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The Philippine Response to Terrorism

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ABSTRACT

This paper is a study of how the Philippines has responded to terrorism - currently considered by the United Nations to be a major threat to world peace and security. The author examines the conditions that give rise to terrorism in the country; the strategy and programs adopted by the government to confront this threat, and makes an assessment what to expect - whether or not terrorism will continue to exist in the Philippines, and why.

Introduction

What is terrorism? In the United Nations, there is yet no consensus on an explicit definition of the term, even after the conclusion of 12 conventions relating to terrorism. States differ in their definitions, but if we recall the aftermath of 9/11 in the United States, the Bali bombings of 2002 and 2005, or the bombing and sinking of a SuperFerry off the coast of Bataan (Philippines) in 2004 and picture the wanton violence, the massive destruction, and the loss of numerous innocent civilian lives in these catastrophic events, then we may come to a common understanding of what terrorism is.

From the observed nature of terrorist incidents that have happened in different parts of the world we can perceive the common elements of terrorism to be the following: a) the premeditated or deliberate use of force or violence, b) directed against civilians or non-combatants, c) perpetrated by non-state actors, d) to achieve a political purpose.

In the Philippines, terrorism was first officially defined by Presidential Memorandum Order (No. 121, 31 October 2000) as:

“The premeditated use or threatened use of violence or means of destruction perpetrated against innocent civilians or non-combatants, or against civilian and government properties usually intended to influence an audience. Its purpose is to create fear that will aid in extorting, coercing, intimidating, or causing individuals or groups to alter their behavior. Its methods, among others, are hostage-taking, piracy, sabotage, assassination, threats, hoaxes, and indiscriminate bombings or shootings”.

The executive branch of the Philippine government formulated this definition in the absence of a legislative policy on terrorism, and it was used as the basis of law enforcement actions by security forces through to 2007. In March 2007 the Philippine Congress enacted Republic Act No. 9372, otherwise known as the “Human Security Act of 2007”, that defines terrorism as a crime and providing penalties for terrorist acts. This legal definition of terrorism, although specifically and precisely adopted for the Philippine setting, does not depart from the general common elements of terrorism as outlined above. The pertinent details of this new law will be briefly discussed in the latter part of this paper under the subtopic ‘legal measures’.

Terrorism and insurgency

The concept of terrorism as described or defined above is related to the concept of insurgency. Insurgency is a slow-burning revolt, characterized by the gradual development of armed opposition to the duly constituted authorities with the ultimate aim of overthrowing the established order or otherwise forcibly creating change in society. Insurgency is defined in the *Merriam-Webster's Collegiate Dictionary* (2001) as a state or condition of revolt against a government that is less than an organized revolution and that is not recognized as belligerency. It is less than a full-blown rebellion, and so the insurgents or rebels will generally have no legal standing or rights under international law.

In contrast, belligerency is the stage of revolt, run by a responsible organization, which has already reached serious proportions, so as to render the issue between the contending parties uncertain. It also makes possible its continuance for a considerable time. In this situation, the hostilities have the character of war, and are carried out in accordance with the rules of war. At this stage, international entities may recognize the rebels and/or the rebellious community, as being in the state of belligerency (vis-à-vis the incumbent government), and the belligerent community is considered as an international person, having legal standing and rights under international law (Paras, 1968, pp. 52-8).

In relation to insurgency, and in a restrictive sense, terrorism is a tactic and technique used in combination with guerrilla tactics and conventional military action, to achieve their political aims (O'Neill, 1990, pp. 17-21). But terrorism is more than this – it can be a political movement, especially when terrorist acts are the main strategies and methodologies persistently and consistently employed to achieve organizational goals. In this case, the civilized society and the international community are justified in labeling these rebels or insurgents as terrorists and criminals, and in condemning terrorism as a menace that should be confronted and eradicated.

The phenomenon of terrorism in the Philippines long preceded 9/11. In August 1991, the bombing of a Christian missionary ship, MV Douulus, docked at the port of Zamboanga City revealed for the first time the face of modern-day terrorism and its consequences; in this case the violent death of two foreign missionaries and the injury of 40 other crew and staff members. This dastardly act, the handiwork

of the Abu Sayyaf Group (ASG), was followed by the hostage-taking of religious personalities: two Spanish nuns in Sulu (January 1993); a Spanish Catholic priest in Basilan (March 1993); an American Protestant missionary in Sulu (November 1993); a Filipino Catholic priest in Basilan (June 1994); and a Filipino priest, this time with 54 other civilians in Basilan (March 2000), (*NSC Brief*, 2000).

