

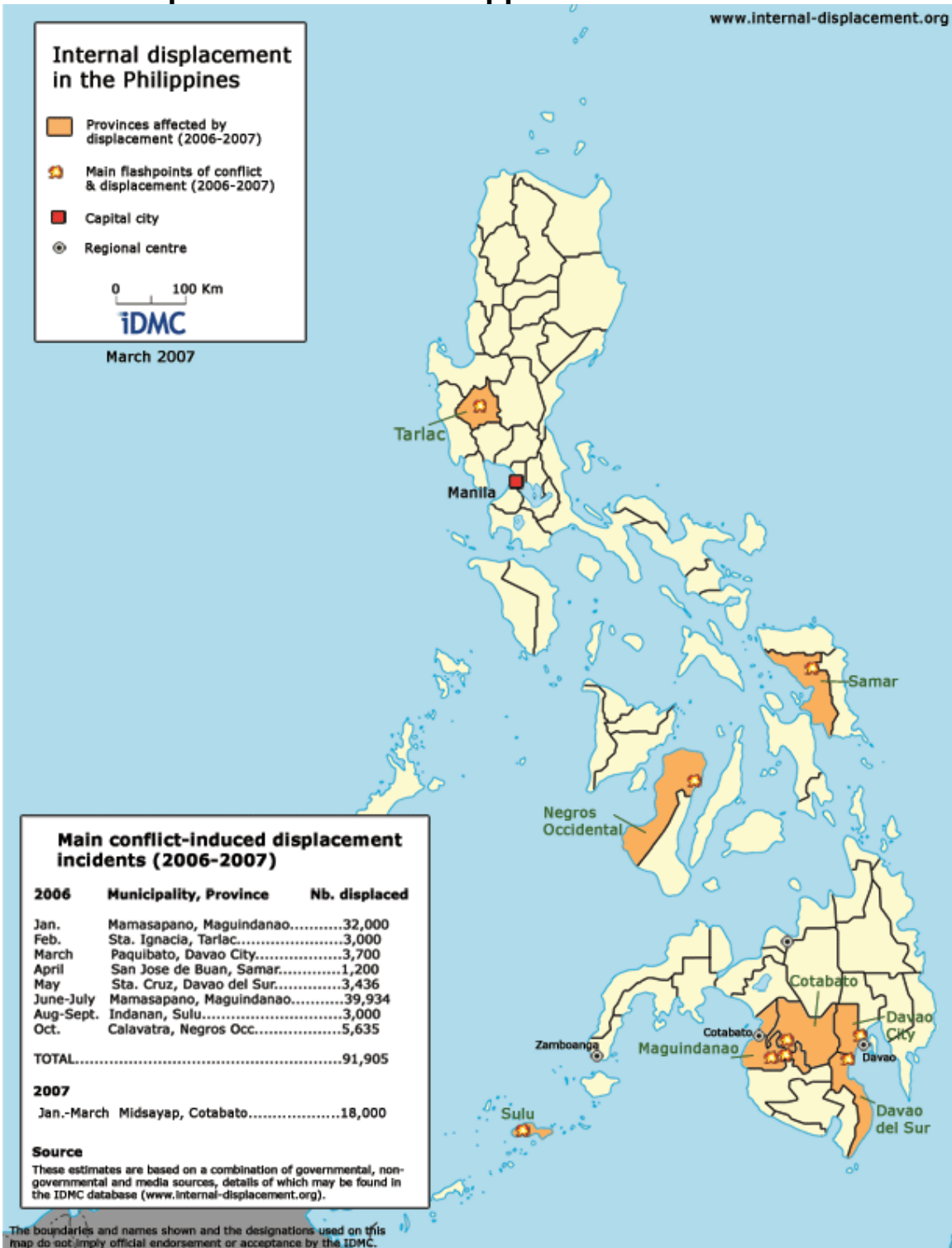
14 March 2007

Philippines: More attention needed on protection of IDPs

An estimated 100,000 people were displaced from their homes in the Philippines during 2006 as a result of armed conflict and human right abuses. The main displacement movements occurred in the southernmost island of Mindanao where, in two separate incidents, close to 70,000 people were forced from their homes in Maguindanao province following clashes between Muslim separatist rebels and security forces. In addition to these new displacements, which have been mainly temporary, tens of thousands of people in Mindanao remain unable to return or are living in situations akin to displacement due to previous conflicts. Due to the fluidity of the displacement situation, with frequent clashes and short-term displacement movements, there are no accurate figures available on the total number of internally displaced persons (IDPs). In July 2006, WFP launched an emergency food operation and estimated the number of vulnerable IDPs at 120,000.

The majority of the displaced are living in the Muslim-populated areas of the Autonomous Region of Muslim Mindanao (ARMM), where most of the fighting between the government and insurgents of the MILF secessionist group has concentrated in the past few years and forced close to two million people from their homes since 2000. Under-development and the destruction caused by years of fighting have further impoverished an already disadvantaged population, with the displaced particularly vulnerable to food insecurity, health risks and unemployment. The needs of IDPs are generally addressed as part of wider development and rehabilitation programmes conducted by the government in partnership with the United Nations and donor countries and institutions. Sporadic skirmishes between the government forces and the MILF rebels and territorial issues have continued to block the signing of a peace agreement during 2006, while also obstructing the implementation of programmes aimed at rehabilitating and developing the conflict-affected areas of Mindanao. Focusing largely on a developmental approach, the international aid community needs to pay more attention to protection and human rights issues, which are particularly at risk in the context of the government's "war on terror".

Internal displacement in the Philippines



[More maps are available on www.internal-displacement.org/maps]

Background and main causes of displacement

