

A MONTHLY NEWS SECTION OF

The Manila Times

August 29, 2008

EVERY LAST FRIDAY



#### And what of America?

**BY PATRICIO N. ABINALES** 

THE haste with which people associated with the United States Institute of Peace tried to claim part of the success of the Bangsamoro Juridical Entity has blown on their faces. Not the ancestral domain proposal is no more, with politicians, communists, churchmen, businessmen, and many a taxi driver I talked to in Cebu and Manila, have expressed strong opposition to the idea of waking up one day and be told that a chunk of Mindanao is not Filipino anymore.

Then the American ambassador showed up in the aborted signing and further fueling communist and nationalist chatterboxes to see the "unseen hand" of the Empire intervening in volatile Mindanao because of the purported deposits of prime oil in the Liguasan Marsh. Conspiratorial days have returned, abetted by American miscues but also a President who has a penchant of making deals at the backroom. One sees this not only in the columns of known pundits, but also in purported definitive assessments of the Mindanao conflict by pro-communist Center for People's Empowerment in Governance which published recently the collection Rethinking the Bangsamoro Crucible: A Reader.

And America is definitely back in the sights of its opponents. Yet, none of these critics, the comrades of CenPag included, have ever made a thorough evaluation of what the Americans have been doing in Muslim Mindanao, and why-this is the more important question—most Muslim communities welcome them (in 2004, for example, an SWS survey showed that 42 percent of Muslims welcome the American military!).

The reasons for this unusual reception are quite straightforward. Any powerful force that can act as a buffer and/or deterrent to the Philippine Army is welcome. Remember that "the war" Muslim separatists have been waging since 1975 has not been against the Americans or any other "imperial power," it has always been against the Philippine government. If the US is coming in to help slow down the belligerence of Manila, why should one not welcome it?

We cannot deny that American military and economic interests in Muslim Mindanao are part of a larger imperial project to maintain hegemony over a critical region of the world. That what empires do and the US is no exception. The more interesting question to ask is whether in pursuit of its imperial ambitions, US programs in Mindanao have significantly altered lives in what has been a profoundly poor and backward part of the country (an underdevelopment which, Muslim intellectuals noted, was the result of Manila's apathy).

The evidence suggests that this

➤ America D2

## An urgent call for peace in Mindanao

■ HE Editors of The Manila Times and The Moro Times exhort all the many sides in the Mindanao conflict to work to restore the peace that prevailed before July 2008.

We pray that the Mindanao peace process that had its first true bloom in 1996, with the "Final Peace Agreement Between the Government of the Republic of the Philippines and the Moro National Liberation Front," would continue to flourish and result in the envisaged "Comprehensive Compact" between the Philippine government and the Moro Islamic Liberation Front.

#### A difficult pass

The GRP-MILF peace process has reached a difficult pass. Do both sides truly, earnestly want to return to the negotiating table? Can they break their own words angry words? The GRP has said "even if the Supreme Court decides thast the memorandum of agreement on ancestral domain (MOA-AD) is constitutional, there will be no signing of the

document because of MILF terrorist actions." The MILF has said "The MOA-AD is a done deal! There will be no renegotiation."

Will they allow God's will of peace, compassion and mercy to reign? Both sides can do so very simply right now.

Both would just have to decide to sit down and talk again if only for no other reason but to calm their soldiers.

#### Int'l Monitoring Teams

The first object of the resumed talks is to convince the International Monitoring Teams to continue doing their jobs in Mindanao so that ceasefire can hold.

Then they can slowly but sincerely come to an agreement about the matter of signing or not signing the MOA-AD. Creative ways can be found to

**➤**CallD2



■ Displaced residents found refuge in a makeshift tent at an evacuation center in Pikit town as most of them are still too scared to go home after government troops repulsed Muslim rebels of the Moro Islamic **Liberation Front.** AFP PHOTO

### Judging the MOA-AD: Today's parable

BY ACHBISHOP ORLANDO B. QUEVEDO

**COTABATO CITY:** Violence is breaking out once again in southern Philippines. Doubly tragic because such violence could be prevented. The popular rejection of the memorandum of agreement on ancestral domain (MOA-AD) has separated the positions of Moros and Christians quite clearly.

Many Moros are now saying, "Christians will never recognize our fundamental right to self-determination as a people. We do not want an independent State. We simply want self-determination in our ancestral land." On the other hand, Christian Filipinos are passionately affirming their stand, "We do not want to be driven away from our lands. We do not want any Philippine territory to be taken away. We do not want to be part of the Bangsamoro Juridical Entity."

The great tragedy for the country is that the MOA-AD is being rejected for reasons that can be resolved or may not even be in the agreement. It is as though our fears and prejudices have become the measure for judging the MOA-AD. There is no substitute to actually reading and studying the document—in itself—to know what it says, to know what it does not say, and to realize the implications of all these. By rejecting the memorandum of agreement on the basis of misconception, prejudices and misinformation, we may be throwing



Achbishop Orlando B. Quevedo

out a "piece of paper" that could very well be a good working basis for lasting peace in Mindanao.

Many Filipinos reject the MOA-AD mainly on the following bases:

1) It is dismembering the Republic of the Philippines;

2) It has certain unacceptable or at least questionable provisions;

**3)** The Filipino people were not consulted; **4)** The present government cannot

5) President Arroyo wants the MOA-AD in order to extend her term;

6) The United States had a "hidden" hand in the MOA-AD because of its own interests.

be trusted:

The first and second objections concern the content of the MOA-AD. The third objection is about process. The third, fourth, fifth and sixth objections are about circumstances

external to the document.

I believe that all of us should let the MOA-AD speak for itself. To do this may I suggest some points for reflection. On the concept of Bangsamoro

self-determination: Do Christian Filipinos recognize

that the right to self-determination is a fundamental right? Is such a right unconstitutional?

Are the Bangsamoro people entitled to such a right?

On the Bangsamoro homeland or ancestral domain:

In their history have the Bangsamoro people ever exercised the right to selfdetermination and sovereignty?

Are we, Christian Filipinos, aware that even before the Spaniards came, the Bangsamoro people already had a system of political authority that held sway over a domain that covered most parts of Mindanao and Sulu?

Despite Spanish and American colonizers, did leaders of the Bangsamoro people continue to claim political authority over their ancestral domain?

Within the short space of 50 years, from the 1920s to the 1970s, did not Christian Filipinos completely reverse the demographic, territorial, and political situation in Mindanao and Sulu partly through a series of land laws that sent several waves of migrating Christians from the Visayas and Luzon?

Are we aware that while we

**▶**Parable**D2** 

## Is Sulu the future of 'war' in Mindanao?

BY ISHAK V. MASTURA

FOR those who thought the southern Thailand scenario in Mindanao is a remote to the Philippine situation, consider Sulu and Basilan. Lessons from Sulu and Basilan islands can give us a glimpse of the future of "war" in Mindanao proper. When the Moro National Libera-

tion Front (MNLF) forces signed the 1996 peace agreement, it did not transform into a political organization contesting the ballot because it felt that should the peace agreement fail, it would go back to the hills to fight the government again. The MNLF imploded because circumstances changed and the leadership splintered; some no longer dreamed of armed struggle while others joined or formed other armed groups. However, Nur Misuari in 2001 allegedly raised the banner of rebellion again. In fact, of the MNLF forces that remained fighting the government in Sulu, the bulk remained under his leadership. After he was jailed, new leaders on the ground arose to continue the armed struggle in Sulu.

But more ominous was the Abu Sayyaf. At its height (the Sipadan and dos Palmas kidnappings, Lamitan siege), the relatively small Abu Sayyaf numbers swelled up to a thousand. But the trademark characteristic of the Abu Sayyaf was that its membership was fluid and more mercenary. Its membership included bandit groups who just wanted a share of the spoils; although in the beginning its founder Abdurajak Janjalani conceived of the Abu Sayyaf as a purer revolutionary struggle for the Bangsamoro Cause along the lines of the Afghan jihad against the Soviet Union hence the name Abu Sayyaf culled from one of the Mujaheedin leaders in Afghanistan. Abu Sayyaf was and is the precursor of Fourth Generation War Groups in Mindanao.

"Most of what [the Philippine military is facing] . . . today is not yet Fourth Generation warfare, but a War of National Liberation, fought by people whose goal is to restore a [Moro] state. But as that goal fades and those forces splinter, Fourth Generation war will come more and more to the fore. What

will characterize it is not vast changes in how the enemy fights, but rather in who fights and what they fight for. The change in who fights makes it difficult for us to tell friend from foe . . . the change in what our enemies fight for makes impossible the political compromises that are necessary to ending any war. We find that when it comes to making peace, we have no one to talk to and nothing to talk about. And the end of a war like that in Iraq [or the Philippine insurgency] becomes inevitable: the local state we attacked vanishes, leaving behind either a stateless region [Somalia] or a façade of a state [Afghanistan] within which more non-state elements rise and fight." (Lind, W., Understanding Fourth Generation War, January 15, 2004, at www.antiwar.

