

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

- 1. Is there any information which would indicate that the Moro Islamic Liberation Front (MILF) is conducting taxation operations in the area of Lanao del Norte?**
- 2. Please provide an update on the peace negotiations in regard to the Moro Islamic Liberation Front (MILF) and the Moro National Liberation Front (MNLF).**

RESPONSE

- 1. Is there any information which would indicate that the Moro Islamic Liberation Front (MILF) is conducting taxation operations in the area of Lanao del Norte?**

Only a few reports could be located which would indicate that the Moro Islamic Liberation Front (MILF) has been undertaking extortion practices in the area of Lanao del Norte during the period which has followed the peace talks of December 2004. These reports refer to a single incident which occurred in December 2006. According to *The Sun Star*: “members of the business sector in Linamon, Lanao del Norte allegedly received an extortion letter from Moro Islamic Liberation Front (MILF) 103rd Base Command Bangsa Moro Islamic Armed Forces”. It was also reported that, “[i]n a phone interview, MILF spokesman Eid Kabalu [had] urged the people in Lanao del Norte not to support the malpractices and not to give any amount or financial support to people posing as MILF members” (*The Sun Star* report also noted a recent incident in which an MILF member’s request for “gasoline support” was turned down by a local establishment owner) (Umel, R.V. 2006, ‘Moro militants deny demand for protection cash’, *Sun Star* website, 26 December

<http://www.sunstar.com.ph/static/cag/2006/12/26/news/moro.militants.deny.demand.for.protection.cash.html> – Accessed 11 April 2007 – Attachment 1; *The Philippine Daily Inquirer* also reported on this matter, stating that “Eid Kabalu, MILF spokesperson, called on businessmen in Linamon, Lanao del Norte not to give in to reported extortion attempts by some rebel leaders”, see: Fernandez, E., Maitem, J. & Umel, R. 2006, ‘Canada offers help in peace monitoring’, *Philippine Daily Inquirer*, 23 December – Attachment 2; for information on the

peace talks of December 2004, see: Embassy of the Philippines – Washington DC 2005, ‘Status of the GRP-MILF Peace Process’, US Institute of Peace website, February 08 <http://www.usip.org/philippines/reports/rosario.pdf> – Accessed 12 April 2007 – Attachment 23).

It should be noted that the absence of reportage on episodes of MILF extortion in Lanao del Norte may not necessarily be evidence that such events are not occurring. To illustrate: no news reports could be located, for the period 1998 to 1999, which would indicate that the MILF was conducting extortion operations in Lanao del Norte during this time. But in August 2000 it was reported that “documents seized by the military” had revealed that “Moro rebels in Lanao del Norte have extorted over P70 million in “pledges” from public officials and private corporations in Mindanao since 1998”. According to *BusinessWorld*, “[t]he documents show the MILF team in Lanao del Norte targeted big transportation firms in Lanao del Norte”; and that “[t]he seized documents also show for the months June-October in 1999, the MILF’s 303rd Brigade collected P84,251 in ‘pledges’ from public officials and private entities in Lanao del Sur, Lanao del Norte and Iligan City”. The MILF subsequently issued a denial claiming that “the ‘solicitations’ may have been by bandits who use the MILF name” (for the information on the August 2000 revelations, see: Villanueva, R.L., Garcia, C.R.A. & Lugo, L.M.T. 2000, ‘MILF extorts over P70M from execs, firms – AFP’, *BusinessWorld*, 10 August – Attachment 19; for information on the MILF reply, see Lugo, L.M.T., Aquino, N.P., Garcia, C.R.A. & Villanueva, R.L. 2000, ‘Erap wants sanctions versus MILF sympathizers in gov’t without trial’, *BusinessWorld*, 11 August – Attachment 20).

It should also be noted that there are local MILF commanders operating in Lanao del Norte whose troops have, in the past, been involved in an extortion incident which resulted in serious harm to civilians living in Christian areas. The attacks occurred in April 2003 when local MILF commands in Lanao del Norte undertook extortion operations in a manner that would later be denounced by the MILF leadership. According to a *Sun Star* report of 26 April: “the MILF was demanding P3 million in ‘security money’ for the Palarong Pambansa Games set to be held May 4 at Tubod, Lanao del Norte, the town just next to where they staged their recent raid”. The number of local civilians killed was initially reported to be 13, though a later article (which appeared in *BusinessWorld* on 5 May 2003) gives the figure of 16. The MILF subsequently issued an apology “and promised to conduct an internal investigation within its ranks”. A number of sources, including *BusinessWorld* and *The Sun Star*, have reported that a local MILF commander, Abdulrahman Macapaar (also known as Commander Bravo), played a significant role in leading the April 2003 attacks. Recent reports indicate that Commander Bravo is still a regional MILF commander in Lanao del Norte, and in October 2006 it was reported that an “MILF field commander, who calls himself “Bravo”, had warned that his forces [would] attack military installations in Lanao del Norte if an impasse over peace talks between the MILF and the government continued” (for information on the April 2003 attacks, see: Guerrero, F.P. & Banagudos, R.L. 2003, ‘22 slain, hostages seized as MILF storms town (Pre-dawn attack in Siocon, Zamboanga del Norte)’, *BusinessWorld*, source: *Agence France-Presse & Reuters*, 5 May – Attachment 15; see also: Locsin, J. 2003, ‘Peace talks with MILF in limbo’, *Manila Standard*, 27 April – Attachment 16; for information on these attacks and the involvement of Commander Bravo’s troops, see: Amarga, L.J. 2003, ‘MILF apologizes for deaths, vows probe’, *Sun Star* website, 26 April <http://www.sunstar.com.ph/static/cag/2003/04/26/news/milf.apologizes.for.deaths.vows.probe.html> – Accessed 10 April 2007 – Attachment 17; ‘Gulf News: Moros “admit” to firing at military helicopter’ 2006, *Gulf News*, 29 October – Attachment 8).