The Philippines is one of the most natural-disaster-prone countries in the world, with hundreds of thousands of people displaced each year due to floods, storms, earthquakes or volcanoes. Development projects such as mines, roads or hydro-electrical dams are also major causes of displacement in the country, mainly affecting the poor and indigenous populations. At the end of 2006, the Philippines was designated by the Geneva-based Centre on Housing Rights and Eviction (COHRE) as one of the top three countries violating housing rights, with hundreds of thousands of people displaced because of development or “beautification” projects (COHRE, 5 December 2006).

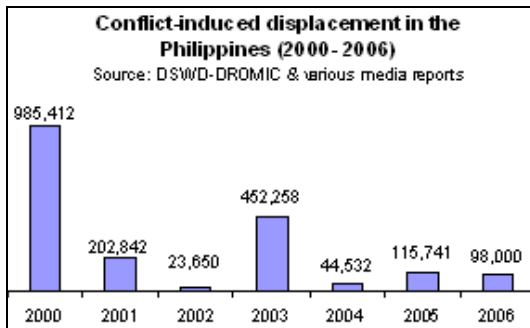
As regards, conflict-induced displacement, the focus of this overview, armed incidents between government forces and rebel groups, and in particular those involving government forces and the communist rebels of the New People’s Army (NPA), sporadically affect all regions of the country. But heavy fighting and large-scale displacement is mainly concentrated in the southern island of Mindanao where Muslim separatist rebels have fought government forces since the 1970s. The conflict in Mindanao is rooted in the general underdevelopment of the region, the unequal distribution of wealth, and the lack of sufficient effort by the central government to integrate the Muslim (or “Moro”) minority into the political and institutional fabric of the overwhelmingly Roman Catholic country. Central to the conflict are also conflicting claims over land between, on the one hand, Muslims and indigenous people who

held their land on communal ownership basis and, on the other, the government who imposed the Regalian doctrine of property ownership, which did not recognise ancestral land claim or ownership. As a consequence, many Muslims and indigenous people were deprived of their land largely to the benefit of Christian settlers. The fighting and displacement is mainly concentrated in the Muslim-populated areas of central and south-western Mindanao, where rich reserves of untapped natural resources and raw materials have been an added factor in the government’s fight against Muslim secessionist movements. Other causes of insecurity in Mindanao include armed incidents between government forces and the communist rebels of the NPA, widespread banditry and clan disputes (or “rido”), which sometimes degenerate into wider armed incidents involving armed militias, the military and Muslim armed groups.

