**Exploring Development Models:**

**A Comparative Study of Muslim Mindanao Autonomy and the**

**Moroccan Initiative on the Autonomy of the Sahara Region**

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**Historical Background**

***Islam and Sultanates***

Islam took root in Mindanao with the coming of Arab traders, travellers, Sufis (saintly Muslims) and Muslim missionaries. Islam became the unifying element of politics, economic systems, justice and culture in these areas. It soon spread and later, principalities in Sulu and Maguindanao were established.[[2]](#footnote-2) In the 15th and early 16th century, four Moro states had emerged: the Sultanates of Sulu and Maguindanao, the Buayan Sultanate, and the Apat na Pangapong. Each sultanate was independent, had sovereign powers and conducted diplomatic and trade relations with other countries in the region. Although the sultanates were politically independent and exercised sovereignty over a particular territory, they were linked by a common religion, shared customs and tradition, and through inter-marriages among the royal family.[[3]](#footnote-3)

The early development of Islam stands on record as the first political institution, the first institutional religion, the first educational system and the first civilization in the Philippines, and that its economy was far advanced than those of the other indigenous communities. Mindanao Muslim society was organized, socially and politically, in ‘sultanates’ which had evolved as segmentary states whose territories increased or decreased depending on the overall leadership abilities of their sultan. In these quasi-states, lineage and kinship combined with more elaborate organization for production and defence. Their wealth was based on maritime trade with China and the Middle East. The sultanates provided Mindanao Muslims with an identity as peoples distinct from the inhabitants of Luzon and the Visayas. Islam was the anchor in their defiance of any group of colonizers.[[4]](#footnote-4)

***Spanish and American Colonization***

During the Spanish colonization from the 1500s, the Spanish government interfered in the Moro affairs by playing politics in several succession issues in the Sultanate of Sulu and in the two dominant Sultanates in the mainland Mindanao (Buayan and Maguindanao). However, Spanish anointment and recognition were always rejected by the Moro people. The Moro people struggled against the subjugation of their homeland by the Spanish colonizers. The Moro people considered themselves as the unsubjugated people with distinct identity from that of the Filipinos. This experience of the Moro struggle against all forms of colonization resonates with the experience of the Sahrawis who distinguished themselves from the Moroccans in the face of Spanish colonization.

The establishment of American rule after a brief interregnum of the Filipino-American War saw the continuation of the Spanish twin thrust of military conquest but with a new element added: democratization. The latest allowed the non-Christian sector to have a limited participation in their own local government and allowed outside groups and entities to participate in Mindanao’s political, economic, social and cultural development. Before long, American laws and programmes had changed Mindanao demographically from a non-Christian to a Christian majority by the time of the Commonwealth in 1935.[[5]](#footnote-5)

**Evolution of Autonomy**

Autonomy for the Muslims in the southern Philippines can be best described as evolving and incremental. Since 1976 when autonomy for the Muslims in the south was first established as a solution to the Muslim rebellion for independence, the autonomous arrangement has undergone three major developments. First, the autonomy arrangement pursuant to the Tripoli Agreement of 1976 between the Philippine government and the Moro National Liberation Front (MNLF). Second, autonomy under the post-martial law period pursuant to the new Philippine Constitution in 1987. Third, the autonomy set-up under the Final Peace Agreement between the Philippine government and the MNLF in 1996.

The current autonomous arrangement is expected to be reconfigured further with the signing of the Framework Agreement on the Bangsamoro (FAB)[[6]](#footnote-6) which is the peace agreement between the Philippine government and the Moro Islamic Liberation Front (MILF),[[7]](#footnote-7) the other Muslim rebel group in peace talks with government. This section traces the development of autonomy and its main features.

***1. The Tripoli Agreement***

The struggle of the Moro people against all form of colonization and subjugation continued under the Filipino nation-state. In 1971, the Moro National Liberation Front (MNLF) declared an armed struggle for independence, signalling the beginning of violent battles against the Philippine military fighting alongside the Christian militias. In 1976, the MNLF signed the Tripoli Agreement with the Philippine government that established a regime of autonomy in southern Philippines.

The Tripoli Agreement granted autonomy to 13 provinces and nine cities in the southern Philippines which the MNLF claimed to be historically part of the political territory of the Moro Sultanates. The agreement reserved only two powers to the national government, namely foreign policy and national defence. The autonomous region on the other hand was granted the powers to set up their own Shariah courts, administrative system, financial and economic systems, a special regional security force, legislative assembly and executive council. The Tripoli pact also mandates the unification of the MNLF and the Philippine armed forces, representation in the central government of the autonomous areas and a reasonable percentage from revenues from mines and mineral resources within the areas for the autonomous government.

Then President Marcos succeeded to include in the final form of the agreement the clause that requires the Philippine government “to undertake constitutional processes in implementing the Tripoli Agreement.” This clause, which the MNLF to date is claiming to have been inserted by Marcos without their consent, had far-reaching implications as it allowed the government to invoke that the agreed arrangement must not contravene the Philippine Constitution. This also meant that the implementation of the agreement had to be subjected to a referendum of the inhabitants in the envisioned autonomous region. On the other hand, the MNLF’s position until today was that the Tripoli agreement as negotiated provided that the establishment of autonomous government in the autonomous region was executory and immediate and not subject to any referendum.

