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# THE PARTICIPATION OF WOMEN IN THE MINDANAO PEACE PROCESS



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of UN Security Council Resolution 1325 (2000)

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**IRENE M. SANTIAGO**



# INTRODUCTION

The participation of women in decision-making in peace processes is one of the pillars of UN Security Council resolution 1325. The Philippines has seen robust women's participation in the peace negotiations between the Philippine Government and the Moro Islamic Liberation Front (MILF). In 2014, the parties signed a comprehensive peace agreement<sup>1</sup> after 17 years of negotiations. The peace agreement was hailed for its strong provisions on women's rights as well as for women's political, social and economic participation.

Miriam Coronel Ferrer, head of the government negotiating panel, was the first woman to be a signatory to a major peace agreement. This is significant considering that globally women were signatories to only two of the 61 peace agreements that were concluded from August 2008 to March 2012.<sup>2</sup> Three women on the government side (and none on the MILF side) eventually signed the peace agreement.<sup>3</sup> Coronel Ferrer wrote: "Just three of the 12 signatories are women. Still, it's a big leap: nearly all past negotiations were exclusively done by men."<sup>4</sup>

In light of the ongoing clamor from many quarters worldwide for an increase in women's participation

in formal peace negotiations and other peace processes, it is important to ask what were the factors that resulted in the strong participation of women in the peace process in Mindanao? Beyond the question of participation, how much and how well did the women influence the negotiated settlement?

This paper discusses the enabling environment that made women's participation possible, and the strategies the three women who broke new ground used to influence the negotiations. It also offers recommendations on how others can apply the identified tools and strategies successfully.

## BOX 1

### Beijing Platform for Action

Mindanao is the second largest island in the Philippines, located in the southernmost part of the country. With a population of 21 million (2007), it is home to people from various ethnic backgrounds and religions. Mindanao is also the arena of many conflicts caused by social exclusion and marginalization, dispossession of land and natural resources, ineffective governance, poor law enforcement and unequal access to basic services.

Currently, there are many forms of violent conflict that exist in Mindanao: the communist struggle against the Philippine government; feuds between families and clans (*rido*); struggle of indigenous communities over rights to ancestral

land; ideologically-driven violent criminality and banditry; and politically-motivated violence. Among these, the decades-old armed struggle of some Muslim groups over the right to self-determination for a Bangsamoro homeland remains the most persistent among the violent conflicts in Mindanao.

This conflict has a historical antecedent. Mindanao is the home of various indigenous peoples, some of whom were Islamized centuries ago. The Spanish colonizers called them "Moro" after the Moors who invaded Spain. The Moros, who had their own structures of governance under their Sultanates, fiercely resisted the colonizers

and were never fully conquered. After their defeat in the Spanish-American war, under the terms of the Treaty of Paris, Spain ceded territories to the United States, which included the Moro Sultanates. Moro resistance continued against the new colonizers. In the early part of the 20<sup>th</sup> century, the government initiated settlement programs for migrants, who were largely Christian, from the northern islands of Luzon and the Visayas. Laws that enabled migrants to own and utilize land attracted large numbers of people to Mindanao. These programs discriminated against local inhabitants who traditionally owned land

communally and had no knowledge of the new laws on ownership. The descendants of these migrant Christian settlers now constitute the majority in Mindanao, displacing the Moro and indigenous populations.

The Moros insist that this is a “historical injustice,” which has resulted in centuries of deprivation and marginalization of Moro and indigenous peoples, and which must be addressed through the formation of the Bangsamoro (Moro homeland). This claim is at the root of the seemingly intractable violent conflict in Mindanao.

# THE ENABLING ENVIRONMENT

To begin, it is important to look at the enabling environment that led to the appointment and participation of women not only on the government negotiating panel, but also in the other parts of the system that supported the negotiations and the drafting of the basic law of the new political entity. This includes the panel secretariat, the technical working groups, and the Bangsamoro Transition Commission.<sup>5</sup> Second, it is also important to examine the link between women in Track One of the formal negotiations, and women in the other tracks (Track Two and Track Three), and the impact of this link on the negotiations and their aftermath.

## History and Culture

Before colonization, Filipino women were held in high esteem in society.<sup>6</sup> They could ascend to leadership of their tribes and own property. They were allowed to divorce and could retain their maiden names. The Spanish period from 1521 to 1898 changed this, embedding a patriarchal system into Philippine society and casting women as subordinate to men. The ideal woman was sweet, demure and subservient. When the Spaniards left and the new American colonizers opened public education to all, women and girls were as eager to be educated as their male counterparts. Even today, literacy levels among girls are higher compared to boys in high school. Women entered many professions such as medicine and law, formerly reserved for men only. With 90 per cent of voters in favor of the measure, women's right to vote was officially recognized in April 1937. Women held political positions at various levels and in 1986, when the 'People Power'<sup>7</sup> revolution ousted the Marcos dictatorship, Corazon C. Aquino became the first female president of the Philippines. She was later

followed by Gloria Macapagal-Arroyo who held the presidency for nine years.

Under the Constitution framed in 1987 when President Aquino came to power, Filipino women enjoy equal rights with men before the law.<sup>8</sup> In 2009, a Magna Carta of Women<sup>9</sup> was passed into law. It formally acknowledges and upholds all women's rights as human rights."The State, it affirmed, "shall intensify its efforts to fulfill its duties under international and domestic law to recognize, respect, protect, fulfill, and promote all human rights and fundamental freedoms of women, especially marginalized women, in the economic, social, political, cultural, and other fields without distinction or discrimination on account of class, age, sex, and gender."The Philippines, today, has an entire body of laws<sup>10</sup> that protect women from violence including rape and domestic violence, sexual harassment and trafficking. Furthermore, in 2012, Congress passed a reproductive health bill after more than a decade of lobbying by women's groups.