In Sulu and Basilan, the government reacted by sending more troops to these islands to run after the Abu Sayyaf, classified as a terrorist organization. Clashes with any and all anti-government forces including the MNLF in Sulu were categorized as "war on terror," giving impunity to government forces and these actions in turn increased repression. Some analysts opined that the armed conflicts in Sulu and Basilan were being transformed into a "People's War." Extra-judicial killings increased. Killings of civilians became "collateral damage" in the military's "punitive actions." The people of Sulu and Basilan, armed and used to fighting during the years of the MNLF, fought back.

In Sulu, native Tausugs have been attacked by unknown groups or even individuals or cells. The latest was the killing of Navy Capt. Abduhari Sulani on August 20, 2008 by "suspected Abu Sayyaf Group members" in Patikul, Sulu ("Marine killed in Sulu ambush," www.abs-cbnnews. com, August 20,

2008). Bombings of civilian centers have also occured, such as the Cooperative Store in Jolo, last year.

Just like in southern Thailand "in an effort to weaken central control, the insurgents [may] also target Muslims who cooperate with the government . . . the insurgency [in ➤ Mindanao D2

## MOA-AD: Build, don't work to destroy peace process

BY JULKIPLI WADI

WHY was it easy to destroy a peace process in just few days when it took more than a decade to build it?

The imperative of memorandum of agreement on ancestral domain (MOA-AD) should be to build the peace—not to destroy it. This way peace and progress can finally dawn in Mindanao and the coming generations are saved from the specters of conflict.

The MOA-AD stands as the only agreement in the annals of peace process in the Philippines that elicited much euphoria to supposedly end the age-old secessionist challenge in southern Philippines. Yet, eight days before the scheduled signing at Putrajaya, Malaysia, the promise of the MOA-AD



Julkipli Wadi

degenerated and its non-signing subsequently triggered the launching of new round of war displacing hundreds of thousand of civilians, women and children while destroying countless properties in central Mindanao.

There is no doubt that the incremental and cumulative approach of the peace process has elicited windfall concessions in favor of the Moro Islamic Liberation Front (MILF). Starting in 1997, the Government of the Republic of the Philippines-MILF peace process has undergone twists and turns making the peace process hang in the balance at times. With the MOA-AD, the MILF has made the Philippine government commit, through the contemplated Bangsamoro Juridical Entity, to secure, preserve and utilize the ancestral domains of the Bangsamoro people. In turn, the Philippine government will benefit from the end of the last major secessionist movement in the country.

By radical twist, the travail started when the Supreme Court granted a temporary restraining order (TRO) on the MOA-AD halting thus its scheduled signing. The highest court of the land responded to group of opposition mostly local government officials in North Cotabato, Iligan and Zamboanga that questioned its constitutionality and their claim of lack of transparency and consultation. It alleged that the MOA-AD arbitrarily included some of their areas without their consent and without consulting their people. As response, a group of frustrated MILF renegades led by Commanders Kato and Bravo attacked the areas in North Cotabato, Lanal del Norte and Saranggani triggering massive military response from the ➤ PeaceD2

MOA-AD To help clarify issues in the agreement on

PRIMER ON

memorandum of ancestral domain, we are publishing a primer on pages 3 to 4.

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August 29, 2008

#### **CALL** FROM D1

## An urgent call for peace in war-torn Mindanao

clarify issues in the MOA-AD without changing what has been written. On the GRP constituencies' sides (we use the plural because there are many sides in the Philippine totality), most of the questions have to do with the threat that the MILF does not respect the Philippine Con-

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Republic of the Philippines

Department of Public Works and Highways

Batangas 4th District Engineering Office

Lipa City

INVITATION TO APPLY FOR ELIGIBILITY AND TO BID

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Impv't/Rehab. of Road

SARO NO. A-08-01641

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Poblacion Section, Batangas

Widening/Impv't of Shoulder

Rosario Section, Batangas

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Improvement along Batangas-Lobo Road

Improvement of Road along Purok 1-7 @ Brgy. Pangao

Improvement along Manila-Batangas Road,

Improvement along San Juan Poblacion Road

Improvement along Rosario-Taysan Road

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Approved Budget for the Contract: Php 9,650,000.00

San Jose Section, Batangas

stitution and its laws. Lawyers for the MILF and advocates of signing the MOA-AD keep repeating the assurance that the MILF does agree to subjecting the MOA-AD and the Comprehensive Pact to all the required constitutional processes and other legal frameworks. As proof of this, they point out that on the first page of the MOA-AD the documents

Philippine Constitution. All right then, why don't the two sides agree to add an amendment

referred to in the Terms of Refer-

ences include words that mean the

that will specifically mention the Philippine Constitution and the constitutional processes.

Here's a positive thought Negotiations can still continue even without the MOA-AD being formally signed.

The details of the other matters that must be ironed out can be discussed now.

We in The Manila Times have on several occasions called on the Philippine government to do right by our Muslim Filipino brothers and sisters. We wish the 1996 Final Peace Agreement to be carried out

to the letter right now. We want government money and that of many investors from around the world to be poured generously into the Autonomous Region in Muslim Mindanao (ARMM) provinces so that the destitute Moros there can be lifted up from their conditions of poverty. We want affirmative action treatment to be given to our Muslim compatriots so that they can be given the educational, business and industrial opportunities many of them have not enjoyed so far.

The time to act is now.

#### **AMERICA** FROM D1

#### And what of the United States of America?

has been the case. Majority of the United States Agency for International Development (USAID) projects in Muslim Mindanao can be considered major successes from the infrastructure and livelihood programs of the Growth for Equity in Mindanao (GEM), to the introduction of computers and computer literacy in public schools, the integration of reproductive rights to Islamic teachings and environmental protection. The case of GEM's Livelihood Enhancement Program for Moro National Liberation Front (MNLF) veterans is illustrative. The 1999 assessment conducted after its first phase showed that over 90 percent of the first 4,000 ex-combatants were able to maintain their livelihood two years after the GEM assistance ended (it was a program that send funds directly to the veterans, eliminating "middlemen" like local officials, MNLF commanders and traditional leaders). GEM coordinators themselves were additionally surprised that even if these veterans

initially knew very little farming, they were able to compete and even outperform "long-time" farmers in their communities.

The Moro Islamic Liberation Front (MILF) has seen the political value of American presence. Instead of attacking USAID like the communists did, it used its achievements as an opportunity to rope in a powerful actor into its cause and neutralize the aggressiveness of the stronger Philippine government (this astute maneuvering has a long history, dating back to the colonial days of Southeast Asia, where indigenous polities entered into short-term alliances with one powerful outsider to deter another as well as other powers). This is classic "weapons of the weak" in action.

Nationalists and communists my scoff on this, but the fact is the empire's legitimacy is in an all-high now in Muslim Mindanao. The formers have tried to undermine this, reminding the public of Bud Dajo and Bud Bagsak (the two massacres perpetrated by American

Approved Budget for the Contract : Php 9,650,000.00

: 120 Calendar Days

**Brief Description** 

: Impv't./Concreting/Rehab. of Road

troops against Tausugs in the 1900) But they have not made any dent on this favorable sentiment towards the United States. This, in turn, has given the US extensive political maneuverability when it comes to the conflict in Muslim Mindanao knowing that it can ignore the complaints of its opponents in Manila.

The US, in short, is in Mindanao for the long haul, and she will still be there long after Commanders Bravo and Kato have been captured or eliminated. So instead of whining about it, civil society forces and, ves, even anti-US militant groups, could learn a lesson or two from the MILF's astute handling of its influential presence. But their dogmatism will unlikely allow them to think outside of the box.

Patricio N. Abinales is a Professor at the Center for Southeast Asian Studies, Kyoto University and a contributor to Mindanews. Published by Anvil, his latest book, is The US and the War on Terror in the Philippines, which he co-edited with Nathan Quimpo.

## MOA-AD: Build, don't destroy peace process

Armed Forces of the Philippines and putting on hold the peace talks with the MILF leadership.

In a sense, the Supreme Court's granting of TRO to halt the agreement's signing is a case of premature intervention by the judiciary on the power of the Executive to close a peace deal with the MILF. The Supreme Court preempts the fundamental function of Congress to craft laws by practically lording it over the political and legislative functions of both the Executive and Legislature, a sheer case of throwing a monkey wrench into the principle of separation of powers under Republican system of government.

This happens because the Executive has been remiss in engaging a comprehensive approach on the peace process, a fundamental defect that has been showed since day one of the peace talks. If the Executive has been in full control, transparent and proactive in dealing with other branches of government including the concerned local governments, the Supreme Court would not have turned frantic with the MOA-AD and thus it would have not succumbed to pressure from few vested interests in Mindanao which have been opposed not only to the MOA-AD but to the peace process in general.