President Marcos was unrelenting in implementing the Tripoli pact in the manner that suited his own brand of autonomy. On 25 March 1977, he issued Proclamation 1628 unilaterally declaring autonomy in the 13 provinces and establishing a provisional government in the 13 provinces and nine cities and establishing a provisional government with a mandate to prepare for a referendum. When the referendum was conducted, only ten provinces opted to be part of the autonomous region. Marcos caused the division of the region into two autonomous administrative regions – Region 9 in Western Mindanao and Region 12 in Central Mindanao. B.P. Blg. 20 and P.D.1618 provided for the organization in each region of a Regional Executive Council and a regional assembly.

It is significant to note that the two autonomous regions were vested with administrative, not political, powers as the laws creating the two regions indicate that they shall only undertake all internal administrative matters for the respective regions. The President, moreover, did not only exercise power of supervision but also control over the two autonomous regions. It is also clear that national laws were considered supreme over regional laws that may be enacted by the regional assemblies.

Under this Marcos-style autonomy for the minority Muslims, development policies were dictated by the central government that made full use of government resources and privileges to co-opt the leaders of the MNLF. The government embarked on massive socio-economic programmes to attract MNLF members to return to the folds of the law. The choicest positions in the autonomous regions were given to rebel leaders who returned to government control but without necessarily possessing the qualifications and fitness for public administration. This was the beginning of autonomy being used as a tool by the government to pacify and co-opt the MNLF. The MNLF strongly protested the unilateral implementation by government of the Tripoli agreement which led to the collapse of the peace process.

***2. The 1987 Constitution***

After the EDSA revolution[[8]](#footnote-8) in 1986, the new democratic government of President Corazon Aquino reopened negotiations with the MNLF. The MNLF demanded that President Aquino with her rule-making powers under Freedom Constitution to faithfully implement the Tripoli Agreement by decreeing the establishment of one autonomous Moro region without subjecting the process to a referendum. But President Aquino, whose own hold to power was already under attack by some elements in the military and the left could not afford to embark on bold and risky initiatives for the Mindanao peace process. Instead, she remanded the Moro question to a Constitutional Commission she appointed to draft a new Constitution.

On one hand, the “constitutionalization” of autonomy for the Moro minority is significant because, for the first time, autonomy for the Moro minority has been entrenched in the country’s fundamental law. On the other hand, the MNLF continued to resist and boycotted the constitutional track as a means to settle the implementation of the Tripoli agreement believing that the Filipino majority, given a veto power on the Moro question, will scuttle any attempt for meaningful self-governance for the Moro minority.

The new Constitution with a provision for the creation of autonomous regions in Muslim Mindanao and the Cordilleras was overwhelmingly ratified by the Filipino people. The Constitution mandated for the creation of a Consultative Commission that will draft the Organic Law for Muslim Mindanao autonomy for submission to Congress. There was deep division and disagreement in the Consultative Commission on the form and substance of the autonomous government that it was not able to reach a consensus on a draft law. On 1 August 1989, President Aquino signed into law Republic Act 6734 creating the Autonomous Region in Muslim Mindanao (ARMM) and in a plebiscite to determine which among the 13 provinces and nine cities covered by the Tripoli agreement will be part of the ARMM, only four provinces – Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi – voted to part of the new autonomous region. A Regional Governor and members of the Regional Legislative Assembly (RLA) were elected and assumed office.

For the first time ever, the Philippine Constitution has empowered the autonomous region to create its own sources of revenue and chart its own regional urban, rural, economic, social and tourism development.

***3. The Final Peace Agreement***

In 1992, the new President, Fidel Ramos, embarked on new peace initiatives to put closure to the implementation of the Tripoli Agreement which culminated in the signing with the MNLF of the Final Peace Agreement (FPA) on 2 September 1996. The FPA provided for the creation of the Southern Philippines Zone of Peace and Development (SZOPAD) composed of the 14 provinces (including the new province of Sarangani) and nine cities covered in the Tripoli Agreement. The FPA called for the implementation of the Tripoli Agreement in two phases.

Phase 1 is a three-year transitional mechanism where the Southern Philippines Council for Peace and Development (SPCPD) chaired by the MNLF Chairman will embark on peace and development initiatives in the SZOPAD. A Consultative Assembly was to be created consisting of the SPCPD Chair as head, the governors and vice-governors of the ARMM, the 14 provincial governors and nine city mayors of the SZOPAD, 44 members of the MNLF, and 11 sectoral representatives nominated by civil society.

Phase 1 will culminate in the holding of a plebiscite in the SZOPAD areas to approve amendments to the Organic Law and to determine which provinces and cities would opt to be part of the expanded ARMM. It was hoped then that with peace and development delivered to the SZOPAD areas during the three-year transition period, citizens especially those from Christian majority areas will be convinced to join the Muslim Mindanao autonomous region.

Phase 2 covers the period after the plebiscite when an expanded ARMM would be in place. Aside from the roadmap to finally end the dispute in implementing the Tripoli Agreement, the FPA also provided for the integration of MNLF combatants in the national police and the military and identified the provisions to strengthen regional autonomy that will be included in amending the ARMM Organic Law (R.A. 6743).

