

INSTITUTE OF BANGSAMORO STUDIES

Bangsamoro Children in Conflict Situation

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Introduction

The on-going conflict between the Bangsamoro representative organizations and the Government of the Republic of the Philippines (GRP) has been going on for more than four decades. Millions of people were displaced, more than hundred thousand died, and billions of dollars worth of economic resources destroyed. Among those greatly affected by the conflict are the Bangsamoro children.

This report attempts to give a picture on the effect of the conflict to Bangsamoro children access to education and health services, violations of their rights, and the issue of child soldier.

Background of the Conflict

The Bangsamoro are the Muslim populations who traditionally inhabited Mindanao, the islands of Basilan and Palawan, and the Sulu and Tawi-Tawi archipelago in the south of the Philippines. The name Moro was given by the Spanish colonizers to the Muslims in Mindanao whom they found to have the same religion and way of life with the Muslims of North Africa who ruled the Iberian Peninsula for centuries. The Malay word *bangsa*, which means nation, was prefixed to suggest distinct nationhood. The name Bangsamoro has found place in official documents of the Organization of Islamic Conference (OIC)¹ and agreements between the Government of the Republic of the Philippines (GRP) and MILF.²

¹ Organization of Islamic Conference (OIC), "Resolution No. 58/28-P", Twenty-Eight Session of the Islamic Conference of Foreign Ministers (ICFM), 2001.

² The Agreement on Peace between the Government of the Republic of the Philippines and the Moro Islamic Liberation Front, otherwise known as the Tripoli Agreement on Peace of 2001, signed on June 22, 2001 in Tripoli, Libya, unambiguously recognizes that identity. Examples are these provisions of the agreement:

"Recognizing that peace negotiations between the GRP and the MILF is for the advancement of the general interest of the Bangsamoro people..."

"On the aspect of ancestral domain, the Parties, in order to address the humanitarian and economic needs of the Bangsamoro people and preserve their social and cultural heritage and inherent right over their ancestral domain, ..."

"The observance of international humanitarian law and respect for internationally recognized human rights instruments and the protection of evacuees and displaced persons in the conduct of their relations reinforce the Bangsamoro people's fundamental right to determine their own future and political status."

The Bangsamoro people consist of thirteen Muslim ethno-linguistics groups: Iranun, Magindanaon, Maranao, Tao-Sug, Sama, Yakan, Jama Mapun, Ka'agan, Kalibugan, Sangil, Molbog, Palawani and Badjao. The indigenous peoples of Mindanao who were once protectorate of the sultanates are also considered Bangsamoro, though adoption of this identity on their part is a matter of free choice.

The traditional homeland of the Bangsamoro people consisted of the territories under the jurisdiction of their governments before the formation of the Philippine state. At the height of its power, the Sulu Sultanate exercised sovereignty over the present day provinces of Sulu, Tawi-Tawi, Palawan, Basilan and the Malaysian state of Sabah (North Borneo). The territory of the Magindanaw Sultanate included the present day Shariff Kabunsuan province, some parts of Maguindanao province, and the coastal areas of the provinces of Sultan Kudarat, South Cotabato, Sarangani, parts of Lanao provinces, Davao del Sur and Davao Oriental, and the eastern part of Zamboanga del Sur. The Datu Dakula who ruled Sibugay, an autonomous region under the Magindanaw Sultanate, exercised jurisdiction over Zamboanga del Norte, Zamboanga Sibugay, Zamboanga City and some parts of Zamboanga del Sur. The Rajah of Buayan ruled North Cotabato, the upper valley of Maguindanao and the interior areas of Sultan Kudarat and South Cotabato and some parts of Bukidnon. The *Pat a Pangampong ko Ranao* (confederation of the four lake-based emirates) ruled the interior parts of Lanao del Sur, Lanao del Norte, and parts of Bukidnon, Agusan, and eastern and western Misamis provinces. The small sultanate of Kabuntalan separates the domains of Magindanaw and Buayan.

As the result of the colonial policies and programs of the Philippine government that encourage Filipino settlers from the north to settle in the Bangsamoro traditional homeland, the Bangsamoro are now confined in the provinces of Tawi-Tawi, Sulu, Basilan, Lanao del Sur, Maguindanao and Shariff Kabunsuan, and some municipalities of Zamboanga del Sur, Zamboanga Sibugay, Zamboanga del Norte, Lanao del Norte, North Cotabato, Sultan Kudarat, South Cotabato, Sarangani, Davao Oriental, Davao del Sur, Davao del Norte, Compostela Valley and Palawan. Although their territory was significantly reduced the Bangsamoro people continuously assert their right over their homeland, which gain implied recognition from the government.³

The historical experience of the Bangsamoro people in statehood and governance started as early at the middle of the 15th century when Sultan

³ In the preamble of the Agreement on Peace Between the Government of the Republic of the Philippines and the Moro Islamic Liberation Front, otherwise known as the Tripoli Agreement on Peace of 2001, signed on June 22, 2001 in Tripoli, Libya, states that the GRP and the MILF are "Determined to establish a peaceful environment and normal condition of life in the Bangsamoro homeland".