But the ASG was not alone. Communist insurgents, or the New People's Army (NPA), also engaged in terrorism. Instances included the bombing of civilian transport and communication facilities; a series of assassination of civilians or non-combatants such as the killing of Congressman Rodolfo Aguinaldo, Congressman Marcial Punzalan, and Mayor Cesar Platon (Pobre, 2005, pp. 5-6); and, earlier, the killing of a JUSMAG officer, Col. James Rowe, with diplomatic immunity (*PC/INP Investigation Report*, 1989).

In the south of the country, the secessionist rebels in Mindanao, not to be outdone, carried out bombings of civilian infrastructure, raids and lootings of communities, and the hostage-taking of civilians.

It is apparent that terrorism in the Philippines grew out of the communist and the secessionist insurgencies that have beset the country for decades, and that were later exacerbated by the involvement of foreign radical movements. Insurgency came first and terrorism followed, used by the insurgents as a major weapon of warfare in combination with guerrilla tactics. Previously, terrorism was localized, but in recent years, it has acquired an international color as foreign extremists have come into the country to exploit the local conflicts for their own politico-religious agenda.

Thus, the measures and strategies to combat terrorism must be dovetailed with those that address the internal conflicts in the country, namely the two insurgencies. The underlying conditions that breed insurgency are the same conditions that foster terrorism. Because of the transnational character of terrorism, cooperation with the international community is also necessary in dealing with this threat.

Current terrorist threats in the Philippines

CPP/NPA/NDF

The CPP/NPA/NDF is a communist revolutionary movement composed of three components; the political party – the Communist Party of the Philippines (CPP); the armed group – the New People's Army (NPA); and the above-ground united front or alliance of various revolutionary forces – the National Democratic Front (NDF). Its avowed goal is to overthrow the government of the Philippines and establish the so-called “people's government based on the worker-peasant alliance under the leadership of the proletariat and its party” (Liwanag, 1998). The CPP calls itself the advanced detachment, and materialization of the class leadership, of the proletariat. It has engaged the Philippine State in an armed rebellion since 1968, guided by the strategy of protracted people's war and seizing political power by “encircling the cities from the countryside” (*CPP Central Committee*, 1991).

While basically a revolutionary movement, the CPP/NPA uses terrorism as a major weapon side by side with guerrilla tactics such as assassinating civilians it considers enemies, perpetrating abductions, bombings, the burning of facilities like communications and transportation assets, and the intimidation and coercion of the civilian population, especially in the countryside.

ABU SAYYAF GROUP (ASG)

The ASG is an extremist group whose aim is to establish a theocratic Islamic state in the southern Philippines. Its area of operations covers the islands of Basilan, Sulu, and Tawi-Tawi, and parts of the Zamboanga peninsula. It is engaged in kidnappings, bombings, assassinations, threats and extortion. It gained world notoriety when ASG elements raided the Malaysian tourist island of Sipadan on April 23, 2000, abducting and holding 21 persons, mostly tourists, as hostages. In the following year, the ASG raided the Dos Palmas tourist resort in Palawan, and took 20 hostages, including three Americans. In this latter incident, the ASG killed two Americans (Probre, 2005, pp.6-8).

This group acknowledges having links with, and receiving support from, Al Qaeda. During the hostage-taking of students and teachers in Basilan in April of 2000, one of the demands of the ASG in exchange for the release of their hostages was “the release of their brothers who were apprehended in the USA, namely: Sheikh Abdurahman Omar, Youssef Ramzi and Abu Haider” (*Report to the President by the National Security Adviser*, 2000). Omar and Youssef were among those accused of the 1993 bombing of the World Trade Center. Youssef was an Al Qaeda operative involved in several terrorism plots in the Philippines, including the bombing of Philippine Airline Flight 434 on 11 December 1994. Eid Cabalu, the spokesman of the Moro Islamic Liberation Movement (MILF), pointed to the ASG as being responsible in bringing the Jemaah Islamiyah (JI) into Mindanao. Gappal Bannah Asali, the ASG member who turned state witness in the 2005 Valentine's Day bombing of a passenger bus in Makati, revealed that Indonesian JI members were conducting training in weapons and explosives for the ASG in a training site at Mt. Cararao, Lanao del Sur (*Philippine Daily Inquirer*, 2005).

RAJAH SOLAIMAN MOVEMENT (RSM)

The RSM is a terrorist group first identified in 2002 as operating in Luzon. It is composed of Muslim converts who have become radicalized through their close association and training with the ASG and foreign jihadists, the Jemaah Islamiyah.