The implementation of the roadmap did not result in achieving the expected outcomes. The SPCPD as the primary mechanism for development did not have clear and delineated roles and relationships with the existing governance structures in the region. There was no meaningful linkage between the SPCPD and other regional development councils and its relationship with local government units was also unclear. The Consultative Assembly turned out as “talk shops” without real development policy making powers.

As well, the difficult task of rebuilding conflict-affected communities was too much for the disorganized MNLF at the helm of the SPCPD and the ARMM thrust in a totally unfamiliar terrain of public administration. The failures and excesses of the MNLF-led SPCPD and ARMM was highlighted in the national media and dissipated what was left of the public’s fragile support to the FPA.

The MNLF, on the other hand, has been protesting Manila’s lack of support to the SPCPD and ARMM and its failure to comply with its obligations under the FPA. On 13 March 2001, R.A. 9054 or the Expanded ARMM Law became a law. At the time the plebiscite for the amended Organic Law was held, the MNLF was already a deeply divided organization between the Council of 15 which supported the amended Organic Act and the group of Chairman Nur Misuari which consistently held the position that the government has not fully complied with its obligations under the FPA.

**Successes and Challenges of Moro Autonomy**

At the level of policies and laws, more powers and resources have been devolved to the autonomous region from the Tripoli Agreement up to the envisioned new Bangsamoro political entity. From the administrative powers under the Marcos-style autonomy, the autonomous region was granted albeit slowly devolved powers. Yet, after more than three decades of experimentation on autonomy arrangements, the challenges are many and formidable. Economic and development marginalization of the Muslim minority in particular remains a serious concern and it continues to be one of the main drivers of armed conflicts and radicalization in the region.

In terms of Gross Regional Domestic Product, the Autonomous Region in Muslim Mindanao (ARMM) lags the rest of the country at 0.3% in 2010-2011 and 1.2% in 2011-2012. ARMM’s poverty threshold per capita and per family continues to climb in reference to the periods 2006, 2009, and 2012. The region has one of the worsening rural poverty rates at 46.9%. As to purchasing power, the real per capita purchasing power of the ‘top 5’ provinces is almost three times more than the real per capital purchasing power of a ‘bottom 5’ province and three of the bottom five real PPP incomes are in the ARMM.

As to Human Development Index (HDI), nine out of ten provinces with the lowest HDI levels are from Mindanao and on average, the HDI of the top ten provinces in 2009 is twice the HDI of the bottom ten provinces. Four of these provinces with the lowest HDI are in the ARMM.

While the Constitution and Organic Law have vested the ARMM with powers to legislate its own regional laws and policies, its leaders have been too careful to assert its autonomy and to put to task the national government on the policies it implements towards the region. The leaders of the autonomous regions were anointed candidates of the national government in all elections in the ARMM. The exercise by the national government of political control over the region that is supposed to be autonomous stunted the development of regional economic policies that should have been anchored on principled cooperation not subservience to national leaders.

ARMM did not enjoy fiscal autonomy as it is largely dependent for funds to the central government. The trend in the ARMM’s fiscal position is that almost all the funds in support of the regional government comes from the central government and only 0.4% is generated within the region. These funds are appropriated annually by Congress in the General Appropriations Act. This means that the Regional Legislative Assembly (RLA) is empowered only to appropriate funds locally generated which is barely negligible while Congress decides on how the lion share of the funds for the region is allocated. Out of the total funds of the Regional government from the central government, 84% are allocated for personnel and maintenance of the ARMM bureaucracy leaving very little for development programmes.

The weak fiscal autonomy of the ARMM also inhibited the passage of responsive economic laws considering that resources are limited for their implementation. A survey of laws passed by the Regional Legislative Assembly (RLA) shows that out of the 267 regional laws passed; only four are related to business and investments in the region. The bulk of the laws are about creating and renaming of local government units as a way to bring in more funds by way of Internal Revenue Allotments (IRA). It must be noted that most of the laws passed are expenditure laws thus creating more sources of revenues.

**Towards a New Autonomy Framework**

While government was dealing with the MNLF in finding closure to the Tripoli Agreement, it was also negotiating with the Moro Islamic Liberation Front (MILF), a splinter group from the MNLF. The MILF’s demand was for the establishment of an independent Islamic state in southern Philippines and consistently rejected the brand of autonomy in the ARMM to resolve the grievances of the Moro people. A breakthrough in the negotiations with the MILF was achieved when the MILF and the government signed the Framework Agreement on the Bangsamoro (FAB) on 15 October 2012. This agreement lays down the processes and desired outcomes for establishing a new political entity to replace the ARMM. The parties have also signed the four annexes that will form part of the Comprehensive Agreement on the Bangsamoro (CAB) namely 1) Annex of Transitional Mechanisms and Modalities; 2) Annex on Wealth Sharing; 3) Annex on Normalization and 4) Annex on Wealth Sharing.

The current negotiations with the MILF have benefitted from the lessons of the ARMM which made the peace process more of a problem-solving exercise. The negotiations were also informed by autonomy experiences of other countries with strong participation of Malaysia as third-party facilitator and the International Contact Group (ICG) composed of four countries: Japan, UK, Turkey and Saudi Arabia and four international NGOs: Muhammadiyah, the Asia Foundation, the HD Centre and Conciliation Resources.

