

28 June 2010

PHILIPPINES

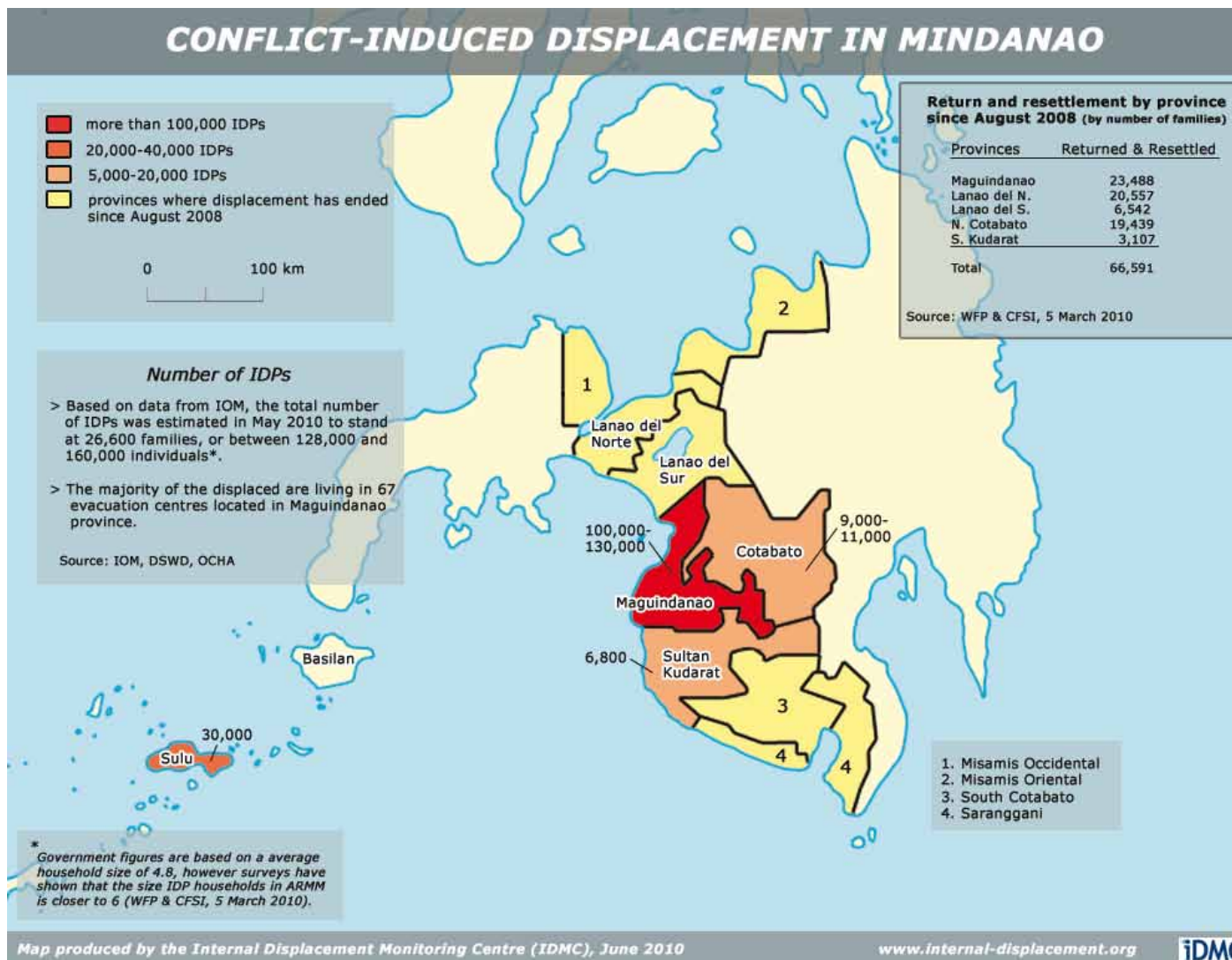
IDP return still hampered by insecurity and lack of assistance

Nearly a year after a ceasefire agreement between the government and the rebels of the Muslim Islamic Liberation Front (MILF) put an end to renewed fighting in the southern island of Mindanao, some 26,000 families remain displaced in June 2010. The renewed conflict, ignited by the failure of a land deal in August 2008, had led to the displacement of up to a million people by July 2009. The majority of the remaining internally displaced people (IDPs) are living in 67 evacuation centres in Maguindanao Province, while a smaller number are living in relocation and resettlement sites or with relatives. With the exception of North Cotabato Province, where an estimated 1,800 families are still displaced, people displaced by the conflict in other provinces have now returned home, although thousands remain displaced due to clan-related violence, or *rido*, which has been the main cause of displacement since July 2009.

