

REVIEW OF REGIONAL DEVELOPMENTS

The Dynamic of Insurgencies and the Prospect of Peace Process in Southeast Asia

Iis Gindarsah

Southeast Asia has been a relatively benign region. However, with the on-going tension and sporadic violence in some regional flash points, the prospect of ever-lasting peace remains elusive. This essay seeks to review the dynamic of domestic insurgencies and peace process in the Mindanao region, southern Thailand, Myanmar and Papua. It also discusses the correlation between the peace deal in Philippine and the recent Sulu incursion into Sabah.

A Delicate Peace Deal in Restive Mindanao

The signing of the framework agreement between the Philippine government and the rebellious Moro Islamic Liberation Forum (MILF) scores a significant progress of peace process in the restive Mindanao region. The conflict has its origin in the grievances of Moro-ethnic Muslim population when Spain ceded control over the Philippines to the United States and the granting of independence to the country, of which Mindanao is a part.

After nearly four decades of armed struggle for self-determination, the government and the MILF leadership signed the so-called Frame-

work Agreement on the Bangsamoro on 15 October 2012. Through Malaysia-mediated peace negotiations, both belligerent “parties agree that the [protracted conflict] is unacceptable, and [they] will work for the creation of a new autonomous political entity in place of the existing Autonomous Region in Muslim Mindanao (ARMM).”

While the leaderships of the government and the MILF have repeatedly expressed their strong commitment to the on-going peace process.¹ There are at least three major issues worth for caution to sustain peace efforts and prevent the resurgence of violence in southern Philippines. First, the peace deal envisages the establishment of a new autonomous political entity replacing the structure of ARMM over the central area of Mindanao and the Sulu Archipelago. This future trajectory will certainly erode the current domains of local political elites, which whom private armed militias are associated with. In past time, it was these politicians who have spoiled the 1996 ceasefire agreement between the government and the MNLF.² They are relatively quite at the moment, but their attitude may change along with strained social relations.

Second, ethnic and religious polarization has taken a deep root in Philippine society. With the assurance of regional autonomy, the Moro population would probably seek to run its internal affairs in accordance to Muslim tradition. However, ensuring the well-being of non-Muslim inhabitants, who have been residing in Mindanao for generations, is essential requirement to sustain the peace talks and prevent the resurgence of communal violence. Likewise, a failure to take heed the basic rights of indigenous tribes in the region is likely to create serious problems in the future.

Third, the unity within the MILF is also critical. While most of its key leaders prefer the regional autonomy to work, the danger of splinter groups remains in place. These groups are likely motivated to launch high-profile attacks if they feel being marginalized in the peace process. The presence of private armed militias is also another security concern as they have no incentive to end the conflict.

¹ “The Bangsamoro Roadshow,” *The Economist*, 17 December 2012.

² For more discussion in this issue, see “The Devil is in the Details – The Philippines’ Peace Process,” *Jane’s Intelligence Review*, 1 March 2013.

With a strong commitment from the government and MILF leadership, progresses are being made to reach a final conflict settlement. In January 2013, both parties signed the Terms of Reference for the Third Party Monitoring and extended the mandates of the International Monitoring Team to oversee the implementation of the peace agreement. Concurrently, their respective negotiators have met in Malaysia to discuss the Annexes to the latest peace agreement that cover power-sharing, wealth-sharing, transitional arrangements and modalities, and normalization. The resolution of these contentious issues would bring greater stability to the Mindanao region.

The Sulu Incursion and Malaysia's Military Stand-off in Sabah

While the peace process is taking its roots in southern Philippine, the nature of conflict appears to have spilled into Malaysia's northern Borneo. On early February 2013, a large group of gunmen crossed to Sabah by motorboats and occupied a village near town of Lahad Datu. The group is known as the Royal Army of Sulu Sultanate, which has historical claim and seeks a renegotiation of the original lease on Sabah.