Further to this, there have been intermittent outbreaks of conflict between the MILF and government forces, along with the threat of a resumption of hostilities, even though the peace has generally continued to hold. Clashes of this kind, and the perceived threat of a return to hostilities, saw a number of Lanao del Norte's Christian areas evacuated during September–October 2006 (for reports of recent hostilities in Lanao del Norte, see: 'Gulf News: Moros "admit" to firing at military helicopter' 2006, *Gulf News*, 29 October – Attachment 8; 'Filipino Muslim rebels accuse government forces of attacking rebel position' 2006, *Associated Press*, 29 October – Attachment 9; for reports of the evacuations of Christian areas in Lanao del Norte as a consequence of escalating fears, see: Cruz, L.D. 2006, 'Group meets gov't, Moro rebels on peace talks issue', *Sun Star* website, 31 October <http://www.sunstar.com.ph/static/cag/2006/10/31/news/group.meets.gov.t.moro.rebels.on.peace.talks.issue.html> – Accessed 10 April 2007 – Attachment 10; also: Uy, V. 2006, 'Mindanao civilians worried over peace talks' impasse', *INQ7.net*, 25 October – Attachment 11; and: 'Philippine Moro group says Manila asking for more time on territorial issue' 2006, *BBC Monitoring Asia Pacific*, source: *Daily Tribune* (1 October 2006), 2 October – Attachment 12).

Nonetheless, there are reports which indicate that the MILF's troops in Lanao del Norte are also co-operating with the military, at some times and in some places, in order to help Philippines security forces to curb criminality (as per the terms of the December 2004 peace talks). For example, on 21 August 2006 *The Philippine Daily Inquirer* reported that: "[s]ince the signing of the terms of reference of the AHJAG [the Ad Hoc Joint Action Group] in December 2004, the MILF and government have succeeded in securing the safe release of several kidnap victims in Mindanao"; noting that: "[l]ast month, the MILF rescued Henry de Guzman, a worker of a World Bank-funded project in Lanao del Norte province, a day after he was abducted" (Kabalu, E., Gonzales, G., Gonzales, E. & Jamiri, N. 2006, 'MILF pursues abductors of teenager', *Philippine Daily Inquirer*, 21 August – Attachment 13; see also: Fernandez, E., Maitem, J. & Umel, R. 2006, 'Canada offers help in peace monitoring', *Philippine Daily Inquirer*, 23 December – Attachment 2; for further information on the AHJAC, see: Embassy of the Philippines – Washington DC 2005, 'Status of the GRP-MILF Peace Process', US Institute of Peace website, February 08 <http://www.usip.org/philippines/reports/rosario.pdf> – Accessed 12 April 2007 – Attachment 23).

Even so, the MILF's anti-criminal operations are sometimes carried out without the consent of the authorities and this has led to confrontation. On 14 March 2007 the *Philippines News Agency* reported that unilateral action by MILF personnel in Lanao del Norte had led to a confrontation in which MILF personnel were first detained by security forces only to be subsequently released after other MILF forces intervened. In addition to this, there have also been reports of claims that MILF personnel have a continued involvement in criminal activities. In December 2006 it was alleged that the MILF had stolen communications equipment in Lanao del Norte, though the MILF denied any such involvement (for reports indicating the limited degree to which the security forces are able to regulate the unilateral actions of the MILF, see: 'Election gun ban not enforced vs MILF group who held soldiers hostage – Dolorfino' 2007, *Philippines News Agency*, 14 March – Attachment 5; for information on the December 2006 allegations against the MILF in relation to theft of communications equipment, see: 'TransCo needs P800M to replace stolen tower parts' 2006, *Philippines News Agency*, 12 December – Attachment 7; and also: Dela Cruz, L. 2007, 'Police facing blank wall in 3 tower explosions', *Sun Star* website, 21 March

<http://www.sunstar.com.ph/static/cag/2007/03/21/news/police.facing.blank.wall.in.3.tower.explotions.html> – Accessed 10 April 2007 – Attachment 6).

An overview of the source information informing this response follows below.

The Municipality of Tubod

According to the Municipality of Tubod website, “The municipality has about 97.14 percent Christian population. ...About 1.73 percent belongs to the Islam religion (‘Demographic Characteristics’ 2006, Municipality of Tubod website, 21 November

http://elgu.ncc.gov.ph/ecommunity/tubod-ldn/index.php?option=com_content&task=view&id=5&Itemid=5 – Accessed 16 April 2007 – Attachment 27).

For a map of Lanao del Norte showing the location of Tubod and other municipalities, see Attachment 28. For a map of Lanao del Norte showing the province of Lanao del Norte in relation to the other provinces of Mindanao and the Philippines, see Attachment 29 (‘Lanao del Norte’ (undated), Global Pinoy.com website

http://www.globalpinoy.com/travel/province/lanaonorte_map.htm – Accessed 16 April 2007 – Attachment 28; ‘Philippines Regions and Provinces’ (undated), Wikipedia website http://upload.wikimedia.org/wikipedia/en/2/23/Ph_regions_and_provinces2.png – Accessed 16 April 2007 – Attachment 29).

MILF extortion reports for Lanao del Norte (post December 2004)

On 26 December 2006, *The Sun Star* reported that “members of the business sector in Linamon, Lanao del Norte allegedly received an extortion letter from Moro Islamic Liberation Front (MILF) 103rd Base Command Bangsa Moro Islamic Armed Forces”. The report also notes an incident in which an MILF member’s request for “gasoline support” was turned down by a local establishment owner. It is also reported that, “[i]n a phone interview, MILF spokesman Eid Kabalu urged the people in Lanao del Norte not to support the malpractices and not to give any amount or financial support to people posing as MILF members”.

The extortion letter signed by a certain Abdul Majid Sultan, 316 unit commander whose forces cover the towns of Matungao and Linamon, supposedly demanded P5,000 to P10,000 each from the traders, depending on their financial capability.

In his letter, Sultan supposedly assured the traders that they will protect the business establishments from ambushes, kidnapping and any form of criminalities and atrocities so that peace will be achieved.

The letter also allegedly warned the establishments that the “monthly support” shall be effective this month and will be sent through a certain Arab.

...On November 19, five vehicles loaded with fully armed MILF troops staged a peace caravan from Marawi to Munai, Lanao del Norte.

However, according to one of the establishment owners, an MILF member got out of the vehicle and showed his identification card and asked for gasoline support only to be turned down.

In a phone interview, MILF spokesman Eid Kabalu urged the people in Lanao del Norte not to support the malpractices and not to give any amount or financial support to people posing as MILF members.