The RSM members were responsible for the 2005 Valentine's Day bombing of a passenger bus in Makati that killed three people and injured 98 others. Counter actions by the government led to the arrest of their leader Akhmed Santos and some members, which prompted the rest to flee to Central Mindanao (*Anti-Terrorism Task Force Presentation Brief*, 2005).

JEMAAH ISLAMIYA (JI)

The JI seeks to create a Pan-Islamic state across Southeast Asia. In coordination with Al Qaeda and local extremist groups, it has independent cells operating in the southern Philippines, Indonesia, Malaysia, Singapore and southern Thailand.

As early as 1996, JI elements had established training sites in MILF camps, where both MILF and JI cadres were trained. Some of the notorious terrorist bombings in the country were carried out with the involvement or support of the JI operatives. An example is the bombing of several public transports in 2000 resulting to the death of 22 people (*AFP Brief*, 2004).

MORO ISLAMIC LIBERATION FRONT (MILF)

The MILF is a breakaway group from the Moro National Liberation Front (MNLF) that has a peace agreement with the government that has resulted in the establishment of the Autonomous Region of Muslim Mindanao (ARMM).

The MILF is a secessionist movement whose goal is the creation of an independent Islamic state in the southern Philippines. Currently, the government is engaging the group in peace negotiations. A ceasefire between the two parties existed from 2003 until August 2008, when it was ended by the failed signing of an important document already agreed upon and initialed by the negotiating panels.

Before the peace process, frequent bombings of civilian infrastructures were attributed to the MILF. In 2000, the MILF forcibly occupied several civilian villages in Central Mindanao compelling the government to engage them in all-out war. Continuous offensive actions by government forces resulted to the dismantling of MILF camps, including its main base Camp Abubakar. However, most of the MILF forces escaped and dispersed, finding sanctuary in local Muslim communities from where they launched sporadic guerrilla activities.

The Philippine response

The Philippine response to terrorism is to confront it head on and defeat it with both offensive and defensive measures, taking into consideration the political and socio-economic context within which terrorism has arisen in the country. The response has four principal features. These are;

- The strategy adopted is holistic or comprehensive; that is, to fight the armed component of terrorism, as well as address the underlying conditions that breed it;
- All departments and agencies, including local government units, have been tasked and given a role in fighting terrorism, within their respective areas of competence;
- The response covers all the phases of the development of terrorist acts (before the attack, during the attack and after the attack), with the corresponding

counter measures, namely: the proactive phase (prediction, prevention, and preparation); the reactive phase (counter-terrorism actions); and the post conflict or consequence management phase;

- The response also includes close coordination and cooperation with the international community in fighting terrorism.

National policy

The national policy to combat terrorism was enunciated by the President in her “Fourteen Pillars of Policy and Action”, on the occasion of the Anniversary of the Philippine Constitution Association (26 September 2001). In it she declared:

“Upon these fourteen pillars of policy and action against terrorism, we shall work with the community of nations to build a strong and formidable bulwark against terrorism. In this quest, we shall be guided by the high principles of universality with the free and civilized world, drawing our stamina from the unity of all Filipinos wherever they may be, regardless of religion, creed, ethnic origin or social station. In our land, we shall defeat terrorism in our terms, with our own hands and in line with our own national vision. We shall win this war under the tenets of constitutional democracy and the rule of law”.

This policy is now embodied in Presidential Memorandum Order No. 37 (2001). The key principles of this national policy are:

1. *Supervision and Implementation of Policies and Actions of the Government against Terrorism.* The supervision of the implementation of anti-terrorism and counter terrorism policies and actions is lodged at the level of the Cabinet - to organize the whole enterprise and delineate clear lines of responsibility and accountability.
2. *Intelligence Coordination.* Efficient and effective anticipation of events shall be effected through intelligence and intelligence fusion, or the consolidation and sharing of overt and covert domestic and international sources of information on terrorism.
3. *Internal Focus against Terrorism.* The internal focus against terrorism shall be strengthened; the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) shall undertake all necessary measures to prevent and suppress lawless violence engendered by the terrorist threat, with the support and participation of local government units, non-government organizations, and private citizens.
4. *Accountability of Public and Private Corporations and Personalities.* Public or private corporations and personalities working as fronts of terrorists, or involved in terrorist activities or aiding and abetting terrorists, will be held accountable; and necessary legal proceedings shall be instituted against them.