The historical claim dates back when the Sultanate of Brunei ceded much of northern Borneo to the Sulu Sultanate in the late 17th century. The British North Borneo Company signed an agreement with the later in 1878 ceding responsibility over the area to the company. However, the English version of the document clearly states that the sultanate was ceding the territory to the British North Borneo Company in exchange for an annual payment of about US\$ 1,700. The version in Tausug, the language of Sulu, uses a word whose meaning is closer to lease. This arrangement was inherited and continued by the post-independence Malaysian governments, which insist that they are a gesture of goodwill to the descendants of the Sulu Sultanate rather than recognition of their sovereignty claim over Sabah.³

The recent event in Sabah took place at a sensitive time when Malaysia is actively mediating peace negotiations between the Philippine government and the insurgent MILF. In his press statement, the self-proclaimed Sultan Jamalul Kiram III asserted that "the peace deal

³ Gregory Poling, "The Royal Army of Sulu Invades Malaysia," *Critical Questions*, 8 March 2013.

had handed control of much of Sulu to [the] MILF rebels, ignoring the sultanate".⁴ Some news reports even claimed that he was being secretly backed by the Moro National Liberation Front (MNLF), which signed a peace deal with the Philippine government in 1996.⁵ Hence, the Sulu incursion is likely a protest in response to the latest peace agreement signed in October 2012.

In response to the incursion, the Philippine government tries to distance itself from the historical claim made by the Sulu sultanate. Late February 2013, President Benigno Aquino urged the sultanate leadership to withdraw its loyalist from Malaysia's territory. He also warned that the government would conduct a probe into the laws, which members of the Sulu army have violated with their incursion into Sabah.⁶ Moreover, the Philippine Navy and Coast Guard have deployed at least 10 patrol boats for a naval blockade to prevent more gunmen crossing into northern Borneo.

Meanwhile, the situation in Sabah began to escalate following a skirmish around Tanduo village and an ambush on a Malaysian police team near the town of Semporna. These incidents took place respectively on 1 and 2 March 2013, which led to the death of eight policemen and twenty two militants.⁷ Given the public's calls for a drastic response, the Malaysian government issued a deadline for the Sulu militants to leave Sabah while stepping up security measures and military preparations. Soon after the deadline expired on 5 March, the government ordered air strikes and ground assaults against the militant's whereabouts. The military campaign has not yet driven the gunmen out from Sabah, but imposed significant casualties with at least 50 gunmen death.

The military stand-off in Sabah is likely to affect the domestic constituencies of both Malaysia and Philippine leadership. With the election is coming up this year, Prime Minister Najib Razal would seek to end the incursion through military campaign in order to relieve the public anger. President Aquino is likely in an awkward position as

⁴ "Violence Spreads in Borneo as Five Malaysian Police Killed," Reuters, 3 March 2013.

⁵ Salim Osman, "The Dispute Over Sabah," *The Jakarta Globe*, 5 March 2013.

⁶ See "Sultan of Sulu Standoff Ends in Violence as Malaysian Patience Runs Out," *Jane's Intelligence Weekly*, 6 March 2013.

⁷ See "Malaysia Takes Military Action against Sulu Separatists," *Jane's Defence Weekly*, 6 March 2013.

well. While Malaysia is a key economic partner and peace mediator in Mindanao, many elements in Philippine share a degree of sympathy to Sultan Kiram's cause. Hence, if the President strongly supports Malaysia's security approach in Sabah, it will prompt domestic criticism and probably put the peace talks with the MILF at risk.

A Tentative Peace Process in Southern Thailand

Southern Thailand has long been among notable hotspots in Southeast Asia. From 2004 to 2012, there were massive violent incidents, which had taken away at least 5,500 lives and wounded nearly 10,000 people.⁸ The most recent incidents were a string of militant attacks on 9-13 February 2013, including the biggest car bomb ever exploded in Raman district and the failed attempt to raid a military base in Bacho district.

Since the resurrection of violence in 2004, the Barisan Revolusi Nasional (BRN) emerged as the core militant group operating in Yala, Narathiwat and Pattani provinces, in which the local population shares ethnic and religious identity with Malay neighbors. The group is known to have well-established logistical links in Malaysia and staged attacks against low and high-value targets in southern Thai districts.

