

Ceasefire for the Christmas season — & beyond?

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The recent Hong Kong agreements of the Government of the Republic of the Philippines (GRP) and the National Democratic Front of the Philippines (NDFP) for a Christmas season ceasefire and for the resumption of peace talks were both rightly much welcomed in the country. The Christmas season ceasefire of 19 (not 18) days from 16 December 2010 (the traditional beginning of *Simbang Gabi* or of *Misa de Gallo*) to 3 January 2011 in particular has been hailed as the longest in the past 10 years. For the most part, there were usually only negligible “short-time,” “quickie” or “kuripot” four-day ceasefires only on 24-25 December and 31 December-1 January, not much really of a respite. One wonders a bit why not up to 6 January 2011 (Feast of the Three Kings) this time, to correspond to another red-letter day marking yuletide. There were previous longer Christmas season ceasefires of 29 days from 9 December 2001 to 6 January 2002 during the first year of the first Arroyo administration (2001-04), and of 60 days from 10 December 1986 to 6 February 1987, the latter also related to the first GRP-NDFP peace talks during the first year of the first Aquino administration (1986-92).

The ensuing talk has moved on to the release of political prisoners, such as the “Morong 43,” as among continuing “specific measures of goodwill and confidence-building to create a favorable climate for peace negotiations,” to quote The Hague Joint Declaration of 1 September 1992, the standing framework document for the GRP-NDFP peace talks. A call for the release of all political prisoners, “from both the left and the right,” has somehow been co-related too with the earlier underway amnesty for the latest generation of military rebels.

But let us go back to this Christmas season ceasefire a bit more. It is more precisely referred to as a “reciprocal suspension of offensive military operations (SOMO).” But in the absence of more specific bilateral guidelines and mechanics, this can be subject to different nuanced interpretations and applications, especially down the chain of command. Armed Forces of the Philippines (AFP) Chief of Staff Gen. Ricardo David, Jr. has said that “However, this will not preclude your soldiers from taking appropriate actions in self-defense and to protect our people and communities from armed threats.” The New People’s Army (NPA) can imaginably make the same statement, thus making it “reciprocal” in a sense not necessarily in the spirit of the ceasefire declaration and of the season.

AFP Chief Gen. David added: “What is suspended is the offensive, meaning we’re not going to the mountains to fight. Once we are attacked, we will defend... We will not relax because there might be some violations and there might be threats in the communities so intelligence must be there. If these communities report to us some threats, then we will respond accordingly.” Somewhat dissonant to this is the reported statements of 8th Infantry Division, Philippine Army (PA) spokesperson Lt. Col. Noel Vestuir: “While there will be a suspension on our military operations during this time, it will not mean that we will cease on being on offensive mode. The rebels might take advantage of the situation... We will continue in our mission defending the security of our people, (especially in the hinterlands).” Hmmm.

AFP Northern Luzon (Nolcom) Command chief Lt. Gen. Gaudencio Pangilinan put it more optimistically when he said he believed that both sides would be able to honor their SOMO

commitment, adding “Everything is in good faith.” A leap of faith. Speaking of which, certain faith leaders in particular like some Catholic bishops have called for a lasting or permanent ceasefire extending well beyond the Christmas season. Others would nuance this by calling for what would seem to be the logical or normal arrangement of having a ceasefire during peace talks — in support of it and part of that peace process. For some, even more important than that is a respite from the fighting that a ceasefire would provide for conflict-affected communities in the countryside, some kind of peace dividend in terms of a favorable climate for socio-economic recovery and even development. But still, sometimes, “ceasefire” seems to be the hardest word.

For revolutionary forces like the NDFP, a prolonged ceasefire would be counter-productive to the momentum of revolutionary armed struggle as the principal and main form of struggle in a strategy of protracted people’s war to the effect the kind of radical social transformation needed to solve the basic problems of the Filipino people. Thus, for the most part, the NDFP has been averse to a ceasefire, esp. a prolonged one. But so has also the AFP for the most part – seeing a ceasefire as not only arresting the momentum of its overall counter-insurgency operation plans (Oplans) but as also providing a respite which the NPA would take advantage of to regroup, regain strength and recover lost ground. Thus, the norm for the GRP-NDFP peace negotiations has been to have no accompanying ceasefire, unlike the case of the Mindanao peace process with the Moro National Liberation Front (MNLF) and Moro Islamic Liberation Front (MILF). It is a mode of “fighting while talking.” Is it time for some paradigm shift on that mode on the GRP-NDFP front of war and peace?

We refer to a current paradigm particularly on the NDFP side that views ceasefire not so much as a specific goodwill and confidence-building measure for the peace talks but instead more as a form of “end of hostilities and disposition of forces” (EOH/DOF) that should come only last, at the end of successful peace talks, if it comes to that, per the agenda framework of The Hague Joint Declaration. Thus, to talk of a prolonged, indefinite or permanent ceasefire at the current juncture would be, for the NDFP, tantamount to premature laying down of arms, surrender or capitulation to the class enemy. This shows how important continuing armed struggle is to the NDFP. Aside from the NDFP’s overarching strategy adverted to above, continuing armed struggle is also seen by it as necessary pressure to keep the GRP honest, not drag its feet, in the peace talks and then as insurance in case these talks collapse. As they have for several times, inc. notably in early 1987 under the first Aquino administration. The NDFP considers the related 60-day ceasefire then as a particularly negative experience because the surfacing of NDFP cadres to fill the NDFP seats in the various agreed ceasefire mechanisms and committees at several levels, esp. the regional, had resulted in their exposure to AFP surveillance and intelligence-gathering, to the later extreme prejudice of many of these cadres.