Shariff ul-Hashim established the Sulu Sultanate. This was followed by the establishment of the Magindanaw Sultanate in the early part of the 16th century by Shariff Muhammad Kabungsuwan. The Sultanate of Buayan and the *Pat a Pangampong ko Ranao* (confederation of the four lake-based emirates) and later other political subdivisions were organized.

By the time the Spanish colonialists arrived in the Philippines the Muslims of Mindanao, Sulu and Tawi-Tawi archipelago and the islands of Basilan and Palawan had already established their own states and governments with diplomatic and trade relations with other countries including China. Administrative and political systems based on realities of the time existed in those states. In fact it was the existence of the well-organized administrative and political systems that the Bangsamoro people managed to survive the military campaign against them by Western colonial powers for several centuries and preserve their identity as a political and social organization.

For centuries the Spanish colonial government attempted to conquer the Muslim states to add their territories to the Spanish colonies in the Philippine Islands but history tells us that it never succeeded. The Bangsamoro sultanates with their organized maritime forces and armies succeeded in defending the Bangsamoro territories, thus preserving their independence.

The Bangsamoro resistance continued even when American forces occupied some areas in Mindanao and Sulu. Though the resistance was not as fierce as during the Moro-Spanish wars, group-organized guerrilla attacks against American forces and installations reinforced what remained of the sultanates' military power. Even Bangsamoro individuals showed defiance against American occupation of their homeland by attacking American forces in operations called *prang sabil* (martyrdom operation).

When the United States Government promised to grant independence to the Philippine Islands, the Bangsamoro leaders registered their strong objection to be part of the Philippine republic. In a petition to the President of the United States dated June 9, 1921, the people of Sulu archipelago said that they would prefer being part of the United States rather than be included in an independent Philippine nation.⁴

In the Declaration of Rights and Purposes, the Bangsamoro leaders meeting in Zamboanga on February 1, 1924, proposed that the "Islands of Mindanao and Sulu, and the Island of Palawan be made an unorganized

⁴ See "Petition to the President of the United States of America from the People of the Sulu Archipelago" in Salah Jubair, *Bangsamoro: A Nation Under Endless Tyranny*. (Kuala Lumpur, Malaysia: IQ Marin SDN BHD, 1999), 293-297.

territory of the United States of America”⁵ in anticipation that in the event the US would decolonize its colonies and other non-self governing territories the Bangsamoro homeland would be granted separate independence. Had it happened, the Bangsamoro people would have regained by now their independence under the UN declaration on decolonization. Their other proposal was that if independence to be granted would include the Bangsamoro territories, a plebiscite would be held in Mindanao, Sulu and Palawan fifty years after the grant of independence to the Philippines to decide by vote whether the territory incorporated by the government of the Islands of Luzon and Visayas, would be a territory of the United States, or become independent. The leaders warned that if no provision of retention under the United States would be made, they would declare an independent constitutional sultanate to be known as Moro Nation.

In Lanao, the leaders who were gathered in Dansalan (now Marawi City) on March 18, 1935 appealed to the United States government and the American people not to include Mindanao and Sulu in the grant of independence to the Filipinos.

In 1946 the Bangsamoro became part of the new political entity called the Republic of the Philippines. Their incorporation in the new state was not welcomed for they continuously consider themselves a separate nation. The Bangsamoro claim that they belong to a separate nation by virtue of their distinct identity.

Under the Republic of the Philippines, the Bangsamoro complain that they suffer discrimination and oppression. Some of the complaints cited are:

1. Christian majority are biased against Muslims as shown by studies.⁶ These prejudices lead to exclusion of the Bangsamoro from jobs, education, housing and business opportunities. These are evident in the personal experiences of Muslims on how they were shut out of jobs, housing and study opportunities recounted in the Philippine Human Development Report (PHDR 2005).

The PHDR 2005 study reveals that a considerable percentage (33 percent to 39 percent) of Filipinos is biased against Muslims. Exclusion from job opportunities is very high given that 46 percent of the Christian population would choose Christian male worker and 40 percent Christian female domestic helper. Only 4 percent will choose a Muslim male worker and 7 percent Muslim female domestic helper. Majority of the Christians cannot even accept Muslims as neighbors, as the study shows that in Metro

⁵ See “A Declaration of Rights and Purposes Addressed to the Congress of the United States of America” in Jubair, pp. 298-303.