Against these backdrops, the Thai government and the BRN signed a peace deal on 28 February 2013. With the mediation of the Malaysian government, both sides formally agreed to initiate a dialogue process to end the long-lasting violent conflicts.⁹ Although the agreement has not brought a concrete result, it highlights a significant change on the perception and approach taken by the Thai government to reach a peaceful resolution.

First, it has traditionally avoided any external involvement in addressing the insurgent threats. Given the cross-border support for the insurgency movement, the former Premier Thaksin Sinawatra used to blame the Malaysian government for its failure to stop the rebel operations on border areas. The perception appears to shift along with the top leadership change in Thailand and Malaysia's offer to mediate the peace talks.

⁸ "Southern Curfew Debate Reignites in Thailand," *Janes Intelligence Weekly*, 20 February 2013.

⁹ "Thailand Agrees to Historic Peace Talks with Muslim Rebels," *Jane's Intelligence Weekly*, 6 March 2013.

Second, since coming to power in 2011, Premier Yingluck Sina-watra has pledged to resolve the Malay-Muslim insurgency through peaceful means. As part of her commitment, she has called for alternative measures for counter-insurgency campaign, including replacing the emergency decree with a more lenient Internal Security Act.

Meanwhile, the latest agreement with the insurgent BRN presents an opportunity for peace talks. The prospect of conflict resolution remains tentative for two salient reasons. First, the fragmented nature of the insurgency movement likely complicates the on-going peace process. Amidst a mutual suspicion, the failure of the Thai government to incorporate other militant groups in negotiations would further escalate the level of violence on the ground. Second, the fractured Thai politics would also prevent the government to offer any meaningful concessions to end the long-running conflict. The ruling Puea Thai Party lacks of political capital in southern provinces, wherein the opposition Democrat Party won majority of the legislative seats in the 2011 election. Hence, Premier Yingluck's policy agenda on decentralization is likely stalled due to the party's strained relations with political rivals.¹⁰ In short, the latest peace deal is unlikely to bring a quick and drastic change on the overall situation in southern Thailand.

Peace Talks Continues Despite Military Offensive in Myanmar

Similar to the process in Thailand, peace talks have not brought a meaningful progress in Myanmar. Since the fighting restarted in June 2011, several rounds of negotiation have taken place between the government and the Kachin Independence Organization (KIO). In their latest dialogue on 4 February 2013, both sides failed to restore the ceasefire agreement but stressed the importance of confidence building measures to ease military tension on the ground.

Although President Thein Sein has repeatedly called on the Myanmar armed forces (Tatmadaw) to halt any raids against the insurgents. Recent events had showed it unlikely that the military leadership would submit to his order. In mid-December 2012, the Tatmadaw launched an offensive campaign against the rebel stronghold around the Laiza town. This included daily barrages of heavy artillery and mortar fire along with aerial strikes of K-8 ground-attack aircrafts and

¹⁰ Ibid.

Mi-35E helicopter gunships. Given the military's overwhelming firepower, the Kachin rebel had to withdraw from strategic mountain outposts near Laiza.¹¹

The failure of the latest peace talk to produce a concrete outcome demonstrates that neither the rebel nor the government has removed their mutual suspicions. Like other ethnic minorities, the Kachin rebel aspires for a federal state solution—a demand that requires an amendment on the 2008 Myanmar constitution. The current semi-civilian government has strongly rejected such demand and maintained that any conflict resolutions must be in accordance to the existing legal mechanisms. Despite huge number of casualties, the KIO leadership has refused to seal a ceasefire agreement for fears that the constitutionally protected political role of the military could disrupt any efforts to promote political decentralization.¹²

The role of China has been notable in facilitating the peace talks between the government and the KIO. Given its huge investments in mining and energy sectors, the escalation of conflict in Myanmar has increasingly become the security concern of Chinese policymakers. Hence, it offered the border town of Ruili to host negotiations between the conflicting parties. Other major powers including the United States and European Union have also endorsed the Myanmar government to make substantial progress in political dialogues.

