IN 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 Philippine 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
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 75th 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 75th, 68th, and 64th 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 75th 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).
Aerial 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, 38th Infantry Battalion, Pgaten 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 54th Infantry Battalion in Upper Salvo and 64th Infantry Battalion in Gumbay as well as the newly dispersed troops, the RMG of the 62nd 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.

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
Before the August 18, 2008 attack, the Muslim and Christian families in Lapayan coexisted harmoniously.

The firefight 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 32nd 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 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.

Among the human rights 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, 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.

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

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
TACUB, KAUSWAGAN, LANAO DEL NORTE

JUST 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 32nd IB PA, 1st 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

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.

2. 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.

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 firing by the AFP in Muslim areas.

2. Changes in the relationship between Christians and Muslims, particularly in Kauswagan and Kolambangan, 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.

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