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Past, present and future in Mindanao

Analysis of the MNLF and MILF peace and
reintegration processes

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Peacebuilding Papers (*Quaderns de Construcció de Pau*) is a publication of the School for a Culture of Peace (Escola de Cultura de Pau). Its objective is to disseminate the research conducted in this institution on peacebuilding and to bring it closer to the interested public. These research papers will follow three basic lines of work. First, they will offer academic analyses of a variety of topical issues. A second series of documents will make proposals to facilitate intervention by actors involved in the various aspects of peacebuilding. Finally, monographs will analyse current armed conflicts, situations of tension, peace processes or postwar rehabilitation processes, based on field work by researchers from the School for a Culture of Peace.

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Glossary

ARMM:	Autonomous Region in Muslim Mindanao
BARIL:	Bring Your Rifle and Improve your Livelihood
BDA:	Bangsamoro Development Agency
CPLA:	Cordillera People's Liberation Army
CPP:	Communist Party of the Philippines
DDR:	Disarmament, Demobilization and Reintegration
US:	United States
FAO:	Food and Agriculture Organization
IMT:	International Monitoring Team
LGU:	Local Government Unit
MILF:	Moro Islamic Liberation Front
MNLF:	Moro National Liberation Front
MOA-AD:	Memorandum of Agreement on Ancestral Domain
NAC:	National Amnesty Commission
NDF:	National Democratic Front
NPA:	New People's Army
OIC:	Organisation of the Islamic Conference
ILO:	International Labour Organization
WHO:	World Health Organization
OPAPP:	Office of the Presidential Adviser to the Peace Process
UNDP:	United Nations Development Programme
SIP:	Social Integration Program
SPCPD:	Southern Philippines Council for Peace and Development
SZOPAD:	Special Zone on Peace and Development
EU:	European Union
UNESCO:	United Nations Educational, Scientific and Cultural Organization
UNFPA:	United Nations Population Fund
USAID:	United States Agency for International Development

ABSTRACT:

This report outlines the conflict in the region of Mindanao in the Philippines. It details both the wide array of principal intervening actors (the MNLF, MILF, NPA, Abu Sayyaf, and government) and related factors concerning the regional situation. The Philippines, and in particular the region of Mindanao, uses a variety of recent experiences of ex-combatant reintegration and partial integration of ex-combatants into government security forces. The unique reintegration approach used in Mindanao, especially for the MNLF, excludes a phase for disarmament and demobilization and focuses more on rehabilitation, sets the DDR process there apart from other more conventional approaches. Incorporating DDR into the peace process between the government and MILF, thereby, presents challenges and raises questions. This report is an analysis of the armed conflict on the island of Mindanao and the prospects for a peace process. It is divided into four parts. The first analyzes the causes of armed conflict in the Philippines, with an emphasis on Mindanao and a contextualization of the main factors and actors involved. The second part looks at lessons learned and centres on those experiences already realized in terms of MNLF ex-combatant reintegration: integration into civilian life and into the Armed Forces. The third part contributes reflections on a hypothetical peace process with the MILF and is divided into thoughts on peace with the armed group and the possible creation of a DDR process for them. The conclusion consists of a series of recommendations on a process for the MNLF, the MILF peace process, and the possible inclusion of DDR in Philippine peacebuilding.

Introduction

The Philippines, the only predominantly Catholic country in Asia, is host to a conflict in the Mindanao region, where two thirds of the country's Muslims, and overall a quarter of the population, reside (Escola de Cultura de Pau 2007: 1). The indigenous population, isolated from both Christians and Muslims, tends to live in mountainous areas. (Herbolzheimer 2007: 7). Mindanao is heavily militarized, with at least a dozen armed groups and a high level of small arms proliferation.¹ It is calculated there are 1.3 million arms in the region (PhilANSA 2009: 9).

Despite an agreement reached with the Moro National Liberation Front (MNLF) in 1996, which included a concession of greater autonomy for Mindanao and rehabilitation of MNLF combatants, certain deficiencies in and problems with the peace agreement are evident. Besides its experience with the MNLF (in addition to the integration into the Armed Forces of the Cordillera People's Liberation Army, CPLA, and individual deserters of the New People's Army, NPA), the main peace process the Philippines wishes to set in motion is with the Moro Islamic Liberation Front (MILF), whose focus on peace negotiations appears to be different than that of the government's. Statements declaring the Memorandum of Agreement on Ancestral Domain (MOA-AD) unconstitutional, and the government's adoption of DDR as a component of the peace process, have not contributed to relaxing the stances of the two sides.

This report is an analysis of the armed conflict on the island of Mindanao and the prospects for a peace process. It is divided into four parts. The first analyzes the causes of armed conflict in the Philippines, with an emphasis on Mindanao and a contextualization of the main factors and actors involved. The second part looks at lessons learned and centres on those experiences already realized in terms of MNLF ex-combatant reintegration: integration into civilian life and into the Armed Forces. The third part contributes reflections on a hypothetical peace process with the MILF and is divided into thoughts on peace with the armed group and the possible creation of a DDR process for them. The conclusion consists of a series of recommendations on a process for the MNLF, the MILF peace process, and the possible inclusion of DDR in Philippine peacebuilding.

The report is the result of research conducted in the Philippines in March 2009 by Escola de Cultura de Pau researcher, Albert Caramés Boada. The research involved interviewing a variety of both representatives of the Government of the Philippines and Philippine civil society and the international community. The writing of the report, the content of which the author takes full responsibility, was done as part of a project on DDR funded by the Spanish International Cooperation Agency for Development (AECID), which has been active since 2005.² The author would like to thank Kristian Herbolzheimer, Susan May Granada, Eneko Sanz, and Jordi Urgell for their contributions, as well as the logistical support he received from the Office of the Presidential Adviser on the Peace Process (OPAPP) of the Government of the Philippines.