Hundreds of thousands of people have returned to their places of origin. However, the majority returned on their own without sufficient assistance, and have since struggled to recover with limited access to agricultural assets, education, health care services and water and sanitation facilities. An assessment conducted in early 2010 in five provinces affected by the conflict showed that nearly half of the returned or resettled population had yet to recover from their displacement. The number of returns and their sustainability has been limited by a number of factors, including uncertainties about the peace process, clan-related violence, the lack of return and rehabilitation assistance and the presence of unexploded ordnance. Despite improvements in the overall living conditions of IDPs in the camps, their humanitarian needs remain significant. IDPs are more food-secure but continue to face high levels of debt and difficulty in securing sustainable livelihoods.

The government, supported by the international community, has since August 2008 made significant efforts to assist IDPs, but has not done enough to ensure that they are offered sustainable livelihood opportunities and recovery assistance upon return, or to support alternative settlement options. The response has been hampered by the absence of a clear and coherent return and rehabilitation strategy, the insufficiency of resources and also confusion with regards to IDP management responsibilities. International presence in Mindanao, limited during the conflict, has grown since the July 2009 ceasefire. More long-term commitment is however still required.

Internal displacement in the Philippines



Source: IDMC

More maps are available at www.internal-displacement.org

Background

Millions of people in the Philippines have been internally displaced by armed conflict and human rights violations in the last decades. Most of the violence and displacement has taken place on the island group of Mindanao in the southern Philippines, where the government has fought insurgency groups since the 1970s. Mindanao is the poorest region in the Philippines; the conflict there is rooted in under-development, poor governance, the particularly inequitable distribution of wealth, and the political, economical and cultural marginalisation of Muslim (or Moro) and indigenous peoples in an overwhelmingly Roman Catholic country.

In 1976, the government and the Moro National Liberation front (MNLF) signed the Tripoli Agreement, which established some degree of autonomy to 13 provinces and nine cities in the southern Philippines, but its implementation only stumbled forward. It was not until 1990 that the Autonomous Region in Muslim Mindanao (ARMM) was formally established, covering four majority-Muslim provinces. In 1996 the government and MNLF signed a new accord allowing for the implementation of the Tripoli Agreement. The Moro Islamic Liberation Front (MILF), which broke away from the MNLF in the early 1980s and which had become by then the main Muslim insurgency group, signed a ceasefire agreement in 1997.

In 2000, nearly a million people fled the government's "all-out war" against the MILF. This was followed in 2003 by another major offensive against the Moro rebels which resulted in the displacement of more than 400,000 people. Although recurrent skirmishes continued to cause sporadic displacement in Mindanao, both sides managed to avoid major military confrontations in the following years and worked to find common grounds for a political settlement. In all, an estimated two million people were displaced by conflict and associated human rights violations in the Philippines between 2000 and 2007.

Of the six regions in Mindanao, ARMM has tended to be most affected by conflict and displacement, and has remained particularly under-developed. All five provinces in ARMM are in the bottom ten of the national human development index (HDI) ranking. Life expectancy, school enrolment, literacy and income rates there are among the lowest in the country. Nearly half of the population in conflict-affected areas in ARMM is food insecure, and levels of malnutrition are significantly higher than in other regions of the country. Access to clean water and sanitation facilities, and to social services such as education and health care, is generally very limited and particularly so in remote areas (WFP, 31 May 2008, pp.2-3).

Renewed armed hostilities and displacement following aborted land deal

In July 2008, the government and the MILF announced a breakthrough in negotiations with a memorandum of agreement (MoA) on the issue of an autonomous Moro homeland known as the "Bangsamoro Judicial Entity" reflecting the Moro peoples' "ancestral domain". However, the MoA attracted strong public criticism, in particular from Christian communities in Mindanao, and it was suspended and later declared unconstitutional by the Supreme Court. In August, MILF combatants responded by launching attacks on Christian communities in Cotabato Province and later in Lanao del Norte Province. Ensuing fighting with the Armed Forces of the Philippines (AFP) led to the displacement in the following months of hundreds of thousands of people in several provinces of Mindanao, with Muslim-majority provinces such as Maguindanao particularly affected (Writenet, March 2009, p. 6). When fighting ended in July 2009, possibly up to a million people had been displaced and hundreds of thousands were still living collective centres and camps known by the government as "evacuation centres", relocation sites and with host communities.

Since September 2009, peace talks supported by the International Contact Group have had some positive results although little progress has been made on the substantive issues of territory, jurisdiction and governance (Mindanews, 6 May 2010). In October 2009, both sides agreed a civilian protection component (CPC) to be included in the mandate of the Malaysia-led International Monitoring Team (IMT) which returned to Mindanao in February 2010 to monitor the ceasefire and support the peace process (Mindanews, 29 October 2009). In April, the government and the MILF committed to work together for the swift return of the remaining internally displaced people (IDPs) and the removal of unexploded ordnance (UXO) in conflict-affected areas (IRIN, 23 April 2010; IRIN, 21 May 2010).

The Mindanao peace process was not high on the agenda of candidates during the May 2010 elections. The newly-elected president, Benigno "Noynoy" Aquino III, has however declared that the Mindanao peace process would be a priority of the new administration. The MILF has expressed cautious optimism and invited Aquino to make the first move (GMA News, 23 May 2010).