## Tradition of Activism

Filipino women have a history of involvement in advocacy related to political and social issues, particularly honed during the Marcos dictatorship which lasted 14 years. Skills in mobilization, coalition building, mass communication, training and lobbying are part and parcel of every female activist's tool kit.

On the national level, women have played a major role in peacebuilding in the country over the years. Soon after assuming office in 1986, President Corazon C. Aquino made an unprecedented gesture by discussing a return to negotiations with the chairman of the Moro National Liberation Front (MNLF)<sup>11</sup> even against

the advice of her those in her closest circle. She pursued peace after two decades of martial law under Marcos and, in January 1990, she declared a Decade of Peace. She appointed another woman, former Supreme Court Justice Cecilia Munoz Palma, to chair the National Peace Conference that produced a declaration called “Towards a National Vision for Peace.” The declaration captured the spirit of ‘people’s participation’ in the peace process. In 1992, human rights lawyer Haydee Yorac became chair of the National Unification Commission that set out the “Six Paths to Peace.” This document became the operational framework for the government’s peace policy. The process helped crystallize a network of peace organizations and made public consultation a part of governance.<sup>12</sup>

It took ten years after resolution 1325 was passed before the Philippines formulated its own National Action Plan on Women, Peace and Security. Even so, the Philippines would be the first country in Asia and 16th in the world to draw up such a national plan. During those ten years, two women held the Cabinet position of Presidential Adviser on the Peace Process: Teresita Quintos Deles (2003-2005 and 2010 to the present), and Annabelle T. Abaya (2009-2010). It was under Ms. Abaya’s term that the National Action Plan was formulated and signed in 2010 as an executive order by President Gloria Macapagal Arroyo.

In Mindanao, women also organized around peace issues to bring their priorities to the peace table. The Mindanao Commission on Women (MCW), an NGO with a membership including Muslim, Christian and indigenous women, held an annual congress not only to have women’s voices heard but also to be visible to the public and to the authorities. The MCW used a strategy of approaches combining ‘more people and key people’: organizing women into peace circles all over Mindanao and holding annual gatherings of these groups, and nominating women to key positions in the peace process. Thus from 2001 to 2010, not only did an MCW nominee sit at the negotiating table on the government side, this person was always connected to the peace and women’s movement in Mindanao, and had the support of women’s groups. In addition, many capacity-building activities were conducted to inform women about the content of national and international laws particularly relevant to

the situation of women, specifically the Magna Carta for Women and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Training programs were conducted to get women ready not only to become advocates but also to “sit at the table” if necessary.

While women acted collectively around the same issues confronting the Mindanao peace process, various groups began to feel the need to speak with their own voice. Indigenous women formed themselves into a group called “*Babaehon*.”<sup>13</sup> Moro groups included the Young Moro Professionals, *Bangsamoro Laywers Network*, *Nisa Ul Haqq Fi Bangsamoro*<sup>14</sup> (Women for Justice in the Bangsamoro), *Suara Bangsamoro*<sup>15</sup> party list, Philippine Council (now Center) for Islam and Democracy, Bangsamoro Women’s Solidarity Forum, *Lupah Sug Bangsamoro Women*<sup>16</sup> and *Mindanao Tulong Bakwet*.<sup>17</sup> Coalitions and networks were formed such as WeACT 1325, Mindanao Peaceweavers and Mindanao Peace Caucus (although only WeACT is an all women network). The groups engaged in various activities such as conducting teach-ins and consultations about the items on the negotiation table, media training and monitoring of the ceasefire. In 2009 when the Civilian Protection Component<sup>18</sup> of the International Monitoring Team<sup>19</sup> was formed, the Mindanao Peace Caucus formed the first all-women contingent as part of “ceasefire watch” (Bantay Ceasefire), an independent mechanism for civilian protection.

In 2006, the MCW called for a peace summit to give their position paper to the representatives of the government and the MILF panels on the items being discussed at the negotiating table. The conference was called, ‘If Women Negotiated the Peace Agreement.’ Their position paper stated: “If women negotiated the peace agreement, it would be more than just a settlement. It would be fair and durable. It would be wise. It would aim to finally resolve the conflict.” The MCW reached out to the government and MILF to include the Moro National Liberation Front in the negotiations. Although the government and the MNLF had already signed a Final Peace Agreement in 1996, the MCW believed that bringing the MNLF into the process would make for a durable and workable agreement.

After the Comprehensive Peace Agreement was signed between the government and the MILF in 2013 and the drafting of the Bangsamoro Basic Law commenced, the MCW organized another conference, this time entitled 'If Women Drafted the Bangsamoro Basic Law,' with specific proposals for gender provisions to be included in the draft to be submitted to the Philippine Congress. At this conference, anticipating the need for national

advocacy in Congress, the Women's Peace Table, a national network of women's peace groups led by the MWC, the Philippine Center on Islam and Democracy and the Women and Gender Institute at Miriam College, provided recommendations for gender provisions to be included in the draft basic law and formed a lobbying group in the Lower House and the Senate. WeACT also mounted a lobbying effort in Congress.

# BREAKING NEW GROUND

In most conflicts, women have found access to formal negotiations difficult because negotiations are mainly about ending war. Thus, only war actors are required at the table. Because women are usually not the primary actors in war, they are seen as having no role in decision-making about peace.