The pitfall by the Executive is shown more fundamentally when, upon close scrutiny, Malacañang lacks a clear timetable for the peace process. It should have made the peace process a national policy and should have closed the peace deal with the MILF much earlier so that the remaining years in office of President Gloria Arroyo could be used to shepherd the implementation of the peace agreement with the MILF.

The MOA-AD has now unleashed a national uproar especially from the opposition with presidential ambitions. They ride on speculation that the MOA-AD was surreptitiously hatched by Malacañang to justify constitutional amendment in order to change the Philippine unitary setup to federalism including a possible shift from presidential to parliamentary system of government that may allow President Arroyo to extend her term beyond 2010.

Whatever the veracity of such claim, the MOA-AD and the whole peace process have been "hostaged" by politics and bickering within the national government transforming a promising legal document into a source of ferment while triggering anti-Moro sentiment nationwide. Stop this madness!

The government has nothing to be ashamed of after being made to commit with the MOA-AD. To unleash the dog of war and hijack the peace process won't help. It only aggravates government's folly. The crimes of Commanders Kato and Bravo should not be used as alibi to circumvent the MOA-AD, to shortchange the MILF outside of negotiation and to further derail the peace process. In short or long term, the only option is for the government to go back to negotiating table. Today demands rational leadership and statesmanship of highest kind.

Julkipli Wadi is Associate Professor of Islamic Studies, University of the **Philippines** 

**MINDANAO** FROM D1

#### Is Sulu the future of 'war' in Mindanao?

Sulu and Basilan] is all the more difficult to combat because it does not show its face. Unlike similar movements around the world, this one has not set out its demands or published a manifesto. It is a collection of violent groups without an identifiable central leadership.' (Mydans, S., "Muslim insurgency stokes fear in southern Thailand," International Herald Tribune. February 25. 2007). Just like in southern Thailand the statement that "We are fighting a ghost," by Chidchanok Rahimmula, a lecturer in security at Prince of Songkhla University is appropriate in Sulu and perhaps Basilan (ibid).

Sulu and Basilan are island provinces that can be contained, cordoned and isolated because the seas effectively act as barriers if there is lack of marine transport. Hence, the violence can be contained. From time to time, there are spillovers of violence in Zamboanga City and its environs but the military has a forward deployment in the Sulu archipelago precisely to prevent the violence from reaching or escalating in the target-rich cities and towns in the Zamboanga peninsula, which has a majority Christian population mixing with a significant Moro population.

Imagine the scenario of Sulu and Basilan magnified in Central Mindanao with the failure of the peace process with the Moro Islamic Liberation Front (MILF). Imagine the MILF splintering into a dozen or more Abu Sayyaf type or Fourth Generation War groups with no central leadership. It will be much worse. The large Christian majority cities in Mindanao, provide a target-rich environment, lacking in Sulu and Basilan. Further, communal violence will be likely due to the large proportion of Mindanao residents, Muslims and Christians alike, who own guns. The government has less control in the proliferation of firearms because of "warlord" politicians.

Before communal violence happens, let us learn from the communal and sectarian violence in Poso and Ambon in the Moluccas in Indonesia in the 1990s when a group of Jihadists, the Laskar Jihad fielded thousands of fighters from Central Java to wage jihad against the Christians. If some people think that the "Ilaga" or fanatic Christian militias are to be dreaded then they cannot actually compare with Jihadists who believe that martyrdom is victory in itself. Have you ever heard of any Christian in Mindanao who believes that by dying for a nebulous cause he has earned victory and eternal salvation? I have not even begun to discuss about Jemaah Islamiah but anyway that analysis is for another time.

In the meantime please ponder what I have written here.

(Ishak Mastura is a lawyer and secretary of ARMM-Department of Trade and Industry.)

**PARABLE** FROM D1

### *Judging the MOA-AD:* A parable for our time

Christians call this historical, demographic, and political development quite legal, members of the Bangsamoro believed and continue to believe that this was an injustice to their historic claim to their lands and to the selfdetermination that they—for a long time—once exercised in their territory?

On Bangsamoro self-determination and exercise of sovereignty in relation to the national sovereignty and territorial integrity: Does Bangsamoro self-determina-

tion and exercise of sovereignty in their ancestral domain necessarily mean political independence from the Republic of the Philippines? Does the MOA-AD say that the

Bangsamoro Juridical Entity is a separate and independent State? Does it intend to set up such a state?

Is there internal evidence in the MOA-AD that in fact it does not intend to do so, and that the agreement is not setting up an independent state?

Does the MOA-AD say, even if only equivalently, that it is breaking up the territorial integrity of the

Republic of the Philippines? If the document has internal merits,

surely the problems of lack of consultation can be worked out. Flaws in the concepts and content can be remedied. Suspicions about the hidden hand of the United States or the hidden intentions of President Arroyo behind charter change can be resolved in their own context. But these to my mind are basically extraneous to the internal validity of the MOA-AD. We can surely correct its faults.

But to reject the MOA-AD completely on the basis of what it does not say could be a tragedy of incalculable proportion, possibly a death knell to lasting peace. The two panels have painstakingly worked out the peace documents for 11 long years. I would give them the benefit of the doubt that they have been conscientious in their work, looking out for the interests of their constituencies.

It is my firm conviction that if only the MOA-AD is allowed to speak for itself or examined on its own merits, it can be a good working document for lasting peace in Mindanao.

(Cotabato Achbishop Orlando B. Quevedo earlier wrote a five-part series on the MOA-AD published in Mindanews)

August 26, 2008 The Batangas 4<sup>th</sup> District Engineering Office, Lipa City, through its bids and Awards Committee (BAC), invites contractor to apply for eligibility and, if found eligible, to bid for the following contract: Improvement/Rehabilitation along Manila-Batangas Road Improvement/Rehabilitation along Rosario-Taysan Road Widening & Shoulder Improvement along Rosario-Poblacion Road, Widening & Shoulder Improvement along Lipa-San Jose Road,

14. Contract ID 08DD0111 SARO NO. A-08-02445 Contract Name Impv't & Conc./Rehab. of Lipa-Cuatro Santos Road Phase II Project Location Lipa City, Batangas Impv't./Concreting/Rehab. of Road **Brief Description** Approved Budget for the Contract : Php 9,650,000.00 15. Contract ID 08DD0112 SARO NO. A-08-05749 Contract Name Impv't/Asphalt Overlay/Reblocking of Lipa-Ibaan Road Lipa City, Batangas **Project Location** Pavement Re-blocking/Asphalt Overlay **Brief Description** Approved Budget for the Contract: Php 9,167,500.00 Contract Duration : 120 Calendar Days 16. Contract ID · 08DD0113 SARO NO. A-08-00987 Impv't/Rehab. of Rosario-San Juan Road Contract Name **Brief Description** Impv't/Rehab. of Road Approved Budget for the Contract : Php 9,650,000.00 120 Calendar Days 08DD0114 17. Contract ID SARO NO. A-08-00987 Impv't/Rehab. of Manila-Batangas Road Contract Name San Jose Sect., Brgy. Banay-Banay 1st – Brgy. Sto Cristo Sec. San Jose, Batangas **Brief Description** Impv't/Rehab. of Road Approved Budget for the Contract : Php 9.650,000.00 Contract Duration : 120 Calendar Days 08DD0115 18. Contract ID SARO NO. A-08-00987 Impv't/Rehab. of Batangas-Quezon Road(Ibaan Sect.) Contract Name Poblacion Ibaan Sect. (National Road) **Project Location** J. Pastor St. J.M., Santiago, Mercado, R.I. Reyes St. **Brief Description** Impv't/Rehab. of Road Approved Budget for the Contract : Php 9,650,000.00 120 Calendar Days Contract Duration 08DD0116 SARO NO. A-08-06149 Asphalt Overlay of Manila-Batangas Road Contract Name Project Location San Carlos Section km 79+748 to km 80+531, Lipa City Sect. **Brief Description** Impv't/Rehab./Asphalt Overlay Approved Budget for the Contract: Php 9,650,000.00 : 120 Calendar Days Contract Duration 08DD0117 SARO NO. A-08-06149 Contract Name Asphalt Overlay of Manila-Batangas Road Project Location Balintawak Section km 78+940 to km 79+748, Lipa City Sect. **Brief Description** Impv't/Rehab./Asphalt Overlay Approved Budget for the Contract : Php 9.650.000.00 Contract Duration : 120 Calendar Days The BAC will conduct this public bidding in accordance with R.A. 9184 and its Implementing Rules corporation with PCAB license applicable to the type and cost of this contract, (c) completion of a similar

and Regulations Part A To be eligible to bid for this contract, a contractor must submit a Letter of Intent (LOI) and must meet the following major criteria: (a) prior registration with the DPWH, (b) Filipino citizen owned partnership/

contract costing at least 50% of ABC, and (d) Net Financial Contracting Capacity at least equal to ABC, or credit line commitment/cash deposit certificate for at least 10% of ABC

The DPWH will use non-discretionary pass/fail criteria in the eligibility check, preliminary examination of bids, evaluation of bids, post qualification, and award.