In 1996, a peace agreement between the government and the rebel Moro National Liberation Front (MNLF) – the first Moro armed separatist group – was signed, allowing for the implementation of the 1976 Tripoli Agreement; this established some degree of autonomy in 13 provinces and nine cities in the southern Philippines. The agreement was, however, rejected by the Moro Islamic Liberation Front (MILF), a splinter group from the MNLF established in 1984 with a more religious agenda (USIP, January 2005, p.5). The MILF, nevertheless, agreed to open discussions with the government and a ceasefire agreement was signed in 1997. It was, however, repeatedly violated in the following years.

Between 2000 and 2006, armed conflict in the Philippines caused the displace-

ment of nearly two million people. The majority were displaced in Mindanao by two major military operations launched by the government in 2000 and 2003. A ceasefire agreed in July 2003 put an end to the fighting and allowed for the return of most of the displaced, despite conditions that were often not conducive to sustainable reintegration. Since then, improved dialogue and confidence-building measures established between the government and the MILF have prevented sporadic armed skirmishes and army operations against criminal gangs from turning into larger armed confrontations. Also, a Malaysian-led international monitoring team has been deployed in Mindanao since October 2004 and has helped to maintain the ceasefire.



Despite a third year in a row without a major armed confrontation between the government and the MILF, continued tension and intermittent armed clashes have during 2006 continued to displace tens of thousands of people, further delaying the signing of a final peace agreement. The main bone of contention continues to be the issue of ancestral domain, or the territorial coverage of the future Moro homeland. While armed encounters between the government and the MILF have been decreasing since 2003, those with the communist rebels of the NPA have been on the increase, in particular during 2005 and 2006 when

President Gloria Arroyo declared an “all-out war” against the NPA. Peace talks between the communist insurgents and the government have stalled since August 2004 and look unlikely to resume anytime soon.

100,000 people newly displaced by fighting during 2006

With more than 18,000 people displaced by intermittent clashes between MILF rebels and government forces in Mid-sayap, North Cotabato between January and March, 2007 appears to have started on the same basis as the previous year. During 2006, conflict-induced displacement was mainly the result of armed confrontations between government security forces and Muslim rebels in Mindanao or communist insurgents elsewhere in the country. It is estimated that close to 100,000 people were displaced during the year, mainly in the Muslim-populated areas of Mindanao. The two largest displacement incidents occurred in and around Mamasapano municipality, in Maguindanao province. In late January 2006, a week of fighting involving security and paramilitary forces against MILF rebels resulted in the evacuation of 32,000 civilians. In late June 2006, fighting between the Muslim rebels and the pro-government militias erupted again in Shariff Aguak town in the same province. This time the clashes displaced close to 40,000 people. As was the case six months earlier, the majority of the displaced managed to go home shortly after the fighting ended two weeks later.

Elsewhere in the country, thousands of people were displaced due to armed clashes between the government and the

communist NPA. In October 2006, more than 5,000 people fled their homes in Calatrava, Negros Occidental province following counter-insurgency operations against NPA rebels (DSDW, 25 October 2006). Fighting and displacement also resumed in Sulu province, where the government deployed some 7,500 troops in August in the hunt for another small Muslim rebel organisation, the Abu Sayyaf group (ASG). At least 3,000 people were displaced on Jolo island between August and September 2006 by the military operations (DPA, 3 August 2006; eBalita, 15 September 2006). The ASG, allegedly linked to al-Qaeda, has since 2001 resisted several large-scale military operations conducted by the Philippine government forces with support from the United States. These operations, carried out in the framework of the global "war on terror", have been met with scepticism and cynicism by Moro civil society groups who see it as a justification for continued warfare on the Muslim population leading to further human rights violations and displacement (Mindanews, 6 August 2006; Davao Today, 9 September 2006). The adoption by the Congress, on 19 February 2007, of an anti-terror bill, known as the "Human Security Act" raised concern among Moro groups that it would further curtail civil and political rights in Mindanao (Davao Today, 11 February 2007).