¹ Small and light arms are conventional weapons which can be used by a single person (rifles, handguns, hand grenades, or ammunition, etc.) or brought in a light vehicle (grenade launchers, etc.).

² Material developed for this project since 2005 can be viewed at <www.escolapau.org/castellano/programas/ddr.htm>.

The conflict in Mindanao

This section outlines the conflict in Mindanao, detailing both the wide array of principal intervening actors (the MNLF, MILF, NPA, Abu Sayyaf, and government) and related factors regarding the regional situation. Historically, Mindanao, one of the wealthiest areas of the country in terms of natural and mineral resources, has been overlooked to a certain extent by the government, going back to as far as the time of Spanish colonization, which did not manage to conquer the region in entirety. Later, after Spain ceded the Philippines to the United States in 1898 through the Treaty of Paris, and after independence from the US was won by Christian Filipinos, the situation in Mindanao continued as before. It changed for the worse with the arrival of the dictatorial government of Ferdinand Marcos in 1965, and especially with the martial law he imposed in 1972 (Herbolzheimer 2007: 4-5).

National and international opinion point to the fact that certain structural problems have never been tackled in Mindanao. The prevalence of a landed and corrupt oligarchy, a lack of infrastructure, rural development, basic services, and permitting legal impunity for serious human rights abuses, among other aspects, more comprehensively explain the context and suggest a need to protect individual property disputed by the wealthiest clans and families in the region (Makinano and Lubang 2001: 15). The term *rido*, a word designating clan or family feuding, is important in Mindanao. Conflicts that have their roots in *rido* arise from a variety of causes: the electoral system (19.2 percent of cases), land disputes (14.7 percent), livestock theft (10.5 percent), chastity crimes (10.1 percent), and suspicions of different sorts (5.5 percent). A number of studies cite 218 cases of *rido* between 1970 and 2004, with half of them resolved mainly through mediation. In all, 811 deaths, 369 injuries, 46 arrests, and 6 disappeared persons have been recorded. *Rido* is considered a consequence of Mindanao's inefficient legal system, which regional authorities seem to have exacerbated (Lingga 2005: 4). In addition to strengthening the legal system, traditional mechanisms of conflict resolution need to be advocated in all processes of peace negotiations. More consultation, a greater focus on gender in the peace process,³ prioritizing the return of displaced persons, and re-establishing an international presence for technical assistance are other aspects of the peace process which need to be given greater consideration.⁴

Other related aspects, such as the high level of militarization and an uncontrolled proliferation of arms, also obstruct the situation in the region. The total of government security forces on the island is calculated to be 35,000 soldiers, 25,000 police

officers, and 25,000 paramilitaries (Herbolzheimer 2007: 3), some 40 percent of the total security forces, present especially to maintain security in Central Mindanao. Many official sources consider the number of security forces insufficient when compared to other armies of Southeast Asia and call for an increase to the numbers.⁵ The Armed Forces in Mindanao are accused of forcibly disappearing political and community leaders, as well as perpetuating violence in the area.⁶

The uncontrolled proliferation of small arms in Mindanao is important to understanding the situation. It is an underlying problem throughout the Philippines. Unofficial reports estimate that in 2006, the most current figures, there were more than 1.3 million arms in circulation (500,000 registered, 450,000 unregistered, and 500,000 with expired licenses), 45 legal weapons businesses, and 522 authorized arms dealers (PhilANSA 2009: 9). Reasons for the proliferation are many, beginning with the power and prestige gun possession bestows, especially in Muslim cultures where it is viewed as a right according to certain interpretations of the Koran. Another cultural factor which legitimizes gun possession is the feeling of strength it gives some males. A powerful local arms industry, both licit and illicit, makes accessing guns, regardless of origin, easy (Villanueva and Aguilar 2008: 4-5). Weapons can be supplied by a variety of sources: thefts or losses of military or police arsenals, vast numbers of unlicensed producers, arms that have gone astray, foreign shipments from countries like Afghanistan, arms traffickers operating to the south of Mindanao, and manufacturing by armed opposition groups themselves (Makinano and Lubang 2001: 18).

The predominant view of civil society, gauged by a survey conducted by PhilANSA, a network of NGOs working to stem the use of small arms in the Philippines, is that the current armed violence is the product of confrontations between armed opposition groups and the Armed Forces and high levels of property. A loss of livelihood and property, predominantly in Central Mindanao (in Cotabato and Zamboanga) is linked to small arms use.

³ Santiago, I., Director, Mindanao Commission for Women. Interviewed by the author. Davao, March 9, 2009.

⁴ Arnado, M., Director, Mindanao People's Caucus. Interviewed by the author. Davao, March 10, 2009.

⁵ Holganza, C., General of the Philippine Armed Forces. Interviewed by the author. Manila, March 3, 2009. The number of active soldiers in the Armed Forces is calculated to be 106,000, some 0.11 percent of the population. Malaysia, with which the Philippines have close relations, has 109,000 members, but this represents 0.43 percent of the population. (IISS 2009: 399 and 406)

⁶ In its heyday, in 1987, it reached 25,000 (Herbolzheimer 2007: 3).

Strategies for reducing this violence are different for the government than for civil society. While the government has imposed a curfew and has increased military numbers, civil organizations have tended

to lean towards supporting a peace process with the MILF, government dialogue, and lobbying to strengthen the means to reduce the numbers of small arms (PhilANSA 2009: 43-57).