Unregistered contractors, however, may submit their LOIs simultaneously with their applications for registration, to the Batangas 4th District Engineering Office, Lipa City before the deadline set below for the receipt of LOIs. The DPWH Central BAC-TWG will first process the contractor's applications for registration and issue the Contractor's Certificate of Registration (CRC) before processing their LOIs. The DPWH Central BAC-TWG will process only those with complete registration requirements.

The significant times and deadlines of procurement activities are shown below

1. Receipt of LOIs from Prospective Bidders	Deadline September 9, 2008 8:00 A.M. to 5:00 P.
2. Issuance of Results of Eligibility Check	September 16, 2008 8:00 A.M. to 5:00 P.M.
3. Issuance of Bidding Documents	September 23, 2008 8:00 A.M. to 5:00 P.M.
4. Pre-Bid Conference	September 26, 2008 @ 10:00 AM
5. Submission of Bids	October 14, 2008 @ 10:00 AM
6. Opening of Bids	October 14, 2008 after the receipt of bids

Prospective bidders may download the Registration and LOI Forms from the DPWH website <u>www.dpwh.gov.ph</u>.The BAC will issue hard copies of LOI Forms at Batangas 4<sup>th</sup> District Engineering Office, Lipa City upon payment of a non-refundable fee of **Php500.00**.

Prospective bidders that will download the LOI forms shall pay the same amount upon submission of their LOIs. Prospective bidders shall submit their accomplished LOIs and obtain the results of the Eligibility Check at the same address

Prospective bidders may also download the Bidding Documents (BDs), if available, from the DPWH web site. The BAC will also issue hard copies of the BDs at the same address to eligible bidders upon payment of a non-refundable fee of PhP3,500.00 for item 1 & Php3,000.00 for items 2 to 20. Eligible bidders that will download the BDs from the DPWH website shall pay the said fees upon the

The Batangas 4th District Engineering Office reserves the right to accept or reject any bid and to  $annul\,the\,bidding\,process\,any time\,before\,Contract\,award, without\,incurring\,any\,liability\,to\,the\,affected$ 

> (SGD.) ALBERTO C. GUERRERO BAC CHAIRMAN Tel. No. (043) 756-1818

OIC — District Engineer

(SGD.) NESTOR I. CLEOFAS

#### Approved Budget for the Contract: Php 9.650.000.00 **Contract Duration** : 120 Calendar Days 08DD0108 11. Contract ID SARO NO. A-08-02445 Impv't & Conc./Rehab. of Latag-San Jose-Tipacan Road Phase I Contract Name **Project Location** Lipa City, Batangas Impv't./Concreting/Rehab. of Road Approved Budget for the Contract: Php 9,650,000.00 : 120 Calendar Days Contract Duration 08DD0109 12. Contract ID SARO NO. A-08-02445

Marauoy-Inosluban Section, Batangas

Widening & Shoulder Improvement along Manila-Batangas Road

Contract Name Impy't & Conc./Rehab. of Latag-San Jose-Tipacan Road Phase II **Project Location** Lipa City, Batangas Impv't/Concreting/Rehab. of Road Approved Budget for the Contract: Php 9,650,000.00 Contract Duration : 120 Calendar Days

13. Contract ID SARO NO. A-08-02445 Contract Name Impv't & Conc./Rehab. of Lipa-Cuatro Santos Road Phase I : Lipa City, Batangas Project Location

## A primer on the memorandum of agreement on ancestral domain

also institute parallel government programs addressing these issues alongside the implementation of DDR.

20. How will the MOA-AD and the prospective Comprehensive Compact be operationalized?

The AD MOA itself is a non-executory document and still subject to further discussions as to the details of its provisions. Once the details are discussed and agreed on, these will be incorporated, among others, into the Comprehensive Compact document.

To implement provisions of the agreement, the Executive branch will undertake the necessary processes, where needed, to effect changes to the existing legal framework. This will range from the passage of the necessary executive issuances (E.O.), national laws (R.A.), and perhaps Constitutional amendment (via Constituent Assembly or Constitutional Convention) to legally entrench our arrangements on the BJE.

We have faith that there is bi-partisan support for the peace process, and that the other branches of government will help the executive pursue the attainment of lasting peace in Mindanao. The three decades of armed conflict has affected the entire country. Its solution is our shared responsibility.

21. Is the prospective BJE envisioned to exist under a federal form of government?

The ongoing negotiations focus on the substance of governance, rather than the form of government.

In terms of substance, we know that amendments to some provisions of the Constitution (probably, Art. X on Local Government and Art. XII on National Economy and Patrimony) may be necessary to give full effect to our agreement.

In terms of form of government, many legal experts are of the opinion that the agreement will find more pragmatic application when a federal system is in place. In the end, this will be a matter of collective judgment on the part of the Bangsamoro people and the rest of Philippine society.

However, we welcome the strong bi-partisan initiatives of some of our legislators who push for federalism, and see it as a viable track to help solve the Mindanao problem. When such an opportunity becomes evident, we will leave it to the wisdom of the framers on how they see themselves contributing to the achievement of lasting peace in Mindanao.

22. Does the ancestral domain issue also involve discussions on compensation, reparation, and the like?

The issue of compensation or reparation for properties lost or destroyed by reasons of the conflict on the part of displaced individuals and families is already included in the Implementing Guidelines on Humanitarian, Rehabilitation and Development signed in May 2002.

The MOA-AD affirms this principle, and it will include a provision on restitution measures for unjust dispossession and marginalization of displaced persons and communities. This will have to be studied and evaluated by the Parties on a case-to-case basis.

23. What happens to settlers and Lumad communities who will be situated later on within the prospective BJE?

There will be no effect on the fundamental rights, properties and personal circumstances of settlers and Lumads. The principles of equality, respect for cultural integrity, and the rule of law will be recognized at all times. Good governance will ensure that these rights are protected at all times, and the basic needs of communities—regardless of cultural persuasion and religion—are satisfied.

24. Is the MOA-AD bereft of respect for civil and human rights?

There is no truth to the hysterics that the unsigned GRP-MILF MOA-AD is "bereft of respect for civil and human rights" and that its proposed BJE shall possess and exercise "absolute powers without any of the civilized limitations in the Bill of Rights.

.." One has just to look mainly at the "Terms of Reference [TOR]" at the start of the MOA-AD. The seventh paragraph therein states as a TOR:

"ILO Convention No. 169, in correlation to the UN Declaration of Rights of the Indigenous Peoples, and Republic Act No. 8371, otherwise known as the Indigenous Peoples Rights Act of 1997, the UN Charter, the UN Declaration of Human Rights, International Humanitarian Law, and internationally recognized human rights instruments."

The second, third and fourth paragraphs of the TOR in turn mention three earlier interim but framework agreements in the GRP-MILF peace negotiations:

- 1. The General Framework of Agreement of Intent (GFAI) between the GRP and the MILF dated August 27, 1998
- 2. The Agreement on the General Framework for the Resumption of Peace Talks between the GRP and the MILF dated March 24, 2001
- 3. The Tripoli Agreement on Peace (TAP)

FOR THE CONTRACT



■ Thousands of evacuees queue for the distribution of sacks of rice from the World Food Program as the villagers were forced to leave their homes after the Moro Islamic Liberation Front took over their land, leaving unexploded bombs as they fled, AFP PHOTO

between the GRP and the MILF dated June 22, 2001

In the GFAI of August 27, 1998, an important early framework agreement which deserves more attention than it is usually given, there is Article II which states: "The Parties affirm their commitment to protect and respect human rights in accordance with the principles set forth in the Charter of the United Nations, and the Universal Declaration of Human Rights." There is also Article V, which states: "The parties recognize that there will be lasting peace in Mindanao when there is mutual trust, justice, freedom, and tolerance for the identity, culture, way of life and aspirations of all the peoples of Mindanao."

It is clear under the MOA-AD that the powers of the BJE are not "absolute" and that these are with "civilized limitations." The socalled "civilized limitations in the Bill of Rights" are found in other legal instruments, which are mutually acceptable to the parties

like those mentioned in the early abovequoted seventh paragraph of the TOR of the MOA-AD. That would include what is known as the "International Bill of Rights"—the 1948 Universal Declaration of Human Rights; the 1966 International Covenant on Civil and Political Rights; and the 1966 International Covenant on Economic, Social and Cultural Rights. In fine, the Bill of Rights of the Philippine Constitution is not the only, nor even the best, legal instrument on civilized limitations to governmental powers.

