

# UNDER FIRE

**I**N ANY war, the losers are always the civilians caught in the crossfire.

From October 12-22, 2008, 80 human rights defenders visited the war zones in Mindanao to document the various violations committed against civilians in Lanao del Norte, Lanao del Sur, Maguindanao and North Cotabato, the provinces heavily affected by the fighting between the Muslim separatist groups and the Armed Forces of the Philippines (AFP) and paramilitary forces.

The fact-finding mission (FFM) was organized by SALAM, Inc - Task Force Civilian Protection (TFCP), Alyansa

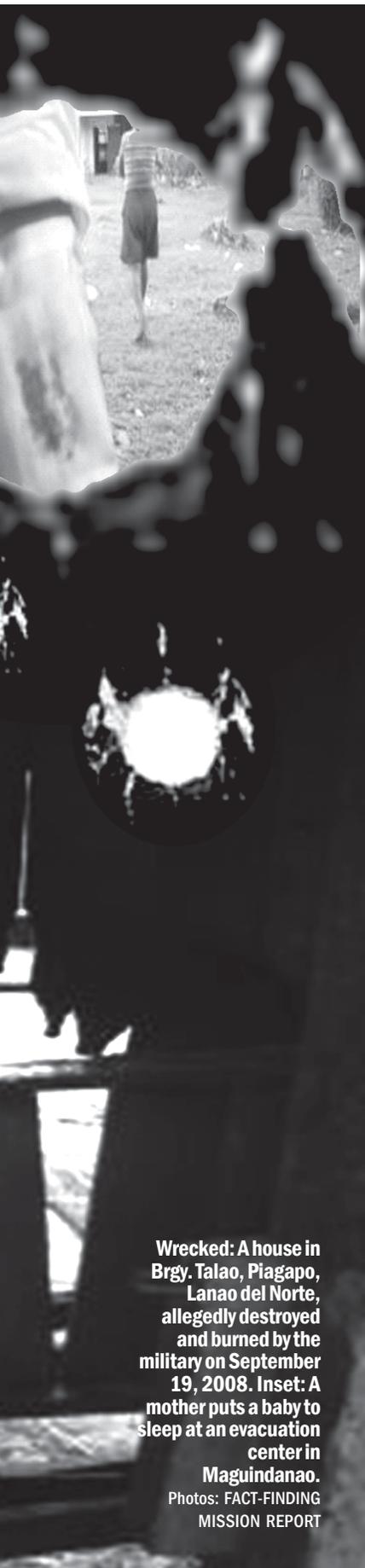
ng mga Mamamayan para sa Karapatang Pantao (AMKP), Mindanao Peoples' Peace Movement (MPPM) and the Philip-

pine Alliance of Human Rights Advocates (PAHRA). 52 local and national-level organizations sent representatives to the FFM, most of which were members of TFCP, AMKP, MPPM and PAHRA networks.

As the FFM reports, the full-scale battle waged in the areas has disrupted the lives of civilians. Hundreds of thousands were displaced; cases of illegal arrest were rampant; civilians were tortured. There were also cases of extrajudicial execution reported.

AFP and MILF operations





**Wrecked:** A house in Brgy. Talao, Piagapo, Lanao del Norte, allegedly destroyed and burned by the military on September 19, 2008. Inset: A mother puts a baby to sleep at an evacuation center in Maguindanao.

Photos: FACT-FINDING MISSION REPORT



**Refuge:** The stage of Mamasapano Elementary School served as refuge to the IDPs. Coconut leaves provided protection from the scorching heat of the sun and from the rain.

Photo: FACT-FINDING MISSION REPORT

## MAMASAPANO, MAGUINDANAO

**L**OCAL OFFICIALS of Mamasapano and some evacuees told the FFM team that the conflict between the AFP's 75<sup>th</sup> Infantry Battalion and elements of the MILF's 105<sup>th</sup> Command under Ameril Umbra Kato and some members of the 106<sup>th</sup> Command started on September 2008, before the month of Ramadhan. The conflict escalated in the second week of October in Sitio Manggapang, Barangay Manungkaling. The firing of three mortars destroyed a housing project in the said barangay.