No woman had ever sat at the table since formal peace negotiations on the Bangsamoro question started. Two agreements—the 1976 Tripoli Agreement and the 1996 Jakarta Peace Accords—were signed by the government with the Moro National Liberation Front (MNLF) without any women taking part in the negotiations.

It was not until 1997, when talks began with the break-away group, the Moro Islamic Liberation Front (MILF)<sup>20</sup>, that a woman was appointed as a member of the government peace panel. President Fidel Ramos decided to change government policy by appointing civilians, instead of only retired military officers to the negotiating panel. Thus, the first civilian was also the first woman appointed to be a peace negotiator.

Emily Marohombsar, the first and only female president of the Mindanao State University and a Muslim belonging to the Maranao ethnic group, sat in the negotiations as a full member of the government panel.

The next Philippine president, Joseph Estrada, opted to wage an all-out war instead of continuing the peace negotiations. He was later impeached after being in office for just two years. The president following him, the country's second female president, Gloria Macapagal-Arroyo, decided to form an all-civilian panel. She retained Marohombsar and appointed Irene Santiago, founding chair of the MCW (and author of this paper), as the other woman in the five-member panel. Subsequent government panels would have at least one female member.

## The First Woman to Sign a Peace Agreement

Miriam Coronel Ferrer, a political scientist and professor at the University of the Philippines, has a long history of involvement in activism in the Philippines. At university, she was in the underground movement against the Marcos dictatorship. She was one of the founders of the Philippine Campaign to Ban Landmines. In 2005, she was the lead convener of Sulong CARHRIHL, a national network of organizations promoting the observance of the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law. Sulong CARHRIHL facilitated the drafting of the National Action Plan to implement UN Security Council resolution 1325 on Women, Peace and Security. The action plan was adopted by the Philippine Government in 2010.

Coronel Ferrer was the lone female member when the government under President Benigno Aquino III re-constituted its peace negotiation panel in 2011. The

panel was headed by law school dean Marvic Leonen. However, in 2012, Chairman Leonen was selected to become Associate Justice of the Supreme Court. Before he left for his new post, he made it known to President Aquino that he was recommending Coronel Ferrer to take his place as chair of the government negotiating panel. The president said that he was not against appointing her to head the panel but wondered “would her counterparts accept her?” Coronel Ferrer remembers thinking that suddenly, what stood in the way of her appointment was her gender. As a respected academic, she had never in her professional life had to face such a question. “For someone who spent her youth and adulthood generally unhampered by societal barriers, it was with consternation that I found myself in my golden years hitting the glass ceiling for being a woman.”<sup>21</sup> It was Teresita Quintos Deles, the Presidential Adviser on the Peace Process, who made a strong case for Coronel Ferrer to be panel chair as she

was the “right person for the job.”<sup>22</sup> The MILF, for their part, wrote a letter to President Aquino signifying that they “could work with any chairperson regardless of gender and ethnicity.” Coronel Ferrer was eventually appointed chair of the panel.

For Coronel Ferrer, her toughest times were after the so-called ‘Mamasapano incident’ of January 2015, in which 70 people were killed including 44 Special Action Forces of the Philippine police, including some MILF members and civilians in the marshlands of

Mamasapano where MILF members also reside. The police commandos were on a secret mission to arrest a Malaysian terrorist wanted for his participation in the 2002 Bali bombing and other terrorist attacks in Southeast Asia. Without coordinating with the military and the MILF on the ground as stipulated in the ceasefire agreement between the parties, a large number of police elite forces were brutally killed. The public outcry that ensued led to a Senate inquiry and the Lower House suspended deliberations on the Bangsamoro Basic Law, a requirement for enactment

## BOX 2

### The Meaning of Meaningful<sup>28</sup>

Put on the chopping block on 14 February 2012, the second day of the 25th Exploratory Talks, was GPH’s entry on “the right of women to meaningful political participation, and protection from all forms of violence.”

Our MILF counterparts wanted to know what we meant by meaningful. Did we mean substantial? Did we mean maximum? At what level should that participation be? They recommended deleting the word and keeping the rest of the sentence.

Sensing a prolonged discussion on the matter, Tengku Gaafar moved to leave the matter to the team tasked to reconcile the two lists. However, the word meaningful persisted as the locus of discussion onto the third day of the talks, with the members of the (International Contact Group) asked to give their definitions.

“Meaningful means genuine,” said Christ Wright of UK. David Gorman of the Centre for Humanitarian Dialogue mused if “equal participation” might be better, Emma replied that would be privileging quantity over quality.

Johaira countered with court cases to illustrate that it is not just about equality, and that what is meaningful is defined on a case-to-case basis.

Yasmin affirmed that we intended the right to be substantial, not a mere token. For her, meaningful means having equal opportunity to influence decision-making at all levels.

I put in my two-cent’s worth: meaningful is best understood by its opposite, which is meaningless. One can have participation that is meaningless.

MILF Panel Chair Mohagher Iqbal said his piece. Speaking from his heart, he believed that women and men cannot have absolute equality because are different physically, biologically and even emotionally.

This prodded me to go into the difference between being equal and being the same, a matter long articulated in the discourse on women. Yes we are different, biologically, socially. Men traditionally carried arms, women gave birth. But equality is not about sameness. It is about relationships founded on mutual respect and the dignity of both persons. It is no different from what the MILF wanted for the Bangsamoro - parity of esteem. The same “parity of esteem” or mutual respect that is desired between the majority and the minority population is desirable as well between men and women.

GPH Chair Marvic rounded up that discussion with his idea of a compromise. Let’s use meaningful as appreciated by the women in our panel, and also based on your own understanding. He then moved to retain the word. The MILF chair agreed.

