. Baehaqi seems to have stayed in the area, working with the mainland branch of Patek's group. Sometime shortly before he was arrested in February 2008, Marwan gave him three bomb trigger mechanisms, which were still in his possession when he was caught. Baehaqi claimed he was waiting for instructions from Patek on where and how to use them.

The division of labour between Patek on Jolo and Marwan in Maguindanao and Davao suggests this group may have been pursuing its own jihadi ends, independent of the MILF and Abu Sayyaf while working with both. Pursuing Abu Sayyaf alone will just push the air in the terrorist balloon to a new location, as occurred after Oplan Tornado in 2005.

¹⁰⁷ "Two bombs hit buses in South, 9 dead, 5 hurt", *Daily Tribune*, 16 June 2007, p. 3.

¹⁰⁸ On reverts, see fn. 32 above.

VI. THE U.S. ROLE

Curtailing ties between jihadis and mainstream insurgents is at the heart of effective counter-terrorism in the Philippines – but is also the missing element of U.S. operations there. Washington's doctrine is expressed in a triangular "counter-insurgency model" focusing on "three critical relationships" – between government and population, population and insurgents, and insurgents and government.¹⁰⁹ Relationships among dissident groups are absent from the model – yet breaking these links is critical. Just as counter-insurgency aims to divide guerrillas from populace, counter-terrorism should aim, where possible, to separate terrorists from the insurgents they rely on for sanctuary. But the terms "insurgent" and "terrorist" are used interchangeably, without analytical distinction, in official accounts of Operation Enduring Freedom-Philippines, the U.S. extension of the post-9/11 "war on terror" to Mindanao.¹¹⁰

A. COUNTER-TERRORISM OR COUNTER-INSURGENCY?

Collapsing terrorists and insurgents in the Philippines into a single category is as dangerous as conflating insurgents with their support base – the military tactics that often follow reinforce bonds rather than break them. U.S. operations resemble counter-insurgency more than counter-terrorism, which risks encouraging dissident alliances, instead of dissolving them.

¹⁰⁹ Cherilyn A. Walley, "Civil Affairs: A Weapon of Peace on Basilan Island", *Special Warfare*, vol. 17, no. 1 (Sept. 2004), p. 35. An embellished version of counter-insurgency, the Diamond Model, incorporates "international actors" who relate to government and insurgents in the "external" environment.

¹¹⁰ Key objectives of the War on Terror ("a counter-insurgency operation on a global scale") are to "deny sanctuary to terrorists and insurgents" and, in the Philippines, to "separate the insurgency from the population" (or, on the same page, "separate the population from and destroy terrorist organisations"). See David S. Maxwell, "Operation Enduring Freedom-Philippines: What Would Sun Tzu Say?", *Military Review*, vol. 84, no. 3 (May-June 2004), p. 20, emphasis added. C.H. Briscoe and Dennis Downey, "Multiple Insurgent Groups Complicate Philippine Security", *Special Warfare*, vol. 17, no. 1 (Sept. 2004), pp. 12-14, describe ASG as a "third major insurgent faction", alongside the MNLF (which has conducted "terrorist attacks" and a "bombing campaign") and MILF (responsible for "terrorist activities"). And, according to Cherilyn A. Walley, "Special Forces Training Exercises Continue Balikatan Mission", *ibid*, p. 43, U.S. training aims "to combat insurgency in the southern Philippines".

The U.S. Defense Department's 2006 "Quadrennial Defense Review" asserts: "Increasingly, in many states of the developing world, terrorist networks pose a greater threat than external threats". Failed states and ungoverned spaces in which extremists operate or shelter are viewed as a principal challenge in the "Long War" against terrorism – best met by an "indirect approach, building up and working with and through partners".¹¹¹ In a strategic climate dominated by Iraq, the Pentagon is rediscovering counter-insurgency, issuing its first new field manual on the subject in decades, and looking to the Basilan experience as a model.¹¹² But its extension to Jolo highlights a crucial gap in this model.