The Population's Perception of Violence in Mindanao	
Area	Region of Mindanao (Cotabato and Zamboanga)
Types of armed violence	<p>Cotabato:</p> <ul style="list-style-type: none"> armed violence (64%) robberies (58%) political assassinations (55%) <p>Zamboanga:</p> <ul style="list-style-type: none"> robberies (47%) kidnapping (39%) political assassinations (39%) armed violence (39%)
Causes of violence	<p>confrontations between rebels and the Armed Forces (86%)</p> <p>poverty (62%)</p>
Effects of violence	<p>Cotabato:</p> <ul style="list-style-type: none"> internal displacement (70%) loss of livelihood (64%) loss of property (63%) <p>Zamboanga:</p> <ul style="list-style-type: none"> death of family members (47%) loss of livelihood (42%) loss of property (38%)
Initiatives to manage the violence generated by small arms use	<p>Government efforts:</p> <ul style="list-style-type: none"> peace process with the MILF curfew increase to military numbers <p>Civil society efforts:</p> <ul style="list-style-type: none"> support to the peace process dialogue with government lobbying to stem small arms use

Source: adapted from PhilANSA 2008: 43-57.

Main Actors of the Armed Conflict in Mindanao

The armed conflict in Mindanao goes back to 1969, when Nur Misuari, a university professor, founded the Moro National Liberation Front (MNLF). The MNLF demanded from President Marcos self-determination for the Moro people,⁷ consisting of Islamicized and politically cohesive ethno-linguistic groups, which have been organized since the 15th century into independent sultanates. The group blamed an uprising on the prevailing political, social, and economic conditions in Mindanao; opposition minorities confronted in the face of majority oppression; social and political privations; political manipulation by internal and external powers; and governmental ineffectiveness (Makinano and Lubang 2001: 8). The most direct consequence of the uprising was a loss of 120,000 lives, the majority during the 1970s when the worst disturbances took place. Additionally, 70 percent of the population in Central Mindanao was forced to flee due to fear of armed groups over the 40 years of conflict.

The MNLF signed a peace agreement with the government in 1996 in Manila.⁸ The accord granted autonomy to the western part of the island. Following a referendum, the Autonomous Region in Muslim Mindanao (ARMM) was reorganized into 13 provinces and 9 cities. Nur Misuari was appointed governor and controlled practically the entire region, and persuaded the MNLF to instigate another armed uprising that resulted in his arrest. He remains in prison to this day. In the last few years, factions of the MNLF still armed have instigated some episodes of violence in demand of full implementation to the peace agreement and the freeing of Misuari. Generally, however, tension has declined since 2007 as a result of a commitment by the government and MNLF to review and implement the 1996 agreement and successive permits granted for Misuari to leave the country and continue political activities (Escola de Cultura de Pau 2009: 68).

Armed conflict with the MILF, a group which splintered from the MNLF over an MNLF-government agreement signed in Tripoli in 1976, is ongoing.⁹ The MILF is confined to a part of the island of Mindanao and plays a strong religious role

7 The Spanish term Moro, used to designate a Muslim of Mindanao, is not pejorative in the Philippines, rather it is used as a descriptor of identity (Herbolzheimer 2007: 3).

8 Mediated initially by Libya, then the Organisation of the Islamic Conference (OIC), Saudi Arabia, and Indonesia. The Manila Accord can be viewed online at <http://www.usip.org/library/pa/philippines/pagree_07181996_toc.html>.

9 Despite the agreement, armed conflict with the MNLF continued until 1996, when another agreement was signed with similar conditions to that of 1976 (Escola de Cultura de Pau 2009: 68). See the Tripoli Agreement at <http://www.usip.org/library/pa/philippines/tripoli_12231976.html>.

and serves as an affirmation of identity. Its chief complaints are around the social and economic exclusion it experiences and the high levels of poverty in Muslim-majority provinces. Unlike the MNLF, the MILF focuses on building wider community and not just strengthening the insurgent power of its armed wing. The MILF sees the formation of an overarching multifunctional structure, with schools, mosques, etc., as more sustainable and lasting to its movement. Currently, it is estimated there are 12,000 members of the MILF. (Herbolzheimer 2007: 4-5) In 2003, the MILF signed a ceasefire agreement overlooked by the International Monitoring Team, IMT,¹⁰ and in more recent years, it has participated in a number of rounds of negotiations with the government centred on reclaiming Moro ancestral land, but largely unsuccessful in their results.

The New People's Army (NPA), created in 1969, is responsible for another conflict in both Mindanao and other areas of the Philippines, and though it represents a low-intensity conflict, it is also the oldest. The aim of the NPA is to attain power, transform the political system, and alter the country's reigning socioeconomic model. The Communist Party of the Philippines and the National Democratic Front (NDF), umbrella groups for other communist-inspired organizations, are political referents for the NPA. Currently, it is calculated, the NPA contains 7,000 combatants operating throughout the country, with half of them in Mindanao, in a low-intensity conflict of sporadic attacks on military barracks and convoys. (Herbolzheimer 2007:3) Over time, the NPA has experienced a variety of individual desertions for which reintegration processes have been administered. Since 1986, the NPA has held peace talks with the government, though without reaching a ceasefire agreement, and notwithstanding the low-intensity nature of hostilities. Abu Sayyaf, a radical Islamic group, is another of the main instigators of armed violence today. Established in 1991, Abu Sayyaf, though initially a place for mildly alienated members of the MILF and MNLF, has since distanced itself entirely from the two groups in its fight for an independent Islamic state and has been responsible, on an increasingly systematic basis, for kidnappings, extortion, decapitations, and bombings, which has put it on the United States and European Union's list of terrorist organizations. Based on the island province of Basilan, Abu Sayyad is apparently linked to terrorist groups such as al-Qaeda and Jamaah Islamiyah (Escola de Cultura de Pau 2009: 38).

