

Philippines: Duterte advice to successor: resume peace negotiations

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Because he had bungled them by bending to militarist advice, President Duterte recently expressed hope that the next administration would resume the GRP-NDFP peace negotiations and succeed in forging a peace agreement to end the more than 50 years of internal armed conflict.

“I hope that whoever comes in next after me, they would try to reconnect [with the CPP-NPA-NDFP]. I hope that [the peace talks] would succeed,” he said during a visit to families affected by Typhoon Agaton in Capiz last April 16.

He described himself as “a friend” of the rebels when he was the mayor of Davao City. However, his relationship with the New People’s Army changed when he became President, he was quoted as pointing out, “because the safety of the nation fell into his hands.” He did not elaborate.

Acknowledging that the communist rebels were correct in fighting to eradicate the inequitable feudal structures in the countryside, Duterte stated: “I hope that we will find peace with the communists. I do not want a quarrel with them.”

By way of addressing the feudal problem and making rebellion “irrelevant,” he claimed that he implemented land reform by distributing “something like 160,000 hectares of land.” For sure, that wasn’t enough since he had vowed to complete the implementation of the Cory Aquino administration’s Comprehensive Agrarian Reform Program (CARP). Moreover, the CARP was widely criticized for providing major exemptions from the land distribution scheme, and for neglecting the support needed by land reform beneficiaries. An amendatory legislation later sought to provide the latter inadequacy.

Was Duterte regretting that he had mishandled the GRP-NDFP peace negotiations, which during his electoral campaign he had promised to resume and complete? At least, his recent statements implied that he recognized the correctness of the government’s pursuing the GRP-NDFP formal peace negotiations at the national level, rather than gunning for a strategic military victory in the protracted armed conflict, as preferred by his militarist advisers.

Following the initiation of a formal process by the Ramos administration in September 1992, the peace negotiations produced 10 significant signed agreements, including the landmark Comprehensive Agreement of Respect for Human Rights and International Humanitarian Law (CARHRIHL). After that, however, the talks went neither here nor there under the successive presidencies of Estrada, Arroyo and Aquino III.

In August 2016, with Duterte in Malacanang, the peace talks resumed with high expectations. And a series of negotiations (with intermittent disruptions) attained significant advances in just a few months of meetings held in Europe, hosted and facilitated by the Royal Norwegian Government.

It's important to note that, even after he had announced the "termination" of the process in November 2017, Duterte still allowed on-again-off-again formal and informal talks to proceed. By June 2018, the two panels produced mutually signed or initialed comprehensive agreements intended for final signing that July.

These included draft accords on agrarian reform - with free land distribution as guiding principle - and rural development, and on national industrialization and economic development, the main components of a Comprehensive Agreement on Social and Economic Reforms (CASER). The CASER is mutually considered as the "meat" or the core product of the GRP-NDFP peace negotiations.

Also drawn up for final signing were two initialed draft agreements on a stand-down or ceasefire, and accord on the guidelines and procedures for an Interim Peace Agreement.

Yet, because of strong objections to CASER from his military advisers, Duterte aborted the final signing of these agreements and called off further negotiations.

But there's no ignoring the issue of negotiating an enduring peace that will bring security and development to the country.

In a series of forums sponsored by peace advocacy groups, a number of presidential candidates have expressed a favorable stance to pursue the GRP-NDFP peace talks, should they get elected to the country's highest post. They include Vice President Leni Robredo, Senator Manny Pacquiao, Manila Mayor Isko Moreno and labor leader Leody de Guzman.

President Duterte has just over a month to go in his six-year term. He could help much in enabling the succeeding administration to resume the GRP-NDFP peace talks, by removing a number of obstacles that his presidency has put in place.

He can start with rescinding two presidential proclamations and an executive order he issued in the latter part of 2017 and in December 2018. These are the following:

- Proclamation No. 360, issued on Nov. 23, 2017, declaring the GRP's official termination of the peace negotiations;
- Proclamation No. 374, issued on Dec. 5, 2017, designating the CPP and the NPA as terrorist organizations; and
- Executive Order No. 70, issued on Dec. 4, 2018, instituting localized peace talks and setting up the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC). The task force has been heavily criticized, even condemned, for its reckless red-tagging drive against civil society activists and other persons, organizations and groups perceived by state security forces as "enemies of the state." Calls for defunding or abolishing the NTF-ELCAC have also been raised within Congress and among human rights institutions, here and abroad.

But the biggest hindrance to the resumption of the GRP-NDFP peace talks is the Anti-Terrorism Act of 2020 (ATA), since it has already enabled the Anti-Terrorism Council, composed of Duterte Cabinet members and other executive officials, to designate the National Democratic Front of the Philippines also as a terrorist organization. How then can the talks resume?

Having been legislated by Congress, and upheld as constitutional by the Supreme Court minus two questionable provisions, it will take the next Congress (the Senate and the House of Representatives) to repeal the law. It would be up to the next president, who may commit to pursue the GRP-NDFP peace talks, to take the initiative in asking Congress to repeal the ATA.

Much is at stake in the years ahead. Is there still time for President Duterte to undo the harm that

has already been done?

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