



Women and children are among the 100,000 displaced persons in Maguindanao province who remain to suffer the aftermath of the month-long offensive operation of the military against the BIFF.

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# IDP PROTECTION ADVOCACY MESSAGES



# Summary

The declaration of the All-Out Offensive on 25 February, later dubbed as Law Enforcement Operations (LEO), caused the forcible displacement of more than 125,000 internally displaced persons (IDPs) in 15 municipalities of Maguindanao. Despite the large amount of ARMM resources being allocated each week to support the food needs of the IDPs, not all IDP food requirements are met and gaps remain in the provision of basic humanitarian support. These include management of evacuation sites, Health, Water Sanitation and Hygiene (WASH), Gender based Violence prevention and monitoring, access to livelihood and psychosocial support.

On 4 March, the ARMM government proposed for an ad hoc activation of the Cluster system. The 7 clusters led by the government are Humanitarian Coordination, Food, Quad (Health, Nutrition, WASH and Mental Health and Psychosocial Support Services), Camp Coordination and Camp Management (CCCM), Education, Protection, and Security.

On 26 March, with agreement from the DSWD Lead, the Protection Cluster agreed to develop Advocacy Messages to the government

on vital issues facing the displaced population now reduced to 71,602 (as of 6 April). However, no return monitoring has taken place at this time.

On 30 March, The military announced it is ending its all-out offensive against the Bangsamoro Islamic Freedom Fighters (BIFF) and will make way for the return of residents back to their homes. The AFP also announced they will be implementing P67-million 'socio-economic intervention' projects approved by President Benigno Aquino III.

The United Nations Guiding Principles on Internal Displacement (UNGPID) are based upon recognized international humanitarian and human rights laws and principles to provide guidance to governments as well as international humanitarian and development agencies in providing assistance and protection to IDPs. The UNGPID is highly referred to in national and local laws among which RA 7610, RA 9262, RA 9851, RA 9745 and NDCC Circulars.



# ADVOCACY 1

## Safety and Security

### Issues

IDPs expressed concern that the presence of AFP will continue to impact on their freedom of movement and ability to access their livelihoods and will attract armed conflict.

- AFP reports it is establishing positions in barangays to ensure the armed BIFF do not return to these communities.
- Occupation of civilian and government structures and alleged use of children to obtain information
- Indiscriminate firing, shelling and bombardment have been reported in various locations
- There are alleged cases of civilians accessing their farms that are suspected by the AFP to be members of lawless armed groups who were arrested/killed.
- The “law enforcement” operation has been the main cause of displacement and the AFP presence in the villages of IDPs creates a continuous opportunity for armed clashes with members of rebel groups, creating more fear and displacement.
- Chances for durable solutions for IDPs may be lessened, whose human rights may have already been repeatedly violated.
- Security arrangements envisioned to provide security to these communities have already been agreed in the CAB. (The formation of a Peace and Security Committee and Teams of AFP, BIAF, PNP).

### Advocacy Statement

Uphold the primacy of the safety and security of civilians:

- AFP to refrain from occupying or establishing detachments in/near learning institutions, including schools day care centers, health centers and Madrasahs, as set out in AFP Letter Directive Nr.25 dated 15 July 2013, Guidelines in the Conduct of AFP Activities Inside or Within the Premises of a School or Hospital, and to keep a distance from mosques, and evacuation centers.
- In consultation with communities, provide humanitarian space for civilians to move freely in their communities, including practice of cultural and religious customs specifically for women and children.
- In consultation with LGUs and communities, propose and agree on mechanisms that will allow IDPs to access their properties, farms, the marshes and other sources of livelihoods. This will reduce the need for government support and promote dignity of the IDPs.

### UNGPID Principles

#### Principle 14

1. Every internally displaced person has the right to liberty of movement and freedom to choose his or her residence.
2. In particular, internally displaced persons have the right to move freely in and out of camps or other settlements.



# ADVOCACY 2

## Voluntary Return Monitoring

### Issues

IDPs have started to return, but no returnee monitoring to confirm voluntariness and assessment of conditions in return areas as of this time.

- There are reports of houses burned or destroyed during the skirmishes or military offensives; including farm animals killed.
- FSD reported that in their Mine Risk Education (MRE) sessions, they received information from civilians of al-

leged UXOs particularly in areas where heavy fighting occurred.

- When civilians (IDPs) are allowed to return to communities the security situation should also allow unhindered humanitarian access to all actors providing support.
- Concern that lack of food and other assistance in ECs is a push factor for people to return before the security conditions are confirmed.

### Advocacy Statement

- Urge the authorities to immediately conduct in coordination with local government units and IDP leaders, clearing operations in areas where heavy fighting occurred, including school grounds.
- Address the implications that would hinder the safe, dignified and voluntary return of the IDPs in their habitual

residence.

- Allow humanitarian actors to have access to areas where people are returning to ensure their safety and security and support for their humanitarian needs are available in their communities of origin.

### UNGPID Principles

#### Principle 29

2. Competent authorities have the duty and responsibility to assist returned and/or resettled internally displaced persons to recover, to the extent possible, their property and possessions which they left behind or were dispossessed of upon

their displacement. When recovery of such property and possessions is not possible, competent authorities shall provide or assist these persons in obtaining appropriate compensation or another form of just reparation.

# ADVOCACY 3

## Access to Information

### Issues

There is inconsistent information provided to IDPs as to what areas are safe to move to or return to collect belongings and food.

- There is a growing concern over the duration and scope of the ongoing law enforcement operations, causing

anxiety, distress, exhaustion, anger, and confusion amongst the IDPs. IDPs express their frustration from their repeated displacement from these areas and its lingering impact to their health, livelihood, mental health and their future.

### Advocacy Statement

Provide access to information to IDPs through the LGUs, schools, traditional and religious leaders. Ensure broader participation including women, young people and the elderly in the community.

The longer they are in evacuation centers, the higher the probability that their houses are destroyed, farm animals gone or dead. These situations will then render return more arduous for the IDPs and more challenging and expensive to the government.

### UNGPID Principles

#### Principle 7

1. Prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether. Where no alternatives exist, all measures shall be taken to minimize displacement and its adverse effects.

2. The authorities undertaking such displacement shall ensure, to the greatest practicable extent, that proper accommodation is provided to the displaced persons, that such displacements are effected in satisfactory conditions of safety, nutrition, health and hygiene, and that members of the same family are not separated.

3. If displacement occurs in situations other than during the emergency stages of armed conflicts and disasters, the following guarantees shall be complied with:

(a) A specific decision shall be taken by a State authority empowered by law to order such measures;

(b) Adequate measures shall be taken to guarantee to those to be displaced full information on the reasons and proce-

dures for their displacement and, where applicable, on compensation and relocation;

(c) The free and informed consent of those to be displaced shall be sought;

(d) The authorities concerned shall endeavour to involve those affected, particularly women, in the planning and management of their relocation;

(e) Law enforcement measures, where required, shall be carried out by competent legal authorities; and

(f) The right to an effective remedy, including the review of such decisions by appropriate judicial authorities, shall be respected.

#### Principle 8

Displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty and security of those affected.