10 The IMT is a peace-maintenance operation led by Malaysia, with support from Japan, Brunei, and Libya. It was implemented after the signing of the 2003 ceasefire agreement to oversee application of that agreement.

Reintegration of the MNLF in Mindanao

The Philippines, and in particular Mindanao, draws from a variety of recent experiences of ex-combatant reintegration and partial ex-combatant integration into government security forces. As a former armed group, the MNLF has been the focus of most reintegration experiences, in a country that has experimented with more limited demobilizations, in the case of the CPLA or with individual deserters of the NPA.¹¹ The unique reintegration approach employed in Mindanao sets the DDR process there apart from other more conventional approaches, especially due to an absence of a phase for disarmament and demobilization and focus on rehabilitation.

With the peace agreement signed by the government and MNLF in September 1996, based mainly on establishing the ARMM, a partial reintegration began for the MNLF which focussed on reintegration into civilian life and integration into the state security forces.

In terms of civil reintegration, mechanisms and institutions have been established for the social rehabilitation of combatants, as cited in the Manila Agreement.¹² Civil reintegration, more specifically, comes under the Social Integration Program, SIP, implemented by OPAPP. Among its aims are to create an environment conducive to promoting peace and to contribute to community development; to offer access and social and economic opportunities to ex-combatants; and to collect, register, and destroy small arms. It also aims to work with communities to encourage participation from all actors, through awareness raising and community acceptance of ex-combatants, through proper management of arms and combatants, and through socio-economic intervention in determined zones.

These zones form part of the Special Zone on Peace and Development (SZOPAD), which consists of 14 provinces and 9 cities of the ARMM. (Escola de Cultura de Pau 2007: 2) The SZOPAD operates a special mechanism to offer remuneration for arms surrendered, offers interventions of a socioeconomic nature (such as an immediate assistance fund), and gives training according to the development needs of communities in the zone. SIP is considering partnerships with other government agencies, Local Government Units (LGUs), and NGOs that offers legal assistance, helps with job searching, and provides educational assistance and sanitary services (OPAPP 2007). Implementing agencies, which use "agents of

peace," work in communities to reinforce existing social standards (Muggah 2006). For example, the UNDP, one such implementing agency, administered through the Human Resources Development Program, works to transform the MNLF into a popular democratic organization so that resources can flow freely to communities. In 2001, five UN agencies, including the UNDP, UNFPA, UNESCO, the FAO, and the ILO, all supported by UNICEF, the WHO, UNIDO, and the UNHCR, developed a program together with ARMM to assist ex-combatants. In late 2003, USAID and the Government of the Philippines launched a training and development program for 21,000 ex-combatants of the MNLF (Escola de Cultura de Pau 2007: 5).

Status as an "agent of peace," particularly for UN-implemented Acts for Peace, granted to certain ex-combatants needs to be redefined, as does the agent's degree of participation and involvement in the process. Agents of peace, low-ranking combatants reluctant initially to accept the 1996 peace agreement are supposed to transmit values of peace culture. However, many still consider them active members of the MNLF and own a gun to keep open the idea of regrouping for active combat.¹³

Integration of members of the MNLF into different state forces was done under Government of the Philippines Administrative Order 295. 5,750 MNLF ex-combatants were integrated into the Armed Forces, including 246 individuals from the CPLA,¹⁴ and 1,750 persons into the police.¹⁵ Integration into the Armed Forces was done initially in separate units during a period of transition, with certain trust measures put in place in that time (Santos 2009b: 2). This occurred in three phases: persons to be integrated were first processed, next they were given individual training, and lastly they were given more specific occupational training.

The process of integration took place in conjunction with initiatives to collect small arms, especially from armed opposition groups. The Bring Your Rifle and Improve your Livelihood (BARIL) initiative came out of the integration process. Initially an effort to repurchase weapons from armed groups, BARIL later added a component to improve livelihoods and changed its name to Balik-BARIL to reflect its new nature. BARIL has managed to collect some 25,600 small arms and 3,400 explosives. At the same time, it is probably true that most initiatives to

¹¹ The closeness between the MNLF and MILF and the importance of MILF rehabilitation compared to other groups has meant there has been a greater focus on MILF reintegration.

¹² The main institutions created include the Southern Philippines Council for Peace and Development and the People's Consultative Assembly.

¹³ Members of the MNLF in cooperation with the Acts for Peace project. Interviewed by the author. Davao, March 12, 2009, and Villanueva and Aguilar 2008:7.

¹⁴ An armed group located in the north of the region of Luzon.

¹⁵ Holganza, C., General of the Philipine Armed Forces. Interviewed by the author. Manila, March 3, 2009.

collect small arms have failed in large measure due to poor management, particularly delays in making payments, faulty registration of surrendered arms, and lacking mechanisms of control and monitoring. The MNLF, meanwhile, has perceived BARIL to be an attempt to dismantle the counterinsurgency and has been reluctant to participate in it. Civil society in Mindanao has also been suspicious of the initiative (Santos 2009: 9-11).

In addition to analysis of the above processes, their design and conceptualization also merit critical review here. The fact that a process of reintegration was administered without disarmament and demobilization is not in general something positive, especially because the status conferred to ex-combatants remains unclear. The reintegration process was executed this way because the government thought the MNLF would lose credibility if it felt forced to disarm and demobilize (which it interprets as dismantlement) and because Nur Misauri warned of future armed splinters, which in some instances did indeed occur (Villanueva and Aguilar 2008: 7). Disarmament and demobilization phases, run before or during social reintegration, are the regular operating procedures in peace agreements working towards rehabilitation and reconstruction, and this approach would result in a more sustainable peace in Mindanao. It is important that members of the MNLF see that a process of DDR is not inadequate for them and that sufficient time and human resources be offered to prepare host communities for reinsertion (Villanueva and Aguilar 2008: 20-21). MNLF combatants have resisted disarmament and demobilization because they see them as attempts to dismantle their counterinsurgency. It was said many program beneficiaries received aid in more than one zone simultaneously because of a lacking centralized system of information and control (Santos 2009: 3).