The non-mention in the MOA-AD of the Bill of Rights and for that matter the Constitution itself, is understandable because of the MILF's consistent objection from Day 1 to the Constitution as a TOR or framework for the peace talks. This negotiating position is only natural for any revolutionary force (just like the NDF, for that matter), which seeks the overthrow of, or separation from that constitutional order or entity. Those who insist on the mention of the

Constitution as a TOR or framework in these peace negotiations do not really understand the armed struggles that these negotiations are trying to resolve. Those who make peace negotiations impossible by imposing the Constitution will make continued armed struggle inevitable.

Atty. Soliman Santos, Jr. is a Bicolano human rights lawyer, peace advocate, legal scholar; A.B. History cum laude (UP), LL.B. (UNC), LL.M. (Melb); author of The Moro Islamic Challenge: Constitutional Rethinking for the Mindanao Peace Process (UP Press, 2001), Peace Advocate (DLSU Press, 2002), Dynamics and Directions of the GRP-MILF Peace Negotiations (Alternate Forum for Research in Mindanao, 2005), and Peace Zones in the Philippines (Gaston Z. Ortigas Peace Institute, 2005); and co-author of Philippine Human Development Report 2005: Peace, Human Security and Human Development in the Philippines (Human Development Network, 2005).



Const'n. of Multi-Purpose

Republic of the Philippines Department of Public Works and Highways Region I OFFICE OF THE DISTRICT ENGINEER

August 21, 2008

DURATION

#### INVITATION TO APPLY FOR ELIGIBILITY AND TO BID

The Department of Public Works and Highways (DPWH), 3rd Pangasinan Engineering District, Tumana, Rosales, Pangasinan, through its Bids and Awards Committee (BAC), invites contractors to apply for eligibility and, if found eligible, to bid for the following CONTRACT NAME OF CONTRACT LOCATION BRIEF APPROVED BUDGET CONTRACT

	Building (Phase III & IV)	Pang.	MPB		
The BAC will conduct this public bidding in accordance with R.A. 9184 and its implementing Rules and Regulations Part A.					
To be eligible to bid for this contract, a contractor must submit a Letter of Intent (LOI) and must meet the following major criteria: (a)					
prior registration with the DPWH, (b) Filipino citizen or 75% Filipino-owned partnership/corporation with PCAB license applicable to the					

DESCRIPTION

Const'n. of

type and cost of this contract. (c) completion of similar contract costing at least 50% of ABC, and (d) Net Financial Contracting Capacity at least equal to ABC, or credit line commitment/cash deposit certificate for at least 10% of ABC. The BAC will use non-discretionary pass/ fail criteria in the eligibility check, preliminary examination of bids, evaluation of bids, post-qualification, and award. An unregistered contractor may submit its LOI simultaneously with its application for registration, to the DPWH, 3rd Pangasinan

Engineering District, Tumana, Rosales, Pangasinan before the deadline set below for the receipts of LOIs. The DPWH Central BAC- $Technical Working\ Group/Secretariat\ will\ first\ process\ the\ contractor's\ application\ for\ registration\ and\ issue\ the\ Contractor's\ Registration\ and\ issue\ the\ Registration\ and\ and\ issue\ the\ Registration\ and\ and\ and\ and\ and\ and\$ Certificate (CRC) before processing its LOIs.

The times and deadlines set for the major procurement activities are shown below:

Until 3:00 P.M. of August 29, 2008
Sept. 02-12, 2008
Until of Sept. 17, 2008
Sept. 19, 2008-10:00 A.M.
October 01, 2008-10:00 A.M.

Prospective Bidders may download the Registration and LOI forms from the DPWH Website www.dpwh.gov.ph. The BAC will issue hard copies of LOI Forms at DPWH, 3<sup>rd</sup> Pangasinan Engineering District, Tumana, Rosales, Pangasinan, upon payment of a nonrefundable fee of P500.00. Prospective bidders that will download the LOI forms shall pay the said fee upon submission of their LOIs. Prospective bidders shall submit their accomplished LOIs and obtain the results of the eligibility check at the same address. Prospective bidders may also download the Bidding Documents (BDs), if available, from the DPWH website. The BAC will also issue hard copies of the BDs at the same address to eligible bidders upon payment on a non-refundable fee of TEN THOUSAND PESOS ONLY-P10,000.00. Eligible bidders that will download the BDs from the DPWH website shall pay the said fees upon submission of their bids.

The DPWH, 3rd Pangasinan Engineering District, Tumana, Rosales, Pangasinan reserves the right to accept or reject any bid and to annul the bidding process anytime before Contract award, without incurring any liability to the affected bidders.

Approved by:

(SGD.) EMMANUEL W. DIAZ **BAC Chairman** 

MT - Aug. 22 & 29, 2008

ID

#### REPUBLIC OF THE PHILIPPINES **GOVERNMENT ARSENAL** Limay, Bataan INVITATION TO APPLY FOR ELIGIBILITY AND TO BID GA-BAC 2008-4 (GA Procurement of Goods)

The GOVERNMENT ARSENAL DEPARTMENT OF NATIONAL DEFENSE through its Rids and Awards Committee (RAC) invites suppliers/ manufacturers/distributors/contractors to apply for eligibility and to bid for the hereunder project Approved Budget for the Contract (in PhP) 64 metric tons

Government Arsenal, Camp Gen Antonio Luna, Limay, Bataan Procurement of Lead Wires, 5.56mm Contract Duration

From issuance of Notice to Proceed up to Delivery, Acceptance and Payment

l I-			
	a.1 Publication	The Manila Times	August 29, 2008
	a.2 Posting	GA and PS-DBM websites & conspicuous places	August 29—September 4, 2008
	b. Issuance of Bid Documents	Government Arsenal Metro Manila Liaison	Starting August 29, 2008
		Office, Camp General Emilio Aguinaldo,	
		Quezon City (GAMMLO, CGEA, QC)	
	c. Pre-bid Conference	-do-	September 5, 2008, 1:00 P.M.
	d. Registration and Submission		
	of eligibility requirements	-do-	September 12, 2008
	e. Deadline for Submission and	-do-	September 19, 2008, 11:00 A.M.
	Opening of Bids		
	f. Bid Evaluation		September 26, 2008
	g. Post-qualification		October 24, 2008
	h. Notice of Award		October 31, 2008

III. Prospective bidders should have experience in undertaking a similar project within the last 10 years with an amount of at least 50% of the proposed project for bidding.

IV. All particulars relative to Eligibility Statement and Screening, Bid Security, Performance Security, Pre-Bidding Conference(s), Evaluation of Bids, Post-Qualification and Award of Contract shall be governed by the pertinent provisions of R.A. 9184 and its Implementing Rules and Regulation Part A (IRR-A).

Bid Documents will be available only to prospective bidders upon payment of a non-refundable amount of PhP5,000.00 to the GA-BAC Secretariat either thru:

Ms. Divina G. Gutlay
Government Arsenal Metro Manila Liaison Office Camp General Emilio Aguinaldo, Quezon City Telefax No: 911-6534 E-mail address: gammlo@mozcom.com

Ms Rosario B Tuazon Government Arsenal, Limay, Bataan, Telefax No.: (047) 244-5624 E-mail address: oda 1@mozcom.com Website address: http://www.arsenal.mil.ph

- VI Manufacturers and/or suppliers who wish to participate in this hidding may apply for registration by submitting the Class "A" documents on or before September 12, 2008 with the GA BAC Registry Group and at the same time may submit the Class "B" documents to complete the eligibility requirements and facilitate eligibility checking.
- VII. The GA reserves the right to reject any and all Bid/s, declare a failure of bidding, or not award the contract pursuant
- VIII. The GA assumes no responsibility whatsoever to compensate or indemnify bidders for any expenses incurred in the preparation of the bid.