And so it came to be. The “meaningful political participation of women” was “entrenched” as among the protected rights in the Bangsamoro.

of the 2014 comprehensive peace agreement. Presidential Adviser Quintos Deles and Coronel Ferrer were summoned to appear in both Houses of Congress. “We were typecast as weak negotiators who sold the country to the Moros,” Coronel Ferrer recalls.<sup>23</sup> “I was called a ‘theoretical academic who did not know realpolitik. In fact, I was called ‘a dumb bitch.’”<sup>24</sup>

Her involvement as a peace negotiator committed to gender equality has enabled her to broaden her social network to include not only human rights and international humanitarian law groups but also women’s groups and peace organizations. “I was able to marry

## First Moro Female MILF

Since 1997 in the Mindanao peace process, women have been members of the government negotiating panel, its secretariat and technical working groups. The MILF, however, did not have a woman in its panel or in any of its other structures related to the negotiations. During the Mindanao Women’s Peace Summit in 2006, the MILF representative told the women gathered there that women had no role in public decision-making. However, five years later in 2011 the MILF appointed Raissa Jajurie, a human rights lawyer, as a member of its ‘Board of Consultants.’ What led to that change?

As Jajurie tells it in an interview with the author, one day she happened to be riding in a car with a MILF member and she told him that she was interested to help the MILF in the peace negotiations in any way she could.<sup>29</sup> Jajurie was not a stranger to the MILF and had helped them in some of their legal cases. A lawyer with an alternative law group, her work consisted of defending poor litigants and educating the poor about their rights. This had led her and other Moro women to organize Nisa Ul Haqq to educate Moro women about their rights and have their voices heard in the peace process. She was surprised when a few days later, a meeting was arranged between her and a senior MILF member. Before long the chairman of the MILF peace negotiating panel himself asked to speak with her. He began by explaining that there was no injunction in the Qur’an against women taking leadership positions. He also said that even the passages in the *hadith* warning against making young women

two more important strands - women, peace - of the social movement of which I have been a part ever since I entered university,” she said.<sup>25</sup>

She lists her experience as an activist, administrator, and campaign and movement organizer as well as her expertise in political science and gender equality as key factors in her effectiveness as lead negotiator. “Focus. That’s where I drew my strength,” she said.<sup>26</sup> This focus appears to have been key in putting the right of women to meaningful political participation as one of the major provisions under the article on basic rights.<sup>27</sup> Coronel Ferrer relates her experience in the following excerpt shown on Box 2: “*The Meaning of Meaningful.*”

lead was more about their inexperience rather than about their gender. Jajurie was aware that women as public leaders was a contentious issue in the Moro community, even among women themselves. Yet, here she was being asked by the MILF panel chairman to play a role in the peace negotiations, albeit only as a ‘consultant.’ She realized that if she refused, she would be blamed for not taking the opportunity when it was offered to her, and so she said yes.

The MILF panel was looking for a lawyer, and Jajurie would fill that need because of her expertise and track record. Negotiations were reaching a critical point because the government wanted to start implementation of the peace agreement before President Aquino stepped down in 2016. Furthermore, the MILF was also feeling pressure from the government panel as well as from its international partners to include women in their panel. In the talks in Kuala Lumpur, the entire MILF delegation was composed only of men.

As a consultant to the panel, Jajurie expected to sit behind the men, take notes and give advice now and then. She also did not expect to be the ‘gender expert’ in the group. She was tasked to participate in the talks using her legal expertise but confessed that she did not have a gender agenda when she began. She quickly found out however, that she was going to play a substantial role in the last critical stages of the negotiation, and that there was scope for the gender issues she had been advocating as one of the founders of Nisa Ul-Haqq to be integrated into provisions in the agreement and, more importantly, in the basic

law that would be the basis for implementation of the agreement. Unlike the other consultants, she soon became a regular member of the delegation to the talks in Kuala Lumpur. Once she was even designated to act as a panel member when a male member could not attend the talks. On several occasions, the chairman called her to speak to give her legal opinion on behalf of the MILF, an unheard of practice in formal negotiations.

Since she was the first woman to be a member of the official MILF delegation, Jajurie recognized that there was certain behavior expected of her. For example, she had to wear a head scarf and travel with a *mahram*, a male companion. Jajurie, who had had long years of involvement in advocacy for social change within the labor movement while in college and in the women's movement within the Moro struggle, decided that change had religious, social and cultural dimensions she was going to use to facilitate, rather than block, the desired change. She started to wear a head scarf, especially in official and formal functions, where she was seen as representing the MILF and travelled with a male companion whenever she could.

Her presence made a big difference in the way the MILF handled future discussions on gender. Initially, she noted that the MILF became defensive when the government panel introduced gender into the discussions. Because she was familiar with the issues, she took it upon herself to discuss with the MILF panel the rationale behind the proposals from the government.

## First Indigenous Woman to Participate in Drafting the Basic Law

Another woman who broke new ground in the Mindanao peace process was Froilyn Tenorio Mendoza. After the peace agreement was signed, the Bangsamoro Transition Commission was formed to start drafting the Bangsamoro Basic Law to be submitted to Congress for enactment. It was to be composed of 15 members, seven from the government, and eight from the MILF including the chairman. In addition, the government wanted a member on their side to represent the indigenous people (IP) to ensure that their rights were promoted and protected in the new law.

The government strongly suggested that the IP representative be a woman. Because of her long and active

It helped that she had worked on gender issues with the Moro woman member of the government panel and so she knew where the government was coming from. When the MILF began to understand the reason behind the proposals, discussions became more open, resulting in many gender provisions being incorporated into the peace agreement.