Operating Enduring Freedom-Philippines has become a paradigm of the "indirect approach". During the first half of 2002, 160 U.S. special forces deployed to Basilan in a dozen twelve-man A-teams attached to Philippines battalions, supported by three B-teams at AFP brigade level.¹¹³ A-teams conducted field surveys on local needs and accompanied Philippines daylight patrols. With additional security provided by U.S. marines, navy engineers improved island infrastructure, and thousands of residents received free medical care – all hand-in-hand with Philippines personnel.¹¹⁴ When Balikatan 02-1's mandate expired in July 2002, civic action and military training continued under the Bayanihan (Community Spirit) program, treating thousands more patients and improving the capability of at least ten AFP infantry battalions.¹¹⁵

By "putting the AFP in the lead", according to military analysts, the indirect approach "enhanced government legitimacy at the grassroots" and "drove a wedge" between the population and Abu Sayyaf. With the ASG "isolated from local support networks", an AFP rejuvenated with U.S. resources expelled the group from the island, allowing civilian professionals to return, and development agencies to begin addressing "root causes" of unrest. This was the epitome of a "successful [counter-insurgency] operation".¹¹⁶

In a rare, critical assessment, Colonel David Maxwell, who led the first U.S. battalion to deploy in Operation Enduring Freedom-Philippines and commanded U.S. forces in the south in 2007, faulted the operation's failure to address the relationship between ASG, MILF and JI. He admitted this allowed the ASG to find refuge in "MILF-controlled areas". But for Maxwell – one of the few U.S. military practitioners to acknowledge the MILF peace process – its mechanisms did not offer a way out of that conundrum. Rather, the talks "created de facto ASG sanctuaries". The decision not to "directly attack the alliance of the three terrorist groups" and to "concentrate solely on the ASG", he concluded, was a "strategic error". Maxwell believed a "broad, combined campaign" should have covered the enemy's entire area of manoeuvre, with U.S. combat forces targeting the "terrorist" MILF as well as ASG and JI.¹¹⁷ Nothing would have been more likely to fuse the three groups into an alliance.

B. FROM BASILAN TO JOLO

Conflation did not prove fatal on Basilan in 2002. The MNLF had largely demobilised on the island, and the MILF did not regard it as a significant theatre at the time. Neither group wanted to risk confrontation with U.S. forces. JI's Wakalah Hudaibiyah was also focused on the mainland, where the Americans suffered their only combat casualty.¹¹⁸ The freelance jihadi presence was still insignificant. Six years on, Jolo presents a more complex challenge.

In Jolo, the cradle of Muslim separatism in the Philippines, attempts to "separate the insurgency from the population" are bound to fail. The population *is* the insurgency. The vast majority of Tausug residents,

¹¹¹ "Quadrennial Defense Review Report", U.S. Department of Defense, Office of the Undersecretary of Defense for Policy, Washington DC, 6 February 2006, pp. 21, 24.

¹¹² "Counterinsurgency", U.S. Department of the Army, Field Manual No. 3-24, Washington DC, 16 June 2006; and Stanley A. Weiss, "After Iraq, a New U.S. Military Model", *International Herald Tribune*, 27 December 2006.

¹¹³ Kit Collier, "U.S. Lifts Presence in Southern Philippines", *Asia-Pacific Defence Reporter*, June 2002, pp. 46-47. Brigade-level ODBs (Operations Detachment Bravo) designated Alaska, Texas and Florida covered the north west, south west and eastern sectors of the island; A-teams were named for cities like Dallas (ODA-125 in Maluso Heights, attached to the Philippines 5th Marine Battalion in the Texas Area of Operations).

¹¹⁴ "Exercise-Related Construction" included 24 wells, sixteen school buildings, five clinics, two hospital buildings, two piers, two bridges and a municipal water system. An airfield and 80km of circumference road were refurbished and 9,466 Medcaps patients treated on Basilan and 10,385 in Zamboanga City. "Civil Military Operations: Balikatan to Bayanihan and the Road Ahead", U.S. Joint Special Operations Task Force-Philippines, 2003.

¹¹⁵ C.H. Briscoe, "Reflections and Observations on ARSOF Operations during Balikatan 02-1", *Special Warfare*, vol. 17, no. 1 (Sept. 2004), p. 55.

¹¹⁶ Wilson, op. cit., p. 8.

¹¹⁷ Maxwell, op. cit., pp. 22-23. Wilson, op. cit., p. 9, also takes note of the peace process only to the extent that ASG used it "for cover".

¹¹⁸ Sergeant First Class Mark W. Jackson was killed in a bombing not far from the gate of Camp Arturo Enrile, the AFP's special forces headquarters in Zamboanga City, on 2 October 2002.

especially outside the capital town, view the AFP as an army of occupation. Under these conditions, the effect of the indirect approach is reversed: rather than enhancing government legitimacy, close association between Philippines and U.S. troops taints the Americans at the grassroots. Should conflict with the MNLF continue to escalate, this guilt by association will eclipse the goodwill purchased through civic action.