On October 12, 2008, the AFP entered Brgy. Tukanalipao. Following a road-side bomb explosion, the AFP conducted air strikes, which lasted from 9 to 10 in the morning. Civilians reported seeing five planes dropping bombs in the area.

Civilians were trapped in the area, with only one exit available at Libutan, Mamasapano.

On October 14, 2008, a soldier stepped on a landmine in Brgy. Tukanalipao. The landmine explosion caused panic among the other soldiers. Thinking that the explosion came from the MILF, the panicked soldiers started firing indiscriminately. At around 4 in the afternoon, mortar shelling started. This lasted for almost two hours. When the shelling stopped, one person was found dead. Another resident also reported that his water buffalo

was killed during the shelling, while a certain Hadja Sumina Gaka reported that his house was burned during the encounter. Fearing for their lives, the barangay residents fled from the area.

Military forces occupied some parts of the community. They established the 75<sup>th</sup> Infantry Battalion base in Mamasapano High School, which is a few meters from the main road and is near the municipal hall and civilian homes.

Meanwhile, in Brgy. Tukanalipao, a few meters from the evacuation center and integrating with the civilian populace is the Reconnaissance Military Group (RMG) outpost. The municipality itself is highly militarized, with the 75<sup>th</sup>, 68<sup>th</sup>, and 64<sup>th</sup> Infantry battalions as well as the RMG, local police and auxiliaries standing guard. The

AFP declared that its military operations in these areas were legitimate. The presence of military personnel in the area suspended all normal activities of the municipality.

Among those destroyed by military shelling were the mayor's house, the roof of the grandstand of Mamasapano High School, and a water tank. At the back of the grandstand, the holes in the ground were proof of heavy shelling.

Presence of the military forces under the 75<sup>th</sup> Infantry Battalion and local police were felt as the FFM team conducted ocular inspection of the area. In fact, the team could still hear several mortar blasts during their post-interview meetings.

During the conduct of the interview, classes were still suspended in some schools in Mamasapano (Linantangan Elementary School, Lusay Elementary school, Dugengen Elementary School and Mamasapano High School) for various reasons (they were in the conflict zones or used as evacuation areas or occupied by the AFP forces and used as their base). ■

# DATU PIANG, MAGUINDANAŌ

**A**ERIAL BOMBINGS were visible and audible from the highway while the team was having lunch along the highway leading to Datu Piang.

A certain Capt. Turaray of the Delta Company, 38<sup>th</sup> Infantry Battalion, Pigaten II Detachment in Datu Saudi, Maguindanao permitted the team to inspect the burned and destroyed houses. More than twenty houses along the highway had been destroyed and burned; in some, only the charred posts remained. The team noted that the barangay health center had been ransacked; it was being used as a defensive base. A rope hung with cans and bottles ran along its perimeters; its obvious function was to sound off the approach of anyone.

Just 5-7 meters from this first detachment is the barangay hall, occupied by the military also. Members of the team also noted that a soldier walked in and out of the mosque adjacent to the barangay hall. Another military base was also established in Sta. Teresita Parish.

The team was supposed to meet with the municipal mayor; they learned that “he was too busy playing mahjong” with some of his municipal councilors. The mayor sent the municipal Social Welfare officer, who accompanied the team to the municipal hall. There, the team talked to the municipal administrator.

The team learned that the conflict between the MILF and the AFP started in Dapyawan on August 21, 2008. The escalating conflict caused the influx of both military personnel as well as internally displaced persons (IDPs) from the surrounding villages and communities. Military forces occupying Datu Piang are the 54<sup>th</sup> Infantry Battalion in Upper Salvo and 64<sup>th</sup> Infantry Battalion in Gumbay as well as the newly dispersed troops, the RMG of the 62<sup>nd</sup> infantry Battalion.

Asked if the local government tried to influence the GRP and MILF to stop the ongoing conflict and go back to the negotiating table, the municipal administrator said that their greatest concern is “how to give solution to the needs of the IDPs; not how to stop the war between the GRP and the MILF.”