After the Comprehensive Peace Agreement was signed and the Bangsamoro Transition Commission<sup>30</sup> was formed to draft the Bangsamoro Basic Law to be submitted to Congress, Jajurie was appointed as a member of the Commission on the MILF side. She was given a significant role as chair of the Committee on Fiscal Autonomy, which covered issues of wealth-sharing. Gender and development was later integrated into this section.

Five major lessons can be learned from Jajurie's participation and effectiveness in the Mindanao peace process: (1) her outstanding and recognized skills in the law which were needed by the MILF; (2) her skill sets in advocating for social change learned from involvement in the women's and labor movements; (3) presence of an ally with considerable authority in the group who recognized her skills; (4) international norms such as resolution 1325 and a body of gender-responsive national laws that promoted women's rights, including women's participation in peace and development; and (5) her willingness and ability to use religious, social and cultural expectations to facilitate social change.

involvement with IP and women's issues, women's groups pushed for Mendoza's membership in the body. Tribal leaders who gathered to decide collectively on their representative chose Mendoza because of her considerable experience and unwavering commitment to IP rights. At first, she was reluctant because she knew that promoting IP rights would be difficult within a Commission where she would definitely be a minority voice. She told the tribal leaders that she suffered from a 'triple burden': she was young, an indigenous person, and a woman. But the tribal leaders were insistent and finally she agreed to join the Commission on the condition that the tribal leaders

accept the fact that they may not get everything they wanted. Mendoza told them that she could only do her best. Immediately, she formed a core group among the tribal leaders that she would regularly consult and to whom she would report.

Mendoza recognized that while in the past most of her involvement was in policy advocacy, the new task with the Commission would be in policy making, specifically the drafting of a new law. To bridge this gap, she approached an NGO to help her with drafting provisions that she could propose to the Commission. In the meantime, she also studied as much as she could about what a basic law was and what it included. She realized that even in her new role, she could continue her advocacy. Her confidence came from the support, both technical and political, being provided by the NGO and the tribal leaders. It also came from the skills she had developed during many years of attending training seminars on the various laws affecting IPs and women, on how to design and implement

effective advocacy campaigns, and on how to form and manage strategic and tactical alliances. Above all, she said, “We were pulled from the women’s movement. It was not hard to break the ceiling because it was already broken.”

Three women were on the government side of the Commission. They naturally gravitated toward each other for support. They held regular meetings to strategize, which Mendoza called “teaming.” They leaned on each other for emotional support as well. As Mendoza said, “What was important was that we could lean on each other through the intense and emotional moments. We knew how to use each other’s particular expertise in a ‘blending’ of ways to convince the body about women’s issues.” Mendoza also reached across the table to the only IP representative on the MILF side and reminded him that their cause was one.

### BOX 3

#### Gender Provisions in the Comprehensive Agreement on the Bangsamoro

On March 27, 2014, the Comprehensive Agreement on the Bangsamoro was signed, concluding 17 years of negotiations between the Government of the Philippines and the Moro Islamic Liberation Front. The peace agreement was hailed for its strong provisions on women’s rights as well as for women’s political, social and economic participation.

Eight out of the 16 Articles mention some provisions on women’s rights, their roles in governance and development, and protection against violence. Among these provisions are:

##### **On women’s participation**

The Bangsamoro Council of Leaders includes women. Women have a right to a “meaningful political participation” and “lawful employment.”

The Bangsamoro Parliament will enact a law to recognize the important roles of women in nation-building, and to ensure women’s representation in decision and policy-making. Aside from the

reserved seat for women in the Parliament, there should be at least one woman appointed in the Bangsamoro Cabinet.

##### **On women’s rights**

The Bangsamoro adheres to the principle of enjoining what is right and forbidding what is wrong.

##### **On women’s programs**

Establish appropriate mechanisms for consultations with women, and special development programs and laws for women.

##### **On protecting women and children**

Women and children are protected from violence, exploitation, abuse, or discrimination.

##### **On transition**

Establish the Bangsamoro Transition Authority (BTA), an interim government during the transition period. Women should have representatives in the BTA.

(Source: The Women’s Peace Table)

Mendoza's participation in the drafting of the basic law resulted not only in important provisions for indigenous people including the recognition of 'native title' as basis for land ownership, but also for women such as the provision under sustainable development "to ensure that women's health is protected." The draft also stipulated that there should be gender equity in choosing the IP representative to be elected to reserved seats in the Bangsamoro parliament. Furthermore, the framework for sustainable development states: "It shall include measures for the reduction of vulnerability of women and marginalized groups to climate change and variability."

Mendoza is disappointed that her strong advocacy to include the recognition of the landmark national Indigenous Peoples Rights Act in the Bangsamoro Basic Law was not approved by the whole body.

## Other Women in the Peace Process

Apart from the three negotiators on the government side, women also led the legal team, the secretariat and two important Technical Working Groups that drafted the details of Normalization (demobilization and decommissioning) and Wealth Sharing. In the Bangsamoro Transition Commission, tasked to draft the Basic Law, there was one woman on the MILF side and three on the government side out of a total membership of 15.

Quintos Deles, as a Cabinet member, had the difficult task of pushing the peace agenda with other members of the President's Cabinet as well as with the other branches of government. Coronel Ferrer admits that she and Quintos Deles actively sought women to head or be members of the different parts of the structure of the negotiations. In one instance, she selected Zenonida Brosas, the deputy director general of the National Security Council. Coronel Ferrer noted not only Brosas's position of authority as well as her expertise in the security sector, but her capacity to ensure coordination among 12 government departments and agencies for effective decommissioning and demobilization. Emphasizing the coordination role meant broadening the skill set for the head of the Technical Working Group on Normalization, a position that was traditionally assigned to a male military officer. Brosas then had a chance to head the TWG.