About 180 U.S. troops are stationed on the island at any given time, supported by another 170 at the Joint Special Operations Task Force-Philippines (JSOTF-P)-Forward base, at AFP Western Mindanao Command headquarters in Zamboanga City.¹¹⁹ Attached to Philippines brigades and battalions as “liaison coordination elements”, special forces advisers are spread across the island in almost a dozen locations. Their primary counter-terrorism role is to provide real-time battlefield intelligence to the AFP, driving precision operations against the ASG.

The 2006 “Quadrennial Defense Review” calls for “a more culturally aware, linguistically capable force”, able to “operate clandestinely” and “sustain a persistent but low visibility presence”.¹²⁰ But civic action and information operations on Jolo, of which the centrepiece is the “Rewards for Justice” program, have not shown great sophistication.¹²¹

The suspected new ASG leader Yasir Igasan is a case in point. On 9 June 2007, U.S. special forces distributed booklets during civic operations in Samak, Tali-pao, bearing images of seventeen wanted terrorists. Alongside a photograph of Umar Patek was another labelled “Ali Igasan *a.k.a.* Abdulla Tuan Ya Yasir Igasan”. The picture was actually of Ustadz Yahiya Sarahadil “Tuan Yang” Abdullah, an innocent and well-regarded religious scholar. Not only is Tuan Yang, at 45, a decade older than the wanted man, Tuan Ya, but he also has a fair complexion and aquiline features, while Igasan is said to be dark, rotund and pockmarked.¹²²

Errors of this kind reflect a paucity of accurate intelligence. Despite the Quadrennial Review’s call for a polyglot force and “long-term assignments in key strategic regions”, Americans on Jolo speak no Tausug and are quickly rotated out. Over-reliance on “heritage speakers” of (Christian) Philippines languages, mainly Tagalog, means greater rapport is established with the AFP than with local residents, and valuable informal intelligence-gathering opportunities are lost.¹²³ Tuan Yang, the misidentified suspect, expressed a view heard repeatedly by Crisis Group on Jolo: “We used to admire the Americans...Now people are looking at them differently because they always accompany the Filipino troops”.¹²⁴ Popular suspicions of U.S. involvement in the Ipil incident underscore this risk.

Civic action creates other problems. About 50 medical civic action programs were conducted on Jolo in 2006, usually following road repair to facilitate access and gather intelligence. Nineteen school construction and renovation projects, ten wells, five community centres and five water distribution centres were also undertaken during the year.¹²⁵ Despite widespread appreciation for the short-term benefits of the U.S. presence, residents question its top-down, militarised approach and apparent favouritism. Villages with powerful local patrons receive multiple visits, while others are bypassed. Healthy villagers flock to the programs expecting “dole-outs”, such as free paracetamol, while fundamental public health needs go unmet. “We are not involved in identifying areas for treatment”, Jolo health professionals remarked, “but the politicians love it”.¹²⁶

The lack of community consultation in planning civic action, and its non-participatory approach, deprive it of sustainable long-term impact – which is not even good counter-insurgency. Bureaucratic and force protection issues that also handicapped Balikatan 02-1 are partly to blame – an aversion to dealing directly

¹¹⁹ Crisis Group interview, Col. David Maxwell, commander, JSOTF-P, Zamboanga City, 8 July 2007. Twenty more Americans operate in Tawi-Tawi; around 60 out of Cotabato City; and twelve in Manila. JSOTF-P replaced Joint Task Force 510, overseeing Balikatan 02-1, in August 2002. Westmincom and Eastmincom (in Davao City) were created out of Southcom in August 2006.

¹²⁰ “Quadrennial Defense Review Report”, op. cit, pp. 11, 15.

¹²¹ C.H. Briscoe, “Wanted Dead or Alive: Psychological Operations During Balikatan 02-1”, *Special Warfare*, vol. 17, no. 1 (Sept. 2004), pp. 26-29, also credits the program with the rescue of U.S. hostage Gracia Burnham.

¹²² “Rewards for Justice Recognition Handbook”, U.S. Department of Justice, 2007; and Crisis Group interviews, Ya-

hiya Abdullah, and acquaintances of Yahiya and Yasir, Jolo, 11 June 2007. See also “Muslim religious leaders hit harassment, seek dialogue”, *Philippine Daily Inquirer*, 29 June 2007.

