

Philippines: Judging the prospects for peace talks with the CPP-NPA-NDFP in 2015

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The hugely successful visit of Pope Francis, which took the whole country by storm, still reverberates. Will its surging waves of goodwill, as well as calls for prophetic action, carry with it a soon enough resumption of peace talks with the National Democratic Front of the Philippines (NDFP)? The best recent sign that something is brewing on the NDFP peace front was *Inquirer's* banner headline last December 28 that "Joma looks forward to meet with P-Noy." This right after Jose Maria Sison, Chief Political Consultant of the NDFP, and founding Chairman of the Communist Party of the Philippines (CPP) which leads the New People's Army (NPA), had said both parties might resume talks probably soon enough after Pope Francis' visit.

Given the past long track record of more-off-than-on and more-failed-than-successful peace talks, the questions that come to the mind boil down to three: [1] What really in terms of peace talks is afoot this remaining one-and-a-half years of the Aquino administration? [2] What are the prospects that something good enough - in terms of tangible gains and moving that process forward — will come out of any new talks? [3] What needs to be done to push these talks forward?

What peace talks are afoot?

The recent "excitement" on the NDFP side about a possible resumption of talks soon enough appears to be a change from the previous Joma/CPP position of waiting for a new administration to resume peace talks. It was actually the government that took the initiative to explore this through its "private emissaries" or "friends of the peace process" (notably former GPH peace negotiators Rep. Silvestre Bello III and Hernani Braganza) making "informal contact" with the NDFP since July 2014. According to a government source, they are "shuttling back and forth between the two parties to explore possible parameters for restarting talks at the earliest possible time, but nothing is final."

Why this new government initiative? The Presidential Adviser on the Peace Process Sec. Teresita Quintos-Deles speaks of "President Aquino's policy to pursue the peace process as a major agenda of his administration." The peace settlement with the Moro Islamic Liberation Front (MILF) has become the cornerstone, which for President Aquino has taken historical legacy proportions. Former NDFP chief peace negotiator Satur Ocampo sees the new government initiative as President Benigno Aquino III seeking also "to redeem the unrealized vow that his mother, President Corazon Cojuangco-Aquino, made in 1986 to end the protracted armed conflict between the government and the Left revolutionary forces," through peace negotiations.

If we take what has been the framework agreement for these peace negotiations since 1992, namely The Hague Joint Declaration, they are being held “to resolve the armed conflict.” The “common goal” is “the attainment of a just and lasting peace.” What does this hold for the ordinary Filipino and for the economy? The people and the economy will benefit from the peace dividends. The ordinary folk, especially in the countryside zone of war, can expect to at least go on with their day-to-day lives of eking out a living without getting caught in the crossfire. And needed socio-economic reforms can be instituted as a result of a final political settlement. Such reforms are ultimately aimed at addressing the root causes of the armed conflict and social unrest. Aside from cutting the considerable human and economic costs of the conflict, a peace settlement would allow much more resources to be devoted instead to socio-economic development that should benefit the country, especially the poor. This is why it is worth trying to give peace a chance.

Why the change from the previous Joma/CPP position of waiting for a new administration to resume peace talks especially on the formal level? Perhaps, aside from its telegraphed tactical considerations, it is really more for the NDFP to prepare some ground for such talks in the next administration. Some observers note that this comes after the March 2014 capture of the in-country CPP leaders Benito and Wilma Tiamzon who were said to take a harder line than Joma on the peace talks. Joma, to whom the CPP has entrusted the peace talks, now appears to have more CPP room to maneuver on this front, as shown by recent statements issued under his name in the media for public consumption, as distinguished from major CPP policy statements like its recent 46th Anniversary Statement of December 26 believed drafted by him under the name of the CPP for the guidance of its leadership and entire membership.

Both the government and the NDFP are actually agreed that there is not enough time for a final peace agreement or political settlement before the end of President Aquino’s term in June 2016. Joma says that “there is little time left to make all the agreements up to the final peace agreement” but “I think there is ample time to arrive at a Comprehensive Agreement of Social and Economic Reforms [CASER] and a Truce and Cooperation Agreement on the basis of a general declaration of mutual intent.” Sen. Antonio Trillanes IV has pointed out that if talks would at all progress, it would be in the next administration where “there would be a clean slate... new personalities and a new beginning.” Otherwise, he said it would result in a half-baked agreement. Besides, the long “election fever,” for a new presidential administration, when all serious business stops, will kick in by the second half of 2015 and impinge even on existing peace processes. The government has reportedly decided to give the talks until June 2015 to produce significant results.

What are the prospects of the peace talks?

The question of prospects for significant results actually refers to a phase of new informal talks that, if they actually get underway, could take the whole first half of 2015. This necessarily must have scaled down objectives. For the government, Sec. Deles has stated these parameters: “We believe, however, that for the peace talks to prosper, we need to pursue an agenda that is doable and time-bound, with agreements that are realizable within the remaining term of President Aquino. More importantly, the peace talks must heed our people’s call for an end to violence. We view peace negotiations as the beginning of sincere dialogue towards resolving the problems of the country without resorting to the use of arms.”

There is a strong GPH accent on the need to provide people with security and respite from violence, if possible end the armed struggle or armed conflict. The GPH seeks a long-term truce/ceasefire during the entire process of the peace talks, especially the formal talks, should these resume even before the end of the Aquino administration. There is some ground-level and humanitarian basis for

a ceasefire, but the GPH pounding on this reinforces the CPP's beef in its 46th Anniversary Statement about "the reactionary government and its current officials who regard the negotiations as the means for the capitulation and pacification of the revolutionary forces and the people." The NDFP will likely reject a ceasefire that it considers too long (that in its perception retards the primary armed struggle) and is not coupled with substantive achievements in the talks. The thing is, the GPH has not presented its own clear "agenda that is doable and time-bound, with agreements that are realizable within the remaining term of President Aquino."

