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The self-proclaimed **Sultan of Sulu Jamalul Kiram** (centre), accompanied by former congressman **Satur Ocampo** (right) and a constitutional lawyer, **Rafaelita Gono** (left), affirms his sultanate's claim to Sabah in Manila yesterday. Armed followers of the sultan have crossed over to Sabah and attacked Malaysian security forces. AFP pic

# Resolving the Sulu conundrum

NST - 5/3/2013

**OFFICIAL POSITION:**  
Malaysian sovereignty over Sabah is non-negotiable, no matter the claim by the Sulu sultanate

**A**S the weeks-old stand-off between the band of armed Sulu intruders and Malaysian police and armed forces in Lahad Datu, Sabah, comes to a tragic and bloody denouement, it is important to understand how it all came to this juncture.

What is now Sabah and Sarawak used to be part of the Brunei sultanate. While Sarawak remained under Brunei until 1841, when bit by bit the Sarawak as we know it today was ceded to British adventurer James Brooke by a grateful sultan for help in quelling persistent rebellions, North Borneo — as Sabah was known before — similarly passed from Brunei's control to that of the Sulu sultanate even earlier: in 1704.

North Borneo stayed under Sulu suzerainty until 1878 when it came under control of the British North Borneo Company (NBC). That was the genesis of what now becomes known

as the much-disputed Philippine claim to Sabah.

Whether Sabah was ceded in perpetuity to NBC or merely leased to it has become the real bone of contention. An annual payment was paid to the Sulu sultan and his heirs by the NBC for Sabah, a payment which Britain apparently assumed responsibility for when Sabah became a British colony in 1946.

Malaysia, as the successor independent and sovereign political federation to which Sabah became a constituent part in 1963, reportedly has continued the Sulu payment, although we have officially kept it under wraps.

The Malaysian official position has rightly separated the Sulu sultanate's proprietary claim over Sabah from Malaysian sovereignty over the state, which is non-negotiable. It is also only proper that the Malaysian government continues to resist any discussion over the Sulu payments for Sabah without any firm assurances that any settlement will be final and unanimously agreed to by all the rightful royal heirs.

The Sulu sultanate, meanwhile, lost its status as an officially recognised political actor under the modern and independent Philippine republic.

Philippine President Diosdado Macapagal thus used the historic ties between the Sulu sultanate and Sabah as the basis to officially stake his coun-

try's claim to Sabah upon the latter becoming a part of Malaysia, a move that ruptured diplomatic relations between both countries.

Macapagal's successor, Ferdinand Marcos, promised in 1977 to renounce his country's claim to Sabah, but only succeeded in emasculating further what remained then of the extended and divided royal family of Sulu and after seeking to instigate a rebellion in Sabah by a group he armed

and trained and later massacred when the group balked in its assigned mission.

The overthrow of Marcos in 1986 saw President Corazon Aquino grant a measure of autonomy to "Muslim Mindanao", empowering the likes of Nur Misuari, a Sulu native of the Tausug

tribe who, as governor of the new autonomous region, won brief adulation from the international community which invested in him high hopes for bringing peace and prosperity to the restive region.

President Fidel Ramos, who took over from Aquino in 1992, saw the opportunity to build on that international goodwill by enlisting his country's Muslim neighbours — Brunei, Indonesia and Malaysia — in a joint sub-regional effort to reap the peace dividends in Mindanao.

Alas, it was not to be. Misuari proved to be a huge disappointment, pre-

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## *Peace in Bangsamoro is the way forward*

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ferring to spend time abroad or in luxury hotels in Manila rather than attend to the needs of his impoverished constituents in Mindanao. He was soon up to his old rebellious streak in his native Sulu when his leadership credibility hit rock bottom whereupon he attempted an escape to Sabah, a short boat trip away.

Misuari's Moro National Liberation Front (MNLF) suffered a split and the splinter Moro Islamic Liberation Front (MILF) soon sued for a separate peace deal with Manila. Tortured negotiations under Malaysia's facilitation lumbered on through much of the duration of the decade-long presidency of Gloria Arroyo.

In 2001, when Malaysia and Indonesia referred the dispute over ownership of Sipadan and Ligitan to the International Court of Justice, the

Philippines lost a pillar in its legal case as the court threw out the latter's request for intervention in the case based on the Sabah claim. Sipadan and Ligitan were later recognised by the court as belonging to Sabah and, therefore, Malaysian territory.

A peace framework agreement was finally signed between MILF and the Philippine administration of President Benigno Aquino III towards the end of last year.

Misuari's MNLF, now under more sober leadership, had promised to be open towards the Bangsamoro political entity that the MILF had fought for and won. But Misuari himself has proven recalcitrant.

It is under such a state of political flux when Misuari's fellow Tausug tribespeople in Sulu appear to have been politically eclipsed by their fellow Muslims on the Mindanao mainland that the Lahad Datu

stand-off began.

If Misuari now sees fit to join forces with the traditional political rulers of Sulu whom he himself had earlier eclipsed to cause mischief in Sabah, he may have pulled off quite a coup, given all the attention the stand-off now commands, both in Malaysia and the Philippines.

But this plausible "last stand" may well also be Misuari's ultimate undoing. Through the armed intrusion into Sabah and the resulting deaths of both Filipinos and Malaysians, ostensibly under orders of the Sulu sultan, both the Philippine and Malaysian governments are united in hunting down those whom Aquino has stated have chosen the wrong path to air their grievances.

Malaysian and Philippine political interests are now intertwined as never before. That should only strengthen the resolve of both nations

to bring the peace and economic prosperity long denied Filipino Muslims as a result of selfish leaders out only to save their own hides.

Peace and prosperity in Bangsamoro, ultimately, is the only sure way to contain the problems of the Philippine south from being imported into Sabah, whose rugged and long coastline defies easy measures to guard it.

It has become clear now that a final settlement of the Sabah claim, given what is happening there, will have to wait until at least a future generation of more responsible and sincere Sulu leaders appears. The priority of the moment is to resolve the Sabah stand-off and its bloody after-effects now unfolding and to ensure all threats to the young bud that is the Bangsamoro peace agreement are neutralised.

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