The local government of Datu Piang had tried asking the military to allow the displaced civilians access to their communities. They were told that the military could not assure the security of the civilians because “there was no command from the higher echelons of the military to allow such access.”

Local officials are planning a rehabilitation program for the displaced civilians who are not yet allowed to go back to their communities. ■



**3-year-old Datumanong Takulanga, wounded by a shrapnel during a shelling that hit the Datu Gumbay Evacuation Center in Datu Piang, Maguindanao on September 28, 2008. The evacuation center is only 150 meters away from the detachment of the 54th IB.**

Photo: FACT-FINDING MISSION REPORT

caused tremendous damage to homes, farms and properties. Livelihood activities practically came to a stand-still, as civilians were mostly terrified of working in their farms and local businesses stopped operating. Education was also interrupted. The military established bases in schools and in civilian communities in Piagapo, Lanao del Sur and Mamasapano, Maguindanao; camped in masjid/mosques and private dwellings; and integrated themselves into the communities. Mortar shelling and indiscriminate firing of firearms reportedly done by the AFP in Muslim areas, and the presence of landmines have only added to the terror felt by civilians.

The war and the violations that it brought traumatized the civilian populations, especially the women and children. The harmonious relationships between Moro and Christian populations, built over generations, had been somehow affected. Dreaded vigilante groups began cropping up in several areas.

Because of continuous mili-



**Rabia Abdulrahman, a 3-year-old resident of Brgy. Butilen, Datu Piang, Maguindanao, was wounded on her thigh when a 105 bomb fell 5 meters from her house on August 22, 2008. The bomb allegedly came from the detachment of the 64th IB PA in Brgy. Salbo, Datu Saudi. Rabia's 5-year-old brother, Humide, did not survive the blast.** Photo: FACT-FINDING MISSION REPORT



**Mamasapano, Maguindanao: Dwellings destroyed during the armed encounters.** Photo: FACT-FINDING MISSION REPORT



tary operations, the thousands who were displaced by the war found it difficult to return to their homes and would rather remain in evacuation centers, no matter how difficult their living conditions were at the centers. They said the government was unable to secure their safety and their means of livelihood, and had not taken serious efforts to attain genuine peace for Mindanao. In overcrowded evacuation centers, people are getting sick, malnutrition runs high, and some people have already reportedly died. Adding to the congestion problem is the lack of water, relief goods and medical assistance.

Among communities in Mamasapano, Maguindanao and in Christian communities in Lanao del Norte, the Moro Islamic Liberation Front (MILF) reportedly committed numerous atrocities against innocent civilians. The Christian communities affected appealed to the government to permanently detail military forces in the hinterlands of these areas to protect civilians from MILF attacks.

On the other hand, among Moro communities in Lanao del Norte, Lanao del Sur, Maguindanao (including Mamasapano) and North Cotabato, human rights violations were committed by the AFP. The Moro communities urged the government to stop the "senseless militarization" and to pull out the military forces in their areas in order for them to continue their normal and peaceful way of living.

Among the human rights

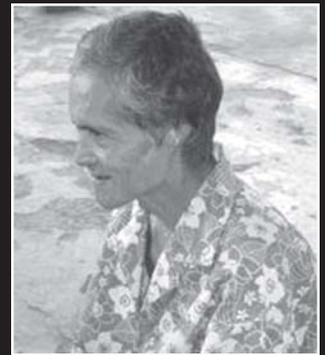
# LAPAYAN, KAUSWAGAN, LANA DEL NORTE

**B**EFORE THE August 18, 2008 attack, the Muslim and Christian families in Lapayan coexisted harmoniously.

The gunfire started at around 4 AM of August 18. About 100 MILF members passing through the highway were responsible for this. As residents recounted, the men spoke in Tagalog, but it was quite clear, from their intonation, that they were Maranaos.

