

WMP Book Project – Interim Funder’s Report

APPENDIX Z

INTERNAL ROUNDTABLE DISCUSSIONS

Panelists

1. **Prof. Anuradha Chenoy**, Professor, School of International Studies, Jawaharlal Nehru University, New Delhi, India
2. **Dr. Clarence J. Dias**, President, International Center for Law in Development, New York, U.S.A.
3. **Prof. Surichai Wun Gaeo**, Professor, Faculty of Political Science, Chulalongkorn University, Bangkok, Thailand
4. **Ms. Alicia Raymundo**, Deputy Director, Resource Center for People’s Development (RCPD), Quezon City, Philippines

Introduction

1. It is very important for Arena’s human security project to also side by side study conflict (although security is not entirely about conflict) and also that conflicts are increasing rather than decreasing. Given our concept of an emerging Asia, the number of conflicts should have been decreasing rather than increasing;
2. The conflicts are primarily internal in nature, which goes to show that states have actually failed, to some extent, to resolve the aspirations of communities;
3. Although the conflicts are internal in nature, they spill over to other countries in terms of both the problems they give to their neighbors such as refugees, etc. and also those in conflict situations are viewed as “outsiders” belonging to another state and not primary citizens of the country in turmoil.
4. All these conflicts in Asia have many similarities even though they are locally and culturally specific. From these, perhaps we could look for common solutions or solidarities on how to look at these conflicts. We don’t have to accept the conflict resolution models that we can readily get but look for solutions from the stakeholders involved in the conflicts.

Case Presentations

I. Ms. Alice Raymundo

Case Study: *Two Aspects of Conflict in the Philippines: The Political Crisis and the Armed Conflicts. What are the Prospects for the Resolution of these Conflicts?*

A. The Political Crisis

The biggest conflict in the Philippines now is between an illegitimate president, Mrs. Gloria Macapagal-Arroyo, and the Filipino people:

1. Mrs. Arroyo was found to have cheated to win the elections in 2004. Her conversation (over the mobile phone) with an election official was recorded by military intelligence and released to the public a year after the elections, in June 2005.
2. The controversy triggered a political crisis that put into question the legitimacy of the 'president;' the movement to remove Mrs. Arroyo from power snowballed:
 - a. Series of resignation of Cabinet members and other government officials in July 2005
 - b. Huge rallies and demonstrations in Manila and key cities across the country, involving the following forces:
 - 1) *Elite opposition/traditional politicians* - calling for the resignation of Mrs. Arroyo; but they differ in terms of alternative:
 - a) *Constitutional succession*, the vice president was to replace the president. But because the vice president is a party mate of the president many believe he also benefited from Mrs. Arroyo's cheating, and therefore, he too, does not deserve to be in power. They are instead pushing for the Senate president to assume presidency or to hold a snap election. The Opposition in the Congress – tried to file an impeachment case against Mrs. Arroyo but lost
 - b) *Restoration of ousted pres. Erap Estrada*
 - c) *Caretaker government* composed of former presidents Cory Aquino and Fidel Ramos, and the wife of the presidential candidate who was believed to be cheated, actress Susan Roces.

- d) They attempted to do another people power-type of uprising like the one that ousted the dictator Marcos in 1986, but did not succeed. There was so much skepticism among the people towards the traditional politicians.
- 2) *Militant mass movement* – composed of the different progressive and Left organizations that have coalesced and put forward the call not only to remove Mrs. Arroyo from power but also to end the current form of government and political system dominated by the elite. As an alternative, the movement is calling for the establishment of a *transitional revolutionary government* composed of all the democratic forces who will oust Mrs. Arroyo and who will institute economic and political reforms (moratorium on debt payment, agricultural subsidies, price control, computerization of elections, constitutional change, electoral reforms, etc) before holding an election for a regular government.

This broad coalition united the erstwhile fragmented organizations and political parties who broke off from the mainstream Left in the early '90s, progressive sectoral representatives in Congress, progressive section of the social democrats, academics, women's groups, HR groups, etc. The leader of this coalition is the former president of the University of the Philippines.

- 3) A section of the military, composed mostly of progressive junior officers, attempted to launch a mutiny in February 2006. They too, want Mrs. Arroyo out of power, set up a transitory government that will implement reforms.

B. The Armed Resistance

Alongside the political unrest, is armed resistance waged by various groups including:

1. *New People's Army* (NPA) under the Communist Party of the Philippines – adopted the Maoist line of waging a protracted people's war by encircling the cities from the countryside since 1969.
2. *Revolutionary People's Army-Alex Boncayao Brigade* (RPA-ABB) – an armed partisan group
3. *Revolutionary People's Army* (Rebolusyunaryong Hukbong Bayan or RHB)
4. *Moro National Liberation Front* (MNLF) – The revolutionary group of the Bangsamoro people
5. *Moro Islamic Liberation Front* (MILF) - A group that broke away from the MNLF and is waging its own war for the people's homeland.