The agreement with the MILF is another transition in the quest for meaningful autonomy for the Moro people. It is a product of the long and protracted peace talks between the government and the MILF and builds on the successes and learns from the failures of past agreements and negotiations as well as the from the experiences of the ARMM. It envisions the creation of a new autonomous political entity called the Bangsamoro as the structure for the self-governance of the Moro people.

The FAB envisions a democratic system for the new entity where basic rights for all the inhabitants of the Bangsamoro are guaranteed – right to life, freedom and religion, privacy, freedom of speech, right to express political opinion and democratically political aspiration, right to seek constitutional change, rights of women to political participation, right to domicile, equal opportunity and non-discrimination, right to establish cultural and religious association, freedom religious, ethnic and sectarian harassment and due process of law.

The FAB provides the opening to develop the justice system in the Bangsamoro by strengthening the Shariah courts, expand their jurisdiction, improve the working of local civil courts and alternative dispute resolution systems that recognizes indigenous processes. The Basic Law of the Bangsamoro as a national law is envisioned to address the conflicting interpretations, policy gridlocks and inefficient administration of the Shariah system.

The establishment of the Bangsamoro follows the democratic process of consultation, participation and finally of plebiscite and referendum by the inhabitants of the Bangsamoro territory. The FAB envisions a ministerial form of government for the new autonomous region which could potentially bring about a regional government that is not only reflective of the unique history, culture and life of the Bangsamoro but one truly owned by its constituents to whom the regional government will be accountable. It envisions the dawning of a new politics where the executive derives its legitimacy from a regional parliament of members elected as representatives of political parties. The ministerial system seeks to address the clan-based political and electoral system in the region and establishes an enhanced representative and democratic system of regional governance.

The FAB addresses the causes for the failures of ARMM’s autonomy. To strengthen the Bangsamoro’s political autonomy, the FAB provides clear policies on the relations and delineation of powers of the Bangsamoro and the central government. Addressing the gaps that retarded the fiscal autonomy of the ARMM, the FAB envisions a wealth-sharing scheme between the Bangsamoro and the central government where the former will be entitled to a greater share of the wealth from economic activities in the region. Measures to enhance revenue generation within the Bangsamoro are being laid down.

The FAB’s provision on normalization is not found on previous agreements. It envisions a Bangsamoro society that is citizen-focused where communities displaced by conflict are to be returned to conditions where they can achieve their desired quality of life, which includes the pursuit of sustainable livelihoods and political participation within a peaceful and deliberative society. Under the FAB, the goal of normalization is to insure human security and commitment to basic human rights. It also envisions that internal security of the Bangsamoro be administered by a police service that is civilian, effective and efficient, professional and free from partisan political control. The normalization provision seeks to control and regulate the proliferation of arms which was not a feature in past peace agreements.**The Moroccan Initiative and Muslim Mindanao’s Policies and Experience**

***Powers over Development and Economic Planning***

The Moroccan Initiative proposes that the Sahara autonomous region exercise powers over the economic sector particularly with respect to economic development, regional planning, promotion of investment, trade, industry, tourism and agriculture. This autonomous region shall also be in charge of the region’s budget and taxation; infrastructure, water, hydraulic facilities, electricity, public works and transportation.

The Autonomous Region in Muslim Mindanao (ARMM) has almost the same development and economic powers. The Philippine Constitution and the Organic Act of the ARMM empowers the region over creation of sources of revenues, regional, urban and rural planning development, economic, social and tourism development and indigenous development plans.

Yet in practice, these powers have not been fully exercised and benefitted the region economically primarily because the mechanisms, structures and processes that have been set-up are weak and in some cases overlapping with central government structures and processes. Considering that the region is heavily dependent on the central government for funds and the region’s political leadership is controlled and determined by the central government, the autonomous region rarely asserted its powers as an autonomous region to the central government.

As well, this situation of subservience of the autonomous region has been brought about by a flawed devolution where national agencies have decentralized personnel and functions but have retained control over programmes and budgets. So while the ARMM has the personnel, development programmes were implemented by the national agencies through the regional agencies. This brings about the condition where the central development plan prevails over any regional development planning which cannot be substantially implemented for lack of funds.

This situation is addressed currently where the new autonomous entity envisioned in the peace agreement between the government and the Moro Islamic Liberation Front (MILF) has listed down specific powers that are reserved to the central government, powers concurrent to the central and regional government and exclusive powers of the new autonomous entity.

Under the Framework Agreement on the Bangsamoro and its annexes:

* The central government has *reserved powers* over coinage and monetary policy, customs and tariff, common market and global trade and intellectual property rights.
* The central government and the regional government will have *concurrent or shared powers* over quarantine, enforcement of customs and tariff laws and regulations to ensure effective exercise of barter trade.
* The regional government shall have *exclusive powers* over specific economic and development activities namely development planning, urban and rural development, agriculture, livestock and food security, economic and cultural exchange, trade, industry, investment, enterprises and regulations, labour, employment and occupation barter trade and countertrade with Association of Southeast Asian Countries (ASEAN) countries, economic zones and industrial centres; free port, tourism, creation of sources of revenue; financial and banking systems, regulation of power generation, transmission and distribution operating exclusively in the Bangsamoro, environment, parks, forest management, wildlife, nature reserves and conservation, inland waterways for navigation, inland waters and management, regulation and conservation of all fishery, marine and aquatic resources within the Bangsamoro territorial jurisdiction.