¹²³ Quadrennial Defence Review Report, op. cit., p. 15, indicates that 479 members of the armed forces had been recruited to the heritage speakers program in 2006, with just 133 “currently deployed” worldwide.

¹²⁴ Crisis Group interview, Jolo, 15 June 2007.

¹²⁵ Eckert, op. cit., p. 21. These are known as Encaps – engineering civic action programs.

¹²⁶ For example, Bato-bato, Indanan, a secure village favoured by a powerful politician, was “saturated” by five Medcaps. Villages allied to his rivals received low priority, as did more remote areas, especially in island municipalities. Crisis Group interviews, Jolo, 5 July 2007.

with the population and to the slightest risk of U.S. casualties in a “non-combat” situation.¹²⁷ These deeply rooted tendencies in the U.S. way of war are accentuated by the indirect approach, which eschews overtly political involvement in the affairs of a sovereign partner. Manila, eager to depoliticise Muslim resistance, embraces a counter-insurgency model based on military and socio-economic initiatives alone. But counter-terrorism’s missing prong is irreducibly political.

VII. BRINGING POLITICS BACK IN

As U.S. investment in military and economic aid grows, political commitment to the peace process has diminished. The sudden resignation of the Philippines government’s peace panel head, Silvestre Afable, on 15 June 2007 coincided with the expiration of AH-JAG’s mandate (21 June) as well as the end of a four-year U.S. Institute of Peace (USIP) presence in the country (30 June). All three developments flowed from Washington’s and Manila’s neglect of the political dimension of Muslim insurgency. In Manila, conservatives are ascendant, as the Arroyo administration fights scandal after scandal. The government’s perils ultimately derive from state failure in the south, which is driving a cycle of destabilisation between centre and periphery.

The high water mark in the MILF talks came on 7 February 2006, when both sides endorsed 29 “consensus points” on ancestral domain at the panels’ tenth exploratory meeting; formal agreement on this last agenda item was anticipated the next month and a comprehensive peace pact by year’s end.¹²⁸ But on 24 February, an abortive coup in Manila triggered a week-long state of emergency. The administration, under growing conservative influence since the “Hello Garci” scandal prompted mass resignation of the cabinet’s reform faction,¹²⁹ bunkered down.

The military mutiny, like “Hello Garci”, was rooted in allegations of cheating in the May 2004 elections in parts of Muslim Mindanao which were beyond normal scrutiny because of chronic disorder and warlordism.¹³⁰ Relentless opposition pressure over the scandal reinforced Arroyo’s dependency on Muslim allies in those anarchic enclaves, led by the Ampatuan clan – whose dubious captive votes sparked the crisis. Impeachment and coup attempts strengthened cabinet hardliners, who shared Muslim traditionalists’ mistrust of the MILF and Afable’s concessions. The elev-

¹²⁸ Carolyn O. Arguillas, “GRP, MILF agree to sign comprehensive peace pact before year end”, *Mindanews*, 7 February 2006. For background on the peace process to this stage, see Crisis Group Reports, *Philippines Terrorism*, op. cit., pp. 15-16; and *Southern Philippines Background*, op. cit., pp. 5-8.

¹²⁹ The scandal, named for a wiretapped presidential conversation with an election commissioner, cast doubt on Arroyo’s narrow 2004 election win. Arroyo’s chief peace process adviser, Teresita Deles, joined the so-called “Hyatt Ten” cabinet members resigning in protest at the revelations on 8 July 2005.

¹³⁰ “Failed Enterprise”, *Newsbreak* (Manila), 3 November 2006. The marine officers who led the conspiracy cited their direct involvement in electoral fraud in Muslim Mindanao as spurring the revolt.

¹²⁷ Robert D. Kaplan, *Imperial Grunts: On the Ground with the American Military, from Mongolia to the Philippines to Iraq and Beyond* (New York, 2005), pp. 147-53, 177-178.

enth round of talks, postponed due to the instability in Manila, ended on 21 March with the sides now “heaven and earth” apart.¹³¹ A twelfth round on 2-4 May, centred on the territorial delineation of the proposed Bangsamoro Juridical Entity (BJE), failed to end the impasse. Heady optimism before the putsch gave way to an admission that there would be no agreement in 2006.¹³² Manila’s insistence on a constitutionally required plebiscite in the villages and municipalities that it agreed to add to the ARMM was the chief hurdle.