He said this is illegal and will affect the ongoing peace agreement. Kabalu said he will raise this issue with the MILF hierarchy authority during their regular meeting (Umel, R.V. 2006, 'Moro militants deny demand for protection cash', *Sun Star* website, 26 December <http://www.sunstar.com.ph/static/cag/2006/12/26/news/moro.militants.deny.demand.for.protection.cash.html> – Accessed 11 April 2007 – Attachment 1; *The Philippine Daily Inquirer* also reported on this matter, stating that "Eid Kabalu, MILF spokesperson, called on businessmen in Linamon, Lanao del Norte not to give in to reported extortion attempts by some rebel leaders", see: Fernandez, E., Maitem, J. & Umel, R. 2006, 'Canada offers help in peace monitoring', 23 December – Attachment 2).

Background note on Municipality of Linamon: According to the website of the neighboring Municipality Of Munai, the Christians of Linamon live in close contact with Munai's majority Muslim populace (unfortunately no specific information on the religious demography of Linamon itself could not be located on the website of the Municipality of Linamon or elsewhere).

Munai...is a 5th Class Municipality with an Annual Income of P 15,683,990.60 as of Fiscal Year 2000. The people have very simple life, preoccupied by their daily routine struggle for everyday subsistence. However, a good number of them, especially those educated have sophisticated life particularly those employed in their own business. The Muslims have close contact with the Christian inhabiting the coastal towns of Bacolod, Kauswagan, Maigo, Kolanbugan, Linamon and the City of Iligan.

...Majority of the residents in Munai are native Maranaos. The population is predominantly Muslims about 97%. There were some Christians who migrated from the neighboring coastal towns ('The Place and its People' (undated), Municipality of Munai website, (last updated: 5 July 2002) <http://elgu.ncc.gov.ph/ecomunity/munai-ldn/index.php?cat1=2&cat2=2> – Accessed 10 April 2007 – Attachment 3).

Linamon is reportedly "the smallest town of Lanao del Norte" (Umel, R.V. 2006, 'Linamon town marks cocofest', *Sun Star* website, 23 January <http://www.sunstar.com.ph/static/cag/2006/01/23/life/linamon.town.marks.cocofest.html> – Accessed 10 April 2007 – Attachment 4).

Other MILF operations in Lanao del Norte (post December 2004)

On 14 March 2007 *The Philippines News Agency* reported that "MILF rebels [had] disarmed and held for two hours 16 Army soldiers in Lumba Bayabao town in Lanao del Norte for disarming earlier six rebels who engaged a group of criminal elements in the area". The soldiers were released after Major General Ben Mohammand Dolorfin "agreed to return the firearms of the MILF rebels".

A ranking official of the Armed Forces of the Philippines on Tuesday admitted that the military did not enforce an election gun ban against a group of Moro Islamic Liberation Front in exchange for the release of Army soldiers held hostage by the rebels.

Maj. Gen. Ben Mohammand Dolorfino, co-chairman of the GRP-MILF Ad Hoc Joint Action Group, said the MILF is supposed to be covered by the Commission on Elections gun ban which the PNP and AFP began enforcing early this year.

...As co-chair of the GRP-MILF Ahjag, Dolorfino – the concurrent commander of the militarys [*sic*] National Capital Region Command coordinates joint operations between government forces and MILF rebels against lawless elements.

Last Sunday afternoon, a big number of MILF rebels disarmed and held for two hours 16 Army soldiers in Lumba Bayabao town in Lanao del Norte for disarming earlier six rebels who engaged a group of criminal elements in the area.

Dolorfino earlier admitted that while the rebels are authorized to join military operations to interdict suspected criminal elements under interim agreements, they are not however allowed to operate alone.

...Asked why the military agreed to return the firearms of the MILF rebels since they are covered by the gun ban, the Marine general said: That was the solution to the standoff between the two groups ('Election gun ban not enforced vs MILF group who held soldiers hostage – Dolorfino' 2007, *Philippines News Agency*, 14 March – Attachment 5).

On 12 December 2006 *The Philippines News Agency* reported claims that the MILF was involved in the theft of communications equipment in Lanao del Norte.

The National Transmission Corporation (TransCo)-Northwestern Mindanao Area will need P800 million to restore towers in the entire Mindanao area whose parts had been lost to thieves.

...Mr. Edwin M. Buenaventura, TransCo Regional Security Officer in Mindanao, said Lanao del Norte and Cotabato has the most number of pilferage cases in the region partly because of the presence of the MILF and other rebel groups ('TransCo needs P800M to replace stolen tower parts' 2006, *Philippines News Agency*, 12 December – Attachment 7).

More recently, on 21 March 2007, it was reported from Tubod that the MILF had denied accusations that their forces, or “‘a lost command’ from their ranks”, had been responsible for attacks in which “[t]hree transmission towers were bombed last week in Pugaan, Iligan City, Baloi, Lanao del Norte and Barangay Sugod, Marawi City” (Dela Cruz, L. 2007, ‘Police facing blank wall in 3 tower explosions’, *Sun Star* website, 21 March <http://www.sunstar.com.ph/static/cag/2007/03/21/news/police.facing.blank.wall.in.3.tower.explotions.html> – Accessed 10 April 2007 – Attachment 6).

On 29 October 2006 *Gulf News* reported that the MILF had “admitted that its gunmen were involved in firing at a government helicopter and it provoked the evacuation of a town in Lanao del Norte”. Threats were also reportedly issued by a local MILF commander in response to the stalled peace talks. “Before the Munai evacuation, a MILF field commander, who calls himself ‘Bravo’, had warned that his forces will attack military installations in Lanao del Norte if an impasse over peace talks between the MILF and the government continued”. The relevant extract follows:

In a statement published by the group’s website Luwaran, the MILF said three government helicopters flying over rebel-held territory in Southern Philippines’ Lanao del Norte on Thursday could have prompted Moro fighters to fire warning shots at the aircraft.

... The report said the incident happened in Piagapo, Lanao Del Norte, at 6:30am. The firing at the helicopters is believed to have prompted the evacuation of residents in Piagapo's adjacent town of Munai as people flee from areas in anticipation of a government operation.

"The report about evacuation is true," Marine Col Eduardo Ducusin, a brigade commander in Iligan City was quoted by the GMA website as saying while pointing out the evacuation was ordered by the military. Before the Munai evacuation, a MILF field commander, who calls himself "Bravo", had warned that his forces will attack military installations in Lanao del Norte if an impasse over peace talks between the MILF and the government continued. "He [Bravo] mentioned it in one of interviews in radio stations that nothing will happen in the peace talks," Ducusin said.