The listing of the exclusive powers of the new political entity is envisioned to remedy the current situation where the national Congress appropriates funding only for personnel and administrative costs and programme costs are retained by the national agencies. By listing of powers over specific development and economic activities, the funds for implementing these activities by the central government must necessarily be allocated to the autonomous region. The peace deal also provides the appropriation of bulk funds to the autonomous region which will be budgeted by the regional legislative assembly. This gives the autonomous region the flexibility to allocate the funds to implement its regional economic and development plans.

**Development Bodies**

The Moroccan Initiative proposes that an Economic and Social Council shall be set up in the Sahara Autonomous Region. It shall comprise representatives from economic, social, professional and community groups, as well as highly qualified figures. In the case of Morocco, a development agency dedicated to the South (*Agence du Sud*) plays an important role for the development of the Sahara. Between 2000 and 2007, the Agency has allocated 1 billion dollars in projects of infrastructure in targeted development projects.

In Muslim Mindanao, a similar body has been established by the national government called the Mindanao Development Authority (MINDA) which is mandated to coordinate the development plans and projects in the whole of the Mindanao islands. But the effectiveness of MINDA in promoting development has been mixed. First, MINDA’s jurisdiction was for the entire of Mindanao and it had to coordinate with Regional Development Councils and provincial development councils as well as with the ARMM. With the different development agencies at different levels with functions that are sometimes overlapping, MINDA’s potential as development coordinator was not fully realized. Second, a development agency created by the national government was looked upon with suspicion by many quarters in the autonomous region that regarded national agencies as tools of co-co-opting revolutionary groups. This became a stumbling block cohesive and viable development plans that will bring development to the whole of Mindanao including the ARMM.

In the ARMM, the primary economic and development planning body is the Regional Economic and Development Planning Board (REDPB) chaired by the Regional Governor. The members of the Board is composed of all the provincial governors and the city mayors of the provinces and cities within the autonomousregion; the Speaker, and two members of the Regional Assembly appointed by the Speaker, one of whom is nominated by the opposition; and, five representatives elected by the private sector as prescribed by the Regional Assembly.

The Board serves as the planning, monitoring, and coordinating agency for all development plans, projects, and programmes intended for the autonomous region. It evaluates and recommend for approval by the Regional Assembly, the annual work programmes and comprehensive development plans of the autonomous region. Once approved, it is the duty of the Regional Governor to ensure the proper implementation of the said annual work programmes and comprehensive development plans. The Board formulates the master plan for a systematic, progressive, and total development of the region. The master plan takes into account the development plans of the province, city, municipality, and *barangay* concerned as mandated by Republic Act No. 7160 or the Local Government Code of 1991.

In practice, the Regional Economic and Planning Board (REDPB) turned out to be a “paper tiger” with no real mandate to plan and implement regional economic and development programmes. With weak political and fiscal autonomy, the autonomous region cannot effectively make plans backed with resources to implement them. The REDPB which is supposed to be the primary agency to plan, monitor and coordinate development activities in the ARMM turned out to be merely an extension office of the National Economic and Development office than an autonomous agency for independent macro-economic planning. In the same way, the regional Department of Trade and Industry (DTI) serves mainly as the implementing agency of the national DTI than as an empowered agency for developing a business environment responsive and suitable to the economic and cultural life of the region.

To address the problem of overlapping mandates, the peace agreement between the Philippine government and the MILF envisions the formation of an intergovernmental Fiscal Policy Board composed of the heads and/or representatives of the appropriate ministries and office in the Bangsamoro Government and Central Government representatives until full fiscal autonomy is achieved. The board may create a secretariat and sub-committees as it may deem necessary.

The Board is empowered to review revenue imbalances and fluctuations in regional financial needs and revenue-raising capacity of the Bangsamoro, undertake periodic review of the taxing powers, tax base and rates of the Bangsamoro government, wealth sharing arrangements, sources of revenues, vis-à-vis the development needs of the Bangsamoro. An annual report shall be submitted by the body to the Central government and the Bangsamoro Government.

In addition, a Bangsamoro Development Agency (BDA) is formed that will design and implement development to the Bangsamoro areas in the post-agreement phase. The BDA has been existing even while the peace talks are ongoing and it has been undergoing capacity-building, implementation of community-driven development projects and values-formation activities. Embarking on capacity-building and development activities in conflict-affected communities even before a final peace agreement is forged makes the current peace process in Mindanao unique. This model provides the opportunity to develop an appropriate model of development for the region, train community development workers and rehabilitating war-ravaged communities while the ceasefire is in place and the peace talks are on-going. The development model that is being worked out will be fully rolled out once the new autonomous political entity that will replace the current autonomous region is in place. The BDA is supported by a consortium of international development partners, the World Bank, JICA, EU and AusAid.

**Financial Resources**

The Moroccan Initiative proposes that the Sahara autonomous region will have the financial resources required for its development in all areas. Resources will come, in particular, from:

* Taxes, duties and regional levies enacted by the Region’s competent authorities;
* Proceeds from the exploitation of natural resources allocated to the Region;
* The share of proceeds collected by the State from the exploitation of natural resources located in the Region;
* The necessary funds allocated in keeping with the principle of national solidarity;
* Proceeds from the Region’s assets.