⁶ Christian prejudices against Muslims were revealing in the study conducted by Filipinas Foundation, *Philippine Majority-Minority Relations and Ethnic Attitudes* (Makati, Rizal, 1975) and in the Philippine Development Network, *Philippine Human Development Report 2005 (PHDR 2005)*.

Manila 57 percent opt for residence with higher rent but far from a Muslim community.

2. Because of government policies and programs the Bangsamoro lost big portions of their lands and became minority in their own homeland.⁷

The Philippine government opened the whole of Mindanao to resettlement and corporate investments. So, in 1903, the Philippine Commission declared as null and void all land grants made by traditional leaders like sultans, datus, and tribal leaders if done without government consent. And through the years the government implemented public land laws which are discriminatory to the Bangsamoro and other Indigenous Peoples of Mindanao, and favorable to Filipino settlers and corporations.⁸ The introduction of public land laws, which were based on the Regalian doctrine, “became an opportunity for the colonized north-Filipino elites to own or lease substantial landholdings as well as a chance for the ‘legal’ or systematic landgrabbing of traditional lands”⁹ of the Muslims.

The discrimination against Muslims and indigenous peoples in land ownership is evident in the following table that shows the number of hectares people and corporations may own under the Philippine public land laws.¹⁰

Year	Hectares Allowed		
	For Homesteader	For Non-Christian (Moros and Wild Tribes)	For Corporation
1903	16 has.	(no provision)	1,024
1919	24 has.	10 has.	1,024
1936	16 has.	4 has.	1,024

In 1954 the National Resettlement and Rehabilitation Administration (NARRA) was established. Under this program, from 1954 through 1958 close to 23,400 Christian Filipino families were resettled in Cotabato.¹¹

⁷ On the minoritization of the Bangsamoro people, see B. R. Rodil, *The Minoritization of the Indigenous Communities of Mindanao and the Sulu Archipelago*. (Davao City: Alternative Forum for Research in Mindanao, Inc. 1994)

⁸ See Rudy B. Rodil, “Philippine Government Policies on the Indigenous Peoples,” paper presented during the Workshop on Multi-Ethnic Asia: Peace and Sustainable Development, Ho Chi Minh City, 16-20 April 2007.

⁹ Myrthena L. Fianza, “Contesting Land and Identity In The Periphery: The Moro Indigenous People of Southern Philippines”. Working paper prepared for the 10th Biennial Conference of the International Association for the Study of Common Property held at Oaxaca, Mexico on August 9-13, 2004, p. 5.

¹⁰ Rodil, “Philippine Government Policies on the Indigenous Peoples.”

¹¹ Michael O. Mastura, *Muslim Filipino Experience*. (Manila: Ministry of Muslim Affairs, 1984), p. 245.

The consequence of the state policies on land ownership and encouragement of Christian settlers to settle in Mindanao is the minoritization of the Bangsamoro in their traditional homeland. The lands that remain to the Bangsamoro are those located in the Autonomous Region in Muslim Mindanao (ARMM) and small areas in other provinces.

3. Government failed to deliver basic services and needed development to Bangsamoro communities. In the ARMM, which comprises provinces where the Bangsamoro are majority, poverty incidence was the highest in the country. In 2000, poverty incidence in the ARMM was 66 percent while the national average was 33.7 percent, and it worsened compared with the 1997 poverty incidence which was 57.3 percent.¹² Incidence of families below the per capita food/subsistence threshold was also highest in the ARMM, 33.5 percent in 2000 while the national average was 16.7 percent.¹³ Life expectancy for women was 59.3 years and 55.5 years among men.¹⁴

4. Government also failed to protect the persons and properties of the Bangsamoro people. There were reported massacres of Muslims and destruction of their properties but the government failed not only to give them protection but also to give them justice. No serious investigations were conducted and no one was held responsible in many of these incidents of human rights violations. For example, the incidents cited below, which are just few of the many incidents of human rights violations against the Bangsamoro people, happened more three decades ago but no investigation was done and no one was held accountable.¹⁵