In the ensuing gunfight, houses were burned and properties were damaged and looted. Civilians were held hostage, many of them were tortured, hacked and mutilated. Several civilians were killed. Civilians first sought refuge at the auditorium, but while they were there, a Maranao woman told them to leave the place since the MILF forces were approaching. The civilians were forced to flee to the coastal areas. In their flight, they were not able to bring any provisions. The majority of those who fled proceeded by motorboats to Iligan City and stayed at the evacuation centers for several days. At the time of the FFM, a number of them had already returned to Lapayan, but there were also families who decided to transfer to other areas.

It was learned by the FFM team that during the attack of the MILF-BIAF, the AFP's 32<sup>nd</sup> IB was not present in the area. The area was secured by paramilitary forces only, the CAFGU and CVO-SCAA. The paramilitary groups did not initiate any counter action against the MILF forces because they were instructed by



**71-year-old Tiburcio Ruflo was taken hostage and was hacked at the back, arms and head. His left ear was mutilated.**

Photo: FACT-FINDING MISSION REPORT

the military officers to wait for an order before taking any action. The police officers assigned to the detachment in Lapayan also did not attempt any counter action because they were outnumbered. Instead, they removed their uniforms and ran to the shore along with the civilian population.

There was a gap of five hours before government forces responded. The military arrived at around 9 in the morning, when the MILF had already left the area, to rescue wounded civilians and bring them to hospitals in Iligan, and to retrieve those who had died and bring them to funeral parlors.

According to those interviewed, a total of 16 persons were killed. Some of them were hacked before being shot. Eight other civilians suffered multiple wounds. Eleven persons were held as hostages and two others were forcibly taken in exchange for P50,000.00 cash and one (1) M16 armalite rifle. Twenty-two houses were destroyed. ■



Jeramil Maghanay, 20 years old, of Brgy. Pantar, Kolambugan, was wounded when members of the MILF-BIAF allegedly started firing indiscriminately on August 18, 2008.

Photo: FACT-FINDING MISSION REPORT

# TACUB, KAUSWAGAN, LANAO DEL NORTE

**J**UST LIKE in Lapayan, relationships between the Muslim and Christian population in Tacub were harmonious. There were even several intermarriages between the two groups.

On August 18, 2008, between 4:30 and 5:00 AM, loud gun shots were heard by residents of Tacub. An estimated 600 MILF-BIAF men attacked the area.

The municipality requested the military to beef up their presence. The LGU was assured by the military that they would respond in 10-15 minutes. This promised back up defense did not arrive in time, however. The standby military armored vehicles were stationed to guard the municipal hall. According to civilians, they noticed that the military “only observed the incident and did not try to protect the civilians.” (Military personnel assigned to the area belong to the 32<sup>nd</sup> IB PA, 1<sup>st</sup> Inf. Tabak Division.)

The military reinforcement arrived at around 9:00 AM. While the military had already been informed early of the MILF attack, they could not respond because “there was no order yet.”

Before the military came, the civilians fought back. Five of them died defending their place. According to those interviewed, had the civilians not fought back, more houses might have been torched by the MILF.

The majority of the civilians who ran to the shore and escaped in motorboats to Iligan City did not manage to bring any belongings with them.

Twenty-one civilians were killed and another one died of cardiac arrest during the attack; four were wounded. Twenty-one persons were held hostage (six farm workers were forcibly abducted, one of whom died while he was fleeing), including the 15 others who were held hostage inside their houses. Twenty-one houses were torched, affecting 47 families. The total number of evacuees from Tacub reached more than 700 families. Some of them lost cash and other properties which were looted by the attackers. ■

Members of the FFM team at a press conference before the start of the fact-finding.

Photo: FACT-FINDING MISSION REPORT



Human rights defenders conduct a group interview with evacuees at an evacuation center in Kulasihan, Kolambugan.

Photo: FACT-FINDING MISSION REPORT

violations documented by the FFM teams are the following:

1. Violations against the right to life, safety and security. Hundreds of civilians died, some were seriously wounded and maimed, there were several who were taken hostages. Some civilians were also illegally arrested and detained.
2. Loss of homes and means of livelihood; and loss and destruction of properties.
3. Massive displacement of civilian, both Muslims and Christians.
4. Violation of the right to education, as thousands of children were forced to stop schooling. The establishment of military bases in schools is a clear violation of this right.