Also criticized were delays in implementing SZOPAD projects and the need to assist grassroots bodies such as peace organizations, religious institutions, and local and educational institutions (Makinano and Lubang 2001: 37-38). This lack of support was caused by a lack of consultation with LGUs, which should have been legitimate actors and played an active part in the peace process, in an unmistakable show of local participation.¹⁶ Sustainable peace and development will not be possible without advice on the need for participation from communities and without detailed descriptions of local implementers (Villanueva and Aguilar 2008: 21).

Community reintegration is seen as a pillar of ex-combatant rehabilitation and development of

Mindanao. Community reintegration programs should be offered to communities as instruments and supports for the reintegration of ex-combatant, internally displaced persons, and other vulnerable persons and groups (United Nations 2006). It is possible to opt for more participatory consultations with ex-combatant host communities. Program beneficiaries need to be designated jointly, incentives need to be determined democratically, and priorities need to be defined so community security caters to communities. An approach like this should be seen as methodology for improving services (the effectiveness of the process) and an attempt to empower communities. Community reintegration can be applied to individual communities or more widely at the national level, connecting simultaneously to other kinds of interventions (Cliffe et al. 2003: 1). Nonetheless, a distinction should be made between community-focussed initiatives and implementation of projects at a community level.

With respect to disarmament initiatives in Mindanao, weapons been collected, legislation on the possession and commercialization of arms has been hardened, and the motives behind gun possession have also been addressed, but these are not enough. It is important to remember that disarmament is part of a larger system of arms control and management, supporting future control and reduction measures, and not only focussed on armed groups but the civilian population as well. This work collectively is known as the practical measures for disarmament. The aim of the work is to strengthen security and reduce the access and availability of arms, particularly those in illegal circulation. Arms collection programs generally play a critical role for the state, human security, and socioeconomic development by forging a secure atmosphere for sustainable development (Krause 2007).¹⁷

In a post-war context, a certain degree of demilitarization is given consideration normally. The formula is distinct for every country; however a "typical" DDR program involves disarming and demobilizing all or nearly all combatants on one side and reducing considerably the size of the other side down to a core of future Armed Forces. Surplus weapons are destroyed and soldiers who are not indispensable are reintegrated into civilian life. The result is authentic though partial disarmament and demilitarization, and a reestablishment of unified control over soldiers and weapons (Escola de Cultura de Pau 2009b: 8).

¹⁶ Ferrer, R., Major General in Command of East Mindanao. Interviewed by the author. Davao, March 13, 2009.

¹⁷ A basic classification of the types of disarmament measures can be arranged by objective: decreasing demand, or affecting the motivations generating the need for arms; controlling the existing supply through legislation and practices which restrict the use and possession of firearms; and restraining surpluses through the collection, reduction, and destruction of arms in the hands of the civilian population, in illegal armed groups, and in government arsenals (Luz 2003: 11).

Integration into the Armed Forces is considered one of the most successful processes because the MNLF wanted to be part of the military of the autonomous region of Mindanao, which smoothed the discussion point on it in negotiations. However, integration into the military, foreseen to take place between November 1996 and November 1999, later extended a year, was delayed due to a late submission of the list of candidates qualifying for integration (Escola de Cultura de Pau 2007: 2). In addition to delays in applying the process, obstacles also emerged. Age was an issue: combatants active during the 1970s were now between 40 and 50 years old during the process of integration and were declared unfit to serve in the government security forces. Consequently, figures estimated that scarcely 30 percent of integrated persons were truly combatants of the MNLF, while the rest were "successors" (normally their sons). There were also issues of trust due to the cultural differences between integrated and non-integrated persons. This was noticeable in a mutual distrust exhibited over certain aspects of the process, such as the surrendering of arms, requiring a period of preparation that was both psychological and cultural in nature (Santos 2009: 5).¹⁸

After integration, cultural differences were a new source of criticism. A 2006 OIC declaration, for example, made clear its discontent with the government's lack of fulfilment of the 1996 agreement, because the government put integrated MNLF ex-combatants into units separate from those commanded by MNLF persons. Also criticized was the deployment of troops, including MNLF members, to combat the "brothers" of the MILF and a pretence to create a special Armed Forces for Mindanao, which maintained the same centralized chain of command as before (Santos 2009b: 8).

Lastly, amnesty based on a variety of government decrees and proclamations, was granted to ex-combatants for the duration of the peace process.¹⁹ Looking at other contexts, it is common for programs of this nature to offer amnesty without much intervention from special courts, Truth and Reconciliation Commissions, or other alternatives related to the achievement of truth, justice, and reparations (Escola de Cultura de Pau 2008: 14). The nature of the relationship between ex-combatant reintegration and application of transitional justice measures is complex and diffuse, both at the conceptual and normative levels. An example of this is the fact that errors in DDR have reduced security and diminished perspectives for transitional justice,

even though DDR program subsidies usually minimize the benefits of reparations to victims (Duthie 2005: 2). Transitional justice mechanisms can have a positive impact on the safety of citizens, but they can also increase the feeling of resentment between ex-combatants and increase the tension of being accepted by host communities. In Mindanao, proper planning to apply strict legal measures has not occurred, possibly because the potential of the MNLF reconstituting itself as an armed group and the security threat posed by other armed groups in the region.