5. *Synchronizing Internal Efforts with Global Outlook.* The government shall actively support and collaborate with the international community in the fight against terrorism.
6. *Legal Measures.* The policy of tactical counter-force shall be combined with a set of strategic legal measures.
7. *Promotion of Christian and Muslim Solidarity.* The Presidential Adviser on the Peace Process is to undertake all actions necessary to forge religious understanding, ecumenism and solidarity, including but not limited to pursuing broader inter-faith dialogues.
8. *Vigilance against Movements of Terrorists and their Supporters, Equipment, Weapons and Funds.* All law enforcement agencies are to exercise the strictest vigilance against movements of persons suspected of involvement in terrorist activities or of aiding and abetting terrorists.
9. *Contingency Plans.* The National Disaster Coordinating Center shall formulate contingency plans to be implemented in case of catastrophic terrorist attack, however remote this may be.
10. *Comprehensive Security Plan for Critical Infrastructure.* In coordination with the departments and agencies of the government and with the private sector, the Cabinet Oversight Committee on Internal Security shall cause to prepare a comprehensive security plan for critical infrastructures.
11. *Support for Overseas Filipino Workers.* Recognizing that the interest of overseas Filipino workers is paramount, the Department of Foreign Affairs and the Department of Labor and Employment shall support their immediate transfer out of harm's way in the event of tactical contingencies anywhere in the world.
12. *Modernization of the Armed Forces of the Philippines and the Philippine National Police.* The modernization of the Armed Forces of the Philippines and the Philippine National Police shall take into consideration the current and emerging needs to contain the global terrorist threat.
13. *Media Support.* The support of the media shall be fostered to enlighten the general public of the rationale behind government policies and actions against terrorism, and for purposes of accurate public information, to deprive terrorists of the benefits of glorified coverage and publicity.
14. *Political, Social and Economic Measures.* Recognizing the political, social, and economic underpinnings of terrorism, special development projects shall be undertaken to address poverty and ameliorate the conditions in areas vulnerable to courtship by terrorist groups.

This national policy was reiterated and further amplified by a presidential directive on counter terrorism dated 30 March 2003, in which one more guiding principle was added and emphasized: *to strengthen the peace process to isolate the terrorist group from the moderates.*

In compliance with the foregoing national policy, the Cabinet Oversight Committee on Internal Security formulated the National Plan to Address Terrorism

and its Consequences (NPTC). The Plan defines the national strategy in dealing with terrorism, lays down the framework for implementation of that strategy, prescribes the operational concepts and the implementing structures, and assigns roles and tasks to government agencies.

Implementing actions to address the security aspect

THE ANTI-TERRORISM TASKFORCE AND THE ANTI-TERRORISM COUNCIL

In 2004, a multi-agency Anti-Terrorism Task Force (ATTF) was organized and given the mission of “undertaking anti-terrorism measures within the territorial limits of the Philippines, to predict, prevent, deter and suppress acts of terrorism, and deny terrorists their sanctuaries, in order to neutralize local and foreign terrorists operating in the country” (*Pursuant to Presidential Memorandum on ATTF, 2004*). Its mandates were to formulate strategies, policies, plans and measures necessary to prevent and suppress acts of terrorism; supervise and coordinate the implementation of government policies, plans and directives and measures to prevent and suppress acts of terrorism; coordinate with ASEAN and other nations to promote the sharing of intelligence in the campaign against terrorism; and call upon departments, agencies, bureaus, task forces, and other government bodies for such assistance as may be necessary in the performance of its mission.

The Anti-Terrorism Council (ATC) subsequently replaced the ATTF when the Republic Act No. 9372, otherwise known as the Human Security Act of 2007, was enacted. The ATC took over the policy-making functions of ATTF in 2007, and further organized its operational arm, the National Counter-Terrorism Action Group (NACTAG) consisting of various security and law enforcement agencies working in close coordination with each other.

POLICE MEASURES

To implement its tasks against terrorism, the PNP adopted a tree-tiered action framework called that includes intelligence, target hardening, and incident management. This system is supported by legal measures involving the efficient and well-coordinated conduct of investigation and prosecution of terrorism-related cases, in coordination with the Department of Justice and other concerned agencies. Further, the PNP organized Task Force ‘Sanglahi,’ primarily to focus on counter terrorism operations.

MILITARY MEASURES

The AFP, as its contribution to the ATTF, has organized the Joint Special Operations Group (JSOG) to focus on counter terrorism (*AFP Presentation Brief, 2005*). The AFP objectives are to deter any occurrence of terrorist activity in the

Philippine territory, deny terrorist any sanctuary, engage in intelligence fusion, conduct training and capability building against the terrorist threats; to destroy the terrorist organization once identified and located (tactical security operations); and to defend vital installations and protect the people from terrorist attacks. The overall counter terrorism action of the military consists of intensified intelligence, tactical operations, and psychological operations.