MS MARIAMISMA P ABLIR GA BAC Chairman

REPUBLIC OF THE PHILIPPINES REGIONAL TRIAL COURT NATIONAL CAPITAL JUDICIAL REGION BRANCH 61 CITY OF MAKATI

LEONARDO R. OCAMPO

**CIVIL CASE NO. 01-1176** 

MA. LOURDES BRETON MENDIOLA

NOTICE OF SALE ON EXECUTION OF REAL PROPERTY

WHEREAS, by virtue of a Writ of Execution, dated 14 August 2007 issued Order by the Hon. J. Cedrick O. Ruiz, Presiding Judge of the Regional Tria Leonardo R. Ocampo is the plaintiff and Ma. Lourdes Breton Mendiola and Solita Quezada are the defendants for DAMAGES in the sum of Two Hundred Fifty Thousand Pesso (P250,000.00), with interests, and costs, etc., levy was made by the undersigned Sheriff on 29 April 2008, thru defendant Ma. Lourdes Breton Mendiola in the real property more particularly described as follows

TRANSFER CERTIFICATE OF TITLE NO. 134359

It is HEREBY CERTIFIED that certain land situated in the Pasay City, Metro Manila Phils hounded and described as follows: A PARCEL OF LAND (Lot 2316-A of the subd. plan Psd-13-019011, being a portion of Lot 2316, Pasay Cadastre, L.R.C. Rec. No. 317), situated in Brgy. Sta. Clara, Pasay City, Metro Manila, Island of Luzon. Bounded on the SW, along line 1-2 by Lot 2316 of the subd, plan; on the NW, along line 2-3 by Lot 2315; on the NE., along line 3-4 by Lot 3652, Cad. 259 (The Manila Railroad Co.), both of Pasay Cad.; on the SE., along line 4-5 by Callejon Alvarez; and on the SW., along line 5-1 by Lot 2316-B of the subd. plan. Beginning at a on the S.W., along line 3-1 by Lot 23 to-8 of the Sudb. plan. Beginning at a point marked "1" on plan, being S. 26 deg. 64"E., 106.11 m. from PSM No. 6, Pasay Cad; thence N.13 deg. 30"W., 24.77 m., to pt. 2; N.78 deg. 42"E., 20.19 m. to pt. 3; S. 13 deg. 30"E., 49.57 m. to pt. 4; S. 78 deg. 48"W., 20.19 m. to pt. 5; N. 13 deg. 30"W., 24.75 m. to the pt. of beginning, containing an area of ONE THOUSAND (1,000) SQUARE METERS, more or less is registered in accordance with the processions of the Departure Positivation Decrease in the passes of ALIPIO.

with the provisions of the Property Registration Decree in the name of ALIPIO BRETON CRUZ, of legal age, Filipino, married to Amelia Iturralde, as owner

thereof in fee simple, subject to such of the encumbrances mentioned in

Section 44 of said Decree as may be subsisting, and to. All points referred to are indicated on the plan and are marked on the ground by PS. cyl. conc. onns., 15x40 cm., bearings true; dated of original survey, July 28, 1931 (Pasay Cad.) and that of the subd., survey July 19, 1991. Approved on March 9, 1994. NOW, THEREFORE, by virtue of said Writ of Execution and in accordance with Rule 39, Section 19, of the Rules of Court, Sheriff ROMEO B. RAMOSO will sell at public auction to the highest bidder, for CASH and in Philippine Currency, on 26 September 2008 at 2 o'clock in the afternoon at the front of Currency, on 20 september 2000 at 20 clocks in the attention at the flotto the Makati City Hall, Makati City, the rights, interests and participation of defendant Ma. Lourdes Breton Mendiola, in the above-described real property in order to satisfy said Writ of Execution, together with interests, costs, sheriff's fees and the expenses of sale.

City of Makati, 12 August 2008.

(SGD.) ROMEO B. RAMOSO

Republic of the Philippines

Office of the President

Housing and Urban
Development Coordinating

HOUSING AND LAND USE

Region 4-A NOTICE The DON TIM DEVE-LOPMENT CORPORATION (Owner/Developer) has filed with this Board a sworn registration statement for the

MONTE LEISURE SUITES -

NORTH located at Brgy. Maitim

II, Kaybagal West, Tagaytay City

specifically described as Block

2 (Reserved Area): Block 3. Lot

5, Lot 1 to 8; Block 6 (Reserved

Area), Road Lot 1 to 6 all under

04-023510. The project is under

All papers relative thereto

shall upon request and payment

of processing fee is available for inspection during business hours

by any person having lega

the above-cited project is

deemed registered and a

certificate in evidence thereo

"Residential

sale of

PD 957.

REPLIEUC OF THE PHILIPPINES CITY GOVERNMENT OF PASIG

INVITATION TO APPLY FOR ELIGIBILITY AND TO BID

The City Government of Pasig through its Bids and Awards Committee (BAC) invites suppliers/manufacturers/distributors/contractors to apply for

Quantity	Unit	Brief Description of Goods	ABC for the Contract
1	Lumpsum	Various Computer Equipments	P18,996,517.00
		and accessories-City's Computerization Project	
		Systems Enhancement	
1	Lumpsum	Various Computer Equipments and	P7,479,900.00
		accesories-PCGH	
1	Lumpsum	Oxygen	P2,802,000.00
		-contents only refill min of 125 lbs, small	
		cylinder/flack tyne compressed air refill neah	

 $Only suppliers duly registered and accredited with the {\it City} Government of {\it Pasig may} be allowed to participate in the submission of eligibility requirements.$ The City Government of Pasig assumes no obligation whatsoever to compensate or indemnify the bidders for any excuse that they may incur in the preparation of their bids. The City Government of Pasig also reserves the right to reject any of all bids to waive any defects found therein and to accept the bid most advantageous to the government.

Prospective bidders should have experience in undertaking a similar project within the last two (2) years with an amount of at least 50% of the proposed project for bidding. The Eligibility Check/Screening as well as the Preliminary Examination of Bids shall use non-discretionary "pass/fail" criteria. Post qualification of the lowest calculated bid shall be conducted.

All particulars relative to post-qualification/eligibility, bid security, performance security, pre-bid conference, bid opening, bid evaluation and award shall be governed by the provisions of RA 9184, and its Implementing Rules and Regulations The complete schedule of activities is listed, as follows:

Activities	Venue	Schedule
1. Pre-bid Conference	10:00 A.M., BAC Office	September 1, 2008
2. Issuance of Bid Documents	G.S.O.	September 1, 2008
3. Opening of Bids	10:00 A.M., BAC Office	September 12, 2008

The City Government of Pasig reserves the right to reject any and/or all bids, to waive defects or informalities therein, or to accept such bids as maybe

found advantageous to the government For full particulars please see the undersigned at the Office of the City General Services, 4th FIr., of the Pasig City Hall, Pasig City.

(SGD.) ENGR. JOSE L. REYES BAC Chairman

working days from receipt of the Notice of Award/Purchase Order unless another

CITY GOVERNMENT OF PASIG INVITATION TO APPLY FOR ELIGIBILITY AND TO BID

The City Government of Pasig through Ordinance No. 20 dated November 09, 2007 duly approved by the Sanggunian Panglungsod appropriated funds in the sum as enumerated below being the Approved Budget for the Contract (ABC), invites potential Bidders to apply for eligibility for the

NO.	NAME OF PROJECT/CONTRACT	APPROVED BUDGET FOR THE CONTRACT	CONTRACT TIME DURATION
1	Extension of Pasig City Hall-Annex (Treasury Office) at Karangalan Village, Brgy. Manggahan	8,010,337.77	120
2	Proposed Five (5) Storey-140 Units Low Cost MRB Housing Project (Building I-Construction with Electrical Metering and Feeder Line/Service Entrance) Westbank Road, Brgy. Maybunga	70,757,050.69	240
3	Proposed Five (5) Storey-140 Units Low Cost MRB Housing Project (Building III-Continuation with Electrical Metering and Feeder line/Service Entrance) Westbank Road, Brgy. Maybunga	70,757,050.69	240

Bidders shall possess a valid Philippine Contractors Accreditation Board (PCAB) license applicable for each of the above type and cost of the contract, have completed a similar contract with a value OF AT LEAST 50% of the ABC. Only those Bidders passing the eligibilities check will be entitled to purchase the bidding documents and submit Bid proposals.

The place of all bidding activities shall be at the office of the BAC Secretariat at the 4th floor of Pasig City Hall on the following schedules

- 1. Submission of Letter of Intent together with the September 02, 2008
- required eligibility statements
- 2. Issuance of Bid Tender Documents only to Eligible bidders upon payment of a non refundable fee of an amount as per BAC Resolution No. 1 series of 2007
- **Financial Proposals**
- 4. Submission and Opening of the Technical and Late Bids shall not be accepted.

contract award, without thereby incurring any liability to the affected Bidder or Bidders.

shall be not later than 3:00 P.M. of September 04, 2008

shall be exactly 2:00 P.M. of September 04, 2008 shall be exactly 10:00 A.M. of

The City Government of Pasig reserves the right to accept or reject any Bid, and to annul the bidding process and reject all Bids at anytime prior to

APPROVED FOR PUBLICATION (SGD.) ENGR. JOSE L. REYES BIDS AND AWARDS COMMITTEE

(SGD.) HON. ROBERT C. EUSEBIO

The winning bidders must deliver the said articles within

MT - Aug. 29, 2008

(SGD.) HON. ROBERT C. EUSEBIO

3. Pre-bidding Conference

MT - Aug. 29, 2008

shall forthwith be issued after five (5) days from last day of

MT – Aug. 29 & Sept. 5, 2008

Quezon City, Metro Manila,

27 August 2008. (SGD.) BELEN G. CENIZA

# A primer on the memorandum of agreement on ancestral domain

BY ATTY. SOLIMAN SANTOS JR.