Following the failed thirteenth round on 6-7 September 2006, Afable tried an innovative end run around the charter issue by introducing a “Right to Self-Determination” framework. As a “generally accepted principle of international law”, the collective right of peoples to freely determine their political status is constitutionally incorporated in Philippines domestic law.¹³³ On 9 November, Afable suggested in a letter channelled through the Malaysians that the self-determination provision might offer a way around the sensitive sovereignty issue. The MILF took this as acceptance of its longstanding demand for a referendum and sought clarification at a “question and answer” session in Kuala Lumpur. Its negotiators, however, neither accepted nor rejected the proposal, requesting more detail.¹³⁴

A new round of talks was scheduled for 1-2 May 2007 but was abruptly cancelled as the administration braced for mid-term elections that potentially would determine its ability to withstand another impeachment drive. The crucial deciding votes for Senate candidates came from the same Muslim rotten boroughs as in 2004, threatening a new wave of turmoil in Manila.¹³⁵

A post-election cabinet reshuffle tightened the conservatives’ grip, and three key officials – National Security Adviser Norberto Gonzales, Justice Secretary Raul Gonzalez and Interior Secretary Ronaldo Puno – intensified their opposition to Afable’s strategy. Afable’s position became untenable, as his negotiating mandate was in effect withdrawn, while pressure mounted to bring conservative allies like the Ampatunans on board, which was properly the president’s responsibility, not his.¹³⁶ Manila compounded the “set-back” of his resignation by immediately appointing a replacement without cabinet rank – which the MILF interpreted as a “deliberate downgrading” of the peace process.¹³⁷

Many believe that the conservatives are actively trying to obstruct an agreement. A former U.S. official close to the Manila political elite said:

While there are many AFP officers who understand the distinction between the MILF and ASG, key senior security officials tend to see Moro demands for self-determination as threatening their influence or interests. They therefore support the C[ounter-]T[errorism] effort as a means to prevent a peace settlement (and necessary sharing of political and economic power) with the MILF or the conscientious implementation of the 1996 MNLF agreement.¹³⁸

The MILF’s chief negotiator, Mohagher Iqbal, believes only the U.S. can influence Manila to make an acceptable political offer. On 21 June 2007, the day AHJAG’s mandate expired, American officials met with the MILF to coordinate new aid projects. These were welcome, Iqbal said, “but not at the expense of the political aspect”. Aid donors, he added, appear not to understand that:

Self-governance of the Bangsamoro people is not a socio-economic problem – it’s a political problem, to be resolved politically, through a negotiated settlement. They are trying to kill the problem softly, based on the premise that poverty is the problem. It’s not.¹³⁹

Another MILF panel member told Crisis Group: “None of this is new – we’ve seen it all before, in Marcos’s time. There’s no terminal point, no closure – they [Manila] prefer to ‘manage’ the problem. We are warning

¹³¹ “GRP-MILF talks open in KL”, *Luwaran*, 3 May 2006.

¹³² Edwin Fernandez and Michael F. Sarcauga, “MILF exec sees 2006 bad year for pact”, *Philippine Daily Inquirer*, 2 June 2006.

¹³³ See United Nations International Covenant on Economic Social and Cultural Rights (1966), Article 1, and Philippines Constitution, Article II, Section 2.

¹³⁴ Crisis Group interview, Mohagher Iqbal, MILF Central Committee, Sultan Kudarat, Shariff Kabunsuan, 2 July 2007, and “MILF: Peace talks will not take place this year”, *Luwaran*, 9 December 2006. For the MILF, the difference between a plebiscite and a referendum is that only Moros would vote in the latter.

¹³⁵ This time the scandal revolved around another election commissioner, Lintang Bedol, who “misplaced” crucial certificates of canvass from Muslim constituencies. Since September 2007, Arroyo’s administration has been further distracted by a bribery scandal arising out of a broadband network contract won by the Chinese firm ZTE.

¹³⁶ Crisis Group interview, Cotabato City, 28 June 2007.

¹³⁷ “Gov’t chief peace negotiator quits; rebels say it’s set-back”, *Philippine Daily Inquirer*, 17 June 2007, p. A 15; Darwin T. Wee, “Change in peace panel head setback to process – MILF”, *Business World* (Manila), 18 June 2007, p. 12.