However, Ducusin said government forces would stick to the ceasefire unless they are attacked by the MILF. Bravo had admitted that one of his men fired at the helicopter "to scare it away" ('Gulf News: Moros "admit" to firing at military helicopter' 2006, *Gulf News*, 29 October – Attachment 8).

Prior to the issue of the MILF statement reported above, it had been reported that MILF "guerrillas [had] accused [the] helicopter-borne government troops of strafing their positions Thursday in the mountains of Lanao del Norte", fueling tensions brought on by clashes which were reportedly taking place elsewhere ('Filipino Muslim rebels accuse government forces of attacking rebel position' 2006, *Associated Press*, 29 October – Attachment 9).

During this time there were reports that certain Christian communities in Lanao del Norte were evacuating their areas of residence out of fear that hostilities were about to recommence. On 31 October 2006 *The Sun Star* reported that "[s]ome residents in the coastal towns of this province, particularly Maigo, Kauswagan, Bacolod and Linamon have reportedly evacuated because of fear of retaliation by the Moro rebels and persistent threats that there will be attacks, according to town officials". On 25 October 2006 it was reported that the stalled security talks, and rumours of troop movements and a potential resumption of hostilities, were "making people at the grassroots very jittery". "Pastor Reu Montecillo of the Kauswagan Assembly of God Church said...evacuations have been reported in five towns in Lanao Del Norte". On 2 October 2006 *BBC Monitoring Asia Pacific* reported that "the MILF Web site, luwaran.com, [had] yesterday said classes and office work in Iligan City, the capital of Lanao del Norte Province, and other municipalities adjacent to it were suspended half day as reports circulated that MILF rebels and the military in the area were building up their numbers in was [*sic*] being seen as their preparation for the resumption of hostilities between them after the peace talks bogged down". Some months prior to this President Gloria Macapagal-Arroyo had visited Tubod, Lanao del Norte, and had told residents "that she understands the Christians' apprehensions over the imminent signing of a peace pact with the Moro Islamic Liberation Front (MILF)". She was nonetheless "seeking to move the stalled Mindanao peace talks forward, [and had] asked Christians in the island to be open to a new peace pact with Muslim separatists" (Cruz, L.D. 2006, 'Group meets gov't, Moro rebels on peace talks issue', *Sun Star* website, 31 October <http://www.sunstar.com.ph/static/cag/2006/10/31/news/group.meets.gov.t.moro.rebels.on.peace.talks.issue.html> – Accessed 10 April 2007 – Attachment 10; Uy, V. 2006, 'Mindanao civilians worried over peace talks' impasse', *INQ7.net*, 25 October – Attachment 11; 'Philippine Moro group says Manila asking for more time on territorial issue' 2006, *BBC Monitoring Asia Pacific*, source: *Daily Tribune* (1 October 2006), 2 October – Attachment 12; for the report on President Gloria Macapagal-Arroyo's visit to Tubod, see Gulane, J.T.

2006, 'Be open to peace pact, Arroyo urges Christians in Mindanao', *BusinessWorld*, 5 July – Attachment 14).

On 21 August 2006 *The Philippine Daily Inquirer* reported that: “[s]ince the signing of the terms of reference of the AHJAG in December 2004, the MILF and government have succeeded in securing the safe release of several kidnap victims in Mindanao”; noting that: “[l]ast month, the MILF rescued Henry de Guzman, a worker of a World Bank-funded project in Lanao del Norte province, a day after he was abducted” (Kabalu, E., Gonzales, G., Gonzales, E. & Jamiri, N. 2006, 'MILF pursues abductors of teenager', *Philippine Daily Inquirer*, 21 August – Attachment 13).

MILF extortion related reports for Lanao del Norte (pre December 2004)

On 26 May 2003 MILF forces reportedly launched attacks in the area of Lanao del Norte's Maigo and Kolambugan towns in an attempt to extort money “from local executives and Palarong Pambansa (National Games) officials” in the lead up to the staging of the games in Tubod. Reports vary as to the sum of the money demanded and the total casualties inflicted by the MILF. The number of local civilians killed was initially reported to be 13, though a later article (which appeared in *BusinessWorld* on 5 May 2003) gives the figure of 16. A number of articles have also reported on the identities of the local MILF commanders thought to be responsible for these attacks. Notable among those involved is Commander Abdulrahman Macapaar alias Commander Bravo (this would appear to be the same commander who, in October 2006, reportedly warned “that his forces [would] attack military installations in Lanao del Norte if an impasse over peace talks between the MILF and the government continued”). *The Manila Standard's* report of 27 April 2003 states that: “[t]he group of Abdulrahman Macapaar alias Commander Bravo attacked a bus and a military camp in Maigo”. A later *Manila Standard* report, of 17 June 2003, reported on “Yahyah Lucsadatu alias Commander Yahyah and Abdullah Macapaar alias Commander Bravo” as “the highest-ranking MILF field commanders in Lanao del Norte”. The report also noted that “Yahyah and Bravo are reportedly the masterminds of the slaughter of 13 civilians in Maigo town last April 26” (Guerrero, F.P. & Banagudos, R.L. 2003, '22 slain, hostages seized as MILF storms town (Pre-dawn attack in Siocon, Zamboanga del Norte)', *BusinessWorld*, source: *Agence France-Presse & Reuters*, 5 May – Attachment 15; see also: Locsin, J. 2003, 'Peace talks with MILF in limbo', *Manila Standard*, 27 April – Attachment 16; Locsin, J. 2003, 'MILF in UAE bomb plot detained', *Manila Standard* website, 17 June http://www.manilastandardtoday.com/mnlastd/?page=police01_june17_2003 – Accessed 10 April 2007 – Attachment 18; for Commander Bravo's October 2006 warning, see: 'Gulf News: Moros “admit” to firing at military helicopter' 2006, *Gulf News*, 29 October – Attachment 8).

In addition to the killings associated with the attempt to extort money for the security of the games at Tubod, a series of other violent incidents occurred at this time in Lanao del Norte. The MILF apologised for these attacks which were presented as a failure in command (the incidents appear to have again involved MILF troops “led by regional commander Abdulrahman Macapaar a.k.a. Kumander Bravo”).