The first 3 groups share a common historical root, the Communist Party of the Philippines. The last 2 groups sprung from the Moro National Liberation Front.

C. Status Of The Crisis

At the moment, it is a stalemate. While the efforts of the various political forces trying to remove Mrs. Arroyo from power have not succeeded yet, Mrs. Arroyo still has difficulty trying to survive the crisis. Instead of addressing the root causes of people's unrest, Mrs. Arroyo's administration has resorted to more repressive measures to quell the resistance.

1. *Cases of political killings of activists and journalists*, arrests and detention of political activists
 - a. 10 killings in 2 weeks
 - b. Jan 2001 – present – 221 killed
2. *Anti-Terror Pact w/ the United States* – Setting up of a joint panel between the US & Philippines called the Security Engagement Board. Some features:
 - a. Co-chaired by the US Pacific Commander and AFP Chief of Staff;
 - b. Provided a clearer framework for dealing with non-traditional security concerns (those not covered by the Mutual Defense Treaty and the Visiting Forces Agreement).
 - c. US forces joined military operations against the MNLF in December 2005.
3. *Calibrated Pre-emptive Response* or CPR instituted in October 2005 against protestors - not much different from George Bush's pre-emptive strike, it was so vague anybody could be subjected to arrest and detention. A rally or demonstration doesn't actually have to be held - merely planning one or holding an assembly can be grounds for arrest. As a result many activists were arrested.
4. *Executive Order 464* – A gag order against senior officials of the executive branch, of the military and of the police. Permission from the President was needed before appearing before any senate or congressional inquiry.
5. *Declaration of a State of National Emergency* on February 24, 2006. Anniversary of the "People's power revolution" that ousted Marcos. Tens of thousands of people were on the street, when the declaration was made. The police violently dispersed and arrested hundreds of marchers, but the people were not scared. On February 25, 26 and 27, a series of demonstrations was again held. A faction of the military attempted a mutiny but failed.
6. *An Anti-Terrorism Bill* was passed in Congress in March 2006. Wiretapping, bank secrecy and a national ID system were to be instituted.

7. *Charter Changes.* The Arroyo administration is also tinkering with the Constitution, pushing for a series of amendments, purportedly to shift to a parliamentary form, but actually intended to keep her in power.

Attitude towards the Rebel Forces:

Except for the RHB, the government has initiated peace talks and forged an agreement with the groups indicated in section B-2 to 4. With RPA-ABB it has forged a ceasefire agreement. Problem: The government wants to set as precondition for talking peace is the surrender of arms but did not address the substantial issues which are the root causes of armed resistance in the first place.

D. Prospects for the Resolution of the Crisis

Depends on who could muster the greater strength. The manner by which the crisis will be resolved will determine the outcome of the crisis (who will replace, what kind of government, platform). The following factors will play an important role in the resolution of the crisis:

1. *People's Movement* – capability to mobilize more and launch militant actions like general strikes, huge demonstrations, transport strikes, etc; need to garner the support of the middle class – they are against Arroyo but have not joined the protest actions
2. *Guerrilla Forces* - intensify attacks on military and government targets; capacity to generate favorable public opinion (local and international) and mass support
3. *Elite Opposition* - success of the next impeachment case; derailing of the constitutional change; holding of a snap elections
4. *Military Rebels* – Consolidation and strengthening of ranks, especially amongst the younger more idealistic officers (captain, lieutenant) rather than the senior officers (colonels and generals) and capacity to generate mass support or forge cooperation with the people's movement.
5. *Arroyo Administration* - charter change; consolidation of loyal military forces; possibility of launching a *coup d'etat* from within.

II. Dr. Clarence J. Dias

Case Study: *(Untitled)*

There is very little *effective conflict resolution* in Asia. Conventional peace studies and peace NGOs, etc. are clearly not working in Asia. We don't have early actions that are effective. Governments and inter-government level, early action seems to be

a problem though there have been some developments there.

There is even no new thinking on *conflict prevention* by governments and inter-governmental levels. Communities are finding their own ways of avoiding conflict when they are able to do that and so we need to look more closely at that.

In terms of *peacemaking*, groups like Arena need to study peacemaking processes in Asia for being problematic. Peacemaking, like in Cambodia for example, is usually international peace accords negotiated by some countries that are able to have some influence with the combatants in the country and putting forward a peace accord.

In Asia, we have two notorious examples of this: *UNTAC* in Cambodia and *UNTAET* in East Timor and since they have “UN” in them, this hasn’t made them any less problematic. They haven’t really been exposed in terms of contributing little to peace-building in Asia.