¹³⁸ Communication to Crisis Group, 25 April 2008.

¹³⁹ Crisis Group interview, Mohagher Iqbal, 2 July 2007.

[MILF leader] Murad: economic packages that take the form of counter-insurgency won't work".¹⁴⁰

The U.S. country team seems deaf to these voices. Focusing exclusively on the strategy of civic action and military cooperation, Ambassador Kristie Kenney recommended ending USIP's Philippines Facilitation Project, which had fostered the peace process since 2003. Its termination did not lead, as some hoped, to a more direct U.S. role in the talks. Rather, the socio-economic approach was reinforced in September 2007, with a five-year, \$190 million U.S. Agency for International Development (USAID) grant "focused on developing the business and economy of Mindanao".¹⁴¹ Visits to MILF headquarters by the U.S. deputy chief of mission, Paul Jones, in November 2007 and Ambassador Kenney on 19 February 2008 appear to have focused on economic incentives as well. While the aid is welcome in an area where all social indicators are around the nation's lowest, it is not a substitute for a political settlement.

MNLF leaders from Sulu also look to the U.S. to counter what Ustadz Murshi Ibrahim, the front's secretary general, calls the "depoliticisation and localisation" of its struggle. "Where in the world are revolutionaries negotiating for development?" asked the MNLF's head of foreign affairs, Ustadz Abdulkali Abubakar. "Socio-economic development should follow the political aspect – what use is it if they [Manila] control everything?" The MNLF seeks the return of international Joint Monitoring Committee observers while the Jakarta agreement is reassessed. But Manila fends off OIC involvement by insisting that security operations in Sulu are a "law enforcement campaign and ... [a] purely domestic concern".¹⁴²

The government aims to weaken both the MILF and MNLF by drawing out the diplomatic process, anaesthetising rebel supporters with aid and selectively criminalising commanders who fail to cooperate. By filing murder charges against Habier Malik for the April 2007 fighting – but not Khaid Ajibun – Manila is attempting to drive a wedge into Sulu's insurgency.¹⁴³ This also involves pressing local MNLF

leaders into service as go-betweens, enticing holdouts down from the hills. AFP units heighten tensions around MNLF communities by arriving unannounced to demand such mediation, equating refusal with sympathy for ASG. "There should be a third group to negotiate between the MNLF and the military – not the military itself", argued a rebel based at Camp Amilhamja. "There is too much mistrust, and peace agreements cannot implement themselves".¹⁴⁴ In its determination to divide mainstream insurgents, Manila risks uniting them with terrorists.

¹⁴⁰ Crisis Group interview, Cotabato City, 30 June 2007.

¹⁴¹ Crisis Group discussions, Manila, 19 June 2007, and Edwin Fernandez and Jeffrey Maitem, "ARMM to get bulk of US\$190-M grant", *Philippine Daily Inquirer*, 22 September 2007.

¹⁴² Crisis Group interviews, Murshi Ibrahim and Abdulkali Abubakar, Manila, 10 July 2007; and "Follow-up Report", OIC, op. cit., p. 3.

¹⁴³ See Regional Trial Court of Sulu, Branch 3, Jolo, criminal case nos. (05-07)1436-3 for murder, (05-07), 1437-3 for frustrated murder and (05-07), 1442-3 for attempted murder, 3 May 2007.

¹⁴⁴ Crisis Group interview, Jolo, 15 June 2007.

VIII. CONCLUSION

The “Mindanao Model” of using counter-insurgency methods to fight terrorism has partially succeeded in separating the ASG from its support base on Basilan. High-profile visits to Sulu by Ambassador Kenney and U.S. Pacific Commander Admiral Thomas Keating have turned a spotlight on the twin prongs of military and economic aid, credited with the demise of top Abu Sayyaf leaders. But the ASG is not the only source of terrorism. Extremists within the MILF continue to use terror tactics and provide refuge to the same jihadis working with the ASG, while ASG members and their jihadi allies pushed out to Jolo have found support in MNLF strongholds in a way that could reignite conflict there.

The MILF peace process may provide a template for those conflicts in which relatively distinct jihadis find sanctuary among popular insurgents. Military strategists who compare the war on terror to a global counter-insurgency campaign must understand the two-tiered nature of this nexus. Terrorists operating across borders against a global enemy do resemble classic insurgents, except the sea they swim in is not a sympathetic population – it is domestic rebellion. It is these domestic rebels who rely on popular support to manoeuvre; extremist jihadis embed themselves among them. And unlike the foreign jihadis, the ASG and the Moro extremists who harbour them, mainstream MILF and MNLF rebels are amenable to a negotiated political settlement.