1. IS the memorandum of agreement on ancestral domain (MOA-AD) the Final Peace Agreement?

No. It is a sub agreement on the third substantive aspect identified by the Parties under the Government of the Republic of the Philippines (GRP)—Moro Islamic Liberation Front (MILF) Tripoli Agreement on Peace of 2001. Once the MOA-AD is signed, the Panels will move on to discuss the issues that will be carried to the final peace accord (or Comprehensive Compact).

2. In brief, what does the MOA-AD

It contains general principles concerning, among others, Bangsamoro identity and rights, the establishment of a genuine self-governance system appropriate for them, the areas to be placed under this self-governance system, and the protection and utilization of resources found therein.

3. Is the concept of "ancestral domain" discussed in the negotiations the same concept as in the Indigenous Peoples Rights Act (or IPRA, R.A. 8371)?

No. While "ancestral domain" in the context of IPRA is tenurial (i.e. recognition and protection of traditional collective land areas—or domain—belonging to an IP clan/group), the issue of "ancestral domain" in the context of the GRP-MILF negotiations has a political dimension.

Under IPRA, an IP clan/group claiming a certain area of land as their ancestral domain or ancestral land will ideally be awarded certificates of ancestral domain/land title (CADT or CALT) to show their collective ownership of the area. They are therefore entitled to certain rights over their ancestral domain/land, such as the right of ownership, the right to regulate the entry of migrants, priority rights in utilizing resources, a share in the revenue derived from the utilization of resources by other parties, etc.

In the GRP-MILF negotiations, areas identified are those that will be placed under the political jurisdiction of the prospective Bangsamoro self-governance system (generically termed as a Bangsamoro juridical entity or BJE).

4. What are these so-called "Consensus Points" in MOA-AD negotiations?

These are agreements in principle reached by Parties during the initial stages of discussions on AD (Seventh and Ninth Exploratory Talks in 2005). Consisting 26 items of general ideas and concepts, the consensus points provide the overall parameters and foundation of AD discussions. These consensus points have since been carried over and/or expanded into the present draft MOA-AD.

5. Why is there so much confidentiality involved in the negotiations?

Since the start of the negotiations, the GRP and MILF Panels, along with the Malaysian facilitators, have adopted a set of protocols meant to foster the confidence and trust of the Parties at the negotiating table. Among these is a mutual understanding that all pending matters under negotiation are kept confidential in order to avoid preempting the substantive discussions and undermining the integrity of the talks.

Since 2001, however, the GRP Panel has been providing regular updates on the peace process to strategic audiences, and in the process avail of views and insights from the ground.

Actual deliberations over the text of the draft MOA-AD itself started during the 11th Exploratory Talks in March 2006 and continues to this day. The deliberations had been punctuated at times by periods of impasse or cancellations in previously scheduled talks. Presently, there are around 31 items of agreed text on the draft AD MOA, and three additional residual items awaiting formal resolution.

6. Are the MOA-AD and the prospective Comprehensive Compact unconstitutional?

No. Although the agreement will contain provisions that ultimately describe the relationship between the Central Government and the BJE, it also indicates clearly that it is prospective and non-executory.

In the extensive legal consultations conducted by the GRP Panel with various experts, it was found out that the self-governance system for the Bangsamoro peo-

ple (i.e. BJE) being proposed by the MILF will contain elements having Constitutional implications. Indeed, people will always view their aspirations and collective vision beyond any legal prism.

Notwithstanding the above, however, the agreement will also recognize that provisions requiring possible amendments to the existing legal framework shall be executory only after we are able to effect the necessary changes to the legal framework.

7. What is the Bangsamoro Juridical Entity?

"Bangsamoro juridical entity" is a generic term referring to the proposed self-governance system contemplated under the GRP-MILF peace negotiations.

8. What is the difference between the Autonomous Region in Muslim Mindanao (ARMM) and BJE?

The ARMM is the self-governance system for the Bangsamoro people under the 1986 Philippine Constitution and RA 9054 "The Expanded ARMM."

If and when a final peace agreement with the MILF is signed, eventually the ARMM will be transitioned into the BJE. The BJE is envisioned to enjoy more autonomy, more powers and more territory.

The powers to be devolved to the prospective BJE touches on a range of familiar issues such as executive, legislative and judicial arrangements, powers over taxation, fiscal authority, institution building, revenue sharing, representation in National Government on matters directly affecting the BJE, etc. However, the details of all these will still be the subject of future discussions in the Final Peace Agreement called the Comprehensive Compact.

9. What happens, therefore, to the implementation of the 1996 GRP-MNLF Final Peace Agreement (FPA)? How can Government implement the 1996 GRP-MNLF FPA and the prospective GRP-MILF final agreement when we are talking of the same people, the same area and the same self-governance system for the Bangsamoro people?

In a broader sense, the prospective BJE intends to be the fulfillment of the Bangsamoro people's struggle for their rights and aspirations—begun by the Moro National Liberation Front (MNLF) and pushed to completion by the MILF.

The 1996 FPA will continue to be implemented until the implementation process achieves full closure. Government will build on the ARMM setup in order to fulfill its commitment under the prospective GRP-MILF agreements, even as it will seek later on to transform the ARMM into the BJE. Second, GRP's track record in implementing the 1996 FPA will also reflect on its political will to implement a prospective agreement with the MILF.

Both the ARMM and the contemplated BJE belong to the Bangsamoro people, and neither to the MNLF nor the MILF. The objective of their armed struggle is the advancement of the Bangsamoro people's rights and aspirations. If either the ARMM or BJE proves to be the path to attain this objective, then the struggle would have been won.

But for the vision to work, the entire Bangsamoro people—MNLF, MILF, local political leaders, traditional leaders, community members, individual tribes—must all reach out to one another and forge for themselves a *modus vivendi*, and a common direction in pursuing their political and socioeconomic destiny.

10. Who will govern the prospective BJE when it is finally in place?

Those who will be chosen by the people within. The same principles respecting the fundamental right of the constituents to choose their leaders will be respected.

11. What areas will be included in the BJE?

The areas under contemplation include the following: (a) the present geographic area of ARMM; (b) municipalities of Baloi, Munai, Nunungan, Pantar, Tagoloan and Tangkal, in Lanao del Norte that voted "yes" in 2001 plebiscite and; (c) around 735 barangays wherein a plebiscite will eventually be conducted

12. Will Indigenous Peoples (IPs) be included in the BJE?

Inclusion of areas into the BJE will require a plebiscite to be administered to all affected communities and residents—Moros, settlers



■ A young boy, an innocent victim of the ongoing clash between government forces and Muslim rebels, patiently awaits with his father the distribution of sacks of rice in an evacuation center as most of Muslim guerillas turned their villages into an orgy of destruction. AFP PHOTO

and Lumads. If a community, by virtue of plebiscitary consent, decides in favor of inclusion, then it will be respected.

13. Will the BJE be given ownership of its own maritime areas?

No. Rather, the BJE and the component local governments within shall have jurisdiction over the management and utilization of natural resources within the 15-km municipal waters. This is consistent with rights of local governments over municipal waters, and IP rights over ancestral waters, which are all still part of the internal waters of the Philippines.

The GRP is also looking into joint management arrangements over strategic resources (i.e. oil, natural gas) found in territorial waters extending immediately beyond the 15-km zone under the BJE. Again, it must be pointed out that this prospective arrangement will only be effected if and when we are able to effect the necessary changes to our legal framework.

14. Will BJE have jurisdiction over the natural resources found therein like timber, mines, etc?

Yes. In fact, such powers are already granted to the present autonomous government. They can even regulate certain activities within the area, such as logging operations for instance.

15. What will happen to operating licenses and similar instruments (like Industrial Forest Management Agreements, Technical Licenses Agreement, etc.) already issued beforehand?

These will continue to operate until they either expire, revoked with due cause, or renewed. The MOA-AD will have an explicit provision respecting all existing and vested property rights.

16. Will private properties of settlers and ancestral domains of IPs be confiscated from them later on?

No. Again, the MOA-AD will have an explicit provision respecting all existing and vested property rights.

17. Will MILF fighters be integrated into the Armed Forces of the Philippines or the Philippine National Police (PNP)?

The Parties have not yet discussed this specific issue at the negotiating table. There are arrangements for an internal security force in the prospective BJE, and this issue is similar to what transpired during the ne-

gotiations with the MNLF. Again, this will be taken up in the discussions at the Comprehensive Compact stage.

For the GRP, we intend to put forward proposals on a long-term framework for the normalization of communities. This must run alongside a comprehensive government program to eliminate the proliferation of loose firearms in Mindanao.