Government after government in Asia has been involved in anti-people backlash insofar as there have been movements from below that are challenging conventional governmental elites on environmental issues, gender issues, social movements and pro-democracy struggles.

The governments are further ahead than NGOs in developing sophisticated anti-people backlashes so the gains made by the movements are being engulfed. There are two major techniques used:

1. *Cultivation of poverty*. The adoption of macroeconomic policies in the name of reducing poverty is producing economic growth and development, which exacerbates the gap between the haves and the have-nots within the country itself. Because there is a large impoverished section in the community you are able to control them more.
2. *U.S. Unilateralism and the Global War on Terror*. These devices are being used by governments that do not want to relinquish their hold on power to reverse the gains made by the social movements and other democratic forces.

Asian states unlike Europe, have regional intergovernmental machineries that are actually meant to cooperate in putting down people. They are not effective in sustaining regional development and in promoting regional human security and well-being.

The recourse then for those working for development and human security is to elevate grievances to international fora and arena in order to force governments to respond and get national processes working more for the people’s welfare.

Looking at some international developments particularly under UN auspices:

1. *The International Criminal Court Treaty*. Two outstanding concepts of international relations emerged: *universal crime* and *universal jurisdiction*. Two heinous offenses are considered *universal crimes* - war crimes and crimes against humanity. Universal crimes are crimes committed anywhere in the world even if these crimes are not prohibited in the statutes of a country. On the other hand, *universal jurisdiction* refers to jurisdiction of the International Criminal Court anywhere in the world where a universal crime has been committed and where the ICC is interested in bringing the perpetrator(s) to justice. There are already cases along these lines and the Pinochet case is the first of that.
2. *Unanimous Adoption of the Human Rights Defenders Declaration* during the 50th anniversary of the Universal Declaration of Human Rights by the member-nations of the UN. This is a particularly fine piece of resolution that is underutilized by the human rights NGOs especially in the light of the killings and disappearances of human rights defenders.
3. *Creation of the Human Rights Council in May 2006* replacing the Human Rights Commission. It operates in a nonselective, no double standard manner and conducts a universal periodic review of human rights of each and every member-states done in a random manner in-country. It allows participation of the NGOs and civil society (social movements, trade unions, people's organizations, etc.) in its proceedings. They respond to situations of human rights violations after which recommendations will be submitted at the end of the day.
4. *Creation of the Human Security Network*. An example of the new breed of multilateralism, it has been working to use the UN as the fora to set normative standards and definition of the concept of human security. This is a network of 14 UN member-countries that operates at the inter-ministerial level whose members are not diplomats. This network can make laws, standards and builds capacities to enforce compliance to those standards. Thus, this is an important forum for Asian NGOs to bring issues that can be worked by them.
5. *Creation of the UN Peace-building Commission*. Adopted by the last General Assembly coming out of the Outcomes Document, it was given the mandate of conflict resolution and peace-building but it cannot prevent conflicts.

Few points need to be elaborated:

1. *The Right to Protection*. More than 50 years ago the UN created a human rights framework: the Universal Declaration of Human Rights and the human rights treaties. There were two concepts elaborated: The concept of rights and the concept of duties. The duties, which were primarily of governments but not only of governments, included: the duty to respect

human rights, the duty to protect human rights, the duty to promote awareness of human rights and the duty to fulfill human rights.

2. *The Responsibility to Intervene.* In the peace and security part of the UN, they are coming back with the right to protection AND the corresponding *responsibility to intervene*. There is no problem with the right to protection but the responsibility to intervene is problematic unless it is consistent with the UN charter. While we welcome the right to protection, we don't want this right developed under peace and security to strengthen the doctrine of the responsibility to intervene.

In closing and to highlight where Arena's work might go in taking this further, we need more kinds of new tools and interventions for conflict prevention, peacemaking, and peace-building. Some important tools are being designed which could be used. We need to study them and look at their application in our work. Two of these being:

1. *Conflict Sensitivity Approach.* A new methodology to address the issue of conflict prevention so that essentially UN interventions can target them. In applying this approach, it obviously has to involve civil society and NGOs. We need to study this and take it out of the hands of UN bureaucrats.
2. *Training in Non-Violence Strategizing.* Communities need to be trained in formulating effective non-violence strategies so these can be used to promote human security more effectively. This is not a panacea but this could go a long way towards more effective and secure communities. We can move non-violence from rhetoric and advocacy to being effective strategies.

III. Prof. Surichai Wun Gaeo

Case Study: *Understanding Violence in Southern Thailand*

Introduction

The challenge for us now is not that we talk because we are all related through Arena despite all the complexities and oftentimes very pessimistic circumstances prevailing, but that we need to see through these complexities and discourses and see how we in Arena can really make the most out of these positive forces around us. We have to see how we can deal with ourselves and, despite our limited efforts, we can still make a difference.

