



© E. Monato/UNHCR 2015

THEMATIC PROTECTION
BULLETIN
UPDATE OF INDIGENOUS PEOPLES (IPs)
UNDER THREAT IN MINDANAO

06 October 2015, Page 1

Situation Background

From March to October 2015, fourteen (14) lumad leaders, activists, and villagers that includes children were confirmed killed in five (5) incidents of extra-judicial killings and four (4) described massacres. There were at least six (6) incidents of forced evacuations from the provinces of Sarangani, Bukidnon, Davao del Norte, and Surigao Del Sur that involved ten different communities, of mostly indigenous peoples (IP). They fled their homes and communities, out of fear of death and presence of armed groups on their lands. At present, over 6,000 IPs are known to be displaced with more communities at-risk of displacement.

The human rights violations against the IP communities include Grave Child Rights Violations (GCRV) of killing, maiming, and attacks on schools. Perceived as political actions supporting “communist (NPA) ideology”, the IP communities are believed to be targeted for organizing against the government and extraction and farming businesses on their ancestral lands. This report does not include all incidents against IPs in Mindanao, as all incidents are not reported.



Around 3,000 displaced indigenous people in Tandag City continue to struggle in makeshift shelters inside the Sports Complex. Fear to return still prevails. © E. Monato/UNHCR 2015

Grave Threats & Harassment in Surigao Del Sur

Three related incidents of killings and harassment against indigenous communities, including peasants, students and teachers, caused the displacement of 1,075 families (5,590 persons) in the province of Surigao del Sur from August to October 2015.

As recounted by those who witnessed the incident, on 09 August, 84 families (estimated 430 persons) were displaced when members of a paramilitary group called Bagani, interrogated and harassed villagers including children in Sitio Nalindog, Barangay Bolhoon municipality of San Miguel. This was followed by another displacement on 28 August, in the neighboring village of Siagao, where around 332 families (estimated 1,660 persons) fled their homes when known members of the Bagani lobbed a grenade in one of the houses in the village and killed two peasant brothers. On 1 September, another displacement of around 573 families (estimated 3,000 persons) occurred in various sub-villages in the municipalities of Lianga, Marihatag, San Agustin, San Miguel, and Tago. Civilians were harassed including students and teachers, and three tribal leaders were killed in front of community members. A cooperative and school buildings were also burned. Residents interviewed stated that they were threatened with death and that their schools will be burned if they did not leave their village. On 1-2 October, another 173 families (estimated 954 persons) were displaced because

of fear of the presence of the military and Magahat paramilitary forces. On 2 October, another 173 families (estimated 954 persons) were displaced from three sub-villages of Barangay Mahaba of Marihatag municipality also from fear of the presence of the Armed Forces of the Philippines (AFP) and Magahat paramilitary forces. The leader of this paramilitary group is well known by the IP community. He is allegedly involved in series of attacks on IPs and the killing of a teacher and IP leaders. Magahat members allegedly interrogated residents about their affiliations with the New People’s Army. The IDPs were assisted by a truck during their evacuation and brought to where they have been staying at the municipal gymnasium in Tandag. The provincial government has asked the Task Force Bangkaw led by the Philippine National Police to pursue the suspects and disarm the Magahat group.

UNHCR and other agencies met with the Governor of Surigao Del Sur, IDPs, church-based organizations and the AFP. The IDPs, including students and teachers, expressed fear to return unless all armed actors leave their areas, including the AFP who they consider as acting together with the paramilitary group. The students interviewed, mostly between the age of 13-16 years old said that they can easily distinguish the regular forces of AFP from the paramilitary. They provided specific details of their uniforms. They described how during the time that the paramilitary group was in their community, the AFP were only 50-100 meters away. The Governor meanwhile has been calling for the disbanding of all paramilitary groups supported by the AFP since 2009.

Forced Evacuation in Davao Del Norte

The above-mentioned incidents follow the previously reported attacks and displacement of around 700 IPs from Talaingod and Kapalong in Davao del Norte. These IPs have been staying in Davao UCCP Haran compound since March this year due to insecurity in their communities. The AFP and political actors have said that this group of IPs has been influenced by leftist organizations to move to Davao in support of NPA activities. In a recent field visit conducted by UNHCR in

Talaingod and Kapalong, individual and group interviews with the communities indicate that the IDPs have a legitimate fear not to return to their communities. The Davao City authorities support the IDPs’ decision to evacuate and agree that they are supported in the Haran UCCP compound with shelter, basic food, water, sanitation and health items. The UN Special Rapporteur for the Human Rights of IDPs visited the Haran compound in July and raised concerns about the situation of these IPs and all indigenous communities who have been or under threat of being forcibly displaced from their communities.