THE Moro Islamic Liberation Front (MILF) apologized on Friday for the deaths of 13 people in last Thursday's assault in Lanao, del Norte and promised to conduct an internal investigation within its ranks.

This came about following reports that the assault staged by 500 Moro separatists at Maigo and Kolambugan all of Lanao del Norte was motivated by money.

It was reported that the MILF was demanding P3 million in 'security money' for the Palarong Pambansa Games set to be held May 4 at Tubod, Lanao del Norte, the town just next to where they staged their recent raid.

One of those who refused to give money was Mayor Lizarda of Maigo. Lanao del Norte Second Dist. Rep. Abdullah Dimaporo said even if the Palaro Games won't held in their place they will not pay anything to the MILF.

Meanwhile intermittent shootings between the MILF and the government's 913rd Provincial Mobile Force were reported yesterday morning at a village in Kolambugan. No one was reported dead.

The Baroingon bridge that was bombed during the attack was repaired yesterday by army engineers and the Department of Public Works and Highways.

The bridge links together the national highway from Iligan city and other northwestern towns with the cities of Pagadian, Ozamiz and even Zamboanga.

Earlier, 401st Infantry Brigade commanding officer Col. Ernesto Boac said there were 10 civilians killed when 500 MILF guerrillas attacked a fish car at Barangay Kulasihan, Maigo about 5:30 a.m. yesterday.

He added that a Super 5 bus driver and a woman passenger were deliberately shot by the same rebel group near the Kolambugan town highway.

About 60 MILF members also attacked the Maigo Municipal Hall but were deterred by authorities there.

The two towns are situated between Iligan and Pagadian cities. Maigo town is 30 kilometers away from Iligan city or a 40-minute bus ride while Kolambugan is only about 40 kilometers.

Ghadzali Jaafar, MILF vice-chairman for political affairs said yesterday that several top senior officers of their group have decided to hold a probe on the death of the 13 civilians.

He said there is a standing order that civilians shouldn't be harmed much more killed in any of their attacks.

"We apologize for this and rest assured that we will be investigating as to why it happened," he told Sun.Star Cagayan de Oro lastnight.

The MILF group was led from the 5th Division of the Bangsamoro Islamic Armed Forces (BIAF) led by regional commander Abdulrahman Macapaar a.k.a. Kumander Bravo.

Jaafar said "proper and just punishment even death" will be imposed on the MILF members who shot Super 5 driver Reymart Duhaylungsod and his lady passenger Emma Vivad (Amarga, L.J. 2003, 'MILF apologizes for deaths, vows probe', *Sun Star* website, 26 April

<http://www.sunstar.com.ph/static/cag/2003/04/26/news/milf.apologizes.for.deaths.vows.probe.html> – Accessed 10 April 2007 – Attachment 17).

On 10 August 2000 it was reported that “documents seized by the military” had revealed that “Moro rebels in Lanao del Norte have extorted over P70 million in “pledges” from public officials and private corporations in Mindanao since 1998”. According to *BusinessWorld*, “[t]he documents show the MILF team in Lanao del Norte targetted big transportation firms in Lanao del Norte”; and that “[t]he seized documents also show for the months June-October in 1999, the MILF’s 303rd Brigade collected P84,251 in ‘pledges’ from public officials and private entities in Lanao del Sur, Lanao del Norte and Iligan City”.

Moro rebels in Lanao del Norte have extorted over P70 million in “pledges” from public officials and private corporations in Mindanao since 1998, documents seized by the military show.

The documents were seized by government troops after their capture of the Moro Islamic Liberation Front’s (MILF) Camp Jock Mack-Madrasah in Lanao del Norte on March 18.

These documents include solicitation letters and financial computations made by MILF’s 303rd Brigade previously based in Kauswagan town.

“The modus operandi of their fund-raising activity was characterized by first requesting for voluntary support with specific monthly contribution,” the military said in a summary report on the documents.

“Once the (solicitation) letter is ignored, a threat letter will be sent, warning the subject of the MILF’s drastic action if their demands were not met,” it added.

The military also said that “with this kind of operation, the people who contributed support, whether money or supplies, are all victims of the MILF’s extortion activities.”

The documents show the MILF team in Lanao del Norte targetted big transportation firms in Lanao del Norte and Lanao del Sur, including Rural Transit of Mindanao, Inc., Lilian Express and Super Five Transport.

From transport firms alone, the MILF’s 303rd Brigade was able to receive over P35.4 million in “pledges” for 1999.

In 1998, the same secessionist rebels’ group collected over P35.5 million in pledges from transport firms and cooperatives.

Solicitation letters were also sent to a branch of the state-run National Power Corp. in Ditucalan, Iligan City, as well as an MILF supporter in Saudi Arabia.

The seized documents also show for the months June-October in 1999, the MILF’s 303rd Brigade collected P84,251 in “pledges” from public officials and private entities in Lanao del Sur, Lanao del Norte and Iligan City.

They also show the rebel group collected an average of P16,850 monthly during that five-month period.

The documents also included solicitation letters addressed to provincial and local officials in Lanao del Norte, including governor Imelda Q. Dimaporo, Kauswagan town mayor Jack S. Maruhom and a certain Mayor Casan.

The documents indicate these officials gave financial aid to the rebels.

In one letter, the MILF group even thanked Ms. Dimaporo for her donation of P10,000 to group members on February 23, 1999.

In its solicitation letters, the MILF group usually asked for financial support to cover transportation expenses as well as repair expenses for MILF infrastructure. (Villanueva, R.L., Garcia, C.R.A. & Lugo, L.M.T. 2000, 'MILF extorts over P70M from execs, firms – AFP', *BusinessWorld*, 10 August – Attachment 19).

On 11 August 2000, it was reported that “MILF spokesman and committee on cessation of hostilities chairman Eid Kabalu” had “denied the military’s claim that MILF extorted over P70 million in ‘pledges’ from government officials and business establishments in Lanao del Norte in the last two years”. According to *BusinessWorld* Kabalu claimed that “the ‘solicitations’ may have been by bandits who use the MILF name”. The relevant extract follows.

Mr. Kabalu also denied the military’s claim that MILF extorted over P70 million in “pledges” from government officials and business establishments in Lanao del Norte in the last two years.