Flare-up of Violence

Looking at the three provinces in the southernmost part of Thailand, which are all Muslim-dominated, the violence resulting to killings, murders has made the situation in that part very serious in the eyes of the public (*Note: from the paper distributed,*

the two-year period 2004-2005 showed an average of 1,773 incidents per year, a dramatic increase from the average of 68 incidents per year during the preceding 11-year period).

During the early days of the present Prime Minister's administration (he came into power about the same time as Arroyo of the Philippines did), he was accessible and quite open to civil society and the NGOs but after the first year he became more crisis management-centered and warmed up to the U.S. by sending troops to Afghanistan and becoming a part of the Coalition of the Willing that eventually sent troops to Iraq. He embraced globalization willingly with its promise of greater growth and development and led him to dissolve institutions (*the paper showed these institutions to be the Center for Direction and Administration of the South and the Joint Operations of Civil Police and Military*) that could have helped allay the increasing violence in the South. He perceived these institutions to be highly partisan – close to the opposition – and mistakenly thought that the situation was not that bad.

Power Politics at Play

The situation in the South has historical roots. In the past two decades, the situation had been contained through institutions (such as those mentioned) that were highly sensitive culturally and politically to the people in the region and thus the violence was not as glaring then. However, the actions of the administration during the past two years turned the situation for the worse as decisions became increasingly Bangkok-centric and resulted in a flare-up of the violence (*as can be seen in the graph in the paper*).

The situation is even dangerous for the human rights defenders as can be gleaned from the case of a top Thai Muslim lawyer, *Somchai Neelapaichit*, who was involved with human rights cases especially those in the South. Mr. Neelapaichit was abducted in Bangkok in March 2004 and hasn't been heard of since. Mobile phone records (*shades of the Philippine experience in the Garci tapes!*), however, indicated the involvement of some Bangkok policemen in the incident and so the possibility of arrest of some of them has arisen.

This case and other similar cases shocked the Thai people and led to fears that even in the center of the country such things would be happening. This illustrates how Bangkok-centric political decisions have been so negative in dealing with the complex issues in the South.

However, the PM's political acumen could not be denied and somehow, his largely populist stance in dealing with the emergency situations especially after the *tsunami* hit Thailand and media showed him quite active in the *tsunami*-hit areas during the emergency, enabled him to win the last general elections by a landslide.

This shocked those who were involved in human rights work. They thought civil

society, the constitutional movement and the institutions that were in place were quite strong and vibrant. This made them realize that they were dealing with a new kind of politics that was in power. From the polls that showed the PM's actions gaining wide acceptance, this led the human rights advocates to conclude that the public were misled by this "quick-fix" politics. This kind of politics parallels the Philippine experience in all its jargon of efficiency and globalization.

New Politics

Despite the worsening situation, somehow they must also find the space to meet the government's anti-people policies but more grounded on cultural sensitivities.

To illustrate: The incident two years ago involving the dispersing of a rally in Narathiwat Province where 1,300 people were arrested, 79 people were killed and a number disappeared so shocked the nation and led to demands for a commission to investigate the case. The PM acceded to the demands and formed this commission a year ago (*Note: Mr. Surichai is part of this commission*). The commission wound up its work recently and is ready to submit its report. This illustrates the point that where there is a space where human security advocates could promote and project its advocacies, we should take those opportunities. This can be used not just to address specific situations but to project advocacies and engage the public in these debates.

Now, they are starting to talk about the Malay language as the working language for the South and the broader option of some form of decentralization (the term "autonomy" was not used) emphasizing community rights and respect for cultural diversity within the framework of the constitution and international norms. These are some of the proposals that they will try to tackle through public debates.

They are also walking on a tightrope right now. They thought the Prime Minister would never be easily weakened because of the mass support he has but the recent assertion of the judiciary of its political independence makes it a part of the re-democratization process happening in the country. They see these dynamics happening and are closely watching how these will play out.

The Challenge to Arena

Looking back at Arena again, we should see, develop and become aware and more sensitive of new tools that we can use not just to increase people's security, livelihood security, etc. but also new ways for people to relate and make sense out of each other within the different countries in the region.

Just recently, the Asian Studies Institute of Chulalongkorn University was requested by the Commerce Ministry to come up with a strategy on how to work with Pakistan since the Prime Minister was scheduled to visit that country. Along that line, there was no ready-made formula for such a relationship. This is just the sort of thing that Arena can be very helpful in terms of human network since we are not that numerous

but we need to be more up-to-date and adaptive of changing contexts.