However, she said, "I may not have influenced everything but I had a voice and I was heard."

In the current draft of the Bangsamoro Basic Law, eight out of 16 articles mention some provisions on women's rights, their roles in governance and development, and protection against violence. (See Box 3: *Gender Provisions in the Comprehensive Agreement on the Bangsamoro*)

Mendoza considers the factors that contributed to effectiveness: knowledge of issues; experience with advocacy and its various approaches and techniques; and good relationships with various important people within the Commission and outside of it. Her approach was always collaborative and responsiveness and accountability were key. Above all, she was always connected to her community with whom she consulted and to whom she was accountable.

Civil society groups were overwhelmingly composed of women. Coronel Ferrer spoke of their participation in the peace process thus, "(We) were backed up by a strong and active contingent of women outside of the formal table. From them, we got the strength and fortitude to see the process through, a delightful dynamic of women inspiring fellow women."<sup>31</sup> She acknowledged that her panel was "kept on their toes" by groups like Women's Peace Table and WeACT 1325 who lobbied for provisions that would make for a gendered peace agreement.<sup>32</sup>

The International Contact Group had one woman, Emma Leslie, among the representatives of four states and four international NGOs. The executive director of the Centre for Peace and Conflict Studies in Cambodia, she participated in the ICG on behalf of the UK-based INGO, Conciliation Resources. The ICG was formed in 2009 by the two parties to the conflict to "accompany and mobilize international support for the peace process" and to "exert proper leverage and sustain the interest of the parties as well as maintain a level of comfort that restores mutual trust." According to Coronel Ferrer, Leslie was a sounding board as well as a great emotional support for the women negotiators and their team.

# CONCLUSIONS

Three barriers were broken to make it possible for women to participate broadly and substantially in the Mindanao peace process

**First, the conceptual barrier.** The traditional concepts or arguments that kept women out of the peace process included the following: (1) peacemaking is about ending war and therefore only war actors are needed around the negotiating table; (2) religion and culture prohibit women from having a role in public decision-making; and (3) there is a ‘hierarchy of tracks’ where negotiations are Track One and therefore of the highest importance in the achievement of peace. The Mindanao peace process made women’s participation possible because peacemaking was not only about ending war but also about building peace through the transformation of the political, economic and social structures that perpetuated injustice and deprivation. The role of women in public decision-making was championed by key actors including within the negotiating panels, using religion and culture, among others, as effective arguments for the inclusion of women. Nationally and internationally peace was pursued on multiple tracks at various levels—through civil society organizations, grassroots groups, and media—where women were significant actors.

**Second, the technical barrier.** There was a ready pool of outstanding women from different fields and areas of expertise who provided leadership in crafting the various chapters and annexes of the peace agreement and its implementing mechanisms.

**Third, the political barrier.** Women in leadership positions in the peace process had years of experience as activists and organizers in the areas of women’s rights, human rights, law, peace and security, and indigenous people’s rights. They understood and had the skills to navigate the power dynamics inherent in peace processes. They had influence within the negotiations not only because of their substantive knowledge but also for their connections to constituencies that mattered. The women in both parties of the negotiations, experienced in coalition building, reached ‘across the aisle’ to enable gender-responsive provisions to be included in the peace agreement. Most important of all, they understood their participation in the peace process in the context of their advocacy for social transformation and continued this advocacy whenever and wherever it was possible.

# RECOMMENDATIONS

**Make structural changes to broaden participation in the peace process.** Peace negotiating panels must be open to civilians instead of being exclusively composed of members of the military or armed opposition groups. A commitment to including civilians opens it up to the participation of women and other groups. Create not just one 'table' but a series of 'tables' in different geographic and thematic areas. More tables, that are also more inclusive, provide more chances for women to participate.

**Support movement building to expand the pool of women able to participate and influence peace processes, and include second liners.** The key to effective participation and influence is not only knowledge of the issues being discussed at the table but also political skills to strategically assess power inherent in such exercises. Movement building enables women to learn the skills of organizing a base, to communicate to different audiences, and to build coalitions and networks and engage with them. Movement building

includes mentoring and developing second liners so as to continually refresh vision and leadership. Having this knowledge and skills will not only give women credibility but also ensure that they are accountable and responsive to their constituencies. Training women for participation in peace processes is therefore a long-term program rather than a series of one-off, short-term training seminars.

**Popularize the positive aspects of culture/religion in support of women's participation in public decision-making so that it becomes the norm.** The grip of dis-empowering attitudes and notions about behaviors, including participation and leadership in public decision-making, holds women and other marginalized groups back. A massive popularization of positive cultural concepts that support women's participation will break down resistance. This means that public opinion must be created that is favorable to women's indispensable role in peacemaking and peacebuilding so as to influence political will.