The NDFP has for the most part been open only to short-duration ceasefires like those for the Christmas season which is nationwide and those for humanitarian reasons in limited calamity areas, like most recently the six towns around the erupting Bulusan Volcano in Sorsogon. But that has not always been so. For example, the NDFP (and for that matter the AFP) did not respond positively to civil society peace advocate calls in December 2004 for a humanitarian ceasefire in three flood- and landslide-stricken towns Infanta, Real and Gen. Nakar in northern Quezon. These short-duration ceasefires do not require elaborate ceasefire mechanisms, especially where it is just a matter of a reciprocal or even unilateral SOMO. It is supposed to be for the effectiveness of long-duration or interim (during peace talks) ceasefires that such mechanisms become necessary, like notably in the GRP-MILF peace process where the ceasefire is maintained even during the suspension of peace talks. But for the NDFP, there is the paradox that such mechanisms for effective ceasefires are themselves problematic based on their bitter 1987 experience with them. We are paying much attention to the NDFP perspective on ceasefires because its concerns, issues and points raised about these have to be engaged and addressed. Historically, it is the side that has had to be convinced

more to go into whatever ceasefire.

There is also a question of sincerity in the peace talks involved here. While continuing armed struggle (thus, non-ceasefire) is seen by the NDFP as necessary pressure to keep the GRP honest, not drag its feet, in the peace talks and then as insurance in case these talks collapse, the NDFP might also be asked: does it expect or even intend that the peace talks will collapse, which is why it insists on continuing armed struggle even during peace talks? Is continuing armed struggle “a favorable climate for peace negotiations”? Does it build “goodwill and confidence”? If the warring parties believe that peace negotiations are the way to go and that they have fair prospects of succeeding, then the normal thing to do would be to have an interim ceasefire so that precious and irreplaceable lives – of soldiers, rebels and civilians — will be saved from continuing armed hostilities. If there is going to be an eventual negotiated political settlement anyway, why waste these lives in the meantime? And so, aside from sincerity, there is also a question of the value given to human life. At aanuhin pa nga naman ang damo kung patay na ang kabayo? “A just and lasting peace,” if there will be one, is for the living, not for the dead.

At the same time, peace talks cannot also go on interminably without any results to show such as in terms of various social, economic and political reform measures. Peace talks cannot or should not be, as they are getting to be, as protracted as the armed conflict of four decades. Although most conflict-affected communities, if you ask them, like the Agta tribal folk in the Sierra Madre mountains, would not mind protracted peace talks as long as they are accompanied by a protracted ceasefire. As they would often say, they just want to be left alone by the warring parties to live their lives in peace.

One arrangement that would be fair enough, even to the revolutionaries, if not to the broad masses of the people, would be to have a reasonable time frame for peace talks with an accompanying ceasefire. The consequences of failure of the time-bound peace talks would be clear in terms of a return to arms, as a kind of disincentive for failure. Instead of making agreement on a ceasefire dependent on certain progress of the talks like the signing of comprehensive agreements on certain sequential major substantive agenda items (particularly socio-economic reforms, and then political and constitutional reforms), the ceasefire can be agreed on first at the start of peace talks and then its (the ceasefire's) continuation or discontinuation can be made dependent on such progress of the talks or lack of it. In another manner of speaking, this ceasefire is both time-bound and agenda-bound.

While the NDFP had in 2007 rejected a GRP proposal for a three-year ceasefire, this was in the context of a precondition for resuming peace talks. Three years can still be a reasonable time frame for peace talks with an accompanying ceasefire. Three years is reasonable given the six-year term of the new President Aquino and the heavy remaining sequential major “substantive agenda of the formal peace negotiations... socio-economic reforms, political and constitutional reforms, end of hostilities and disposition of forces.” The first major substantive agenda item was already disposed of by way of the 1998 Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL). This is the easiest of the major substantive agenda items but it took practically the whole six-year term of the Ramos administration from 1992 to 1998 to complete, while its implementation since then up to now has been problematic – and thus should also be addressed by the coming talks. So, even three years may be too short rather than too long. In any case, the parties have shown some flexibility with several schemes for the acceleration of the formal peace negotiations, though these have been easier said than done.

In any case also, the indicated accompanying ceasefire can be simply the same kind of reciprocal or mutual SOMO like the one for the current Christmas season. No frills of an elaborate ceasefire mechanism, if avoiding this will avoid a repeat for the NDFP of its bitter 1987 experience after a 60-

day ceasefire. Civil society peace groups can also do their part in monitoring such ceasefires like with citizen's guidelines that Sulong CARHRIHL has issued for the current Christmas season ceasefire. But what then does the NPA do during a, say, three-year ceasefire? Well, it can do what the AFP does, including keeping itself trim and fit, or in fighting form, short of fighting against the other party to the ceasefire. It can also consult its tactical ally the MILF, well-versed in the ceasefire mode. And the NPA knows quite well that there is so much more that is important that a people's army can do - including but not limited to the military field — other than military offensives.

The NDFP should take a leap of faith too (as the MILF has) in giving the peace talks a chance, albeit within a reasonable time frame - which is not static and which depends on the dynamics and directions of the talks. An interim ceasefire to accompany the talks is certainly among possible "specific measures of goodwill and confidence-building to create a favorable climate for peace negotiations." It is not laying down of arms. In a ceasefire, the force concerned keeps its arms but does not engage in military offensives. The "end of hostilities and disposition of forces" as the last major substantive agenda item of the formal peace negotiations would normally involve a permanent ceasefire and the laying down of arms (as in DDR), but surely The Hague Joint Declaration signed by the NDFP does not frame or treat this as surrender or capitulation. Give peace a chance, give ceasefire a chance.

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P.S.

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