In any case, the experience of social reintegration and integration into the Armed Forces weighs heavy on government programs of ex-combatant reintegration. If the Philippines continues to support bilateral strategies of reintegration, as a show of legitimacy and improvement to achieving objectives and constructive capacities (Muggah 2004: 35), it will have to decide to which degree experiences (of, for example, self-determination or granting necessities for reintegration) need to be taken into account for future processes, with, for instance, the MILF. If the government intends to apply DDR to the MILF, all the existing baggage, both the good and bad practices, cannot be applied at the same time.

¹⁸ Holganza, C., General of the Philippine Armed Forces. Interviewed by the author. Manila, March 3, 2009. An example of this was the fact that training in the beginning did not accommodate Muslim prayer times, though this was rectified over time.

¹⁹ Proclamation No. 138 of 1988; Executive Order 350 of 1989; Proclamation 10 of 1992; Proclamation 347 and 348, amended by 377 of 1994; Proclamation 723 of 1996; Proclamation 21 of 1998; and Proclamation 390 of 2000. Proclamation 347 established a National Amnesty Commission (NAC), responsible for receiving and registering amnesty applications and accepting or refusing them. By 2006, the commission had received 25,000 applications of amnesty and had issued amnesties to more than 20,000 ex-combatants of various armed groups (OPAPP/UNDP 2006: 43-44).

Government-MILF peace process: is DDR feasible?

In 2008, government-MILF conflict reached a peak and generated fears about a possible reopening of armed conflict in Mindanao (Escola de Cultura de Pau 2009: 39). The most important outbreak of violence occurred in August 2008 when the Supreme Court declared the MOA-AD unconstitutional just hours after the agreement was signed (Fisas 2009: 174).²⁰ The declaration of unconstitutionality was interpreted by the MILF as the state's lack of commitment to the peace process. The MILF asked the government to clarify its position on the process and criticized its inaction in consulting with communities.²¹ Trust between the sides has deteriorated since and has been aggravated by Malaysia's decision to withdraw its participation from the International Monitoring Team, by continued confrontations in parts of Mindanao, and by government accusations that some factions of the MILF (led by Ameril Umbra Kato, Abdullah "Bravo" Macapaar, and Aleem Sulaiman Pangalian) have attacked towns in North Cotabato and Lanao del Norte and have worked with Abu Sayyaf (Escola de Cultura de Pau 2009: 39).

The government of Gloria Macapagal-Arroyo, for its part, opted to follow the strictest constitutional path and decided to change course: initially, it determined DDR was to be a precondition for resumption of the peace process (Government of the Philippines 2008). Later, after consultations with the international community, DDR was made not a precondition but a component of the peace process, and in March 2009, the government demonstrated greater proclivity to recommencing peace talks without any sort of attached precondition (OPAPP 2009).²² The government aims to reinitiate peace talks in line with IMT requirements, that is, by focussing on security, development, and DDR, and under no circumstances raising questions about altering the constitution so the MOA-AD is made legal. The MILF, meanwhile, in addition to maintaining the MOA-AD as its main tool of negotiation and not merely as a legal document, requires greater clarification on the points the government wishes to negotiate (ICG 2009: 7). The

20 The MOA-AD is a Memorandum of Agreement on various points agreed to by consensus by teams of negotiators of the Government of the Philippines and the MILF. The agreement, more specifically, outlines the Agreements and Principles, Territory, Resources, and Governability of the Ancestral Domain. It is directed in particular to the Bangsmoro people, a native population of Mindanao. The main goal of the MOA-AD is to ensure free elections for the indigenous population.

21 Arnado, M., Director, Mindanao People's Caucus. Interviewed by the author. Davao, March 10, 2009.

22 Proof of this goodwill was the International Solidarity Conference, celebrated in Davao on March 16-17, 2009, with representatives from distinct actors involved in the government-MILF peace process. See the resolution of the conference at <<http://www.taboan.net/forum/topics/international-solidarity>>. Further and more specific proof can be found in the conference speech of the secretary of the OPAPP, located at <http://groups.yahoo.com/group/internationalsolidarity_mindanao/message/14>.

MILF aspires to achieving no less than the conditions granted to the MNLF in 1996 (ICG 2009: 1).

The current situation needs to be treated with care. The prospect of presidential elections on June 30, 2010 could re-paralyze the process until a new government is sworn in and its position regarding negotiations is made known. Priority should be given to establishing a ceasefire in Central Mindanao where military operations are still underway, in order to allow displaced persons to return to their homes.²³ Trust measures that allow for the creation of new peace structures, avoiding preconditions for them and showing in turn commitment and imagination in reaching a new agreement, need to be advocated (Gorman 2009).

Having ruled out DDR as a precondition for a peace process (OPAPP 2009), DDR needs to locate itself in one of the many components of the process of negotiation, together with other approaches that need to be put on the agenda. Adding DDR does little more than take attention away from necessary previous or preliminary conditions. Without a peace agreement or process of negotiation, it makes no sense for the Philippines to debate the conditions needed to begin demobilization and reintegration. There are many options and recommendations for DDR that could be applied to the Philippines, but in the current context, aims like responsibility, transparency, and flexibility are more important than important than any decisions the government could make. At the moment, it is more important to settle how to forge a peace process, for which trust measures are essential, than to focus on the content matter of it.

In the event DDR is included, development and scheduling of DDR should be specified in the peace agreement signed by the sides, and later this should be made part of the process (Fisas 2004: 211). This does not only mean that DDR should be mentioned in the peace agreement, but that an explicit commitment should be made to administer a peace process and, more specifically, to conduct DDR. Only in this way can consensus be reached on the structure of programming to the highest possible level of detail (Pouliigny 2004: 14). In currently functioning DDR processes, a more detail has been put into program planning than into corresponding peace agreements, which, nevertheless, specify a need to demobilize and reintegrate groups of participating ex-combatants. It is even possible in some peace agreements to find instances where the number of combatants to demobilize has been specified (Escola de Cultura de Pau 2009b: 5).