Amid the on-going violence and mutual suspicions, the peace talks are expected to continue. Despite its refusal to sign a fresh ceasefire agreement before political demands are addressed, the KIO would have no option but engage in further negotiations. While enjoying overwhelming firepower over the rebel, the mountainous and jungle terrains would geographically restrain the military offensive and lengthen the period of conflict. As the current administration in Myanmar seeks for international legitimacy and foreign investments, it is unlikely willing to end the conflict militarily but continue the peace talks. However, unless the Tatmadaw leadership changes its approach to the insurgents, the violence is likely to rage on.

¹¹ "Burmese Taken Kachin Mountain Outpost after Artillery Barrage," *The Guardian*, 27 January 2013.

¹² "No Ceasefire Agreement at 'Positive' Myanmar Peace Talks," *Jane's Intelligence Weekly*, 13 February 2013.

Indonesia's Endless "Papua Problem"

Papua remains a flash point in Indonesia's security landscape. The "Papua problem" is deeply rooted in the long-standing grievances over historical injustice, alleged human rights abuses and poor economic conditions. Although the Indonesian government has granted special autonomy rights to the region, the aspiration for independence continues to present a challenge to the country's territorial integrity.

The secessionist movement comprises of non-violent groups as well as small and poorly-armed insurgents. Due to poor communications, the size and difficult terrains, the movement has been loosely organized and split along kinship and tribal lines. However, there is a growing trend nowadays that the insurgent groups seek to incite unrest and spread terror on the ground in order to gain political leverage over the government.¹³ In that sense, there have been sporadic disorder and growing violence in Papua and West Papua provinces. The West Papua National Committee (KNPB), which favors civil resistance rather than armed rebellion, has recently emerged as a key organizer of pro-independence rallies against Indonesian authorities in the restive region. With its growing ability to mobilize large crowds, the group has been resolutely demanding a referendum on independence and detached itself from the more moderate groups calling for dialogue with the government.

Meanwhile, the level of violence in Papua has grown from 38 incidents in 2011 to 67 incidents in 2012.¹⁴ Such increase was mostly notable in mountainous areas, such as Puncak Jaya, Lanny Jaya, Jayawijaya and Paniai. Some incidents are not related to the secessionist movement; rather, they are linked to the weakness of local governance and problems of law enforcement. The recent fighting between the supporters of two candidates following the district-level election in July 2011 led to the death of dozens of people in Puncak district.¹⁵

¹³ "Political Violence Affects Stability in Indonesian Papua," *Jane's Intelligence Weekly*, 24 August 2011.

¹⁴ Research Team on Papua, "Analisis dan Refleksi atas Politik, Keamanan dan Pembangunan Papua 2012," Press Release, 17 December 2012.

¹⁵ "Suhu Politik Lokal Meningkat," *Kompas*, 30 January 2012.

Even worse, a string of shootings against unarmed civilians, soldiers and policemen has taken place in recent years.¹⁶ The latest incident occurred on 21 February 2013, during which unidentified gunmen killed eight soldiers in two coordinated attacks.¹⁷ The military investigation revealed that the victims were unarmed and caught by surprise as they had been conducting community works at local village during the attacks. Other incidents showed that the insurgent groups seek to seize the firearms of soldiers and policemen in Papua.

Amid the growing tension, the peaceful resolution of the on-going conflict in Papua remains elusive. In July 2011, some government officials and representatives of pro-independence movement gathered in Abepura to hold a political dialogue. Although the dialogue has reportedly produced a set of political, social, economic, legal and security indicators that could serve as guidelines for future government policies.¹⁸ It failed to produce a blueprint or road map for peace settlement in Papua due to a deep mistrust and huge perception gap between the government and pro-independence movement. Unless a comprehensive negotiated political settlement is reached, the Papua problem will continue to present a domestic security challenge for the Indonesian government.

¹⁶ "Squaring the Vicious Circle of Violence in Papua," *The Jakarta Post*, 27 February 2013.

¹⁷ "8 Soldiers Shot Dead in Papua," *The Jakarta Post*, 22 February 2013.

¹⁸ International Crisis Group, "Indonesia: Hope and Hard Reality in Papua," *Asia Briefing*, No. 126, August 2011.