

The Philippines - Children and Armed Conflict

Brief historical outline

The Philippines has been the site of several ongoing conflicts. As well as facing the direct threat of violence, children's rights abuses have included the recruitment of child soldiers, inhumane treatment and detention in relation to the conflict, and attacks on education.

Background

Historically excluded from the Christian dominated political and economic elites, dissatisfaction among the Muslim population of the Philippines (locally known as "Moros") increased after independence from the United States in 1946, when the Government started resettling poor Catholic families from the northern islands to the Moro areas of the south, particularly on the island of Mindanao.

The creation of the Moro National Liberation Front

In 1968 the Philippine Government executed a number of mutinying Muslim recruits in what is now known as the Jabidah massacre. This, combined with complaints of discrimination in education, housing and government spending, led a group of Moro students and academics to found the Moro National Liberation Front (or MNLF) in 1969, led by former University lecturer Nur Misuari. In 1971 the MNLF began a fierce armed struggle to establish an independent Moro nation, or "Bangsamoro", in the southern island of Mindanao, fighting against both government forces and Christian militias.

The negotiation process

In 1972 the elected President of the Philippines, Ferdinand Marcos, proclaimed martial law to prevent being forced to step down at the end of his term. Under the Marcos dictatorship, the conflict would continue until 1976 when pressure from a number of Muslim countries led to the signing of the Tripoli Agreement. This promised to create a semi-autonomous Moro province, but the agreement was almost immediately broken by the Government and rejected by a faction in the MNLF leadership, leading to renewed fighting. After Marcos was forced from office by a popular uprising in 1986, the new Philippine Government embarked on a long negotiation process with the MNLF to end the conflict, which saw the creation of the promised Autonomous Region in Muslim Mindanao (or ARMM) in 1989, with the MNLF eventually put in place as the effective local government of this region.

The rise of Islamic groups

In the meantime, the faction of the MNLF who rejected the Tripoli Agreement had formed a new group, called the Moro Islamic Liberation Front (MILF). While they had been active throughout the 1980s, with the MNLF entering negotiations, the MILF would become the main Moro armed group in the conflict. By the 1990s they would be joined by other armed Islamic groups such as the Abu Sayyaf and Rajah Solaiman Movement. These would become well known for their campaigns of bombings and of kidnappings, often targeting foreigners and government officials then either ransoming or executing hostages. They were also notable for their overt ties with other regional and international Islamist groups, including the Osama Bin Laden network, at a time when the MNLF and MILF were publicly distancing themselves from these organisations. After several high profile attacks, the killing of many Abu Sayyaf leaders led to the group becoming less active in recent years.

Peace talks

During the 2000s, initial attempts to destroy the MILF militarily gradually gave way to peace talks. These seemed on the verge of success with an agreement to extend the ARMM's powers and territory in 2009, but this was halted by a legal challenge at the Philippine Supreme Court which ruled against the plan. After a period of renewed conflict, negotiations resumed in 2012 and are thought to be making some progress. The MNLF, on the other hand, went through internal splits, with Nur Misuari leading several attempts to renew fighting - firstly in 2001, then again in 2013. The latter was triggered by claims that the new peace deal offered by the Government to the MILF would invalidate the existing arrangement with the MNLF. In September 2013, Misuari declared an independent Bangsamoro in Mindanao, leading an attack on the city of Zamboanga. After a three week confrontation, in which it is estimated more than 200 people were killed, Misuari is now reported to have fled the Philippines. The future of peace between the Government and both the MNLF and the MILF is uncertain.

The leftist insurgency

In addition to the Moro conflict, the Philippines has also seen an active leftist insurgency. The Philippine Communist Party led guerilla fighters against occupying Japanese forces during the Second World War and against the Philippine Government in the 1950s. After a period of inactivity, leftist guerillas resumed fighting in the 1980s under the name of the New People's Army (NPA). During the 1990s the NPA underwent a round of infighting and purges that reduced numbers and left much of the leadership in exile, but operations resumed in earnest during the 2000s. These included mass extortion, raids on

prisons and military bases and assassinations. During this period the NPA also began to focus their attacks on foreign business concerns, particularly those involved in mining, hoping to deprive the Government of outside investment. While fighting has resumed intermittently, recent years have seen peace talks between the Government and the NPA, including proposals for joint human rights investigations between the two.

Human rights violations

Child soldiers

Even though the recruitment and use of children as part of the conflict has declined in recent years, the 2013 report of the Secretary-General to the Security Council on Children and Armed conflict confirmed that the Government, three non-state armed groups - the MILF, Abu Sayyaf and NPA - and possibly other groups continue to recruit and use children. In total, 11 incidents of recruitment and use of children were recorded in 2012, involving 23 boys and three girls between 12 and 17 years of age.