23 Santos, S., Director of the South-South Network. Interviewed by the author. Manila, March 4, 2009.

The terminology of DDR could also be a barrier, even though more important is the concept, design, and implementation of it, including its integration into the overall peace process. The MILF has always interpreted DDR to be an attempt to dismantle it (MILF 2009), however it is important to bear in mind that in currently functioning processes in the region, 40 percent of demobilized ex-combatants are members of the Armed Forces. Neither does DDR imply strictly short-term logistical, managerial, and administrative measures; rather it puts in place the foundations for long-term reconstruction (Santos 2009). DDR is not a substitute for political solutions, but rather it comes together with other peacebuilding tools, such as socioeconomic recuperation, security sector reform, and the reestablishment of the rule of law. (United Nations 2006) It is a process and not simply a program, incorporating, through an acknowledgment of the psychological, subjective, and political aspects inherent in it, the priority of communication, dialogue, and debate, as well as the development of human and institutional capacities. DDR is part of a structure of wider security, stability, and recuperation (Fisas 2004: 211). In place of DDR, some argue the Philippines needs to find a common stance on a demilitarized Mindanao, in accordance with the security and socio-cultural realities of the island.²⁴

Initially, the focus will need to be realistic and provide MILF combatants' guarantees of security; it will need to approximate disarmament in the context of DDR, combine training in reintegration with reinsertion packages, and strengthen the abilities of host communities to absorb MILF combatants through consultative and participative processes (Muggah 2004: 39-45). The approach to DDR, for the sake of implementation, will need to be flexible, non-traditional, and innovative, by way of prior consultations with local bodies. Disarmament, as a starting point, will need to be done in sequential phases and could involve demobilization and integration into security bodies. Management of arms warehouses should also be given consideration.

It is also important to remember that disarmament is part of the demobilization phase; combatants lose their status and begin transitioning to civilian life, which did not happen with MNLF combatants. If the sides can agree to demobilization, it means a variety of services can be offered, such as medical checks to evaluate physical as well as psychological damage; basic general attention to food, hygiene, clothing, etc.; a determination of the work-social composites of ex-combatants; provision of information on status options and possibilities for reintegration; vocational education and training; even, in some instances, transport to host communities (Escola de Cultura de Pau 2008: 29).

In previous reintegration process in Mindanao, reintegration occurred before disarmament and

demobilization since doing this the other way around, in the conventional manner, could have meant a loss of trust between the sides, particularly if it was done coercively. (Villanueva and Aguilar 2008: 7) As in many other contexts of ex-combatant reintegration, reintegration in Mindanao has been a challenge because it is difficult to find short-term alternatives to the livelihoods and employment conditions of combatants of groups like the MILF. Mitigating factors include institutional debility, problems arising from the state of political transition, democratic fragility, problems of violence, the destruction of infrastructure, and economic dependency on international cooperation, among others, which do not contribute to creating an environment amenable to seeking alternatives (Escola de Cultura de Pau 2008: 29). The means of reintegration are often accompanied by assistance for community development and a strengthening of local capacities (Muggah 2004: 13).

Reintegration is an essential process for which socioeconomic data needs to be determined (Muggah 2004: 7-8). In fact, it is more appropriate to speak of rehabilitation, more centred on recuperation and healing, than of the national integration for armed opposition groups which the reintegration process often aspires to (Santos 2009: 16-17). In any event, reintegration needs to be a mechanism to transform armed groups from their militarized status to civilian life. Reintegration can be classified into four areas of security: physical security of the person, economic security, political security, and social prestige. The aim of ensuring perceptions on ex-combatants receiving unjustly favourable treatment does not produce tension means activities of community reconciliation and psychosocial assistance need to be offered in order to reintegrate demobilized persons (Nilsson 2005: 43).

In Mindanao, it is important to work with agencies such as the Bangsamoro Development Agency (BDA) and to work with the local university so it can conduct preliminary studies on the educational levels of ex-combatants and determine their skills and aptitudes that can be applied to the local labour market (ICG 2009: 8). More technical aspects, such as the creation of a detailed database to help with data management, or the creation of control and monitoring mechanisms, can also help. Finally, in terms of execution, although the OPAPP has created a DDR Unit, the National Commission responsible for implementation should be mixed, that is, composed of the government and MILF. Another discussion taking place is on the suitability of incorporating an international presence in the abovementioned processes. As has been mentioned, it is the negotiation process itself which needs to agree to international involvement and the functions it is to take on, whether financial, supervisory, or technical. In any case, the processes, mechanisms, and tools to be adopted (some of them already noted) are as important as a process of consensual decision-making.

Conclusions

The variety of active fronts in Mindanao reveals the complexity of the situation facing the island. Firstly, the wide array of armed opposition groups with varying motives severely strains the peace process. Calls for rights by the indigenous population and a high level of government militarization (40 percent of the Armed Forces are deployed in Mindanao) complicate the situation further.

Beyond the difficulty of dealing with more than one armed group, each with different interests, and channelling the variety of parallel peace processes to their respective negotiations panels, avoiding certain related or connected factors does not contribute to the peace process either. Mindanao, it is important to note, is rich in natural resources, even if marginalized historically by Manila. The call for rights by the indigenous Lumad, the issue of access to and ownership of land (aggravated by *rido* and the weakness of the legal system in Mindanao), and an uncontrolled proliferation of small arms are just three of the aspects of the situation that need to be tackled in greater depth. Arms proliferation, viewed not as a cause of armed violence but a contributing factor, does not only need to be managed through cultural constrictions (including the status conveyed by gun possession, particularly in Muslim culture), but more importantly by addressing the structural shortcomings mentioned above.