Like the proposal in the Moroccan Initiative, the ARMM government is also empowered to impose taxes except income taxes. But this power to tax is turning out to be under-utilized because businesses and investments are already so heavily taxed by the central government and the local governments that the regional government cannot impose the same taxes without unduly burdening the private sector. The Regional Tax Code of the ARMM (MMA Act 49) was enacted to generate local funds to the region but this remains unimplemented. First, it is difficult to collect regional taxes that are assessed on top of local taxes when local government units have very low tax base. Second, the burden of collecting regional taxes was placed on local government units which do not have any incentive for acting as a tax agent for the regional government. Third, these regional taxes can be challenged as double taxation considering that the local government units are already taxing the same subject and activities.

Under the wealth-sharing Annex of the peace deal between the government and the MILF, the new autonomous region can levy taxes that were previously levied only by the central government. These are capital gains tax, documentary stamp tax, donors tax and estate tax. The autonomous region will also get 75% of central government taxes, fees and charges collected from the region.

As in the proposal in the Moroccan Initiative, the ARMM has a share in strategic minerals revenue, taxes or fees. The sharing is 50% of the revenues,taxes, or fees derived from the use and development of the strategicminerals[[9]](#footnote-9) shall accrue and be remitted to the Regional Governmentwithin 30 days from the end of every quarter of everyyear. The other 50% shall accrue to the centralgovernment or national government. The 50% share of the regional government has to be further shared to local government units in the region to wit: 30% to the Regional Government; 20% to all the provinces; 15% to all the cities; 20% to all the municipalities; and 15% to all the *barangays*.

More than having a share in the proceeds, the ARMM has regional supervision and control over the exploration, utilization, development and protection of the mines and minerals and other natural resources within the autonomous region so long as these mineral are non-strategic. In practice, the sharing of proceeds with the central government over strategic mineral resources and control of the autonomous region of non-strategic minerals has not actually generated substantial income and revenues for the region. Because of unstable security in the region, large investments in exploration of mines and mineral are not getting into the region. As well conflicts over land and ancestral domains of indigenous groups are obstacles to investments mineral resources.

This policy over mineral resources has been objected to by the Moro National Liberation Front (MNLF), which is claiming that government violated their 1996 Final Peace Agreement when it unilaterally determined the list of strategic minerals that are beyond control and supervision of the autonomous region. The Framework Agreement on the Bangsamoro is addressing the issue of strategic minerals by doing away with strategic minerals as a classification. Instead it provides that government income derived from the exploration, development and utilization of all natural resources within the Bangsamoro shall be allocated as follows:

1. With respect to non-metallic minerals (sand, gravel, and quarry resources) within the Bangsamoro, such revenues shall pertain to the Bangsamoro and its local government units.
2. With respect to metallic minerals within the Bangsamoro, 75% of such revenues shall pertain to the Bangsamoro.
3. With respect to fossil fuels (petroleum, natural gas, and cola) and uranium, the same shall be shared equally between the Central and Bangsamoro government. Both parties shall endeavour to provide for a review mechanism in the Basic Law with regard to this sharing arrangement.

**Development Models**

The New Development Model for the Moroccan Southern Provinces[[10]](#footnote-10) proposed to adopt four principles for development namely:

* Inclusive, sustainable human development;
* Participation of representative stakeholders and local populations in all phases of policy development and Implementation relating to the region’s development programmes;
* Compliance with and effectiveness of the citizen’s basic human rights;
* Consolidation of the role of the State as a regulator and guarantor of law enforcement.

The Organic Law of the ARMM echoes the same principles. It commands inclusive development and public participation in development planning by mandating the regional government to provide equitable opportunities for the development of every province, city, municipality, and *barangay* within its jurisdiction and shall strengthen their existing planning bodies to ensure wider public participation. It promotes social justice who includes the commitment to create social, political, and economic opportunities based on freedom of initiative, resourcefulness, and self-reliance. The improvement of the status of the marginalized is given priority by the regional government which is required to devote its resources to the improvement of the well-being of all its constituents, particularly the marginalized, deprived, disadvantaged, underprivileged, and disabled and the elderly.

The development model focuses on providing basic services to communities. The Regional Government is required to provide, maintain, and ensure the delivery of, among other things, basic and responsive health programmes, quality education, appropriate services, livelihood opportunities, affordable and progressive housing projects, and water resource development. A notable feature of this model is its emphasis on environmental protection and sustainable development*.* It gives priority to the protection, rehabilitation, and the sustainable development of forests, coastal, and marine resources, including the adoption of programmes and projects to ensure the maintenance of ecological balance.The regional government shall maintain appropriate disaster-preparedness units for immediate and effective relief services to victims of natural and man-made calamities. It shall also ensure the rehabilitation of calamity areas and victims of calamities.

Well-crafted development models are one thing and effective implementation is another. In the ARMM, the regional development model has been good on paper but failed miserably in practice. One of the main reasons for this failure is the inability of the national, regional and local government units to harmonize their different development models, mechanisms and processes. In the Philippines, the delivery of basic social services is the responsibility of the local government units or LGUs (provinces, cities, municipalities and barangays or villages). LGUs enjoy local autonomy that in some cases collide with regional autonomy.