He said the “solicitations” may have been by bandits who use the MILF name.

“Those are fabricated documents being used by bandit groups in Lanao to extort money from the people,” Mr. Kabalu said (Lugo, L.M.T., Aquino, N.P., Garcia, C.R.A. & Villanueva, R.L. 2000, ‘Erap wants sanctions versus MILF sympathizers in gov’t without trial’, *BusinessWorld*, 11 August – Attachment 20).

2. Please provide an update on the peace negotiations in regard to the Moro Islamic Liberation Front (MILF) and the Moro National Liberation Front (MNLF).

Available information indicates that significant peace talks between the MILF and the Government of the Republic of the Philippines (GRP) last took place in April 2005. In July 2006 Zachary Abuza wrote for the Jamestown Foundation’s *Terrorism Monitor* that the April 2005 talks were seen as a potential “breakthrough” and “proposed the establishment of the Bangsamoro Juridical Entity, in which the MILF would have full fiscal, political and religious authority”. Abuza also notes that, “[s]ince then, the talks have stalled on the issue of ‘ancestral domain’ – the actual size and scope of the Bangsamoro Juridical Entity”. The ensuing months have seen reports of intermittent hostilities between the MILF and government forces. Further to this, *The Christian Science Monitor*’s Simon Montlake has observed that an “earlier peace accord” reached separately with the Moro National Liberation Front (MNLF) is placing a “strain on negotiations”. The new GRP–MILF arrangements have disturbed the MNLF leadership and it is reported that the mismanagement of the current situation could result in a situation where the MNLF “take up arms again just as the MILF set theirs down”. In February 2007 Zachary Abuza provided an overview of the MNLF’s

dissatisfaction with the GRP–MILF arrangements, noting that: “[i]n a region awash with small arms, there is palpable concern that the MNLF may quit the peace process entirely” (for information on the April 2005 talks, and the disruptions which have followed, see: Abuza, Z. 2006, ‘MILF’s Stalled Peace Process and its Impact on Terrorism in Southeast Asia’, *Terrorism Monitor*, Jamestown Foundation website, vol. 4, no.14, July 13 – Accessed 12 April 2007 – Attachment 22; for further information on the hostilities which have disrupted the peace, and the problem of the earlier MNLF accord, see: “‘Pocket wars’ and peace in Philippines’ 2007, *Christian Science Monitor* website, 14 March <http://www.csmonitor.com/2007/0314/p07s02-woap.html> – Accessed 12 April 2007 – Attachment 21; for Abuza’s February 2007 overview of the MNLF imbroglio, see: Abuza, Z. 2007, ‘MNLF May Quit the Peace Process in the Philippines’, *Terrorism Monitor*, Jamestown Foundation website, vol. 4, no. 3, 27 February http://www.jamestown.org/terrorism/news/uploads/tf_004_003.pdf – Accessed 16 April 2007 – Attachment 26).

Nonetheless, it has been reported that peace talks may soon resume. According to *The Manila Standard*: “government negotiators, led by Secretary Silvestre Afable Jr., [have] offered a formula for recognizing the right of the Muslim people to self-determination as a way of breaking a prolonged impasse over the issue of ancestral domain”. Secretary Afable reportedly “said [that] even the MILF negotiators had expressed optimism that the issue of ancestral domain in the Autonomous Region in Muslim Mindanao could be settled”. The report states that “[t]he Palace wants government and Moro Islamic Liberation Front negotiators to resume peace talks and reach a final agreement after the May 14 elections”. Talks with the MNLF may also soon take place. On 13 April 2007 it was reported that the Philippines Department of Foreign Affairs (DFA) had announced that: “[t]ripartite talks between the Government of the Republic of the Philippines (GRP), Organization of Islamic Conference (OIC), and Moro National Liberation Front (MNLF) on the second phase of the GRP-MNLF peace agreement may [soon] be held in Manila” (for information on the Secretary Afable’s announcements, see: ‘Palace wants peace talks done by May’ 2007, *Manila Standard*, 12 April – Attachment 25; for information on the scheduled MNLF talks, see: Uy, V. 2007, ‘GRP-MNLF-OIC tripartite talks may be held in Manila’, *Inquirer.net* website, 13 April http://newsinfo.inquirer.net/breakingnews/nation/view_article.php?article_id=60241 – Accessed 16 April 2007 – Attachment 24).

An overview of the source information informing this response follows below.

On 13 July 2006 Zachary Abuza provided the following assessment of the stalled peace process for the Jamestown Foundation’s *Terrorism Monitor*. The report provides information on what may have been achieved by the April 2005 talks; the place of the MNLF in these developments, as well as the separate MNLF peace accord of 1996; the potential for spoiling factors to appear in the peace process; and the “spate of fighting that has seriously challenged the peace process in the southern Philippines”. Pertinent sections follow:

Early July saw a spate of fighting that has seriously challenged the peace process in the southern Philippines. The fighting began with attacks by pro-government paramilitaries on Moro Islamic Liberation Front (MILF) villages in Maguindanao. The MILF’s counter-attacks provoked intervention by the Armed Forces of the Philippines (AFP). On July 3, after three days of fighting that produced 5,000 refugees, the MILF ordered its forces to stand down at the request of the small contingent of Malaysian truce monitors (Philippine Daily Inquirer, July 3; Reuters, July 3). The following day it declared a unilateral ceasefire for the sake of the

peace process. The breakdown of the ceasefire that has held fairly well for more than a year-and-a-half is not surprising and is testimony to the increasing frustration within the ranks of the MILF; sadly, it has repercussions for the war on terrorism in Southeast Asia.

In April 2005, the Government of the Republic of the Philippines (GRP) and the MILF announced a breakthrough in their peace talks. Although only some of the details were made public, it is clear that the MILF renounced their bid for an independent Islamic state and accepted a degree of autonomy. In return, the government gave in on two key concessions: it expanded the size of the autonomous region (the 1996 accord with the Moro National Liberation Front (MNLF) created the Autonomous Region of Muslim Mindanao (ARMM), which is comprised of five provinces and one city), expanded the political and fiscal autonomy of the ARMM and gave the MILF control over sub-terranean resources. The agreement proposed the establishment of the Bangsamoro Juridical Entity, in which the MILF would have full fiscal, political and religious authority.

