

## THE TWO TRACKS OF THE BANGSAMORO PEACE PROCESS AND THE EXTENSION TRANSITION QUESTION

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Much of the discourse on the proposed extension of the transition period covering the Bangsamoro Autonomous Region of Muslim Mindanao (BARMM) had focused on its justification. While some groups in Mindanao have expressed their reservations, both the Moro Islamic Liberation Front (MILF) and the Bangsamoro Transition Authority (BTA) have backed the call, citing the need for more time to fulfill their responsibilities and mandate.

Other stakeholders also recommended the creation of a roadmap that would specify the tasks to be completed during the extended period, identify the people accountable for the work, and define the structures, mechanisms, and milestones to ensure that the promised goals are delivered.

Any roadmap crafted for this purpose should be properly contextualized against the larger Bangsamoro peace process and should prioritize specific milestones that need to be completed to determine the end of the transition period.

### **Bangsamoro peace process and its two tracks**

In 2014, the Philippine government (GPH) and the MILF [signed the Comprehensive Agreement on the Bangsamoro \(CAB\)](#), culminating decades of peace negotiations that aim to achieve peaceful political settlement and put an end to the Moro struggle for self-determination. Four years later, in 2018, the landmark [Bangsamoro Organic Law \(BOL\)](#) was also enacted.

While both are products of the GPH-MILF peace process, the BOL was a legislative act of Congress and was necessary to create the BARMM. The government and the MILF understood the need to establish this new autonomous political entity to replace the then Autonomous Region for Muslim Mindanao (ARMM) and allow for greater political and fiscal autonomy, as well as embody the Bangsamoro people's desire for self-determination.

The GPH-MILF peace process entails the completion of two distinct but interrelated tracks: CAB's **Normalization Track**, which refers to the transformation of armed struggle to peaceful political participation, citizenship and livelihood — holistically seen as comprising several components under “normalization”; and BOL's **Political Track**, which outlines the steps leading to the creation of a new autonomous entity.

However, confusion seems to arise when stakeholders refer to the non-completion of the milestones under CAB's **Normalization Track** to justify their support for the extension. This is an erroneous assertion.

Article XVI of the BOL already provides relevant guidance and lists BTA's priorities during the transition period. These include: (1) the passage of priority legislations; (2) the setting up and organization of the BARMM bureaucracy to ensure continued delivery of services; (3) the disposition of the personnel of the ARMM; and (4) the full transfer of powers and properties of the Autonomous Regional Government in Muslim Mindanao to the Bangsamoro Government, except those properties, land, and structures located outside of the ARMM.

Hence, under these provisions, one may argue that the transition period should end once the listed priorities have been achieved. Consequently, regular parliamentary elections can be held.

Meanwhile, CAB's Annex on Normalization identifies the milestones that the GPH and the MILF must accomplish before an "Exit Document" can be signed, certifying that all the requirements have been met. The Normalization program has four key aspects: (1) Security, which has five sub-components — decommissioning, policing in the Bangsamoro, dismantling of private armed groups, redeployment of the Armed Forces of the Philippines, and detection and clearance of explosives and ordnance; (2) Socio-economic programs for decommissioned forces and their communities; (3) Transitional justice and reconciliation; and (4) Confidence-building measures, which has two parts — camp transformation of MILF camps and amnesty.

However, the non-completion of these milestones within the transition period is not a valid argument for granting the extension. As Art. XVI Sec. 1 of the BOL states: "*The transition period shall be without prejudice to the initiation or continuation of other measures that may be required by post-conflict transition and normalization even beyond the term of the Bangsamoro Transition Authority.*"

In other words, the work on normalization and other facets of post-conflict transition contained in the CAB may and should continue even beyond the transition period defined by the BOL.

### **Delays and the need for extension**

Therefore, it is only within the **Political Track** that the MILF and/or the BTA can argue, with reason and evidence, that the period leading to 2022 is insufficient to complete all the milestones defined in the BOL.

Specifically, the proponents of the extension can highlight the delays in the release of the block grant in 2020; the impact of the COVID-19 pandemic on the operations of the BARMM Government and on the passage of the priority legislations; and the learning curve that the MILF must undergo as it transforms from a revolutionary group to an organization mandated to lead the governance of BARMM as compelling reasons to grant the extension.

A roadmap can present evidence showing what has been done as of December 2020 and what can realistically be done in 2021 and 2022. It can then provide a basis to argue that an additional three years — from 2022 to 2025 — is necessary to complete the **Political Track**.

Whether the completion of the Political Track should be accomplished by the BTA or by a parliament duly elected in 2022 is best left to the discretion of Congress.

The responsibility for achieving the milestones under the **Political** and the **Normalization** tracks falls on different sets of actors. For the **Political Track**, completing the milestones during the transition period falls heavily on the BTA. For the Normalization Track, both the MILF and the GPH must guarantee that the commitments of the CAB are achieved.

Nonetheless, it must be stressed that the two tracks are not independent of each other. For one, the central role that the MILF plays in achieving the milestones in both tracks cannot be overemphasized. The BTA is MILF-led during the transition period, thereby requiring them to take the lead in managing the BARMM Government. On the other hand, it is also MILF's armed forces who are at the center of the decommissioning and normalization process. Such responsibilities in both tracks have naturally strained the absorptive capacity of the MILF and have impacted the pace of achieving the milestones on the **Political Track**.

The national government's inability to deliver on its commitments in both tracks should also be considered in explaining why certain milestones were not met.

Aside from the delays in the release of the block grant, the government also fell short on its duty to set up the Inter-Government Relations Bodies under the Political Track and provide resources for the decommissioning process, among others, under the Normalization Track.

To the observers and sympathizers of the MILF peace process, the delays in the achievement of the milestones in either of the Political or the Normalization Track, especially if attributed to lapses of any of the parties involved, can lead to confusion, if not temptation, to combine the two tracks and make them inseparable and conjoined, and thereby use such delays to argue for extending the transition of BARMM.

It is therefore important to regain clarity on the fact that there are these two separate but related tracks in the Bangsamoro peace process to ensure that the reasons for the decision to extend the transition period of BARMM are based on the right ones.

It should also be stressed that the Bangsamoro peace process requires the completion of both the Political and the Normalization tracks, signifying that both the Philippine Government and the MILF have stayed true to their commitments to each other and to the country for a final political settlement to the decade-long armed struggle in Muslim Mindanao.

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