Ongoing displacement due to counter-insurgency campaigns and clan violence

In addition to the MILF and the MNLF, other armed groups in the Philippines include the Abu Sayyaf Group (ASG), which is mostly active in Western Mindanao and is known for its kidnapping activities, and the communist rebels of the New People's Army (NPA), the oldest insurgency group in Asia. Since 2001, the AFP, supported by the United States, has carried out several large-scale operations against the ASG in Sulu and Basilan Provinces in Mindanao, which have resulted in the displacement of hundreds of thousands of people. In September 2009, several thousand people fled renewed fighting in Indanan on the

island of Jolo in Sulu province (DPA, 22 September 2009). More than a month later nearly 30,000 people remained displaced, and many had reportedly received no assistance (SDCC, 23 October 2009, Mindanews, 12 October 2009). In February 2010, renewed violence in Sulu and Basilan forced thousands of people to flee their homes (Reuters, 27 February 2010; Luwaran, 26 February 2010).

Other sources of violence in Mindanao include clan wars (or *rido*) triggered by land disputes and political and economic rivalries (The Asia Foundation, 2007, p.12). Since the July 2009 ceasefire, clan violence has represented the main cause of displacement in Mindanao. In early December 2009, the government declared martial law in Maguindanao following the killing of 57 people; the massacre was attributed to the Ampatuan family, a close ally to the president and the most influential clan in Maguindanao. Several tens of thousands of people fled their homes in the following weeks as a result of clashes between Ampatuan clan supporters and elements of the MILF trying to reclaim territories, and in anticipation of further violence (DPA, 5 December 2009; The Inquirer, 5 January 2010). While most of them managed to return in the following weeks, a number remained unable to return due to continued insecurity in their home area (Bulatlat, 27 January 2010; KFI, 29 April 2010). In February and April 2010, several thousand people were also displaced in North Cotabato and Sultan Kudarat Provinces by *rido* incidents.

The government's strategy to use paramilitary forces in support of its counter-insurgency campaign against Muslim rebel groups has largely benefited the most powerful clans, which have used them as private armies (HD Centre, 12 January 2010). This has often added to insecurity problems in Mindanao. Many members of the Ampatuan clan were arrested following the violence but still managed to stand for public office during the May 2010 elections and were elected to important positions (Mindanews, 15 May 2010).

This is likely to ensure that they continue to access public funds and remain a political force. The war-lord system in Mindanao may have been exposed but it remains largely intact (ICG, 4 May 2010).

At least 128,000 people remain displaced in Mindanao

Determining reliable figures on the number of IDPs remains a huge challenge, both because displacement in Mindanao is characterised by frequent population movements, and because of the incomplete collection of information, with some groups of IDPs not captured in government data.

Registration by the government has been incomplete, with displaced people in informal settlements often not recognised as IDPs, and entire municipalities affected by the conflict simply ignored. The government has considered anyone who has moved out of the evacuation centres as “returned”, and it has reportedly excluded some people from registers on this basis even though they were still living in evacuation centres or in relocation sites (Mindanews, 16 November 2009). In December 2009, the government simply decided to exclude nearly all “home-based” IDPs living with host families from the list, on the assumption that all had returned.

Discrepancies between government and international agency figures have been often reported, with the government generally issuing the lowest figures and sometimes describing as “misleading” those provided by agencies (IRIN, 5 April 2010; IRIN, 15 January 2010; IRIN, 14 July 2009). It should be noted that government figures are based on an average of less than five people per family, but the average family size in the poorer municipalities of Muslim Mindanao, where most IDPs are located, is probably closer to six (Romulo A. Virola and Arturo M. Martinez Jr., October 2007). The World Food Programme’s (WFP) food distributions were based on six people per family before being

changed to fit the actual size of each family in early 2010.

Since January 2010, the government has used the Humanitarian Response Monitoring System (HRMS) to track population movements, identify humanitarian needs and map ongoing interventions. The HRMS was initially designed by IOM in response to natural disasters, and was adapted during 2009 to fit Mindanao’s complex emergency setting. It is also intended to help profile the displaced population and coordinate assistance for them with other aid agencies (IRIN, 15 January 2010).

As of May 2010, it was estimated that 26,600 families, or between 128,000 and 160,000 individuals, remained displaced in Mindanao either by the August 2008 conflict or the clan violence (IOM, 4 May 2010). The overwhelming majority were located in Maguindanao Province, where nearly 16,000 families were living in 67 evacuation centres. More than 5,000 families were also living in relocation or resettlement sites in the Province and fewer than 900 families were reported to be hosted by families or friends. In North Cotabato Province, around 1,800 families were still living in 11 evacuation centres and with host families (OCHA, 31 May 2010).

The May 2010 figure also included a number of people who had been displaced after the July 2009 ceasefire. In Maguindanao, some 2,000 people displaced as a result of the November 2009 massacre had not returned to their homes and were living with host families. In Sultan Kudarat Province, some 6,800 people were still displaced as a result of tensions caused by clan fighting a month earlier (OCHA, 4 May 2010). As of early June, some 2,500 people displaced by election-related violence in May were also displaced in Maguindanao (NDCC, 29 May 2010).