Sporadic clashes, constant movement of people and poor monitoring of returns make it very difficult to estimate how many people remained displaced at the end of the 2006. While the majority of the displaced generally manage to return to their homes in the aftermath of the fighting, many are unable to do so mainly because of the destruction of their houses, means of livelihood or be-

cause of continued military presence in or around their villages. This is a common feature of displacement in the conflict-affected areas of Mindanao with new waves of displacement just adding new layers of displaced persons to those created by previous clashes. Returns during a year are generally offset by new displacements, creating a permanent IDP caseload consisting of tens of thousands of people living in evacuation centres or with relatives. In addition, many people who have managed to return in past years have not been able to recover economically or socially from their displacement and remain living in situations akin to displacement with acute assistance and rehabilitation needs. The UN World Food Programme estimated in 2006 that there were 120,000 vulnerable IDPs in need of food assistance in Mindanao (WFP, March 2006, p.3).

Protection and humanitarian needs

Armed confrontation between the MILF rebels and the government tends to be of a conventional positional type, often affecting the same communities who live near the MILF camps over and over again. With the fighting often taking place within the villages themselves, clashes with the MILF also often result in large civilian casualties and destruction of property as well as large-scale displacement of people who often need to be accommodated in evacuation centres. Although large armed confrontations such as the 2000 and 2003 wars have been successfully avoided in the past three years, fighting incidents leading to population movements have occurred with an alarming regularity in Mindanao. Often triggered by land or

clan disputes, many small incidents degenerate into wider confrontations involving paramilitary groups, rebel groups and government forces. Caught in the crossfire, civilians and displaced people in particular are vulnerable to a range of direct threats to their physical security including stray bullets or bombs, but also harassment and physical abuse by the military. In January 2007, four IDPs displaced by fighting in Misamis Occidental, North Cotabato were reportedly apprehended by a military unit and subjected to physical abuse while attempting to return to their homes to fetch food and other personal items (Luwaran, 5 February 2007). In November 2006, two women aid workers visiting displaced families in the same province were abducted and sexually molested by Philippine soldiers (Davao Today, 13 November 2006).

Whereas displacement caused by armed encounters between the NPA rebels and government forces tends to be comparatively smaller in scale than those involving MILF rebels, mainly because the incidents tend to take place at some distance from the villages, the protection needs of the civilians and displaced population tend to be as important. Indeed, counter-insurgency operations conducted by the military frequently result in human rights abuses against civilians suspected of supporting the insurgents. According to a UNICEF study covering the period 2001-2005, the military strategy of the armed forces during counter-insurgency operations against the NPA has tended to explicitly disregard the distinction between combatants and civilians. Even more alarming, the official military strategy against terrorism appeared to consider anyone suspected of associating with terrorists

as legitimate military targets (UNICEF, October 2006, pp. 35-36).

In addition to human rights abuses resulting from counter-insurgency operations, it should be noted that politically motivated extra-judicial killings in the country during 2006 reached their highest level since 1986 with more than 180 people killed, including human rights activists, trade unionists and leftist militants. This dramatic deterioration of the human rights situation prompted the UN special rapporteur on extra-judicial killings to visit the Philippines in February 2007 (UN, 21 February 2007).

The daily environment of the majority of people living in conflict-affected areas of Mindanao, most of which are in the Autonomous Region of Muslim Mindanao, is one of constant economic as well as physical insecurity. Already living in the provinces that rank the lowest in terms of human and economic development (incidence of poverty in the ARMM region is 63 per cent), people at risk of displacement due to fighting tend to belong to the poorest strata of society. Most of the close to two million people displaced in Mindanao since 2000 are Muslims or indigenous people, the latter being often caught in the crossfire or displaced from their lands by government-sponsored development projects. As such, the displaced are the immediate but also the long-term victims of the conflict between the government and the various insurgent groups active in the Philippines. The recurrent nature of fighting and displacement in Mindanao means that the assistance needs of the displaced range from immediate humanitarian relief, characteristic of short-term emergency situations, to more develop-

ment-oriented assistance schemes such as those needed in post-conflict settings.