- On March 17, 1968, Muslim military trainees were reported missing in their training camp in Corregidor Island.
- On December 21, 1970, three Muslims were killed and 147 houses were burned in the barrios of Ahan, Limpugo and Montid, in the municipality of Datu Piang, Cotabato.
- On January 19, 1971, seventy-three Muslims were killed in the municipality of Alamada, Cotabato.
- On June 19, 1971, seventy Muslims were killed and 17 were wounded at a mosque in barrio Manili, Carmen, Cotabato.
- From April 6, 1971 to July 22, Muslim houses were burned
 - 55 houses in Carmen, Cotabato
 - 18 houses in Pikit, Cotabato
 - 25 houses in Kidapawan, Cotabato

¹² <http://www.census.gov.ph/data/sectordata/2000/ie00p02f.htm>

¹³ <http://www.census.gov.ph/data/sectordata/2000/ie00p06f.htm>

¹⁴ World Bank, *Human Development for Peace and Prosperity in the Autonomous Region in Muslim Mindanao* (Manila: World Bank, 2003), p. 17.

¹⁵ See Magsaysay S. Werble, "The Mindanao Peace Process: Chronology of Events from Tripoli to Jakarta 1976-1996." Master's thesis submitted to the Institute of Islamic Studies, University of the Philippines Diliman, 1996.

- 22 houses in Buldon, Cotabato
- 52 houses in Wao, Lanao del Sur
- On September 8, 1971, ten Muslims were killed in the municipality of Sapad, Lanao del Norte.
- On October 24, 1971, sixty-six Muslims were killed in Magsaysay, Lanao del Norte.

Even after their territories were made part of the Republic of the Philippines in 1946, the Bangsamoro people continue to assert their right to self-determination. Congressman Ombra Amilbansa filed House Bill No. 5682 during the fourth session of the Philippine Fourth Congress that sought the granting and recognition of the independence of Sulu. When the bill found its way to the archive of Congress the then provincial governor of the province of Cotabato, Datu Udtog Matalam, issued the Mindanao Independence Movement (MIM) manifesto on May 1, 1968 calling for the independence of Mindanao and Sulu.

The peaceful movement for independence was deflected when the *Ilaga*, Government-backed Christian militias, attacked Muslim communities burning mosques and houses, and massacred hundreds including women and children. At the same time, then President Ferdinand E. Marcos imposed martial rule. The Muslims were left with no other alternative but to fight back to defend themselves and their communities. What followed was the armed conflict between the Government of the Republic of the Philippines (GRP) and the Bangsamoro representative organizations, the Moro National Liberation Front (MNLF) and the Moro Islamic Liberation Front (MILF), which is still on-going.

Costs of the Conflict

The on-going conflict between the GRP and Bangsamoro people has been destructive to human lives and properties. Based on the revelations of former Congressman, and now executive secretary, Eduardo Ermita, MindaNews reported the following:¹⁶

“In a privilege speech in July 1996, then Rep. Eduardo Ermita, now Presidential Adviser on the Peace Process ... citing data from the Armed Forces of the Philippines, showed how over a period of 26 years since 1970, more than 100,000 persons had been killed in the conflict in Mindanao, 30 per cent of that government casualties, 50 per cent rebels and 20 per cent civilians.

Ermita said 55,000 persons were injured, not counting those from the rebel side. From 1970 to 1976 alone, he said, an average of 18 people were slain everyday.

¹⁶ Carolyn O. Arguillas, “The Cost of War. Part 1: Economic cost of ‘never ending conflict’ is P30-M daily” *MindaNews*, posted March 26, 2003. <http://www.mindanews.com/2003/03/26pep-cost1.html>

All in all, Ermita said, the AFP spent P73 billion in the 26-year period, or an average of 40 per cent of its annual budget.”

A government think tank reported that “The toll on human lives and property was heavy on both sides. Independent estimates came out with these numbers: 50,000 deaths, 2 million refugees, 200,000 houses burned, 535 mosques and 200 schools demolished, and 35 cities and towns destroyed.”¹⁷

The World Bank assessment of direct economic costs of the conflict is \$2–3 billion, and the human and social toll since the 1970s have been heavy. The World Bank report shows an estimate of 120,000 deaths, and uncounted numbers of wounded and disabled; and more than two million people were displaced.¹⁸ In the year 2000 when government troops attacked the MILF camps, around 932,000 civilians were displaced from their homes. The World Bank report shows that “Majority of people who were displaced as a result of the conflict in Mindanao that erupted in 2000 were Muslims.”¹⁹ Around 390,000 people were again displaced when government troops attacked MILF enclaves in Pikit and Pagalungan in February 2003.