STRENGTHENING INTELLIGENCE COORDINATION

The intelligence community, led by the National Intelligence Coordinating Agency (NICA), is tasked to establish linkages and work closely with their counterparts from foreign agencies to collect, share or exchange information on suspected terrorists. Related to this, the Counter-Terrorism Intelligence Center (CTIC) within NICA has been institutionalized to facilitate the gathering, processing, disseminating and sharing of information, including the maintenance of a central database on terrorism. The CTIC is also being developed into a national assessment center to contribute to making the government response to terrorism more effective. The Philippine Center for Transnational Crimes (PCTC) is tasked to formulate and implement a program of action for the prevention and control of transnational crimes, and the maintenance of the database therein (including terrorism) that could readily be accessed by law enforcement and intelligence agencies.

TERRORIST WATCH

The NICA, the Bureau of Immigration and Deportation, the Bureau of Customs, the PNP Aviation Security Group, the Airport Authority at international airports, the Philippine Ports Authority, and the Philippine Coast Guard are tasked to closely monitor the possible transit of suspected terrorists. This includes strengthening of preventive and protective security measures for effective border control; improving aviation and maritime security procedures at ports of entry and exit; tightening of security watch of the border areas of the country to thwart the passage of suspected terrorists and prevent the illicit traffic of explosives, weapons, and nuclear, chemical and biological materials; and enhancement of mechanisms for effective immigration control and protection of the integrity of travel documents.

LEGAL MEASURES

From 1993 through to 2007 the government had been pushing for the passage of an anti-terrorism law. It was only in 2007 that the Congress of the Philippines finally passed an anti-terrorism bill, which became a law with the approval of the President in March of the same year. Before 2007, the practice was to treat any act of terrorism as a crime under the applicable provision of the Revised Penal Code or Special Law that circumscribes and penalizes such act (Aguirre, 2008, pp. 21-44).

Thus, from the pre-2007 Philippine legal standpoint, if a terrorist act resulted in the killing of persons or injuries to them, the terrorist(s) would be prosecuted under

either Article 248 (Murder) or Article 263 (Serious Physical Injuries) of the Revised Penal Code (RPC), as the case may be. If terrorism resulted in the destruction of property, the act would be covered by either the appropriate articles of Chapter 8 (Arson and other Crimes involving Destruction), or of Chapter 9 (Malicious Mischief). Terrorist incidents of kidnapping and serious illegal detention, grave threats and grave coercions would be covered and punishable by Articles 267, 282 and 286 of the RPC, respectively.

In Congress, the deliberation of the anti-terrorism bill got stymied for sometime due to the militant protests of human rights advocates against a prospective law the enforcement of which might lead to abuses against innocent citizens, as illustrated by incidents of illegal arrest of certain political dissenters. Thus, some Senators indicated that they would carefully study the bill to prevent it from being used in the commission of human rights violations by security forces. Accordingly, after a thorough study, Congress enacted an anti-terrorism statute Republic Act (RA) No.9372, otherwise known as The Human Security Act of 2007. In this law, side by side with the stringent provisions to deal with the menace of terrorism, are provisions designed to protect the ordinary citizens against possible abuses that might be committed in the name of fighting terrorism.

Hence, in the Philippine legal system, there are three essential elements that should be present for one to be guilty of the crime of terrorism, namely the act, the consequent effect(s) of the act, and the purpose for committing the act. Under the law the act committed must be punishable within the purview of any of the specific laws referred to above; it must have sowed and created a condition of widespread fear and panic among the people (the consequent effect); and it must have coerced the government to give in to an unlawful demand (the purpose). Otherwise stated, no crime of terrorism is committed and the act is simply treated as a crime punishable under some other penal law pertinent thereto.

This strict distinction of terrorism *vis-à-vis* other criminal act is necessary because first, penal statutes are strictly construed against the State, and second, there are stringent treatments to be applied against terrorists to serve as a deterrent to prospective offenders. These treatments are not found in other relevant penal laws, namely: a convicted terrorist is given the penalty of 40 years imprisonment without the benefit of parole; a suspected terrorist is subject to arrest and detention without warrant for a maximum of three days; an organization may be judicially declared as a terrorist and outlawed organization; the conspiracy to commit acts of terrorism is in itself punishable and likewise, by imprisonment for 40 years without the benefit of parole; the provisions on anti-terrorist financing; and the principle of giving no sanctuary to terrorists, i.e., suspected terrorists found in the Philippines who committed acts of terrorism in another country will promptly be extradited or deported to that country where the crime was committed.