The long duration and complexity of the armed conflict in Mindanao has resulted in an important experience with processes relating to ex-combatant reintegration into civilian life and integration into state military bodies. The peace process in Mindanao has prioritized reintegration based on development but has omitted processes of disarmament and demobilization, which could contribute to a progressive demilitarization of the region. Both design and application of programming warrant certain criticism, so not all of them are "good practices" to be applied in the future. Other aspects worsening the reality of peace in Mindanao include, for a variety of reasons, the non-participatory nature of the peace process, especially regarding local institutions and organizations, and delays in implementation.

Currently, the gulf in relations between the MILF and government is at a peak and negotiations have stagnated. Incorporating DDR merits special attention. DDR, as a possibility, is new for the Philippines. The country needs to consider whether it is truly feasible to implement it, once it has looked to its correct application as a modest and effective contribution to the peace process. If indeed the Philippines decide on DDR, as part of a flexible, responsible, and transparent process, it opens itself

up to variety of other possibilities. For this reason, this report makes the following recommendations, whether for the peace process applied to the MNLF or as part of a process for the government and MILF yet to be determined. The potential for incorporating DDR as an aspect of the peace process is also outlined here in a set of recommendations.

Peace Process (MNLF and MILF):

- Analyze the possibility of strengthening disarmament and demobilization programs for members of the MNLF;
- strengthen the ceasefire agreement adopted in 2003 before the 2010 presidential elections, if possible;
- prioritize the return of internally displaced persons to their places of origin;
- advocate support for traditional systems of conflict resolution;
- strengthen the legal system in order to mitigate the effects of *rido*;
- explore the possible legal channels for the MOA-AD, whether as constitutional amendments or modifications to relevant sections of the memorandum;
- increase the level of consultation with the civilian population and grant a more relevant role to LGUs;
- reinstitute an international presence for the sake of technical assistance and fulfilment of peace agreements; and
- include a gender dimension to the peace process.

Incorporation of DDR in the Peace Process with the MILF:

- Decide whether DDR is the most adequate approach for Mindanao and propose more comprehensive alternative proposals to demilitarize the island;
- adopt principles of transparency, responsibility, and flexibility, understanding that faced with a lack of peace negotiations, the processes, mechanisms, and tools decided upon are as important as the decisions taken;
- conduct an exhaustive analysis on DDR, making it known that DDR is not designed to dismantle armed groups since it is the result of a negotiation process; express also that DDR can include demobilization of members of the Armed Forces;
- explore the possibility of including phases of disarmament and demobilization, forgotten by the process of reintegration for the

- MNLF, and control strictly the proliferation of small arms as a means to building peace and altering the status of the combatant;
- prioritize community-based reintegration mechanisms for the MILF, consolidate civilian rehabilitation for ex-combatants, and develop the local level through participatory processes; understand that DDR in Mindanao makes little sense without a familiarization of family, tribal, and clan dynamics;
 - consider a variety of technical aspects, such as the identities of the executive bodies, the international presence, control mechanisms, databases, and information transmission;
 - plan for the possibility of incorporating transitional justice mechanisms which can serve as alternatives to amnesty, as done in previous process; and
 - explore the possibility of linking the MILF-government peace process to ex-combatant integration into government security forces, as with the MNLF.

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School for a Culture of Peace

The School for a Culture of Peace (*Escola de Cultura de Pau*) was founded in 1999 with the objective of organising a variety of academic and research activities related to the culture of peace, the prevention and transformation of conflicts, disarmament and the promotion of human rights.

The School for a Culture of Peace is principally financed by the Generalitat de Catalunya [autonomous government of Catalonia] via the Catalan Development Cooperation Agency, part of the Secretariat for Foreign Cooperation, and the Department for Universities, Research and the Information Society. It also receives support from other departments within the Generalitat and from local councils, foundations and other entities. The School for a Culture of Peace is run by Vicenç Fisas, who holds the UNESCO Chair on Peace and Human Rights at the Universitat Autònoma de Barcelona.

The main activities run by the School for a Culture of Peace include:

- A **Post-graduate Course on Culture of Peace** (post-graduate programme consisting of 230 classroom hours and 70 places).
- **Elective subjects:** "Peace culture and conflict management" and "Educating for peace and in conflicts".
- **Awareness-raising and conflict intervention initiatives** to facilitate dialogue amongst the parties involved in a conflict.
- The **Human Rights Programme**, which monitors the international status of human rights, and especially the thematic fields currently setting the world agenda, such as the influence of terrorism on the enjoyment of individual rights and corporate social responsibility.
- The **Programme on Education for Peace**, which strives to promote and develop knowledge, values and skills for education for peace.
- The **Programme on Music, Arts and Peace**, which focuses on research into the contribution made to peacebuilding by the arts.
- The **Disarmament Programme**, which works on various issues in the area of disarmament, with special emphasis on micro-disarmament, demobilisation and reintegration (DDR) programmes for combatants, and is also monitoring weapons exports.
- The **Conflicts and Peacebuilding Programme**, which undertakes daily monitoring of the international situation in the realms of armed conflicts, situations of tension, humanitarian crises, development and gender, in order to issue its annual report "Alert!", plus fortnightly, monthly and quarterly reports.
- The **Peace Processes Programme**, which monitors and analyses the different countries with peace processes or formalised negotiations underway and also those with negotiations still in the exploratory phase. This programme includes the "Colombia Project", devoted to giving greater visibility to the peace initiatives in Colombia.
- The **Post-war Rehabilitation Programme**, which monitors and analyses international aid in terms of peacebuilding in wartime and post-war situations.

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