# ENDNOTES

- 1 The Comprehensive Agreement on the Bangsamoro was signed on March 27, 2014, concluding 17 years of negotiations between the Government of the Philippines and the Moro Islamic Liberation Front. "Document: The Comprehensive Agreement on the Bangsamoro." *GOVPH*. Web. 24 January. 2016. <<http://www.gov.ph/2014/03/27/document-cab/>>.
- 2 UN Women reports that out of 585 peace agreements from 1990 to 2010, only 92 contained any references to women. In 2013, more than half of all peace agreements signed included references to women, peace and security. From 1992 to 2011, fewer than four per cent of signatories to peace agreements and less than 10 per cent of negotiators at peace tables were women. "Facts and Figures: Peace and Security." *UN Women*. Web. 24 January. 2016. <<http://www.unwomen.org/en/what-we-do/peace-and-security/facts-and-figures>>.
- 3 Ferrer's panel was originally composed of one other woman and three men. Eventually another woman joined the panel close to the signing of the Comprehensive Peace Agreement. On the side of the MILF, after 14 years of negotiating without a woman in their delegation, four women were invited as consultants and technical working group members. Lawyer Raissa Jajurie, who was called a consultant, was in fact virtually a member of what was otherwise an all-male negotiating panel. Jajurie, Raissa. Personal interview.
- 4 Office of the Presidential Adviser on the Peace Process (OPAPP). *Thank You Speech by Prof. Miriam Coronel-Ferrer during the Awarding Ceremony of Hillary Clinton Award for Advancing Women, Peace and Security*. OPAPP. 23 Apr. 2015. Web. 24 January. 2016. <[www.opapp.gov.ph/milf/news/thank-you-speech-prof-miriam-coronel-ferrer-during-awarding-ceremony-hillary-clinton-award#sthash.YOknfBuY.dpuf](http://www.opapp.gov.ph/milf/news/thank-you-speech-prof-miriam-coronel-ferrer-during-awarding-ceremony-hillary-clinton-award#sthash.YOknfBuY.dpuf)>.
- 5 Bangsamoro Transition Commission was created in 2012 pursuant to an Executive Order signed by President Benigno Aquino III. The Commission, whose creation was mandated in the 2012 Framework Agreement of the Bangsamoro, was tasked to draft the Bangsamoro Basic Law and to work on proposals to amend the Philippine Constitution for the purpose of accommodating in the constitution the agreements of the Parties.
- 6 Mananzan, Mary John, Sr. "The Filipino Woman: Before and after the Spanish Conquest of the Philippines." *Essays on Women*. Ed. Mary John Mananzan. Manila: Institute for Women's Studies, 1987. Print.
- 7 The People Power Revolution (also known as the EDSA Revolution, the Philippine Revolution of 1986, and the Yellow Revolution) was a series of popular demonstrations in the Philippines that began in 1983 and culminated on February 22–25, 1986. The methods used amounted to a sustained campaign of civil resistance against regime violence and electoral fraud. This case of nonviolent revolution led to the departure of President Ferdinand Marcos and the restoration of the country's democracy. "People Power Revolution." Wikipedia. Web. 24 January. 2016. <[http://en.wikipedia.org/wiki/People\\_Power\\_Revolution](http://en.wikipedia.org/wiki/People_Power_Revolution)>
- 8 See for instance Article XIII, Section 14, of the 1987 Philippine Constitution: "The State shall protect working women by providing safe and healthful working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation."
- 9 The Government of Philippine. Office of the President. Philippine Commission on Women. "Republic Act No. 9710 The Magna Carta of Women." Office of the President. August. 2009.
- 10 For a compilation of legislation on Filipino women, see "Laws, Issuances and Other Legislation on Women." *Philippine Commission on Women*. Web. 24 January. 2016. <<http://www.pcw.gov.ph/laws>>.
- 11 Formed in 1969 by Nur Misuari, the Moro National Liberation Front (MNLF) aims to establish an independent Bangsamoro state in Mindanao. In 1996, a Final Peace Agreement was forged between the Government of the Republic of the Philippines and the Moro National Liberation Front. A break-away group, the Moro Islamic Liberation Front (MILF) was formed by Salamat Hashim after he left the MNLF leadership in 1977.
- 12 Coronel-Ferrer, Miriam. "Philippines National Unification Commission: National Consultation and the 'Six Paths to Peace'" *Owning the Process: Public Participation in Peacemaking 13* (2002). Conciliation Resources. Web. <<http://www.c-r.org/accord/public-participation>>.
- 13 In 2012, MCW supported the organization of "Babaehon," (an indigenous term for women) a group of Mindanao indigenous women leaders who formulated a Mindanao Indigenous Women Peace Agenda that was formally submitted to the government peace negotiating panel. Among their concerns were ensuring that the "meaningful political participation" provision under Article VI, Sec. 1 (g) of the Framework Agreement of the Bangsamoro (FAB) be inclusive to IP women; that IP women be appointed in decision-making bodies; and that there be a substantial number of women in appointed positions. See "Framework Agreement of the Bangsamoro" *Conciliation Resources*. Web. 24 January. 2016. <<http://www.c-r.org/downloads/2012%20Framework%20Agreement%20on%20the%20Bangsamoro.pdf>>
- 14 Nisa Ul Haqq is a Bangsamoro women's group that uses Islamic teaching as a framework for women's and men's empowerment towards engagement in international, national, regional and local levels, for the promotion of women's human rights, sustainable development, and peaceful co-existence of tribes, of religions, of nations, and of women and men. Some of their members are actively engaged in the peace negotiations in Mindanao. See "Nisa Ul Haqq." *Conciliation Resources*. Web. 24 January. 2016. <<http://www.c-r.org/organisation-profile/nisa-ul-haqq#sthash.8Dq1KBXJ.dpuf>>.
- 15 Suara is the Maguindanao word for "voice." It is intended to be the political representation in the Bangsamoro of the leftist Bayan Muna party. According to its website, Suara Bangsamoro "aims to uphold the Moro people's right to self-determination, promote a politics of self-reliance, bring about a "progressive and healthy interaction" between the Moro and Filipino peoples, forge a just peace not only in Mindanao but throughout the Philippines, embark on a policy of "genuine industrialization and land reform" as the path toward eradicating the Moro people's poverty; create international solidarity against foreign aggression, domination, exploitation, and oppression; and protect the Moro people and their homeland. See Meisburger,