Need for reintegration and development assistance

While many IDPs have been able to return in the days or weeks following their displacement and managed to restart their lives with their property, land and means of livelihood left relatively intact, hundreds of thousands of people have not been so lucky. In the wake of the large-scale military offensives of 2000 and 2003, heavy fighting caused widespread destruction of houses and property and forced the displaced into prolonged stays in hastily set-up evacuation camps or with friends and relatives. The majority of those displaced in 2003 had already gone through the same predicament three years before and they were further weakened by renewed displacement. Although the ceasefire agreement signed by the MILF and the government in July 2003 had a clear positive effect on the overall stability of the region and prevented the eruption of large military confrontations, return and reintegration remained elusive for many IDPs. In early 2007, it was estimated that some 20 per cent of the estimated 40,000 people evacuated due to fighting in Maguindanao province had been unable to return to their homes, nearly six months after being initially displaced (Oxfam, 24 January 2007). The length of displacement in the Philippines can vary considerably from a few days to several years. In May 2006, it was reported that more than 4,000 people displaced by military operations six years earlier were still displaced in Sulu province (Inquirer, 2 May 2006).

Frequent clashes continued to occur on a regular basis in areas in Mindanao with high concentrations of rebels and government forces and created new layers of displaced people, while undermining reintegration efforts of the recently returned IDPs.

Poverty exacerbated by recurrent conflict is the major factor constraining access to education in Mindanao. Literacy rates in the ARMM region stand at 71 per cent for males and 69.4 per cent for females compared to a national rate of 93.7 and 94 per cent respectively. Elementary and secondary enrolment rates are also significantly lower, with only half the rates observed at the national level. In some conflict-affected parts of Mindanao and the ARMM region, overall dropout rates reach an alarming 23 per cent and only one out of ten children completes high school in time (WB, July 2006, p. 4). For many displaced people impoverished by the loss of means of livelihood, the depletion of assets and forced to start from scratch when they return, education becomes simply unaffordable.

National and international response

The attitude of the Philippine government towards the problem of internal displacement is two-sided. On the one hand, it is by far the main agent of forced displacement, mainly resulting from military and security operations against various rebel groups and their suspected sympathisers, but also from economically-motivated forced evictions. On the other hand, the national authorities do generally acknowledge that, as a consequence of their military

activities at least, people are forced from their homes and in need of protection and assistance. The acceptance of this responsibility has, however, mainly translated into the provision of immediate humanitarian assistance to the displaced with generally insufficient attention paid to the long-term reintegration needs. Also, no concrete steps have been taken to set up a national body to deal with the issue of internal displacement or establish appropriate institutional structures at all levels of the government, including the designation of clear IDP focal points (PCHR, 2006, p. 16). Further, the government has so far not developed specific IDP policies and laws.

Local non-governmental organisations, volunteers and other representatives from civil society, including IDP themselves, have traditionally played a critical role in assisting the internally displaced and in advocating for their rights in Mindanao, and elsewhere in the country. In 2005, the Commission on Human Rights Philippines (CHRP) and the non-governmental organisation Balay organised a series of regional consultations among local stakeholders and IDP communities, which culminated in a First National Multi-Stakeholders Forum on IDPs held in December 2005. In addition to creating public awareness on the issue of internal displacement, one of the concrete outcomes of the conference was to gather support for a bill on internal displacement. Indeed, one year later, in December 2006, a draft bill known as the “Internal Displacement Act of 2006” and which comprehensively addresses the needs and rights of IDPs in the different phases of displacement, was presented to the Philippines Congress.