The relationship of the regional government to the LGUs is dysfunctional and impedes the ability of LGUs to deliver basic social services. First, holding on to power over development policies and programmes, the regional government did not devolve delivery of basic services from the regional government to the LGUs. The regional government agencies implement programmes in the LGUs using funds from the national agencies. In this situation, there is no incentive for the LGUs to develop its capacities for delivery of basic services because this is already done by the regional government agencies. This has resulted in a situation where around 70% of local legislative councils and local special bodies in the LGUs in the ARMM are not functioning. This is causing the near paralysis of local systems for governance, economic development and security in the local units.

Second, since local systems and structures are dysfunctional, most of the LGUs do not have well-developed development plans and accurate database to base their policies on. For purposes of reporting to the Department of Interior and Local Government (DILG), local development plans are seasonably submitted but these are neither a result of empirical study or consulted with stakeholders. The development bodies where partnership between the government and the private sectors is developed are either weak or non-existent. This situation does not help in harnessing local businesses since local investors and business chambers do not have the opportunity to push for policies to boost economic activities.

Third, most LGUs consider the ARMM government less as a partner but more of a competitor for scarce government resources. Since funding for LGUs largely comes from the national government and not from the regional government, there is not much incentive for the local leaders to cooperate with the regional government which they consider as just another layer in the complicated government bureaucracy. This makes it hard to develop synergy in implementing development policies and programmes in the region. As well, the central government on its own implements development programmes that it has designed especially for conflict-affected areas (Paraná, etc.).

Under the new autonomous region for the Bangsamoro, the Bangsamoro Development Agency (BDA) is embarking on a Bangsamoro Development Plan (BDP) Project in preparation for bringing development to the Bangsamoro areas. In pursuing the BDP, the BDA has adopted the *Sustainable Human Development and Peacebuilding Framework for Mindanao*, as the foundation of its development framework, together with the integration of the *BDA Core Values System*. The Sustainable Human Development (SHD) and Peacebuilding Frameworks are not new and that these conceptual frameworks are already being used by the international development community. This time, however, the framework has been studied and explained in the context of Mindanao. Mainly, the framework attempts to address the ultimate question of *how can development effectively bring about sustainable peace to the conflict affected areas in Mindanao*. On the other hand, the BDA Core Values System is an indigenous innovation in inculcating the ethics and development culture and mindset among the conflict affected communities. This values system is envisioned to be the profound change that must happen among individuals and communities in order for them to fully participate in their own human development.

The FAB further articulates the features of this new development model:

1. Normalization as vital to the peace process. It is through normalization that communities can return to conditions where they can achieve their desired quality of life, which includes the pursuit of sustainable livelihoods and political participation within a peaceful deliberative society.

2. The aim of normalization is to ensure human security in the Bangsamoro. Normalization helps build a society that is committed to basic human rights, where individuals are free from fear of violence or crime and where long-held traditions and value continue to be honoured. Human insecurity embraces a wide range of issues that would include violation of human and civil rights, social and political injustice and impunity.

(. . . )

10. Intensification of development efforts for rehabilitation, reconstruction and development of the Bangsamoro, and institute programmes to address the needs of MILF combatants, internally displaced persons and poverty-stricken communities.

11. Attracting multi-donor country support, assistance and pledges to the normalization process. For this purpose, a Trust Fund shall be established through which urgent support, recurrent and investment budget cost will be released with efficiency, transparency and accountability. There will be a criteria for eligible financing schemes, such as, priority areas of capacity building, institutional strengthening, impact programmes to address imbalances in development and infrastructures, and economic facilitation for return to normal life affecting combatant and non-combatant elements of the MILF, indigenous peoples, women, children, and internally displaced persons.

12. Implementing a programme for transitional justice to address the legitimate grievances of the Bangsamoro people, correct historical injustices, and address human rights violations.

**Central Government Development Programmes to the Autonomous Region**

The central government implements two large development programmes in the region, a conditional cash-transfer system (referred to in the New Development Model for the Moroccan Southern Provinces) and the PAMANA (“legacy”) which is a national government’s programme for peace and development in conflict-affected regions.

The conditional cash-transfer system in the Philippines known as *Pantawid Pamilyang Pilipino* (Bridging the Filipino) or PPP is a human development programme of the national government that invests in the health and education of poor households, particularly of children aged 0-14 years. Patterned after the conditional cash-transfer scheme implemented in other developing countries, the *Pantawid Pamilya* provides cash grants to beneficiaries provided that they comply with the set of conditions required by the programme, among which are: pregnant women must avail pre- and post-natal care and be attended during childbirth by a trained health professional; parents must attend Family Development Sessions (FDS); 0-5 year-old children must receive regular preventive health check-ups and vaccines; 3-5 year-old children must attend day care or pre-school classes at least 85% of the time; 6-14 year-old children must enrol in elementary or high school and must attend at least 85% of the time and 6-14 year-old children must receive deworming pills twice a year. PPPhas dual objectives: social assistance, by providing cash assistance to the poor to alleviate their immediate need (short-term poverty alleviation); and social development, by breaking the intergenerational poverty cycle through investments in human capital.