Since then, the talks have stalled on the issue of “ancestral domain” – the actual size and scope of the Bangsamoro Juridical Entity. Moreover, the agreement was conditioned on a constitutional amendment. Several MILF officials told this author a year ago that they would give the government up to two years to push through the charter changes so that an agreement could be finalized. It has already been more than a year, with no charter change in site, and a president who is so politically weakened that it is unlikely that she will be able to push through the necessary amendments in the Philippine Congress, especially after the brief imposition of emergency powers to fight off a “leftist-rightist coup” in February.

There are additional stumbling blocks to the peace process. First, there has been little public explanation as to how this agreement will impact the GRP-MNLF agreement of 1996 that established the ARMM. Will the Bangsamoro Juridical Entity supersede the ARMM? Will the MILF share power with the MNLF? Will the MILF protect the MNLF’s economic interests? Will the MNLF accept the establishment of Islamic institutions? Indeed, one of the causes for the recent outbreak of fighting was a June 23 car bombing-cum-assassination attempt on the anti-MILF governor of Maguindanao Andal Ampatuan that killed six people, including two of his relatives, which some say was perpetrated by MILF commanders Ombra and Pakiladatu. These two commanders were also suspects in the 2002 bombing that killed Ampatuan’s son (Manila Star, July 4; ABS-CBN, July 4). Intra-Muslim rivalry is a major stumbling block to the peace process.

Second, there are many potential spoilers, not least of all the politicized Philippine military, many of whose leaders are against making significant concessions to the rebels. The military is politically strong because President Arroyo has become increasingly dependent on them. Third, the Philippine government is so fraught with corruption and institutional frailties that even if it were fully committed to the peace process it would have trouble implementing it (Abuza, Z. 2006, ‘MILF’s Stalled Peace Process and its Impact on Terrorism in Southeast Asia’, *Terrorism Monitor*, Jamestown Foundation website, vol. 4, no.14, July 13 – Accessed 12 April 2007 – Attachment 22).

More recently, on 14 March 2007, *The Christian Science Monitor* reported that, in January 2007, the ceasefire had been disturbed by the outbreak of what was labeled a “pocket war” between the MILF and the military in Cotabato municipality of Midsayap. The article also reports that the “earlier peace accord with” the MNLF is placing a “strain on negotiations”. Pertinent sections follow:

In the parlance of conflict-weary Mindanao, where guns are plentiful and tempers fray easily, what erupted here recently was a “pocket war.”

It began on Jan. 25, when armed raiders backed by insurgents from the Moro Islamic Liberation Front (MILF) attacked Christian-owned farms during rice harvesting. Filipino troops were sent in, and around 6,000 villagers were displaced and six killed in the fighting that followed. Intermittent attacks between the army, Christian vigilantes, and Muslim fighters have continued since.

International monitors downplayed the fighting. "This is a minor hiccup," says Col. Mustapha Omar, the Malaysian commander of a team monitoring the cease-fire.

But in Mindanao, hiccups have a history of developing into something more. An exchange of artillery near the village last week left 19 Muslim fighters and a Filipino soldier dead. The MILF threatened to abandon its 10-year-old cease-fire and Philippines President Gloria Arroyo responded by ordering the army to show more restraint.

Though MILF leader Al Haj Murad said over the weekend that a breakthrough could be near, analysts warn that if steps aren't taken to address the grievances of local Muslims, the goals of both the Philippines and the US in the region could be compromised.

The US has supported the peace talks because it believes Moro anger fuels terrorist recruitment. But the MILF, which has wholeheartedly engaged in the talks and mellowed considerably from the years when it called for the creation of an Islamic state, needs to show results to its constituents or lose some of them to more radical groups, analysts say. The MILF has been quietly supporting US and Filipino offensives against smaller and more militant Muslim groups, but that could change.

"Without a peace agreement that's implemented in an effective way, you could see a deterioration in pockets of Mindanao that can have a ripple effect on the country and the region," says Astrid Tuminez, a researcher for the US Institute for Peace and an expert on the MILF.

The fertile farmland of Midsayap is part of what the MILF considers the "ancestral homeland" of the Bangsamoro, or Moro people, as the region's Muslims were labeled by Spanish colonizers. They have a distinct culture from that of the dominant north.

...The last round of talks broke down over the "ancestral domain" that would be included in an autonomous region. The government offered one-fifth of the MILF's demand.

Another strain on negotiations is the existence of an earlier peace accord with a rival insurgent group, the Moro National Liberation Front (MNLF), from which the MILF split in the 1970s. The MNLF has chafed at its treatment under its 1996 accord, and the detention of its leader Nur Misuari for leading an uprising in 2001.

Analysts say that the government needs to bring the MNLF into any new peace plan, or they could take up arms again just as the MILF set theirs down. The two groups have argued for years over who is the "real" voice of the Moros.

"The government is a victim of its own success. Now they want to unite the MNLF and MILF, but for many years they just wanted to divide and rule," says Benny Bacani, who runs the Institute for Autonomy and Governance, a public-policy think tank in Cotabato City.

Others say the key to ending the conflict lies not in meeting the piecemeal demands of groups like the MILF, but in providing meaningful political autonomy to the whole region, which would allow it to collect its own taxes, and central government reparations for past injustices ("Pocket wars" and peace in Philippines' 2007, *Christian Science Monitor* website, 14

In February 2007 Zachary Abuza provided an overview of the MNLF's dissatisfaction with the GRP–MILF arrangements, noting that: “[i]n a region awash with small arms, there is palpable concern that the MNLF may quit the peace process entirely”. Pertinent extracts follow:

When looking at the multitude of insurgent problems in the Philippines, one tends to overlook the Moro National Liberation Front (MNLF), which signed a peace agreement with the Philippine government in 1996 establishing the Autonomous Region of Muslim Mindanao (ARMM) for five provinces. MNLF founder Nur Misuari led the ARMM from 1996-2001, but became frustrated with Manila's non-implementation of key parts of the agreement and with its interference in MNLF politics. In response, he staged an uprising in November 2001. While some supporters picked up arms in Sulu province, the MNLF leadership was able to prevent a widespread revolt. Misuari fled to Malaysia where he was detained. Arrested in the Philippines, he was never put on trial and today he remains under house arrest. The MNLF is woefully divided between the Isnaji, Islamic Command Council, Executive Council of 15 and the pro-Misuari factions. September 2, 2006 saw the 10th anniversary of the accord, and yet the MNLF continue to have many legitimate grievances. The Government of the Republic of the Philippines (GRP) failed to implement entire sections of the agreement, starved the region of promised financial resources and wantonly interfered in its politics. There has been no true autonomy, making emotions in Mindanao and Sulu very raw.