The costs of the resumption of the armed conflict since August 2008 between the GRP and the MILF have been heavy. More than half million people were displaced. As of December 2, 2008, the National Disaster Coordinating Council (NDCC)²⁰ reported that 163 died and 123 were injured as result of the conflict. Damaged houses were 1,711, and the costs of damaged to infrastructure is P99,024,756.08 and to agriculture reached P152,566,236.00

Effects of the Conflict to Bangsamoro Children

The conflict affected greatly Bangsamoro children’s access to education and health services. The data presented here are from the Autonomous Region in Muslim Mindanao (ARMM), the region with majority Muslim population. Of the region’s population of 2,410,845 in year 2000, 90.52 percent are Muslims.

¹⁷ Carolina Hernandez, “The AFP’s institutional responses to armed conflict: a continuing quest for the right approach,” *Philippine Institute for Development Studies Policy Notes*, No. 2006-02 (March 2006), p. 3.

¹⁸ Salvatore Schiavo-Campo, and Mary Judd, *The Mindanao Conflict in the Philippines: Roots, Costs, and Potential Peace Dividend*, Paper No. 24/February 2005 (Washington DC: Conflict Prevention & Reconstruction Social Development Department, The World Bank, 2005), p. 5-6

¹⁹ World Bank, *Social Assessment of Conflict-Affected Areas in Mindanao, A Summary*. (Pasig City: World Bank Office Manila, 2003), pp.12-13.

²⁰ NDCC Update, sitrep No. 77, December 6, 2008.

After the resumption of hostilities between the Government and MILF forces in August 2008, there are reports of human rights violations committed against children.

Access to Education

Displacement, destructions of educational infrastructure, use of school buildings as evacuation centers, and poverty, which is aggravated by the conflict, are among the causes that affect Bangsamoro children access to education.



Parts of the buildings of Lapok Elementary School Buildings in Lapok, Shariff Aguak, Maguindanao Province, were destroyed as result of the bombing and artillery shelling by the Armed Forces of the Philippines (AFP) during military operations in August 2008.

After armed conflicts erupted school buildings become evacuation centers which resulted to suspension of classes until IDPs' returned to their homes or relocated to other places. With the resumption of armed conflict between government and MILF forces which started last August 2008, many school campuses in Maguindanao, Lanao del Norte and Cotabato Province became evacuation centers.

Schools turned evacuation centers

Maguindanao Province

Kangguan Edsad Uy Central Elementary School
 Datu Saudi Uy Ampatuan Memorial Nat'l High Sch
 Datu Gumbay Piang Elementary School
 Datu Piang National High School
 Gani L. Abpi Colleges Incorporated
 Southern Philippines Academy
 Notre Dame of Dulawan
 Mahad Libutan
 Libutan Elementary School
 Libutan High School Annex
 Kitango Elementary School
 Madrasa Mamasapano
 Madrasa Pagatin
 Mahad Pagatin
 Madrasa Kitango

Cotabato Province

Pikit National High School
 Pikit Central Elementary School
 Datu Bitol elementary School
 Datu Dalandag elementary School
 Punol Elementary School
 Macasendeg Elementary School
 Ladtingan Elementary School
 Batulawan Elementary School
 Batulawan Day Care Center
 Poblacion Training Center
 Takepan Elementary School
 Panicupan Elementary School
 Madrasah Lagundi
 Hillside Training Center
 Nalapaan Elementary School

Because of the conflict, and compounded by other causes, great numbers of Bangsamoro children of school age are out of school. The ARMM public elementary net enrolment ratio for school year 2004-2005 was 83.48. Though the data do not include figures from private schools, these will not significantly affect the ratio because there are few private elementary schools in the ARMM.

Public Elementary Net Enrolment Ratio, SY 2004-2005

Province/City	SY 2004-2005
ARMM	83.48
Maguindanao	76.61
Lanao del Sur (District I)	64.46
Lanao del Sur (District II)	90.90
Sulu	79.00
Tawi-Tawi	92.88
Basilan	87.50
Marawi City	93.00

Not all children who enrolled in grade one can graduate in the elementary level. The elementary cohort survival rate in public schools in the ARMM for school year 2004-2005 was 45.04, which means around 55 percent dropped from schools before finishing grade six.

Elementary Cohort Survival Rate, ARMM, SY 2004-2005 (Public Schools)

Province/City	SY 04-05
ARMM	45.04
Maguindanao	35.87
Lanao Sur (District I)	34.00
Lanao Sur (District II)	23.81
Sulu	60.00
Tawi-Tawi	52.57
Basilan	65.84
Marawi City	43.2

Access to Health Services

Based on the 2006 Family Planning Survey (FPS) of the National Statistics Office (NSO), Infant Mortality Rate (IMR) in the Autonomous Region in Muslim Mindanao was 55 deaths per 1,000 live births for 1998, 41 in 2003 and 33 in 2006. Although the rate is declining, ARMM's IMR is still alarming as compared with national IMR of 23 deaths per 1,000 live births in 2006. The under-five (UFMR) and child mortality (CMR) rates are also high at 45 and 12 deaths per 1,000 live births, compared with the national rate of 31 (UFMR) and 8 (CMR).