5. Violation of the rights to health and food. In evacuation centers, IDPs fell prey to epidemics, various illnesses and malnourishment. Contagious diseases easily spread within the cramped and poorly maintained centers, preying mainly on the children. Evacuees also complained of lack of potable water.

Among the deleterious effects of militarization noted by the FFM teams are:

1. Psycho-emotional trauma as manifested by trembling, fear of men in uniform, and low performance, inattentiveness and absent-mindedness among school children due to the MILF attacks in Christian areas and ongoing mortar shelling, presence of landmines and indiscriminate fir-

ing by the AFP in Muslims areas.

2. Changes in the relationship between Christians and Muslims, particularly in Kauswagan and Kolambugan, Lanao del Norte.
3. Atmosphere of insecurity among the civilian populations, who are constantly in fear of another possible attack by the MILF and continuous military operations by the AFP.

The FFM teams also noted with concern the revival of vigilante groups in Christian areas, including the dreaded Ilaga. What is more alarming is that there are sectors of the population that favor the arming of civilians.

Community members voiced out their concerns, among them:

1. Support to the evacuees in the meantime that they have not yet returned to their communities and their farms.
2. Bring to an end the militarization in Muslim communities. Muslims are also asking that the rampant and continuing human rights violations being committed by the military be stopped.
3. A serious government effort to preserve peace and order in the communities, and secure the means of livelihood of the people.
4. Justice for the innocent civilians, both Christians and Moros.

Excerpted here are some of the findings of the various teams that visited the communities. The full report is available from organizations that participated in the fact-finding mission. ■



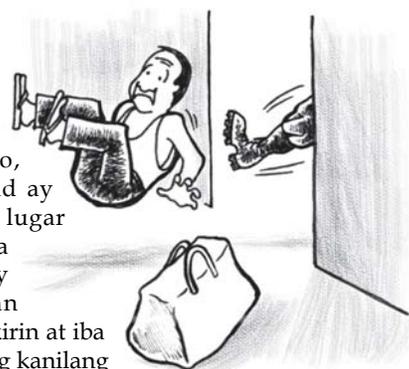
Alamin ang inyong mga

## KARAPATAN

### Mga mahahalagang usapin tungkol sa Internally Displaced Persons (IDPs)

#### Ano ang 'internal displacement' (sapilitang paglikas sa loob ng bansa)?

ITO AY tumutukoy sa hindi boluntaryong paglikas ng mga tao sa loob ng isang bansa. Ito ay nangyayari kapag ang isang tao, pamilya o komunidad ay napilitang umalis sa lugar kung saan sila naninirahan, o kaya ay napuwersang iwanan ang kanilang mga bukirin at iba pang pinagkukunan ng kanilang kabuhayan.



Ang mga taong napilitang lumikas ay tinatawag na *internally displaced persons* (IDPs) o "bakwit." Sila ay nagtutungo sa ibang lugar sa loob ng bansa at hindi nagpupunta sa ibayong lugar. Ang paglikas ay ginagawa nila upang makaiwas sa kapahamakan, kaguluhan o panunupil na dulot o resulta ng armadong labanan, malawakang pag-iral ng kaguluhan, paglabag sa karapatang pantao, demolisyon, pagkasira ng kapaligiran o dahil sa tinatawag na proyektong pangkaunlaran na nagtataboy sa mga tao at pamilya mula sa kanilang tirahan at pamayanan.

#### Sino ang mga taong tinatawag na Internally Displaced Persons (IDPs)?

Ayon sa United Nations Guiding Principles on Internal Displacement (UNGPID), ang mga IDPs ay mga tao o grupo ng tao na napilitan o na-obliga na umalis o lumikas mula sa kanilang tahanan o lugar na kanilang palagiang tirahan, bunga ng o upang makaiwas sa

- mga epekto ng armadong tunggalian,