In addition to those displaced since August 2008, tens of thousands of people who were displaced during earlier phases of the conflict between

the AFP and the MILF have been unable to find durable solutions, even though most were able to return to their areas of origin. To escape poverty some have moved to urban areas of the region such as Cotabato City, where tens of thousands of displaced households have sought refuge since 2000. These IDP groups are largely excluded from any government statistics.

Ongoing humanitarian needs in evacuation centres and relocation sites

The displacement situation since 2008, of a scale and duration not seen in nearly ten years in the region / in Mindanao, has left IDPs significantly worse off than the rest of the population. They have lost their livelihoods and the use of their homes, and prolonged stays in overcrowded IDP camps or with host families have left them facing extreme hardship and heavily dependent on external assistance to meet their most basic needs.

While almost all people displaced in other provinces managed to return in the weeks or months following the eruption of violence in August 2008, insecurity due to prolonged fighting and also clan violence has stopped many IDPs in Maguindanao returning home. Other obstacles to return have included the presence of UXO in return areas as well as the lack of support to livelihoods, shelter, water and sanitation (MPC, 25 February 2010). Many IDPs have not been given sufficient information to make an informed decision between returning, resettling or integrating locally in the place to which they fled. IDPs' participation in the planning of assistance and return programmes remains largely insufficient.

Food security threatened by indebtedness and unsustainable livelihoods

Although the overall conditions in the 67 recognised evacuation centres still hosting some 16,000 families in Maguindanao appeared in 2010 to

have improved since 2009, in particular with regards to access to water and latrines and general hygiene standards, many IDPs remained dependent on external assistance such as food, medicine or shelter after losing household and productive assets since August 2008.

An emergency nutrition and food security assessment conducted in Central Mindanao in early 2009 showed that more than 80 per cent of IDPs were then food-insecure, five months after having been displaced. This was mainly because they had been cut off from their land, but also because of their extreme poverty, with most households deep in debt (DOH, UNICEF, WFP, July 2009). A follow-up assessment conducted a year later showed that while the majority were now categorised as food-secure, there were concerns about the sustainability of their food consumption given the continued general high level of indebtedness and difficulty in securing sustainable livelihoods (WFP and CFSI, 5 March 2010, p.26).

One positive effect of their situation was the diversification of their livelihoods that had occurred after displacement. Many IDPs had shifted their primary livelihood from farming to trading, daily labour and fishing. This was seen as potentially increasing their resilience to future shocks (WFP and CFSI, 5 March 2010, p.34).

General food distributions since February 2010 have been calculated based on the actual size of each household, instead of distributing the same ration to each household. Nutrition and child feeding programmes provided in 75 child-friendly spaces have reached 10,000 children per day. Meanwhile, general food distributions for house-based IDPs have been discontinued, although the most vulnerable children can still receive feeding support. Overall, some 250,000 people in the conflict-affected provinces, including IDPs, returnees and other vulnerable groups, received some form of food assistance during April 2010 (OCHA, 4 May 2010).

Improvement in access to water and sanitation

In some evacuation centres and relocation sites, access to clean water and sanitation facilities remains a challenge although the situation is reported to have significantly improved in the past year. A water, sanitation and hygiene (WASH) assessment conducted in various IDP settings in Maguindanao and Cotabato in July 2009 found that almost 42,000 people had to share 61 water points and 165 latrines, representing one water point for every 680 people and one latrine for every 252 people (Philippines WASH Cluster, August 2009, p.34). Significant efforts by humanitarian agencies between the last quarter of 2009 and March 2010 resulted in the more than doubling of the WASH facilities in IDP camps in Maguindanao. The number of water facilities increased from 101 to 181, the number of latrines from 329 to 816 and the number of bathing cubicles reached 142. The de-sludging of septic tanks remains a challenge which is reported to limit the use of latrines. In 2009, it was noted that one in four latrines in the camps could not be used because the tanks needed to be emptied.

While access to WASH facilities has improved in evacuation centres, little progress has been noted in the relocation sites where water and sanitation conditions continue to be much worse (OCHA, 21 March 2010, p.4). The maintenance and improvement of shelters remains a problem in evacuation sites and relocation sites as more shelter interventions are now focused on return areas. Overcrowding and lack of privacy remain a challenge in both evacuation and relocation sites where the number of shelters remains insufficient.

Protection

The scarcity of employment or income-generating opportunities in the camps has made IDPs, and in particular displaced women and children, easy targets for traffickers. Displaced children often lack the protection normally provided by the community and schools, and a number of displaced girls and boys have been reportedly

lured into exploitative and unsafe situations as domestic or factory workers or in prostitution networks (IWPR, 22 January 2009; IRIN, 31 March 2010). While the education of all children in conflict areas is affected by the violence and its consequences, displaced children have tended to be more affected as the disruption of their education has often been prolonged or repeated. Displaced children have dropped out of school entirely, for example due to the lack of security, the destruction of school buildings, the distance to schools from evacuation centres, the loss of the documents they need to enroll, and the prohibitive cost for their families, against a background of uncertainty on the length of their displacement.