The response of the international community is largely focused on the development and rehabilitation needs of the displaced as a vulnerable group within a larger population with needs living in Mindanao’s conflict-affected areas. Far less attention is paid to their protection needs. Working closely with the government, UN agencies and donors, but also most international NGOs, agree that the development approach should be prioritised and prefer not to engage the government on sensitive human rights issues (JHA, February 2007, pp.22-24). The “war on terror” waged by the Philippine government with the active support of the United States and the political backing of some of the main donors, including Japan and Australia, also contributes to shaping the agenda of some of the main international aid actors. Protection of civilians tends to be seen more as a peace and development issue rather than as a human rights one.

In the wake of the 1996 government-MLNF Peace Agreement, the international community established a Multi-Donor Programme (MDP) to assist with the realisation of agreement. Associating the Philippine government with the UN and donor countries such as Australia, New Zealand and the Netherlands, the MDP consisted mainly of development-oriented programmes and peace-building activities. Throughout its successive phases, the MDP also included a humanitarian relief component to address the immediate needs of the civilian population affected by the conflict between the government and the MILF and in particular of the hundreds of thousands of people regularly forced to leave their homes to seek refuge in evacuation centres. As part of the fourth phase (2005-2009) of the MDP, a UNDP-EU

funded IDP programme aimed at addressing the relief and rehabilitation needs of the displaced was implemented between October 2004 and January 2006 in Mindanao and provided assistance to more than 25,000 families (UNDP, 13 February 2006).

In March 2006, the first phase of the World Bank-administered Mindanao Trust Fund (MTF) was launched (WB, 27 March 2006). The MTF is a development and reconstruction programme aimed at assisting with the social and economic recovery of the conflict-affected regions of Mindanao. Its design is based on inputs provided by a comprehensive Joint Needs Assessment conducted during 2004 in Mindanao and which estimated the cost of the reconstruction and development needs at more than \$400 million (Government of the Philippines, International Funding Agencies, Mindanao Stakeholders, December 2005, p. xiv). This initial phase is aimed at establishing the organisational set-up and piloting a few test programmes. Phase 2 should see the full implementation of the MTF, but it will not start before a formal peace agreement is reached between the government and the MILF.

While the signing of the peace agreement has been repeatedly postponed since 2003 due to regular ceasefire breaches and disagreements over the territorial coverage of the future Moro homeland, the conflict-affected people of Mindanao and in particular the displaced are now in need of immediate and concrete assistance measures to help them return and re-establish their livelihoods. Already living on the edge of subsistence, most returnees in Moro areas face the accumulated effects of conflict and

displacement, which have resulted in a state of perpetually arrested development. In addition to humanitarian interventions needed to prevent a further deterioration of their living conditions, it is important to ensure that genuine efforts are made to tackle the underdevelopment and widespread poverty, affecting primarily the Muslim-populated areas of Mindanao.

Clearly, more attention should also be paid to the protection needs of displaced people and civilians living in Moro areas, but also elsewhere in the country where civilians are often considered by the military as legitimate targets because they are suspected to provide support to "terrorist" groups (UNICEF, October 2006, p. 35). The UN special rapporteur on extra-judicial killings, who visited the country in February 2007, attributed most of the upsurge in political killings to the military, which he described as remaining in a "state of denial" on the issue (UN, 21 February 2007).

Poverty and economic marginalisation of the Moro and indigenous population, which have been a root cause as well as a consequence of the conflict, must be addressed urgently, but this cannot be achieved without also tackling issues related to claims for territorial and political autonomy. In addition, the human rights of all Philippine civilians need to be safeguarded and the government held accountable for past and present abuses against civilians. The current "war on terror" should not be used as an excuse for curtailing fundamental civil and personal liberties, nor should it serve as a repressive tool against ethnic or religious minorities.

Note: This is a summary of the IDMC's country profile of the situation of internal displacement in the Philippines. The full country profile is available online [here](#).

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About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org.

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