Counter-terrorism’s proper goal in the Philippines is to separate jihadis from insurgents – not to separate insurgents *and* jihadis, conflated together, from the

population at large. To attempt the latter is to fall into the trap of identifying the counter-terrorist cause with domestic counter-insurgency. This makes enemies of potential allies, reinforces insurgent-jihadi bonds, and may even lend jihadis popular legitimacy otherwise reserved for mainstream insurgents. It makes the international community’s stake in counter-terrorism hostage to domestic civil wars in ways that can make the latter even more intractable.

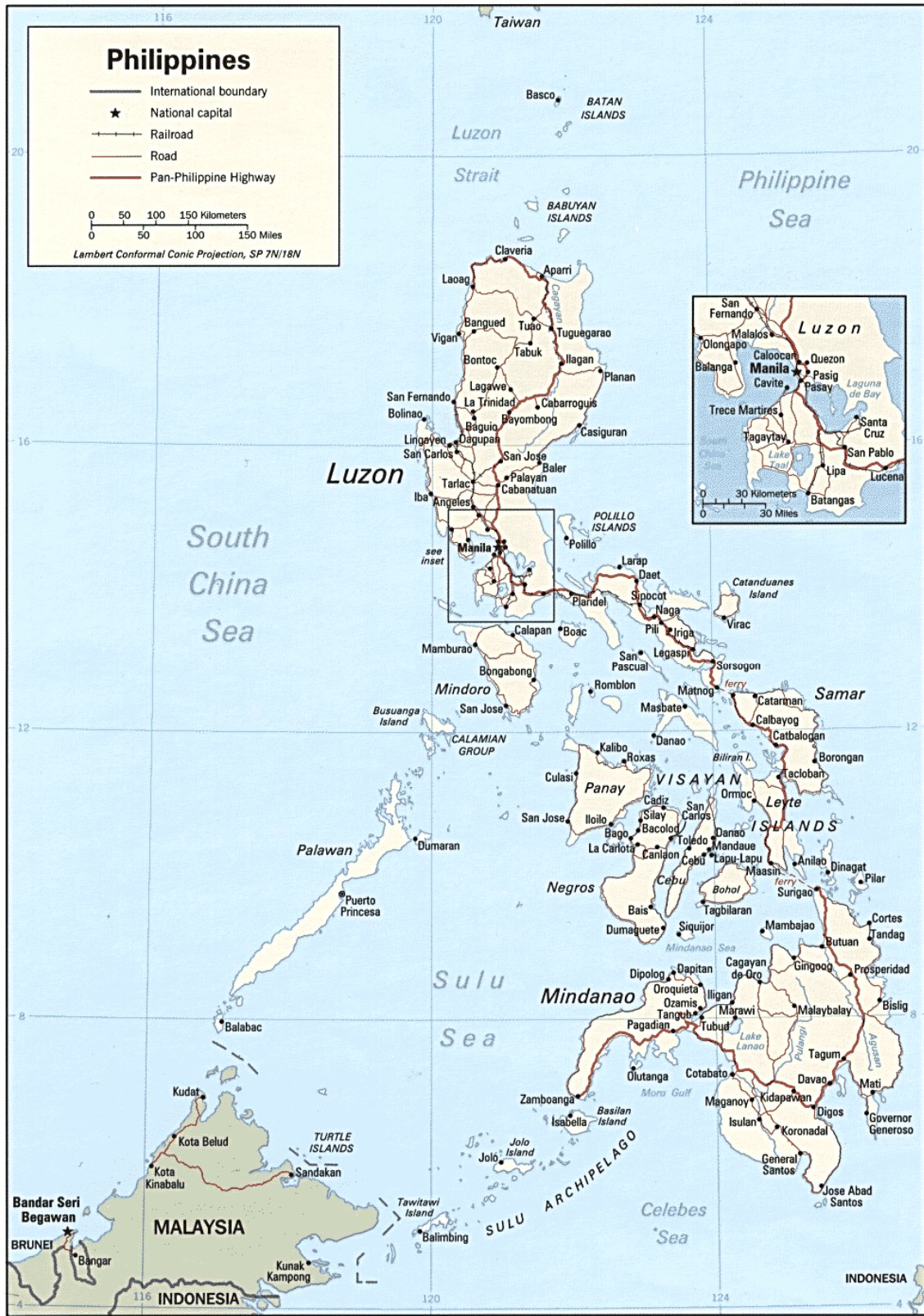
Properly understood, counter-terrorism and domestic conflict resolution are mutually reinforcing. The MILF model, demonstrated during Oplan Tornado, expelled local and foreign jihadis from the front’s midst, strengthening its moderates and boosting mutual confidence in the peace process at the same time. Because no equivalent mechanisms were built into the relationship between the Philippines government and the MNLF, however, the fugitives found sanctuary in Sulu. As joint U.S.-Philippines security operations continue, there is an urgent need to replace failed informal arrangements in Sulu with robust ceasefire and intelligence-sharing structures.