THE DEVELOPMENT OF AFP AND PNP COUNTER TERRORIST CAPABILITIES

The AFP and the PNP are tasked to organize, train, equip and maintain special units to be stationed in strategic centers nationwide with the capability for immediate

deployment anywhere in the country. In line with this, the operational capabilities of PNP units such as the Special Action Force, the Special Weapons and Tactics Units of the NCR Police Districts, and the Aviation Security Command, as well as the various counter-terrorist units of the major service commands of the AFP, are being enhanced through appropriate training and acquisition of equipment and technology.

Implementing actions to address the underlying conditions

POLITICAL MEASURE: THE PEACE PROCESS

The Philippines has been beset with communist and secessionist insurgencies for several decades now. Although contained by the government, these insurgencies continue to threaten the law, order and stability of the nation, and are a hindrance to the economic development of the country. While taking military actions to defeat the rebel groups, the government has not lost sight of the need to address the root causes of these armed conflicts. Following up on the gains of the peace negotiations undertaken during the Aquino and Ramos Administrations, President Gloria Macapagal-Arroyo issued Executive Order No. 3 on 28 February 2001 defining the policy and administrative structure for the government's comprehensive peace efforts.

The President, in her directive, reiterated and affirmed the six paths to peace laid down by the Ramos Administration, namely the pursuit of social, economic, and political reforms aimed at addressing the root causes of internal armed conflicts and social unrest; consensus-building and empowering for peace; the pursuit of peaceful, negotiated settlement with the different rebel groups; programs for reconciliation, reintegration (of former rebels) into mainstream society, and rehabilitation; addressing concerns arising from continuing armed hostilities; and building and nurturing a climate conducive to peace. While the peace process is a program intended to end the insurgencies, it also serves to negate the threats of terrorism.

The Philippine government is currently holding peace negotiation with the MILF in which the Malaysian government is acting as facilitator. Since 2003 there was an agreed ceasefire between the government and the MILF, supervised by an international monitoring team (*GRP Peace Panel Report*, June 2006). However, this ceasefire was broken by the MILF when it initiated hostilities that included attacks on civilian communities, probably out of frustration and in reaction to the failed signing in August 2008 of the Memorandum of Agreement on the Ancestral Domain (MOA-AD) that was already agreed upon at the level of the negotiating panels. Certain sectors in Mindanao opposed to the MOA-AD questioned its legality before the Supreme Court, and after due hearing and deliberation, the highest court of the land declared the MOA-AD unconstitutional. Consequently, the government refused to sign the agreement. Fighting resumed between the government and MILF forces, and a lull in the peace negotiations followed. The government reinitiated the peace process, and in July 2009 it unilaterally declared the suspension of military offensives against the MILF. A few days after, the MILF in turn announced the suspension of

their military activities. This opened up the opportunity for both parties to resume the peace negotiation. With the Malaysian government facilitating the process, the negotiating panels recently held a two-day Special Meeting in Kuala Lumpur (28-29 July 2009), and the process to resolve the Mindanao conflict through peaceful means is again on track.

The Philippine government had also engaged the CPP/NPA/NDF in peace negotiations, but this peace process had also been intermittently interrupted by suspensions. The government suspended the peace talks because of acts of terrorism (abduction of military officers and assassination of civilian officials) perpetrated by the NPA even while the peace process was going on. The peace negotiation was later revived with the help of the Royal Norwegian Government as facilitator. But in August 2004, the NDF unilaterally postponed the peace negotiation on the basis of the renewed listing by the US of the CPP/NPA as foreign terrorists. It has remained stalled to date (*GRP Peace Panel Report*, April 2006). The government does not want to pursue the peace negotiation with the NDF unless the latter agrees to a cessation of hostilities on the ground while the peace process is ongoing.

Nevertheless, the government has continued its peace efforts through community-based peace initiatives at the local level, with the local executives as lead, supported by national agencies. The rationale to these efforts is that the local people may have joined the communist rebels not because they subscribe to the communist ideology, but because of social or economic grievances peculiar to their communities, which should be resolved by the government. These local peace initiatives are gaining headway in some insurgent-affected areas like Bohol and Mountain Province. Wherever local peace initiatives are successful, the NPA elements abandon the areas, and relative peace and calm has prevailed.

SOCIAL AND ECONOMIC MEASURES

Alongside the peace process, the government has undertaken social and economic development measures in the insurgency-affected areas (*Medium-Term Philippine Development Plan 2004-2010*, 2004). These include:

- A health and education program to raise the Human Development index in the affected areas;
- Provisions for speedy administration of justice, like the filling up of court vacancies and increased funding support for the effective operation of Shariah courts;
- Instituting reform measures to improve governance at the local level, like budget reform to enhance fiscal autonomy;
- The promotion of and respect for human rights;
- Improvement in the delivery of basic services (health care, education, and other social services);

- The reduction of poverty through livelihood projects, enhanced agricultural productivity program, land tenure improvement, and other measures to increase income and employment;
- The building of infrastructures for the inter-connectivity of ARMM provinces and towns and of affirmative action roads to provide access to remote conflict-affected areas;
- The rehabilitation and development of conflict-affected areas with funding support from the ARRM Social Fund for Peace and Development, UN Multi-Donor Fund, and Mindanao initiatives fund;
- Provision of basic infrastructures like roads and bridges, water system, and school buildings, among others.