The ARMM Department of Education has estimated that 20 per cent of the total enrolment in Maguindanao have been affected by the conflict, or around 40,000 students from both primary and secondary schools. Of these, nine per cent have dropped out of school completely, 15 per cent have had their schooling disrupted by the presence of internally displaced children and 70 per cent are internally displaced children in host schools (OCHA, 19 February 2010). Some 15,000 children also had their schooling temporarily disrupted due to the imposition of martial law in Maguindanao Province in December 2009 following election-related violence

Repeated displacements, destruction of homes and exposure to violence have also had a huge psychological impact on IDPs, with children often most affected. IDPs in Mindanao have manifested psychosocial trauma in a variety of ways, including insomnia and depression, leading to withdrawal and possible self-harm. Stress factors have included the presence of soldiers, the disruption of school routine and the lack of basic services (IRIN, 28 January 2009). A number of measures have been taken to restore a safe and secure environment, including the setting up of 75 child-friendly spaces reaching over 60,000 children every week, youth clubs and community-based

protection networks (Reuters, 11 March 2010). Since August 2008, however, there has been no comprehensive assessment of the psychosocial needs of IDPs to determine more precisely what assistance is needed.

In some provinces such as Maguindanao where fighting has been particularly intense, mines and UXO as well as sporadic incidents between armed groups and rival clans represent a serious security challenge for people returning home and one of the main reasons for staying in the evacuation centres. In April, the MILF and the government tasked their respective Coordinating Committee for the Cessation of Hostilities (CCCH) with overseeing the safety and security aspects of the return of IDPs to their homes in coordination with other stakeholders including the IMT, local government units and humanitarian agencies (Mindanews, 23 April 2010).

More assistance needed to ensure sustainable returns

According to humanitarian agencies in Mindanao, some 62,000 families displaced by the August 2008 conflict managed to return to their homes in five provinces before the end of 2009. The largest returns took place in Maguindanao (23,000 families), followed by North Cotabato (18,000), Lanao del Norte (13,500), Lanao de Sur (4,500) and finally Sultan Kudarat (3,100). Only slightly more than 4,000 families resettled in new locations in the five provinces, the majority in Lanao del Sur (2,000) and North Cotabato (1,400) and fewer than 400 in Maguindanao. Overall, only six per cent of IDPs leaving the camps and other transitional IDP settings were offered or chose the option of resettlement (WFP & CFSI, 5 March 2010, p.2).

In provinces such as Lanao del Norte, North Cotabato and Sultan Kudarat, where the relatively quick stabilisation of the security situation allowed IDPs to return home more rapidly, the gov-

ernment was able to implement a number of early recovery and rehabilitation projects to support their return. Some returnees received the "pababon" return package which included a two-month food ration to help until they could restart their livelihood. In some areas this was complemented by food-for-work (FFW) and food-for-training (FFT) activities conducted by WFP.

However, concerns remain over the fate of returnees in Mindanao as the majority returned on their own without sufficient assistance and have since struggled to recover with limited access to agricultural assets, education, health care services and water and sanitation facilities. A food security assessment (EFSA) conducted in January 2010 showed that nearly half of the returned or resettled population had failed to recover from their displacement (WFP & CFSI, 5 March 2010). Start-up livelihood assistance has been identified as an important need for both for returned and resettled populations.

The lack of food security of returnees in many provinces has been compounded by the long dry spell related to the "El Nino" phenomenon, which has damaged crops in a number of provinces. In Lanao del Sur, Lanao del Norte, Sultan Kudarat and North Cotabato, nearly 30,000 farmers were reportedly affected between January and February, with their corn and rice crops damaged. Upon return many IDPs found that resilient weeds and pests had taken over their land in their absence and many could not afford to buy agricultural input (seeds, fertilisers), livestock or tools lost during the conflict. As a result, agricultural production was reportedly much reduced, which prevented returnees from paying off their debts (WFP and CFSI, 5 March 2010, p.16). As of early June, it was reported that many returnees were in urgent need of seeds, tools and working animals for the new rice planting season (OCHA, 14 June 2010, p.2).

Early recovery activities in Maguindanao province have been more limited due to a combination of

continued insecurity, lack of resources and poor regional and provincial government leadership. While the needs of returnees are largely similar as in other provinces, with food security, income-generating opportunities, livelihood support and access to credit as important needs, the greater level of destruction in the province and uncertainties around the security situation have increased the need for shelter and infrastructure reconstruction. In April 2010, it was reported that the government had constructed less than half of the 3,300 planned shelter units in Maguindanao (OCHA, 16 April 2010, p. 4). Protection needs are also more significant due to insecurity, the presence of UXO and land ownership disputes. Three identified priorities in return areas have included road repairs, monitoring of civilian protection and protection against armed groups and UXO.