Such mechanisms cannot stand alone. They depend on a positive negotiating climate and forward momentum toward a substantive peace treaty. Without regular meetings between peace panels, performance cannot be reviewed, nor mandates renewed. Without progress on substance, insurgents have little incentive to cooperate. To the extent governments treat negotiation as a stalling tactic, hoping to weaken and divide insurgents, so too will insurgents use talks as a shield, striking, then retreating behind ceasefire machinery.

Jakarta/Brussels, 14 May 2008

APPENDIX A

MAP OF THE PHILIPPINES



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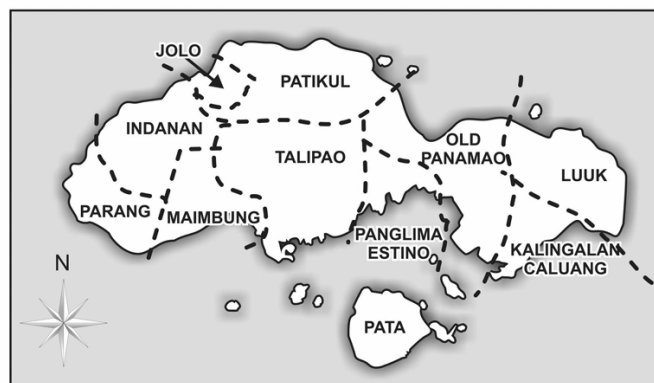
APPENDIX B

MAP OF MINDANAO

Mindanao, Southern Philippines



Jolo Island



The shading area is just to draw attention to the key areas discussed on the report.

APPENDIX C

APPENDIX C – GLOSSARY OF ACRONYMS

| | |
|---------|--|
| AFP | Armed Forces of the Philippines |
| AHCG | Ad Hoc Coordinating Group (GRP-MNLF) |
| AHJAG | Ad Hoc Joint Action Group (GRP-MILF) |
| ARMM | Autonomous Region in Muslim Mindanao |
| ASG | Abu Sayyaf Group |
| BIAF | Bangsa Moro Islamic Armed Forces (MILF) |
| BJE | Bangsa Moro Juridical Entity (MILF) |
| BMA | Bangsa Moro Army (MNLF) |
| CCCH | Coordinating Committees on the Cessation of Hostilities (GRP-MILF) |
| EC-15 | Executive Council of Fifteen (MNLF) |
| FBI | Federal Bureau of Investigation |
| GRP | Government of the Republic of the Philippines |
| IIRO | International Islamic Relief Organization |
| IO | Information operations |
| IMT | International Monitoring Team (Malaysia, Brunei, Libya, Japan) |
| JI | Jemaah Islamiyah |
| JMC | Joint Monitoring Committee (Indonesia-GRP-MNLF) |
| JSOTF-P | Joint Special Operations Task Force-Philippines (U.S.) |
| LRC | Light Reaction Company (AFP) |
| MILF | Moro Islamic Liberation Front |
| MNLF | Moro National Liberation Front |
| OEF-P | Operation Enduring Freedom-Philippines |
| OIC | Organisation of the Islamic Conference |
| OPAPP | Office of the Presidential Adviser on the Peace Process (GRP) |
| PMG | Peace Monitoring Group (GRP-MNLF) |
| PNP | Philippine National Police |
| QDR | Quadrennial Defence Review |
| RSM | Rajah Solaiman Movement |
| SKP | Salipada K. Pendatun (municipality and MILF camp) |
| USAID | United States Agency for International Development |
| USIP | United States Institute of Peace |
| UTG | Urban Terrorist Group (ASG) |
| WIA | Wounded in action |

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