Infant, Under-five and Child mortality rates, 1998, 2003 and 2006

Region	IMR			Under-five			CMR		
	1998	2003	2006	1998	2003	2006	1998	2003	2006
Philippines	35	30	23	48	40	31	19.7	12	8
ARMM	55.1	41	33	97.6	72	45	45	33	12

Source: National Demographic Health Survey, 1998 and 2003
2006 Family Planning Survey

Available data show that in 2002, 17.3 percent of children aged 12-23 months were fully immunized before turning one year old, a decline from 2001 figure of 21.3. The national figures are 61.3 percent in 2001 and 62.9 percent in 2002. Compared with other regions in Mindanao, ARMM has the

lowest percentage of children 12-23 months old who were fully immunized in 2002.

Percentage of Children 12-23 months were fully immunized
in 2001 and 2002

Area	2001 MCHS		2002 MCHS	
	No. of Children ('000)	Percent Fully Immunized	No. of Children ('000)	Percent Fully Immunized
Philippines	1,937	61.3	1,885	62.9
ARMM	47	21.3	42	17.3

Because of evacuation centers are crowded and health care is inadequate, and supply of water and sanitation are poor, children die at evacuation centers. Table below shows death among children in some evacuation centers in the province of Maguindanao.

NAME	SEX	AGE	CAUSES OF DEATH	EVACUATION CENTER	DATE
1. Abdul Aziz Malang	M	1 y.o.	Acute Diarrhea	Mahad Libutan	08-27-08
2. Said Salik	M	1 y.o.	Measles	Malingao, Shriff Aguak	08-27-08
3. Samra Kalim	F	1 y.o., 3 mos	Skin Irritation	Datu Gumbay Elem School	08-31-08
4. Mashod Nasrudin	M	4 mos	Diarrhea	SZOPAD - Libutan	09-02-08
5. Saima Agan	F	4 y.o.	Diarrhea	Libutan Elementary School	09-03-08
6. Mohedin Agan	M	2 y.o.	Diarrhea / Fever	Libutan Elementary School	09-03-08
7. Montazer Bayan	M	1 y.o.	Measles	Libutan Elementary School	09-03-08
8. Montaser Sangkupan	M	1 mo	Malnourished	Kangguan Edsad Uy Central Elementary School	09-03-08
9. Samron	M	2 mos	Sepsis /	Datu Gumbay Elem School	09-04-08

Sandigan			Malnourished		
10. Norhaya Salik	M	8 mos	Malnourished	Notre Dame of Dulawan	09-28-08
11. Datu Uyag	M	2 y.o., 8 mos	Infections	Datu Gumbay Elem School	10-04-08
12. Al-Raiz Salipada	M	12 y.o.	Stomach Pain	Notre Dame of Dulawan	10-04-08
13. Bailen Sianga	F	1 y.o.	Diarrhea	Datu Gumbay Elem School	10-03-08
14. Aboher Guiamal	M	6 mos	High Fever / Cough	Datu Dagadas Piang	10-16-08
15. Jhoher Guamat	M	1 y.o.	LBM / Diarrhea	Kangguan Edsad Uy Central Elementary School	10-17-08
16. Jamiha Merin	F	1 y.o.	Measles	Datu Piang Gymnasium	10-17-08
17. Jamer Merin	M	3 y.o.	Measles	Datu Piang Gymnasium	10-17-08
18. Abohair Abdillah	M	7 y.o., 1 mo	Typhoid Fever	Datu Piang Gymnasium	10-21-08
19. Muhammad Abdul	M	13 y.o.	Diarrhea	Manggahan / Make Shift	10-30-08
20. Hashim Tato	M	6 mos	Fever	MSU - Maguindanao	10-28-08
21. Jamer Pina	M	1 y.o.	Fever	Maker, Datu Odin Sinsuat	11-02-08

The First ARMM Progress Report on the Millennium Development Goals identified the following factors that cause the poor access to health services: the geographical locations of the ARMM component provinces, lack of potable water supply, poor family health practices, lack of health manpower and facilities, and inadequate resources (logistics & equipments) to subsidize health services. Insufficient supply of vaccines was identified as the main cause of the low percentage of children age 12-23 months who were fully immunized.

Violations of Children's Rights

Displacement affected Bangsamoro children. In some cases, children walked tens of kilometers with their parents to evacuation centers and other safe places.