18. What is the nature of the internal security force contemplated in the BJE?

There are no detailed discussions on this issue yet. As a starting point for the GRP, however, we can make use of a precedent found in Sec. 2, Art. XIII of Republic Act 9054 (ARMM Organic Charter) concerning the Special Regional Security Force (SRSF). Under this arrangement for example, the SRSF is composed of existing PNP units, the MNLF elements, and other residents of the area who would opt to join in following certain recruitment standards. Of course, said structure is ultimately under the general supervision of the national government.

19. Will the Panels eventually discuss the disarmament, demobilization and reintegration (DDR) of the MILF?

The Government will push for discussions on DDR at the appropriate juncture of the negotiations on the FPA stage.

We have learned from the MNLF experience that in the absence of a well-designed and holistic DDR component in the peace agreement, some fighters still tend to resort to violence when the implementation process encounters difficulties and delays, or when they do not benefit tangibly from the fruits of a peace settlement.

Peace process models in other parts of the world (Sin Feinn in Northern Ireland, GAM in Aceh, FRETELIN in East Timor, etc.) have successfully showcased that in a post-peace settlement scenario, it is possible for revolutionary groups to later on shift their arena of struggle—from armed (rebel group) to parliamentary (political party)—where they are free to advance their political programs and compete for political power through the electoral system.

The massive presence of loose firearms in Mindanao, as well as the culture of *rido* (family feuds), are among the factors which will complicate the planning and execution of a successful DDR. We need to **PrimerD3** 



#### Jihad of the Mind

THE wounds rankle when doused by the bit terness of age-old prejudice and discrimination that persist. Discourses and counterpoints—some confusing, others enlightening, are multiplied in cyberspaces. All these have been acid tests to the *sabar* and *rahmat*—patience and compassion—of kindergarten peacemakers like myself who, diverted by discrimination, are kept from healing and becoming truly peaceful. The hurt of opt-betrayed Bangsamoro pride rages for justice. Beside, the meditative soul of the Muslim weeps and whispers: "Be calm. Discern".

\* \* \*

While bombings and spates of killings are reported in Lanao, Sarangani and Cotabato, in Zamboanga City, the Ateneo community honored three institutions of good governance and exemplars of peace work.

In Jolo, Tausug bowlers amicably battled in

the lane with equally formidable but friendly teams of Zamboaguenos.
On a local cable TV, a young and humble phy-

sician, the paramount King of Sulu and North Borneo is passionately calling his *raayat* to stand up for peace and unity among the Bangsamoro.

"Honor the *mujahideen*," Sultan Shakirullah Dr. Ibrahim Bahjin exhorted, "Keep being inspired by their sacrifices." Then, he reminded, *mataud-ginis-warnah-sin-pag-Jihad-fis sabil-lillah*—there are many colors to the struggle in the path of Allah. His mandate of *siraturrahim* (compassionate leadership) compels him to lead the people to one that inflicts the least harm to life-form, environment and community, hence, we must walk the non-violent *jihad ha pagbunuh-akkal*.

Our *jihad*, he illumined, is responsive to modern times where advancements in information technology and globalization must be used to our advantage. Exercise reason. Use informed action to change our situation. Seek for knowledge. Discern. We can succeed, he assured, by pursuing intra-communal dialogue and striving to build bridges with friendly communities and neighbors.

These stories and soothing words are cool sprays in the conflagration of anger.

The 1970's conflict robbed our youth of the happy environment, artistic freedom and scholarly creativity we deserved. Relative peace hesitantly crept in only after 20 years, after the peace talks. While we are not turning a blind eye to the failure of Government of the Republic of the Philippines-Moro National Liberation Front Final Peace Agreement, let alone forgetting what Frankenstein that ARMM Regional Government had metamorphosed into, we do affirm that sustained resistance brought back this dignity and freedom to openly proclaim our identity and enjoy life's graces—luxuries—we once buried in the *takas* (ashes) of our homes that had turned into warzones.

How lamentable indeed that the peace so desired must thrive in a soil ploughed by the gun and bears flowers only through blood shedding.

Thin slabs of light in encounters among faith communities have started breaking up the darkness of myths and stereotypes in our schools in our communities, in churches and mosques and even in the dimly lit *tabuh sanaw* (wet market) and lethargic *kadday* (*sarisari* store), as others see the real us in a new light as free-spirited, happy and peaceful people. We can laugh and smile, sing and dance, as long as the guns are silent. This limited peace made sports and engaging in artistic pursuits enjoyable again, that, if sustained, our cultural energies and creativity could unselfconsciously bloom as before.

Our fishing lines are rolled and hooked, traps and nets are in place, and the boats are in the mooring. All are ready to sail. Awaiting some more full moons to pass, we shall witness real fishes and sea creatures frolicking in the sea again. Soon, the crone must die and to a waxing new moon be reborn. Another cycle of life is to be lived with renewed inspiration of life-affirming traditions and religious values that were suppressed and veiled by the long years of potent colonial poisoning.

But the looming scenario of war threatens to take back what little we have gained. A flick of a match into the boiling oil could cast our hopes into oblivion. *Astagfirullah*! May God have mercy on us. How long we can keep this fleeting calm and sustain an attitude of discerning restraint is a big challenge for all of us now.

Yet, having known the compassion as well as the temper of Mother sea, we must watch out for the crests and troughs and brave its currents when we must.

Please consider as option, manga taymanghud ku, my brothers, another jihad: jihad-pagbunuh-akkal. Wassalam.

Mucha-Shim Quiling Arquiza of Basilan Lumah Ma Dilaut (House on the Sea)

## Young Moro Professionals Network says uphold peace for our generation

WE are concerned citizens of peace, sons and daughters of the Bangsamoro, who are grieving over the past weeks' horrific incidents in Southern Mindanao, and appeal against an all-out war in Mindanao.

against an all-out war in Mindanao. We are gravely concerned with the negative repercussions brought by the temporary restraining order (TRO) on the memorandum of agreement (MOA) on ancestral domain. While we advocate for civil society participation in the peace processes by involvement in discussions on the MOA drafting, we question the lopsided one-track, anti-peace talks stance of many of our senators—to name Mar Roxas, Chiz Esudero, Loren Legarda, Rodolfo Biazon, Juan Ponce Enrile

and others. They are statesmen who we feel are not helping the peace process and instead promote divisiveness in times of confusion, emotional trauma and uncertainty among our people. We ask these presidentiables with national ambitions, what is their agenda for the Bangsamoro, if any? Have they gone to the Muslim South and asked the Muslim constituency before opposing the MOA or were their positions a product of their biases and prejudices?

We also question the inequality of

ases and prejudices?

We also question the inequality of voices in media, majority of which represent rightist sentiments, without appreciation of historic Moro grievances in the country. We are disappointed that 12 years of peace negotiations between

the Moro Islamic Liberation Front (MILF) and Government of the Republic of the Philippines (GRP) can be swept away by unconcerned so-called national politicians who have never proposed any concrete form of governance structures that can respond to the Moro aspiration for right to self-determination. We are aware that tensions aggravated by senseless, unfounded statements of these senators, congressmen and politicians opposing the MOA put the gains of the peace process farther and impact on many of development programs ongoing in the South because of renewed hostilities.

We would like to appeal for more informed judgements, constructive dialogue, an affirmative reaching

out by Manila's media and politicians to the grassroot populace in the South to understand the search for genuine peace.

In deliberating the MOA, we call on the Supreme Court to exercise judgment with dispassion but sensitive to the lives and constituencies affected even lost because of frustrations over the TRO on the MOA-AD.

We are deeply concerned with the evacuations in North Cotabato, echoing the cycle of violence manifest in any renewal of hostilities.

We affirm our trust in the local and international monitoring teams, the Ad Hoc Joint Action Group and the Coordinating Committee on the Cessation of Hostilities to help keep the

peace on the ground.

We call for an independent investigation on the the attack on villages by armed men affecting children, women and damaging relationships built from decades of interfaith dialogue. These lawless acts are in violation of Islam, international humanitarian laws and conventions protecting children and women from the wrath of war. Muslims and Christians are victims alike. Muslims must stand up and rise to condemn violence and aggression on the innocent. We call on our ulama, MILF and traditional leaders to help bridge the mistrust by reaching out to our Christian brethren, who were victimized in Norte's attacks. Be the messengers of messages of non-violence and peace—SALAAM as Khalifas who enjoin what is good and forbid what is wrong. Let the perpetrators be accountable to local peacekeeping mechanisms. Both the Armed Forces of the Philippines and MILF must be held to answer for any atrocities and violations of the rules of war. In these times of hardship, we hold

hands as one, with our Christian and Lumad neighbors, in the name of peace, acceptance and justice. We are committed to a democratic and peaceful resolution of the conflict. Do not be afraid of the MOA- AD. Let

all stakeholders involve an enlightened discussion of the MOA. To the national public, open your hearts to the Moro grievance.