This continuation has occurred despite the MILF signing an [action plan with the UN](#) in 2009. Although this plan has since expired, the UN Secretary-General's Special Representative for Children and Armed Conflict (SRSG), Ms Leila Zerrougui, has urged the MILF to continue and fully implement the [Action Plan](#). Both the MILF and the NPA officially claim that they only use children in non-combat roles - this is [disputed](#), however, and even were it accurate would still represent an unacceptable rights violation.

Detention and kidnapping of children

While detention of children in the Philippines is [alarmingly common](#), the situation has been made worse by the ongoing conflict. The Philippine army in particular has come under scrutiny for the alleged mistreatment of its child detainees, including the [naming and public display of accused child soldiers and falsely accusing children of being soldiers to justify their detention](#). Human Rights Watch, among others, has called upon the the Philippine Government to treat under-18s detained in relation to the conflict in line with the standards set out in the Optional Protocol to the Convention on the Rights of the Child (CRC) on the involvement of children in armed conflict and in the CRC itself. In 2012, the Philippines issued a new draft [law on child soldiers](#), that went some way to addressing these issues, but [concerns were raised](#) over a clause which could see parents or other responsible parties of children punished for the poorly defined crime of "allowing", "encouraging" or "influencing" a child who has been recruited.

“But the recruiters of child soldiers, not the children’s parents, should be the ones prosecuted for putting these children at grave risk”, says Charu Lata Hogg, Asia program manager at Child Soldiers International.

A number of new [accusations](#) of violence and abuse of children in government detention have emerged after the recent fighting in Zamboanga. Children accused of being involved with MNLF forces report being blindfolded and beaten or whipped until they confessed to being fighters.

The Philippine Government recently [signed into law](#) a measure retaining the current minimum age of criminal liability of 15 years old and resisting calls by some lawmakers to [lower it further](#).

In addition to official detention, children have also been targeted for kidnapping by different factions in the conflict. The Abu Sanyaf movement is one of the most frequently identified perpetrators of these acts, accounting for [nearly a quarter of reported incidents](#) in 2012.

Violence and extrajudicial killings

Children have frequently been killed as a result of the conflict, either being directly targeted or as the result of indiscriminate violence by all sides. Though peace talks are ongoing, the number of child victims actually seems to be rising - 2011 saw a [reported 44 incidents of the killing or maiming of children](#), and this number [rose to 66](#) in 2012. Notable incidents in 2012 included government soldiers firing on a civilian home that led to the death of two children and the wounding of another, as well as the use of grenades by NPA fighters in an urban area that injured a further 21.

During the attack on the city of Zamboanga in September 2013, the Philippine military and police have [allegedly tortured or otherwise mistreated](#) suspected rebels in custody.

The Philippines has a long history of extrajudicial killings, including the murder of political activists, government officials, religious leaders, journalists, human rights defenders and political figures. These are often related to the wider conflict, particularly the killing of leftists and trade union activists by both government forces and ideological opponents or rivals. As recently as August 2013 a high profile labour movement member was killed outside his home. Though the responsible parties have yet to be identified, [it was noted](#) that this killing, like many others, occurred in an area where paramilitary “Citizen Armed Force Geographical Units” have been active. These units are trained and directed by the military but often hired out to private companies as security and, it has been alleged, assassins.

Children, particularly those living on the streets, [have also been targeted](#), both by police and by criminal gangs. While this is less likely to be directly related to the conflict than to normal criminal activity, it occurs in the same general atmosphere of insecurity and lack of accountability.

As part of an attempt to address the prevalence of extrajudicial killings and disappearances, the Philippine Communist Party and its affiliated militias (including the NPA) have proposed a joint fact finding mission with the Philippine Government, even establishing their own human rights monitoring units. In the 2009 report by the Special Rapporteur on extrajudicial, summary or arbitrary executions it was noted that the Government had not “responded positively” to the proposal, instead insisting on peace talks as a pre-condition for a human rights enquiry.

Human shields

During the attack on the city of Zamboanga in September 2013, both security forces and Muslim rebels have committed serious rights abuses. Human Rights Watch reported that ‘after taking over five coastal villages on September 9 2013, the Moro National Liberation Front (MNLF) took dozens of residents hostage [...]. In one incident, rebels used Christian hostages as human shields, whom the Philippine Government forces attacked, apparently indiscriminately.’

Attacks on education

The security and sanctity of schools have frequently been targeted during the conflict. Despite a clear prohibition in Philippine law, the army has repeatedly used schools for military purposes, including closing them down for as long as a year to use them as military headquarters. Although the Philippine Parliament unanimously passed a bill prohibiting the “occupation” or “disruption” of schools in 2011, it is yet to be seen if this will change the conduct of counterinsurgency forces on the ground.

Schools have frequently been inadvertently or deliberately damaged or destroyed during fighting - something exacerbated by their use as military facilities. At times, schools have also been directly targeted for attack, including a bombing in March 2013 that was linked to the Abu Sayyaf movement.

For more information visit the Philippines country page of the NGO, Protecting Education, [here](#).

Sources

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Read also:

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<http://www.hrw.org/reports/2009/04/06/you-can-die-any-time>

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FIDH

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