Joma at least proposes achieving a CASER and/or a "general declaration of mutual intent" - but which, if marked by "constructive ambiguity," can later become another "document of perpetual division between the Parties," as the GPH has already characterized The Hague Joint Declaration. This is not helped by the CPP 46th Anniversary Statement which telegraphed a tactical agenda of propaganda that serves its protracted people's war (PPW) strategy: "What is good about the peace negotiations is that the NDFP is able to broadcast the Program for a People's Democratic Revolution and help bring about the victory of the revolution in the long run or before then help bring about truce and cooperation with a government that is not led by the Party but which adopts patriotic and progressive policies to deal with the severe crisis brought about by imperialism and reaction."

This and other high-policy guidance in that CPP 46th Anniversary Statement - including priority-numbered "urgent tasks" for "[2.] the people's struggle to oust the Aquino regime" and to "[3.] intensify and advance the people's war towards the stage of the strategic stalemate [for the umpteenth time]... by launching more frequent and sustained tactical offensives with occasional blows to the head of the enemy" — in turn reinforces the GPH's current wariness and caution about the prospects of the peace talks. Nowhere is the latter set forth in the statement's summary of ten numbered "urgent tasks."

In the nearly 25 years (one generation) since The Hague Joint Declaration, the only substantive achievement has been the 1998 Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL), but its implementation has however been stalemated along with the main peace process. There are many reasons for this undue lack of progress. For the most part and at its root are the mutually antagonistic frameworks of the parties which treat the peace negotiations as more tactical rather than strategic. This raises nagging questions of sincerity and political will for the talks. The long negative experience on the war and peace fronts, including belligerency both in deeds and in words, with each other has aggravated the "mountain of distrust" between the parties.

What needs to be done to push the peace talks?

Sen. Trillanes' point that confidence-building measures should be undertaken before any "P-Noy-Joma meeting" is a well-taken one. Sec. Deles says "Professions of sincerity are no longer acceptable to a skeptical public..." The Hague Joint Declaration itself points to the need for "specific measures of goodwill and confidence-building to create a favorable climate for peace negotiations." Short of a ceasefire which would be ideal as a specific measure of goodwill (especially for the non-combatants), but which is a contentious proposition to the NDFP (which treats it for the last stage "end of hostilities"), it should be doable for the peace process in the short-term left of the Aquino administration to purposively rebuild the shattered confidence between the parties by a more collaborative, flexible and effective implementation of the spirit and letter of the already achieved CARHRIHL — which as an agreement indicates clear common ground between them in terms of "respect for human rights and international humanitarian law."

This would produce tangible results on the ground in terms of addressing concerns arising from continuing armed hostilities (because still no ceasefire), ensure the protection of non-combatants, and reduce the impact of the armed conflict on communities in conflict areas. This too is a “path to peace” in general, as well as a bridge to progress for this peace process into the next administration. Then hopefully enough confidence between the parties would have been rebuilt to take it from there further forward.

The GPH appears to envision that one doable of the new informal talks, which is supposed to set the stage for the formal talks if ever, is to frame a negotiation roadmap. This is already long overdue, given the sense of many that the NDFP peace talks are “going nowhere.” This could in effect be a new framework agreement, taking a leaf from the experience in the 2012 breakthrough in the MILF peace process. But the idea of a negotiation roadmap that is like a new framework agreement might run into a NDFP roadblock of insistence on resuming formal talks only “on the basis of upholding, respecting and implementing [more than ten] previously signed agreements,” including the 1995 Joint Agreement on Safety and Immunity Guarantees (JASIG) – which is the agreement most relevant to the ongoing non-substantive issue raised by the NDFP for the release of its claimed “consultants” and other “political prisoners” detained by the GPH. The NDFP considers this an issue no less of GPH trustworthiness for respecting its signed agreements.

It might be noted that the 2012 Framework Agreement on the Bangsamoro (FAB) specifically provided the clause “without derogating from any prior peace agreements,” including two prior framework agreements in 1998 and 2001, but still moving forward based on a new framework. A better framework, one that is more viable and developed, should help move the peace talks forward. As has been said in the MILF peace process, “If neither party in the negotiations thinks outside the box, all they would arrive at is a constant impasse.” The “box” mainly referred to is the Constitution, but it could also refer to ideology and even “prior peace agreements.” Says another peace observer, “Both sides [in the NDFP peace process] might have lost some perspective after going round in circles for so many years,” such as to now merit a new framework agreement.

Finding that new framework, or at least what court-annexed mediators call “zones of possible agreement” (ZOPAs), is actually where the ongoing efforts of supportive civil society peace advocates of diverse political persuasions gathered under a broadening Citizens Alliance for Just Peace (CAJP) can help. We are referring to the CAJP’s modus of study sessions on key issues relevant to the talks. These study sessions, which are mainly for developing a shared understanding of the peace process, including other country experiences, can themselves further develop towards being tapped for actual problem-solving inputs for the peace negotiations. The lessons learned and the confidence built among politically diverse peace advocates can also have a ripple effect on the peace negotiators and leaders of both sides with whom the advocates have their own lines.

The persistence of civil society peace advocates, as well as of the prestigious third-party facilitation of the Royal Norwegian Government (RNG), are among the few sources of hope that the NDFP peace process still has going for it. It behooves all concerned, especially the leaders of both sides, to draw valuable guidance now from various aspects of the current phenomenon that is already being called “the Pope Francis effect” that resonates with his Filipino mass base. This has implications also for the armed struggle/conflict and the peace process/agenda. After all, it was his namesake St. Francis of Assisi who prayed “Lord, make me an instrument of your peace...”

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P.S.

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