DISCLAIMER
The Thematic Protection Bulletin aims to provide a starting point for information and analysis that can help protection agencies, policy makers and other stakeholders concerning instances of forced displacement or solutions (repatriation, resettlement, integration). The number of people displaced / affected may differ from the number in need of humanitarian assistance. To the extent possible, the terminology used in the Bulletin reflects the UN Guiding Principles on Internal Displacement and other sources of international law and practice. The information reported in the Thematic Protection Bulletin has been received from members of the Protection Cluster across Mindanao. Consequently, unreported cases of forced displacement and solutions are not reflected. Updates will be provided as and when more information is received from members. Although efforts are made to verify the data, the UNHCR Mindanao, Philippines takes no responsibility for the incompleteness or inaccuracy of the information. The information provided in this Thematic Protection Bulletin does not necessarily reflect the views of UNHCR or any individual member of the Protection Cluster.



© E. Monato/UNHCR 2015

THEMATIC PROTECTION BULLETIN

UPDATE OF INDIGENOUS PEOPLES (IPs) UNDER THREAT IN MINDANAO

06 October 2015, Page 2

Extra-Judicial Killings in Bukidnon Province

In Barangay Mendis, municipality of Pangantucan, one 70-year-old male, and four (4) children were killed on 18 August 2015. IPs in the area are strongly condemning the killings and accusing the AFP 3rd Company of the 1st Special Forces Battalion as the main perpetrators. The military denied the allegations by announcing to the media that they had an armed encounter with members of the New People's Army (NPA). Relatives of the victims and the community members claim that the victims are members of the Manobo Farmers Association, not the NPA. The community expressed fear but there was no reported movement or plan to move at this time.

On 26 August 2015, in municipality of Kitaotao, 15 members of Nagkahiusang

Mag-uuma sa White Culaman (United Farmers Association) including a mother and her 12-year-old son, were accused of being members of the NPA and were arrested by the AFP's 8th Infantry Battalion. According to IP leaders interviewed by UNHCR, the military threatened to burn the alternative learning school built by Mindanao Interfaith Services Foundation, Inc. (MISFI). The incident resulted to displacement of 32 families (estimated 146 persons) from sitio Dao and Malinao.

In Misamis Oriental, fresh fighting erupted again between the AFP and the NPA in Barangay Mat-i of Claveria municipality displacing around 40 families (estimated 200 persons) mostly belonging to Higaonon tribe. Most of the IDPs fled their homes from sitio Abakahan due to fear that the conflict will escalate in the entire village of Mat-i. The firefight ensued as the AFP continues with a rescue operations of a soldier who was abducted in July and remains held by the NPA. To date, the IDPs are temporarily staying in evacuation centers in Claveria town proper.



Displaced indigenous population amid their situation in evacuation center continue to demand justice for the killing of their leaders.

© E. Monato/UNHCR 2015

Findings

- The indigenous peoples are the most marginalized and vulnerable population in the Philippines and require special protection under Philippine and international human rights law. For this reason, the Government, the UN, NGOs and all human rights actors have a responsibility to act.
- UNHCR, in coordination with UNICEF and other partners, have gathered information of several incidents involving indigenous populations and their displacement through monitoring and meetings with different stakeholders including government officials, the AFP, civil society and faith-based organization, IDPs, teachers, students and tribal leaders. Based on findings from field visits, UNHCR and all protection actors are appalled by the killings of civilians and the scope and scale of these violent incidents.
- Some members of the community, including security actors have blamed the killings on the NPA or on internal conflict in the IP communities. This inaccurate depiction of the violence and killings in IP communities delays and prevents actions by the responsible authorities to find, apprehend and prosecute the perpetrators, which only contributes to more potential violence.

ecute the perpetrators, which only contributes to more potential violence.

- The acts against these communities involve gross violations of human rights of IPs, including killings, Grave Child Rights Violations, the right to education (attacks on schools), and freedom of expression, by harassment and threats against life causing forced displacement.
- Common to all of these affected areas of the provinces of Bukidnon, Surigao, and Davao Del Norte, paramilitary groups known or perceived to be supported by the military are the main cause of the human rights violations against these IP communities and the cause of their displacement.
- The 25 September statement by the Secretary of Justice on acts of violence against the lumads of Mindanao is welcome. Of concern is that similar incidents in these same communities have been documented and reported as far back as 2010 in the periodic report by the Special Rapporteur on Grave Rights Violations against Children in armed conflict and special investigations established still are pending identification and prosecution of perpetrators. Unfortunately, these communities under threat have not benefitted from State protection.