A family rests beside the national highway in Maguindanao after walking for hours from their home in Dapyawan, Datu Saudi Ampatuan town to a safer place



(Photo by JES AZNAR, courtesy of Philippine Human Rights Reporting Project)

The irregular supply of food coming from government agencies, international donor agencies, and international, national and local non-government organizations affect the nutritional intakes of children.



Aerial bombings and artillery bombardments by the Armed Forces of the Philippines since August 2008 to the present killed and injured Bangsamoro children.



Ali Lamalan, 17 years old, a grade four Arabic student of Madrasah Lapok (Lapok, Shariff Aguak, Maguindanao) lost his life due to indiscriminate and relentless aerial and artillery shelling by the Armed Forces of the Philippines on August 20, 2008

Last August 22, 2008 at around 12:00 noon, Homiden Abdurahman (11 years old, male), Rabiya Abdurahman, (6 years old, female), and Ula Paunag (11 years old, male), all of Barangay Butilin, Datu Piang, Maguindanao Province were hit by a 105 howitzer bomb, allegedly fired by elements of the Philippine Army taking offensive actions against



Rabiya Abdurahman (female, 6 years old), wounded in her left thigh when her parents house in Butilin, Datu Piang, Maguindanao was hit by a 105 howitzer fired by elements of the Philippine Army last August 22, 2008

the Moro Islamic Liberation Front in the Province of Maguindanao. In an interview, Rabiya Abdurahman narrates that while they were sleeping with his brother, Homiden, she heard a loud noise that awoke them and then realized that their house was destroyed. They came to find out their condition and found out Homiden was unconscious and suffered fatal wounds on his head, right hand and abdomen. Rabiya related that she suffered wounds in her left thigh. Ula Paunag (11 years old), who was living adjacent to the house of Rabiya was also wounded by the blast at his right knee.

Last September 8, 2008, at around 10:00 o'clock in the morning at Barangay Tee, Datu Piang, Maguindanao, the motorized boat of Manunggal family was bombed by OV-10 fighter planes killing four children, a pregnant woman and their father, and one was wounded. Died were (1) Zukarudin Mandi Manunggal, 7 years old; (2) Adtaya Mandi Manunggal, 6 years old; (3)

Faidza Mandi Manunggal, 2 years old; (4) Bailyn Mandi Manunggal, 13 years old, and their sister Aida Mandi Mama, 18 years old and 8-month pregnant. Guimaludin Mande, 13 years old was wounded.



The survivor, Guimaluden Mandi, 13 years old

Issue of Child Soldiers

There are reports on child soldiers being deployed in combat. As of date, we cannot confirm if there are child soldiers among MILF fighters or among government CAFGU or CVO. On the part of the MILF, its officials consistently deny that the movement employs child soldiers, citing the MILF's official policy (see Appendix A) as contained in Article 2 of General Order No. 2, dated 14 June 2006, of the General Staff of the MILF Bangsamoro Islamic Armed Forces which states,

"2. Recruitment for regular membership in the BIAF, preference shall be given to those who possessed Islamic values and morality, good morale, physically and mentally fit, matured and above eighteen (18) years of age at the time of his admission."

"3. No child soldier shall be admitted into the BIAF."

"4. The General Staff of the Bangsamoro Islamic Armed Forces shall take feasible measures to ensure protection and care of children who are affected by the armed conflict."

Because many Bangsamoro children do not have birth certificates, determination of whether a combatant is child or not is problematic. The presence of children in MILF or government CAFGU and CVO camps does not necessarily mean that they are child soldiers. Families of combatants, including their children, are sometimes live with them in their camps.

Engaging Non-State Actors

The Institute of Bangsamoro Studies (IBS), in partnership with Geneva Call (GC), the International Committee of the Red Cross (ICRC) and the Philippine Coalition to Stop the Use of Child Soldiers conducted a Training of Trainers Workshop for MILF commanders on November 12-17, 2005 at the MILF Camp Darapanan. The training of trainers aimed at improving the MILF/BIAF's implementation of and overall respect for humanitarian and human rights norms. Another objective pursued by the training was the incorporation of IHL and human rights standards within the MILF/BIAF structure. Session on International Humanitarian Law (IHL) was conducted by the International Committee of the Red Cross; the session on Human Rights by the Institute of Bangsamoro Studies; the session on the Anti-Personnel Landmine Ban by Geneva Call; and the session on Child Protection in Armed Conflict by the Philippine Coalition to Stop the Use of Child Soldiers.