- Tim. "Developing Political Parties in the Bangsamoro: An Assessment of Needs and Opportunities." (March 2014). The Asia Foundation. March 2014. Web. 24 January. 2016. <<https://asifoundation.org/resources/pdfs/DevelopingPoliticalPartiesintheBangsamoroAnAssessmentofNeedsandOpportunities.pdf>>
- 16 The Lupah Sug Bangsamoro Women Association Inc. was organized in December of 2007 in Indanan, Sulu, Southern Philippines. This was organized by a group of women coming from areas of influence within the Moro National Front (MNLF). See WE ACT 1325. Web. 24 January. 2016. <<http://weact1325.org/2012/05/01/lupah-sug-bangsamoro-women/>>
- 17 Mindanao Tulong Bakwet means "Help for Mindanao Evacuees".
- 18 The Civilian Protection Component of the International Monitoring Team was established by the Philippine Government and the MILF through an agreement signed on October 27, 2009. It outlines the commitments of both peace panels to protect civilians and civilian communities by expanding the IMT's mandate. The IMT is now tasked to monitor, verify and report non-compliance by either the government or the MILF with their basic undertaking to protect civilians. This civilian protection component will remain in place should the IMT cease to operate. The two panels shall designate humanitarian organizations and NGOs, both international and national, with proven track records for impartiality, neutrality and independence, to carry out the civilian protection functions. The Government of Philippine. Office of the Presidential Adviser on the Peace Process (OPAPP). "Primer on Dialogue Mindanaw." OPAPP. 2010.
- 19 A Malaysian-led International Monitoring Team (IMT) was created in 2001 to monitor the implementation of the Agreement on Peace between the Philippine government and the MILF of 22 June 2001 and its Implementing Guidelines on the Security Aspect of 7 August 2001, Humanitarian, Rehabilitation and Development Aspects of 7 May 2002, and the Agreement on the Civilian Protection Component of the IMT of 27 October 2009. The Government of Philippine. Office of the Presidential Adviser on the Peace Process (OPAPP). "Terms of Reference of the International Monitoring Team." OPAPP. February 2010. Web. 24 January. 2016 <<http://www.scribd.com/doc/160419317/Terms-of-Reference-of-the-International-Monitoring-Team>>
- 20 The MILF was formed by Salamat Hashim after he left the Moro National Liberation Front (MNLF) leadership in 1977.
- 21 Coronel-Ferrer, Miriam. "Woman at the Talks." Kababaihan at Kapayapaan 1. Office of the Presidential Adviser on the Peace Process (OPAPP), March 2014. Web <<http://www.opapp.gov.ph/resources/kababaihan-kapayapaan-issue-no-1>>
- 22 Ibid.
- 23 Coronel-Ferrer, Miriam. Personal interview. 19 May 2015.
- 24 Office of the Presidential Adviser on the Peace Process (OPAPP). *Thank You Speech by Prof. Miriam Coronel-Ferrer during the Awarding Ceremony of Hillary Clinton Award for Advancing Women, Peace and Security on 22 April 2015.* OPAPP. 23 Apr. 2015. Web. 24 January. 2016. <<http://www.opapp.gov.ph/milf/news/thank-you-speech-prof-miriam-coronel-ferrer-during-awarding-ceremony-hillary-clinton-award#sthash.YOknFBuY.dpuf>>
- 25 Ibid.
- 26 Ibid.
- 27 Coronel-Ferrer, Miriam. "Woman at the Talks." Kababaihan at Kapayapaan 1. Office of the Presidential Adviser on the Peace Process (OPAPP), March 2014. Web <<http://www.opapp.gov.ph/resources/kababaihan-kapayapaan-issue-no-1>>
- 28 Coronel-Ferrer, Miriam. "Woman at the Talks." Kababaihan at Kapayapaan 1. Office of the Presidential Adviser on the Peace Process (OPAPP), March 2014. Web <<http://www.opapp.gov.ph/resources/kababaihan-kapayapaan-issue-no-1>>
- 29 Coronel-Ferrer, Miriam. Personal interview. 19 May 2015.
- 30 Bangsamoro Transition Commission was created in 2012 pursuant to an Executive Order signed by President Benigno Aquino III. The Commission, whose creation was mandated in the 2012 Framework Agreement of the Bangsamoro, was tasked to draft the Bangsamoro Basic Law and to work on proposals to amend the Philippine Constitution for the purpose of accommodating in the constitution the agreements of the Parties. See "The Bangsamoro Transition Commission" Office of the Presidential Adviser on the Peace Process (OPAPP) Web. 24 January. 2016. <<http://www.opapp.gov.ph/bangsamoro-transition-commission>>
- 31 Office of the Presidential Adviser on the Peace Process (OPAPP). *Thank You Speech by Prof. Miriam Coronel-Ferrer during the Awarding Ceremony of Hillary Clinton Award for Advancing Women, Peace and Security.* OPAPP. 23 Apr. 2015. Web. 24 January. 2016. <<http://www.opapp.gov.ph/milf/news/thank-you-speech-prof-miriam-coronel-ferrer-during-awarding-ceremony-hillary-clinton-award#sthash.YOknFBuY.dpuf>>
- 32 Coronel-Ferrer, Miriam. "Woman at the Talks." Kababaihan at Kapayapaan 1. Office of the Presidential Adviser on the Peace Process (OPAPP), March 2014. Web. 24 January. 2016. <<http://www.opapp.gov.ph/resources/kababaihan-kapayapaan-issue-no-1>>



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