The military and police forces, aside from undertaking tactical operations against terrorists, have also contributed to the accomplishment of social and economic projects in the affected areas through their civil-military program to win over the population to the side of the government and remove them from the clutches of terrorism.

For example, in Sulu and Basilan, former strongholds of the Abu Sayyaf, Philippine Marine troopers and American soldiers of the Joint Special Operations Task Force-Philippines (from the US Special Operations Command, Pacific) have been engaged in humanitarian work and community development through civil-military operations that included the building or repair of schools, water system, roads, bridges, day care centers, establishment of livelihood projects, and medical-dental civic action to improve health care. The civil-military program has greatly helped in improving the living conditions of the people in the conflict-stricken areas, bringing back the confidence of the populace in their government, and drawing their sympathy and support away from the terrorists.

During the second quarter of the year the President ordered the release for additional funding of one billion pesos to sustain military and police offensives against the communist New People's Army (NPA). Simultaneously she emphasized that a military solution is not enough and underlined the need for socio-economic development in the conflict-affected areas to stamp out the communist insurgency (and terrorism). Thus, she released development funds of twenty-five billion pesos for the concerned areas (or Php 75 Billion in the next 3 years).

International cooperation

The Philippines actively adheres to international conventions on terrorism. It has reaffirmed its commitment to prevent, suppress and counter all forms of terrorist acts in accordance with the UN Charter and UN resolutions, particularly the UN Security Council Resolution Nos. 1373, 1267 and 1390 on terrorism. The Philippines is an active proponent of and signatory to the ASEAN and APEC Declarations against terrorism. It has worked closely with the international community, its ASEAN neighbors, the United States and other allies, in strengthening the global cooperation on the war on terror.

The Philippines conducts its regional and bilateral cooperation against terrorism through a number of modes, including intelligence/information sharing; joint or exchange training; sharing of best practices; technical assistance in police work; technical assistance in intelligence gathering; and joint civic actions or humanitarian work. These are implemented through the following mechanisms:

- The PNP is a member of the Association of South East Asian National Police (ASEANAPOL), while the Philippine Center for Transnational Crimes maintains the Philippine Secretariat of the International Police (INTERPOL). Through these organizations, information and intelligence on transnational crime and terrorism may be shared in real time as needed.
- The existing military and police attaché system among countries allows military-to-military or police-to-police liaison and sharing of information.
- Prior diplomatic arrangements between countries allow close working relationship and coordination between intelligence counterparts.
- The Philippines has Extradition Treaties with twelve countries and Mutual Legal Assistance Treaties with seven countries.
- The Philippines continues to work closely with the United States on intelligence and security matters concerning terrorism. Regular intelligence exchanges, trainings, and exercises are undertaken within the purview of the RP-US Mutual Defense Treaty and the Visiting Forces Agreement.
- There is also a joint technical arrangement between the Philippines and Australia wherein police officers of the two countries help each other in the technical investigation of bomb incidents. The PNP maintains the Bomb Data Center in the country for the purpose (Interview with PNP Director for Operations, Antonio Billones, 20 June 2006).

The results of the Philippine response to terrorism

Over the years, the CPP/NPA strength had been reduced by government security operations, and also by internal rifts within the movement. From a peak of about 25,000 men in 1987, with some 15,000 firearms, the guerrilla strength in 2004 was estimated to be down to about 8,200 fighters with some 6,000 firearms (*Anti-Terrorism Task Force: Presentation Brief*, 2005), and by 2006, the communist rebels numbered only about 7,100 (*Office of the Undersecretary for Defense Affairs Presentation Brief*, 2009). The peace initiatives by the people and local government executives in insurgent-affected areas are denying the rebels their sanctuary in these areas. However, the CPP/NPA continues to be a threat to the stability, law and order of the country.