On the other hand, PAMANA is the national government's programme and framework for peace and development. It is implemented in areas affected by conflict and communities covered by existing peace agreements. A complementary track to peace negotiations, the Programme’s main strategy is to bring back government to PAMANA Areas, ensuring that the communities benefit from improved delivery of basic social services and are served by responsive, transparent and accountable government units.

The objectives of the PAMANA programme are as follows:

1. Reduce poverty and vulnerability in conflict-affected areas through sustainable rural development, community infrastructure and focused delivery of social services;
2. Improve governance through partnerships with national and local institutions, building capacities for governance, and enhancement of transparency and accountability mechanisms; and,
3. Empower communities and strengthen their capacity to address issues of conflict and peace through activities that promote social cohesion.

The PAMANA framework is anchored on three complementary strategic pillars that define core interventions to achieve lasting peace. Pillar I is laying the foundation for peace through policy reform and legislative action. Pillar II is facilitating delivery of basic services at the community level through community-driven development and community livelihood interventions. Pillar III is addressing sub-regional challenges, including constraints to regional economic development and economic integration of developing areas with the more progressive areas, and inter-regional connectivity improvements.

The review of the impact of these central government programmes in promoting peace and development in the region is mixed. Government is assessing the programmes as a success even as poverty rates are not improving since it will take some time before the impact of the programmes to macro-economic indicators is felt. As national programmes, the conditional cash-transfer and the PAMANA programmes are designed and implemented by the central government with little regard to the input and participation of the autonomous government. Problems of coordination are always a source of conflict between central government and the regional autonomous government that is always asserting its own models and strategies for development. The PAMANA programme is largely looked at as an instrument for co-opting revolutionary movements by promise and actual grant of development assistance.

**Conclusion**

It must be noted that one of the fruits of the exercise of the right of self-determination is equitable development of peoples. The devolution and transfer of powers and rights over governance and resources to any political units that desires self-governance must bring about the integral development of the people. When evolved in a way that is beneficial to the people, autonomy is potentially an effective formula for self-determination. The experience of Muslim Mindanao autonomy demonstrates that economic development of peoples is strongly linked with the degree of political and fiscal autonomy of the autonomous region. While the experience of autonomy so far has not brought about instant economic development, the development infrastructure is continuing to be refined in step with the increased political and fiscal autonomy of the region. Needless to say, autonomy is an evolving system just as economic development must be continuously nurtured. Muslim Mindanao autonomy as well as other autonomy experiments elsewhere have demonstrated that autonomous arrangements out of a solid partnership between the central and regional autonomous governments founded on mutual respect and shared vision for the development of peoples can bring about durable peace and development.

GLOSSARY OF ABBREVIATIONS AND ACRONYMS

ARMM Autonomous Region in Muslim Mindanao

BDA Bangsamoro Development Agency

BDP Bangsamoro Development Plan

CAB Comprehensive Agreement on the Bangsamoro

FAB Framework Agreement on the Bangsamoro

FPA Final Peace Agreement between the Philippine Government and the MNLF

LGUs Local Government Units

MILF Moro Islamic Liberation Front

MNLF Moro National Liberation Front

REDPB Regional Economic and Development Planning Board

RLA Regional Legislative Assembly

SPCPD Southern Philippines Council for Peace and Development

SZOPAD Special Zone of Peace and Development

1. Dr Benedicto Bacani is Executive Director, Institute for Autonomy and Governance, Notre-Dame University, Mindanao, The Philippines. [↑](#footnote-ref-1)
2. Dr Parouk S. Hussin, *Challenges of War and Search for Peace in The Road to Peace and Reconciliation Muslim Perspective on the Mindanao Conflict*, Amina Rasul, ed.(Manila: AIM Policy Center, 2003), 12 [↑](#footnote-ref-2)
3. Ibid. [↑](#footnote-ref-3)
4. Macapado A. Muslim and Rufa Guiam,Mindanao, *Land of Promise in Accord Mindanao* (Conciliation Resources: 1999),10-11 [↑](#footnote-ref-4)
5. Eliseo Mercado, *The Southern Philippines Question* (Cotabato City: Notre Dame University Press, 1997). [↑](#footnote-ref-5)
6. “Bangsamoro” refers to the Moro nation. Moro is the identity of the native inhabitants and descendants of Mindanao before the colonization period. [↑](#footnote-ref-6)
7. The MILF is a breakaway group from the MNLF which is the original Muslim revolutionary group. The government has negotiated separately with the MILF. [↑](#footnote-ref-7)
8. This revolution took place mostly on Epifanio des Los Santos Avenue, more commonly known by its acronym *EDSA*, in Manila from 22 to 25 February 1986. [↑](#footnote-ref-8)
9. Considered to be strategic minerals are uranium, petroleum, and other fossil fuels, mineral oils. Excluded in the powers of the autonomous government are supervision and control over all sources of potential energy, as well as national reserves and aquatic parks, forest and watershed reservations already delimited by authority of the central government. [↑](#footnote-ref-9)
10. See: Economic, Social and Environmental Council of Morocco, *New Development Model for the Southern Provinces*, Oct. 2013 (<http://www.ces.ma/Documents/PDF/Synthese-NMDPS-VAng.pdf>). [↑](#footnote-ref-10)