As in other provinces, the long dry spell has reduced agricultural production. The already-limited access to WASH facilities in many return areas, and in particular to water points, has been further reduced by the effects of El Nino. Schools and public facilities were reportedly particularly affected by the lack of water and sanitation facilities. The January 2010 EFSA assessment showed that most returnees were taking their drinking water from unprotected wells, river or lakes, and that the majority of them did not treat the water (WFP and CFSI, 5 March 2010, p.11).

The majority of the estimated 23,000 families reported to have returned between September 2009 and May 2010 in Maguindanao were provided with a two-month food ration. Assessments conducted in March by the government among IDPs remaining in evacuation centres in Maguindanao showed that around 5,400 families were willing to return home (OCHA, 21 March 2010, p.1). In May, this group was narrowed down to 2,300 families who wanted to return to eight priority return areas in five municipalities of the province. On 20 May a first group of 360 displaced families, or over 2,000 individuals, returned to their homes with sup-

port from the regional government of the ARMM. Immediate assistance included food packages and non-food items such as mats, mosquito nets and kitchen wares (MB, 20 May 2010).

There is no policy in mid-2010 that clearly guides the return process and outlines the definition of or criteria for return. While humanitarian agencies and in particular members of the Protection Working Group (PWG) have tried to provide support to local government authorities, the government has failed to provide clear guidelines and directives to local authorities in line with internationally recognised standards.

There have been a number of problems reported with the return process, often caused by the lack of clarity of the return policy and the government's eagerness to see IDPs leave the evacuation centres. In some cases, it was reported that IDPs' access cards were simply stamped "returned" and since they were no longer eligible for assistance in the camps, they were forced to return home (MPC, 25 February 2010, Manila Times, 25 January 2010). Once out of the evacuation centres, the government considered these IDPs as "returned" regardless of their destination or situation. Many reported that they did not receive the promised return package, or "pabaon", consisting of rice and money, even though their access cards was stamped as "returned". Although they were still living in the evacuation centres they were no longer able to claim assistance (Mindanews, 16 November 2009). Overall, there has been a reported lack of consultation and participation of IDPs in the return and rehabilitation process and a lack of choice offered to them between settlement options.

National response

While the government has generally acknowledged the internal displacement situation, its scale and impact have been insufficiently documented and often played down. Despite making

real efforts to assist people affected by the conflict, the government has so far failed to provide a comprehensive response to the specific problems which IDPs face. Most efforts have gone into providing emergency humanitarian assistance, but little has been done to ensure that IDPs are offered sustainable livelihood opportunities and recovery assistance upon return, or that alternative settlement options are offered. By and large, the government has failed to develop and consolidate any return and rehabilitation plan, in particular for Maguindanao province where the first organised and coordinated return and recovery initiative was launched in May 2010 by the ARMM government.

Since August 2008, the government has established several successive IDP coordinating bodies, the latest in May 2010 when then-president Arroyo set up the National Focal Group (NFG) under the chairmanship of the Mindanao Development Authority (MinDA), to coordinate and integrate the response by national agencies, local government units and humanitarian groups, and to design and implement a national action plan "to include measures and actions for prevention, protection and response during and after displacement, as well as attainment of doable solutions to IDP problem" (NDCC, 21 May 2010). The NFG is composed of members of the Office of the Presidential Adviser on the Peace Process (OPAPP), the National Disaster Coordinating Council (NDCC), the Department of Social Welfare and Development (DSWD) and the local government in ARMM. It remains unclear how this new body will relate to the Health, Education, Livelihood, Progress Task Force for Central Mindanao (HELP-CM) set up in July 2009 which, in addition to an IDP mandate, had also broader humanitarian, development and political functions (Mindanews, 5 May 2010). The DSWD remains the main agency delivering assistance to IDPs, either directly or through other agencies. Coordination, both between government agencies and between them and humanitarian agencies, remains largely driven from Manila.

Local NGOs, volunteers and other representatives of civil society, including IDPs themselves, have played a critical role in assisting the internally displaced and in advocating for their rights in Mindanao and elsewhere in the country; nonetheless, many IDPs have relied on the humanitarian assistance provided by international NGOs and agencies such as WFP, the International Organization for Migration (IOM) and UNDP in the absence of sufficient government assistance. Assistance provided by local government units has progressively diminished as resources have dwindled due to the protracted nature of displacement or due to embezzlement. In May 2010 it was reported that at least P500 million (\$10 million) of government funds intended for IDP assistance had never reached the DSWD-ARMM and had simply disappeared (The Inquirer, 21 May 2010).

In the past couple of years, the government has made some efforts to strengthen human rights protection mechanisms or to adopt laws that criminalise reportedly widespread practices such as extra-judicial killings, torture and enforced disappearances. In December 2009, President Arroyo signed into law the International Humanitarian Law Bill. The law defines and provides penalty for IHL crimes, including genocide and crimes against humanity. The law holds commanders and other superiors liable under the principle of command responsibility and provides protection to civilians, non-combatants and witnesses as well as reparations to the victims.