The intelligence operations and the military offensives against the ASG resulted in the neutralization of their leaders and key members, the dismantling of their strongholds in Basilan and Sulu, and the substantial degrading of their strength and capability. From about 1,200 ASG fighters in 2000, their number was reduced

to about 400 by 2006 (ibid). Some of the key ASG personalities killed in tactical operations included those who were involved in the kidnapping of the hostages from Sipadan and Dos Palmas resorts, and those responsible for the killing of the two Americans (Severo and Burnham). The ASG remnants are on the run and presently the subject of military operations. Be that as it may, when opportunity comes the ASG continue to undertake sporadic depredations, such as the kidnapping of local teachers, and recently, the hostage taking of the members of the International Red Cross sent on mission to Sulu province. However, as of the writing of this article all the IRC hostages have been set free by a combination of military action and negotiation.

A number of JI elements were either arrested or neutralized, and their training sites inside MILF Camps were dismantled when the government forces overrun these camps during the military offensives in 2000. The remaining JI elements are the subject of government security operations. Several RSM leaders and operatives were arrested and prosecuted. The remnants are the subject of tactical operations.

After an all-out war against the MILF in 2000, where the government succeeded in over-running and dismantling their camps, the government decided to engage the MILF in peace negotiation to achieve a long-term solution to the Moro problem. This peace process drastically reduced the terrorist incidents in Southern Philippines. In 2000, there were 260 terrorist incidents reportedly perpetrated by the MILF, by 2003, the number of incidents decreased to 147. In 2003 a ceasefire agreement was entered into between the government and the MILF. After the declaration of the ceasefire the number of incidents from 2004 to 2007 ranged only from 22 to 33 (Table 1).

Year	Number of Incidents
2000	260
2001	52
2002	34
2003	147
2004	22
2005	28
2006	28
2007	33

Table 1 - Terrorist incidents attributed to the MILF (data from the *Presentation Brief of the Office of the Undersecretary for Defense Affairs, 2009*).

The peace negotiations, as part of the approach of resolving the conflict in Mindanao, have resulted in improved peace and order in the southern Philippines. As part of the peace process, the MILF is helping the government in pursuing kidnappers and other criminal elements; and it has refused sanctuary to the JI and the ASG.

The prospects for investments and economic development in Mindanao have become brighter with the improved security situation (Tupas & Quiros, 2006).

Conclusion

The Philippine response to terrorism is appropriate and it is effectively defeating terrorism. The strategy is holistic: to directly deal with the agents of terrorism – the terrorist themselves, their organizations and support systems, and at the same time, to address the environment that fosters the rise and growth of the problem.

The tactical counter measures and the intelligence operations conducted by the police and the military components have led to the neutralization or arrest of key terrorist personalities and the seizure of their instruments of violence, thus preventing the furtherance of their terrorist acts. The security and defensive measures adopted for the community, with the participation of local governments and non-government organizations, have given the people adequate protection and greater sense of peace.

The political, social and economic measures undertaken by the government, particularly in conflict-affected areas, are winning the hearts and minds of the people to the rule of the law, and the sources of support for terrorists (in terms of logistics and recruitment of members and sympathizers) are drying up. These measures are also engendering human development and improving the quality of life of the people in these areas that will gradually but ultimately remove the roots of terrorism.

Yet this comprehensive strategy, covering all aspects of terrorism, necessarily entails huge amounts of limited resources. The overall effectiveness of this holistic strategy to defeat terrorism may eventually be constrained by the limits of the available resources. It would do well for the government to set priorities and focus greater resources in areas or programs where optimum results could be achieved.

Given the transnational character of terrorism, the active cooperation of the government with the international community, in terms of sharing of information and intelligence, exchanges in training and expertise, joint endeavors where applicable, and denying terrorists any safe haven, is also achieving positive results towards defeating terrorism.

The roots of terrorism (and insurgency) have arisen out of certain weaknesses in the political, social and economic structures of society. These weaknesses are manifested in poverty, unemployment, religious intolerance, land tenure problems, marginalized groups, and political conflict. While these are being addressed, removing these weaknesses is in effect part of the nation's development, and requires appropriate policies, resources, political will of the national leadership, as well as time. The war on terror will thus be a protracted endeavor.

Police and military actions are important and indispensable in the fight against terror. But it is more important and necessary in the long run to adequately and effectively address the underlying conditions that breed terrorism (and insurgency), to remove the fertile ground upon which the seeds of terrorism may germinate and grow. For even while we may destroy the terrorist groups, if the underlying conditions

remaining iniquitous and unchanged they will give birth to new leaders and ideologies that will carry on the fight for their movements.

Lastly, the key to defeating and/or eradicating terrorism in the Philippines is the resolution of the two insurgencies existing in the country. Without this resolution the strategies and programs presently being undertaken by the government can only minimize the acts of terror, and mitigate the consequences, but terrorism will continue to thrive in direct proportion to the intensity of the basic conflicts.

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