Similar training was also conducted for Bangsamoro Women on August 13-17, 2006 at the MILF Camp Darapanan. Trainers Training on Human

Rights and International Humanitarian Law for Bangsamoro Youth was conducted in Cotabato City on May 2-5, 2006.

The rights of children is one of the topics discussed in IBS radio program dubbed Human Rights Education on the Air, and in human rights trainings conducted in Bangsamoro communities.

Recommendations

To ensure that Bangsamoro children will be protected, it is recommended that:

1. The United Nations shall take steps to resolve the on-going conflict between the Philippine Government and the Bangsamoro people.
2. The United Nations shall engage not only the Philippine Government but also the Moro Islamic Liberation to ensure that rights of Bangsamoro children are protected.
3. For the protection of the civilian population, particularly the children, the UN should consider deploying peace keeping force in the Bangsamoro homeland.
4. The UNICEF, and other humanitarian organizations, shall establish schools where orphans and children of combatants can study. Their parents will feel comfortable sending their children to UNICEF run schools because the safety of their children will be guaranteed.
5. The United Nations, and other humanitarian organizations, shall extend humanitarian assistance to internally displaced Bangsamoro by establishing evacuation centers. UN run evacuation centers will guarantee that children will have access to education and health services, and for their safety.

Annex A

Bismillaahir Rahmaanir Rahiem
In the name of Allah, the Beneficent, the Merciful

Moro Islamic Liberation Front
GENERAL HEADQUARTERS
Bangsamoro Islamic Armed Forces
Camp Abubakre As-Siddique
Bangsamoro Homeland

General Order No. 2

AN ORDER AMENDING ARTICLES 34 AND 35 OF THE CODE OF CONDUCT OF THE BANGSAMORO ISLAMIC ARMED FORCES, AND FOR OTHER PURPOSES.

The General Staff (GS) of the Bangsamoro Islamic Armed Forces (BIAF) being the highest policy and decision making body have agreed to introduce the following amendment, to wit:

ARTICLE 1. Article 34, paragraph (f) shall read, as follows: “(f) shall completely follow the rules of engagement in Islam (Nidhamul harb fil Islam)”, such as:

1. Troop behavior - worship does not cease in times of war, and whatever is prohibited during peace is also prohibited during war (Al-Hadith).
2. Object of the fight-It is directed only against fighting troops and not to non-fighting personnel (Al-Baqarah: 190).
3. Civilian people - Old people, children, and women shall not be harmed or killed, and those people in convents (Al-Hadith).
4. Wounded enemy combatants - Never betray or be treacherous or vindictive. Do not mutilate. Don't cut or bum palm trees or fruitful trees or ruin dwellings. Don't slay sheep, a cow, camel or other animals except for food (Al-Hadith).
5. Surrender enemy combatants-Maintain and observed justice at all time and avoid blind retaliation. Protect and treat them humanely. (Al-Maaidah: 8).
6. Prisoners of war or captives-Be kind at all time to captives or prisoners of war. Collect and care for wounded combatants. (Al Insan: 5-9).
7. Medical or distinctive signs - Respect personnel and facilities or persons bearing an object marked with signs as Red Cross or Red Crescent, including religious persons, military or civilians carrying white flag used for negotiations, truce or surrender.

8. Treaties and international conventions - Abide and respect covenants, conventions, treaties and agreements including laws of international and local application (Al-Maaidah: 1).

ARTICLE 2. Article 36 shall read, as follows: "Article (36)." Recruitment and Selection in the Bangsamoro Islamic Armed Forces - The following process shall be observed, to wit:

1. In the recruitment for selection of candidates for commission, preference shall be given to those who possessed Islamic values and morality, good morale character and images, competence and capability;

2. Recruitment for regular membership in the BIAF, preference shall be given to those who possessed Islamic values and morality, good morale, physically and mentally fit, matured and above eighteen (18) years of age at the time of his admission.

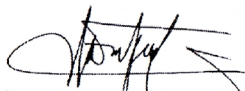
3. No child shall be admitted into the BIAF.

4. The General Staff of the Bangsamoro Islamic Armed Forces shall take feasible measures to ensure protection and care of children who are affected by the armed conflict.


5. The Director of the Bangsamoro Islamic Armed Forces Military Academy (BIAFMA) in coordination with the General Staff shall formulate training policies and standards in the selection and recruitment of candidates for commission in the BIAF.

Approved and adopted this 14th day of June, 2006 at Camp Abubakre As-siddique, Bangsamoro Homeland.

Certified True and Correct:


SAMMY AL-MANSUR
Chairman, General Staff

APPROVED:


AL HAJ MURAD EBRAHIM
Chairman/Commander-in-Chief