The MNLF lobbied the government to attend a tripartite meeting in Jeddah, Saudi Arabia in February. The meeting, which was to be attended by the MNLF, GRP and the Organization of the Islamic Conference (OIC), was supposed to be an opportunity for the MNLF in an international setting to categorically list all of the government's breaches of the agreement in an attempt to recommit the GRP to the peace effort. The GRP announced that it would not attend and has tried to buy time by calling on the MNLF to wait until the GRP concludes a separate peace agreement with the rival Moro Islamic Liberation Front (MILF). If completed, the GRP-MILF accord will lead to the dissolutions of the 1996 agreement and the ARMM government and the drafting of a new organic charter in an inclusive process that will include the MILF, MNLF, civil society and traditional elites (The Jakarta Post, February 23). The MNLF was upset over the agreement and saw the unwillingness of the government to go to Jeddah as another sign of its treachery.

In February, Under Secretary of the Presidential Advisor for the Peace Process General Ramon Santos and Brigadier General Ben Dolorfino (himself a Muslim convert) were not allowed to leave an MNLF camp for two days. MNLF commander Ustadz Habier Malik refused to let the two leave until the GRP agreed to attend the tripartite talks (Philippine Daily Inquirer, February 6). Some P450,000 (US\$10,000) was paid to secure their release. MNLF armed camps have been emerging in the past year on Jolo Island, and the training of new members has continued. On top of that, some MNLF sub commanders have been providing sanctuary and support for members of the Abu Sayyaf Group, to whom they are bound by kinship and clan ties. In a region awash with small arms, there is palpable concern that the MNLF may quit the peace process entirely. Indeed, they feel morally justified in doing so. While bracing for cease-fire violations, few within the Philippine military believe that the MNLF could sustain an insurrection over a long period of time.

Both the GRP and MILF were taken aback as they assumed that the MNLF would give its full support to the agreement, which in its current draft form gives more to the Moro, including the legal right to secede in 2030. The MNLF, while stating that they “supported the peace process of their Muslim brothers,” made clear that the agreement could not come at the

expense of, nor supersede, the 1996 “Final Peace Agreement.” The MNLF’s genuine unwillingness to work with the MILF is based on the false perception that they are still the vanguard revolutionary force of the Moro people. The MILF, for their part, see the MNLF as corrupt sell-outs. MNLF members have told this analyst that they doubted that the two organizations could ever really share power. It need not be zero-sum as the two organizations have a fairly clear demarcation in terms of ethnicity and territory.

The head of the GRP’s peace panel, Jesus Dureza, said that the hostage incident has “eroded” the government’s confidence in the MNLF. While the government has agreed to attend the tripartite meeting in May, it is expected to yield little and has shifted the onus to the MNLF, which is unable to determine factional representation and whether Nur Misuari should lead the delegation (Sun-Star, February 16) (Abuza, Z. 2007, ‘MNLF May Quit the Peace Process in the Philippines’, *Terrorism Monitor*, Jamestown Foundation website, vol. 4, no. 3, 27 February http://www.jamestown.org/terrorism/news/uploads/tf_004_003.pdf – Accessed 16 April 2007 – Attachment 26).

On 8 February 2005 the Philippines’ Washington embassy released an overview of the terms agreed to by the Government of the Republic of the Philippines (GRP) and the MILF during the “6th round of Exploratory Talks held in KL [over] December 20-21, 2004”. Some pertinent extracts follow:

2. Among the highlights of the informal talks include the adoption of the interim guidelines to operationalize the Ad Hoc Joint Action Group (AHJAG) pursuant to the GRP-MILF Joint Communiqué of May 6, 2002. This Mechanism is tasked in the interdiction and isolation of criminal and lawless elements found within MILF communities.

3. The Panels also adopt Guidelines for Observers in the GRP-MILF Formal Talks outlining the general role and conduct of accredited observers who will participate in the formal peace negotiations.

4. Both sides acknowledge the formal completion of two (2) major confidence building measures for the resumption of the talks, namely: (a) the phased redeployment of AFP troops from the Buliok area, and (b) the dropping of charges filed against several MILF leaders and members implicated in the Davao City bombings of 2003.

Implementation of Signed Interim Agreements

5. Both Panels have set out to tackle 3 substantive agenda items in the negotiations. These involve the Security Aspect, Rehab and Development Aspect, and Ancestral Domain Aspect. Various interim agreements have already been adopted on the first 2 aspects.

Security Aspect

6. The Security Aspect of the peace process now stands firmly on 3 legs: (a) the Joint Coordinating Committees on the Cessation of Hostilities, (b) the International Monitoring Team, and (c) the Ad Hoc Joint Action Group.

7. CCCH – The Joint GRP-MILF CCCH have been conducting regular monthly meetings to ensure the successful implementation of the ceasefire on the ground. In the context of these meetings, the MILF reiterated its stand against terrorism and criminality. Cooperation and confidence on both sides is steadily growing, thereby ensuring relative stability on the ground and creating an overall atmosphere of conducive to the talks. During the 24th CCCH meeting

held last January 12, 2005 in Davao City, the committees sought to resolve the latest incident of hostilities in Mamasapano, Maguindanao.

8. As an additional measure to enforce the cessation of hostilities, the CCCH established joint monitoring outposts in several conflict-prone areas. Jointly manned by AFP and MILF armed regulars, as well as NGO-led Bantay Ceasefire volunteers on full time basis, these mechanisms are now operational in Bgy. Kitango (Datu Saudi Ampatuan) and in Bgy. Linantangan (Mamasapano) are due for completion by the end of January.

9. The latest data on the declining number of recorded armed skirmishes between the AFP and MILF-BIAF reflects the relative success of the ongoing ceasefire (Embassy of the Philippines – Washington DC 2005, ‘Status of the GRP-MILF Peace Process’, US Institute of Peace website, February 08 <http://www.usip.org/philippines/reports/rosario.pdf> – Accessed 12 April 2007 – Attachment 23).

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