However, existing laws and mechanisms which should contribute to better protection have continued to be poorly implemented. Efforts to develop national legislation based on the UN Guiding Principles have remained stalled for a number of years. An "Internal Displacement" Bill was in 2009 adopted by the House of Representatives (the lower chamber of Congress) but it has remained pending for approval in the Senate.

International response

The international community's response has been vital to the IDPs in Mindanao. Many of them have relied on the humanitarian assistance provided by UN agencies and international NGOs to complement and fill the gaps in government assistance. Overall, however, the awareness of the Mindanao conflict and subsequent humanitarian needs remain limited, and funding for assistance programmes, in particular protection-related activities, remains scarce. International presence in Mindanao, limited during the conflict, has grown since the July 2009 ceasefire. There is however still a need for more long-term commitment (Reuters, 18 March 2010).

During the conflict, international agencies sometimes struggled to reach the affected population due to insecurity and access restrictions sometimes imposed by the AFP to avoid food and medical assistance intended for the displaced falling into the hands of the MILF. While humanitarian access significantly improved following the July 2009 ceasefire, security incidents, often linked to family feuds, continued to sporadically restrict access to some areas and IDP sites. The November 2009 Maguindanao massacre and the following imposition of martial law in the province temporarily reduced the mobility of international staff and consequently the provision of assistance to the displaced (Reuters, 18 March 2010; IRIN, 30 November 2009). While the martial law was quickly lifted, the state of emergency has remained in place and has led to travel restrictions, in particular for UN staff.

Coordination between humanitarian agencies and between them and government partners has not been without problems. The cluster approach was extended to Mindanao in 2008 but clusters have remained government-driven and have not all functioned effectively. No national protection cluster was established before the end of the conflict, and protection issues related to the

Mindanao conflict were only discussed independently in the Monitoring Working Group (MWG) established in February 2009 in Mindanao and led by IOM. Following typhoons Ketsana and Parma in September 2009, the government asked UNHCR to lead the protection cluster but with a mandate initially limited to typhoon-related protection issues. In April 2010, UNHCR's mandate was extended to also cover the conflict and by June a presence had been established in Mindanao.

Since August 2009, the Protection Working Group (PWG) has replaced the MWG and tried to monitor and address IDP's protection issues. The PWG has focused its work on five issues it considers as problematic. These include the lack of an IDP return policy framework, the lack of access to education, the lack of mechanisms formalising the sharing of information and validated data between humanitarian actors, the lack of a common strategy to implement systems and mechanisms addressing human rights violations across all IDP sites, and finally the lack of participation of IDPs in the design and implementation of assistance and return programmes (OCHA, 21 March 2010, p.7).

While supporting the humanitarian needs of the displaced and returnee populations, the international community has stepped up its involvement in the peace talks between the government and the MILF, namely through the International Contact Group established in September 2009 to provide advice and technical assistance and mediate between the parties (ICG, 21 December 2009, p.11). Following the reactivation of its mandate by both parties, the International Monitoring Team (IMT) returned to Mindanao in February 2010 with a broader mandate including civilian protection as well as a humanitarian, rehabilitation and development component which the European Union agreed to lead (The Inquirer, 20 May 2010).

Since August 2008, the government has opposed any international donor appeal, preferring contributions to be channelled through non-

emergency programmes or instruments such as the Central Emergency Response Fund (CERF), which has provided more than \$10 million since August 2008 to IOM and UN agencies working in Mindanao. The European Union has been by far the largest humanitarian donor, contributing nearly €24 million (\$30 million) between August 2008 and November 2009 to assist the conflict-affected people in Mindanao (EC, 27 January 2010). In February 2010, the European Commission added €5 million to assist IDPs in camps and those returning home (The Inquirer, 27 February 2010). The other main donors include Japan, the United States, Germany, Spain and Canada.

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

Sources:

Bulatlat, 27 January 2010, "‘Other Victims’ of Ampatuan Massacre Displaced, Suffer Neglect"

Centre for Humanitarian Dialogue (HD Centre), 12 January 2010, "The Philippine politics: Guns, goons, gold and the war on terror"

Deutsche Presse Agentur (DPA), 22 September 2009, "Thousands flee fighting on southern Philippine island"

Deutsche Presse Agentur (DPA), 5 December 2009, "Apprehension grips residents in martial-law province"

European Commission - Humanitarian Aid Office (ECHO), 27 January 2010, Commission decision on the financing of humanitarian Actions in the Philippines from the general budget of the European Union (ECHO/PHL/BUD/2010/01000)

GMANews, 23 May 2010, "MILF on peace process: Aquino should make the first move"

Institute for War and Peace Reporting (IWPR), 22 January 2009, "Swindlers prey on desperate refugees"

Integrated Regional Information Networks (IRIN), 28 January 2009, "Mindanao children under stress"

Integrated Regional Information Networks (IRIN), 31 March 2010, "Mindanao conflict fuels trafficking"

Integrated Regional Information Networks (IRIN), 21 May 2010, "Muslim rebels agree to help de-mine, ready for talks"

Integrated Regional Information Networks (IRIN), 23 April 2010, "Hopeful signs for end to Mindanao conflict"