Recommendations

- Respect for the rule of law should be upheld by ensuring that the perpetrators of these killings causing displacement will be apprehended and prosecuted according to the law of the Philippines so persons can return to their communities without fear of future attack and feel protected by the government.
- As has been requested by the Governor of Surigao del Sur and other human rights actors, the Commission on Human Rights should conduct an investigation. The UN Special Rapporteurs for Children in Armed Conflict, Indigenous Peoples and Human Rights of IDPs can be asked to make recommendations to improve the protection of IP/IDPs.
- To address the root causes of conflict related to IP ancestral domain, extraction and agro-industrial business, support for a conference to bring together Government agencies such as the National Commission on Indigenous Peoples (NCIP), the Department of Environment and Natural Resources (DENR), the Department of Education (DEPED), the Philippine National Police (PNP), and the Armed Forces of the Philippines (AFP) to work closely together with the Commission on Human Rights and local communities to find agreed solutions to avoid conflict.

- The intervention of the national authorities is necessary. The PNP stated in a community meeting that they do not have the weapons to disarm the armed groups, only the AFP can do it. The Governor has stated that the armed groups do not operate according to law and need to be disarmed and disbanded by the AFP to avoid further attacks and displacement in these communities.
- For the immediate and medium term, civil society organizations and the UN should consider increasing their presence (Protection by presence) in these areas. The GoP has agreed that the UN and protection partners pursue activities with the NPA to stop Grave Rights Violations Against Children. This can be an opportunity for an advocacy to restart the peace process in ending violations by all actors to the conflict. This can be facilitated through support of the many local church groups, including the Rural Missionaries of the Philippines, and fellow religious and church workers who are most knowledgeable of these rural IP communities.
- Until security is provided in these rural IP communities (including Surigao, Davao del Norte, Bukidnon and North Cotabato), indigenous people most likely will remain displaced away from their livelihood for a long period of time or encounter repeated displacement from fear of armed actors in their communities. Therefore preparation for longer term support for this vulnerable population should be made.

- 1** DATE OF INCIDENT: **6-8 January & February 2015**
 DISPLACED POPULATION: **138**
 CASE: Harassment, Military encampment and Threats
 ARMED GROUP: Alleged members of Alamara

- 2** DATE OF INCIDENT: **20 May 2015**
 DISPLACED POPULATION: **236**
 CASE: Attacks to school
 ARMED GROUP: Alleged members of Alamara and AFP under 10th Infantry Division

- 3** DATE OF INCIDENT: **08 June 2015**
 DISPLACED POPULATION: **164**
 CASE: Displacement, Killings, Harassment
 ARMED GROUP: Alleged members of Alamara

- 4** DATE OF INCIDENT: **8 & 20 August 2015**
 DISPLACED POPULATION: **430**
 CASE: Harassment, Displacement
 ARMED GROUP: Alleged members of Bagani

- 5** DATE OF INCIDENT: **18 August 2015**
 DISPLACED POPULATION: **177**
 CASE: Summary/Extrajudicial/Frustrated Killing, Use of Civilian as Shield, Use of Schools, Medical, Religious and other public places for military purpose, Endangerment of Civilians
 ARMED GROUP: Alleged members of 3rd Company of the 1st Special Forces Battalion

- 6** DATE OF INCIDENT: **26 August 2015**
 DISPLACED POPULATION: **146**
 CASE: Arbitrary Arrest 15 persons including 1 child
 ARMED GROUP: Alleged members of 8th Infantry Battalion

- 7** DATE OF INCIDENT: **29 August 2015**
 DISPLACED POPULATION: **1,020**
 CASE: Killings, Harassment, Displacement, Grenade Explosion
 CASUALTIES: 2
 ARMED GROUP: Alleged members of Bagani

- 8** DATE OF INCIDENT: **11 August & 1 September 2015**
 DISPLACED POPULATION: **3,000**
 CASE: Extra Judicial Killing, Harassment, Displacement, Pillaging/Looting, Arson, Threats
 CASUALTIES: 3
 ARMED GROUP: Alleged members of Magahat and NPA

- 9** DATE OF INCIDENT: **29 September 2015**
 DISPLACED POPULATION: **200**
 CASE: AFP and NPA encounter caused displacement
 ARMED GROUP: Alleged members of NPA and AFP

- 10** DATE OF INCIDENT: **2 October 2015**
 DISPLACED POPULATION: **954**
 CASE: Presence of armed group caused displacement
 ARMED GROUP: Alleged members of AFP and Magahat