Integrated Regional Information Networks (IRIN), 5 April 2010, "Risk of fresh violence puts IDPs in danger"

Integrated Regional Information Networks (IRIN), 15 January 2010, "New database to highlight IDP needs"

Integrated Regional Information Networks (IRIN), 14 July 2009, "Sharp increase in IDPs after Mindanao bombings"

Integrated Regional Information Networks (IRIN), 30 November 2009, "Clan violence could undermine humanitarian work - aid officials"

International Crisis Group (ICG), 4 May 2010, Philippines: Pre-Election Tensions in Central Mindanao

International Crisis Group (ICG), 21 December 2009, The Philippines: After the Maguindanao Massacre

International Organization for Migration (IOM), 4 May 2010, "IOM Aids Displaced Families, Returnees, in Mindanao"

Kadtuntaya Foundation, 29 April 2010, "168 Teduray families in Ampatuan and South Upi flee their homes"

Luwaran.com, 26 February 2010, "Thousands of civilians flee battle zone in Sulu"

Manila Bulletin, 20 May 2010, "ARMM launches drive to send home thousands of evacuees"

Mindanao Peoples Caucus (MPC), 25 February 2010, 'Bakwits' demand security and life support package

Mindanews, 23 April 2010, "GRP, MILF to craft interim pact in early May but ok return of 'bakwits' and dealing with UXOs"

Sources:

Mindanews, 29 October 2009, Civilian protection will be done by “new entrants into the IMT”

Mindanews, 16 November 2009, “Evacuees complain of ‘returned’ stamp on access cards”

Mindanews, 5 May 2010, “Malacanang to MinDA: take full charge of ‘bakwits’ but what happens to HELP-CM?”

National Disaster Coordinating Council (NDCC), 29 May 2010, NDCC UPDATE Incidents Monitored from May 26 -28, 2010: Flashflood in Sultan Kudarat, Maguindanao; Family Fued in Datu Montawal and Sultan Sabarungis, Maguindanao; and Landslide incident in Tuba, Benguet

National Disaster Coordinating Council (NDCC), 21 May 2010, NDCC Update - Implementation of the return and recovery programs for IDPs in Maguindanao

Philippine Daily Inquirer (The Inquirer), 5 January 2010, “Maguindanaoans flee on rumors of MILF attacks”

Philippine Daily Inquirer (The Inquirer), 21 May 2010, “P500M in funds for evacuees missing”

Philippine Daily Inquirer (The Inquirer), 20 May 2010, “EU to monitor Mindanao peace process”

Philippine Daily Inquirer (The Inquirer), 27 February 2010, “EU pours in P330M for Mindanao aid”

Philippine Department of Health (DOH), UNICEF, WFP, July 2009, Joint Emergency Nutrition and Food Security Assessment of Conflict-Affected Internally Displaced Persons in Mindanao, January-March 2009

Philippines WASH cluster, August 2009, WASH Cluster Rapid Assessment - Communities in Central Mindanao

Reuters, 11 March 2010, “Aid agencies express mental health concerns for IDPs in the Philippines”

Reuters, 27 February 2010, “Philippine rebels raid southern village, 11 dead”

Reuters, 18 March 2010, “November massacre hampers aid operation in southern Philippines”

Sulu Disaster Coordinating Council, 23 October 2009, Update of IDP’s in Sulu as of October 23, 2009

The Asia Foundation, 2007, Rido: Clan feuding and conflict management in Mindanao

The Manila Times, 25 January 2010, “Maguindanao evacuees hit absence of govt aid”

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 19 February 2010, Mindanao Response Humanitarian Situation Update

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 21 March 2010, Mindanao Response Humanitarian Situation Update

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 4 May 2010, Mindanao Response Humanitarian Situation Update

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 16 April 2010, Mindanao Response Humanitarian Situation Update

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 31 May 2010, Mindanao Response Humanitarian Situation Update

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 14 June 2010, Mindanao Response Humanitarian Situation Update

Sources:

Viola, Romulo A. & Martinez, Arturo M. Jr.,
October 2007, Population and Poverty Nexus:
Does Family Size Matter?

WFP and CFSI, 5 March 2010, Emergency Food
Security Assessment of Internally Displaced
Persons and Returnees in Mindanao - January
2010

World Food Programme (WFP), 31 May 2008,
Emergency Operation (EMOP) Philippines
10489.1, Immediate Support to Conflict-affected
Populations in Mindanao

Writenet, March 2009, The Philippines: conflict
and internal displacement in Mindanao and the
Sulu archipelago

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.

Contact:

Nina M. Birkeland

Head of Monitoring and Advocacy

Tel.: +41 (0)22 795 07 34

Email: nina.birkeland@nrc.ch

Frederik Kok

Country Analyst

Tel.: +41 (0)22 799 07 12

Email: frederik.kok@nrc.ch

IDMC

Chemin de Ballexert 7-9

1219 Geneva, Switzerland

www.internal-displacement.org

Tel: +41 (0)22 799 0700

Fax: +41 (0)22 799 0701