

Remarks of LTC Leonidas L Hidalgo PA to the Panel Discussion on Verifying Compliance with the Anti-Personnel Mine Ban: Geneva Call's Experience with Armed Non-State Actors at Salle XXV, UNOG on 03 December 2010

Thank you very much Madame Moderator.

Excellencies, Distinguished Colleagues, Ladies and Gentlemen. Good Afternoon.

As the Armed Forces of the Philippines' Technical Working Group Chair to the Geneva Call's 2009 Verification Mission to the Philippines to investigate allegations of Victim-Activated Anti-Personnel Landmine Use by the Moro Islamic Liberation Front (MILF), allow me to share some of my experiences and insights to the Mission. But before proceed, allow me to begin from why the Mission was allowed in the first place.

BACKGROUND

To start with let me go back on April 2009 when the AFP leadership approved the conduct of the planned Verification Mission to confirm allegations against the MILF of a breach of the Deed of Commitment (DOC) it has signed in 2000 and its revised version in 2002 stipulating its adherence to a total ban on victim-activated anti-personnel mines.

One would probably ask the question of why the AFP/GRP agreed to such an activity. And the answer is quite simple. First, the government believes and honors its commitments and obligations to the Mine Ban Treaty which we have signed in 1997 and ratified in 2000 and that we welcome collaboration with Civil Society. Second, the repeated landmine attacks to both government forces and civilians attributed to a Non-State Actor must be investigated in order to find out whether this Group has indeed violated their DOC. And third, it is hoped that the Mission will act as a deterrent and help minimize if not totally eradicate landmine attacks by NSAs in the area.

However, there were some concerns on the conduct of the mission. The AFPs fundamental concern was the security of the members of the Verification Mission. It should be noted that during these times, fighting still continued in the area and Kidnap for Ransom (KFR) Groups were also conducting their illegal activities in the area victimizing locals and foreigners. This would explain partly why it took some significant time before the Mission finally pushed through in November 2009. There were also concerns of whether the Non-State Armed Group would finally agree to the conduct of the Mission after everything has been laid out to them. Another area of apprehension is how the Geneva Call would be able to do its delicate balancing act of maintaining strict neutrality during the conduct of the Mission.

PREPARING FOR THE MISSION

Our difficult task of preparing for the mission focused on two fronts, finalizing the list of allegations and arranging the security cover for the Team. We took the initial list to our various field and operating units and did our own internal verification and after considering the security situation, available evidences, and accessibility of the area, finally came up with three incidents:

1. 19 Aug '08/ Bgy Dungoan, Aleosan, North Cotabato
2. 12 Oct '08/ Brgy Kukanalipao, Mamasapano, Maguindanao
3. 17th October '08/Brgy Kitango, Datu Saudi Ampatuan, Maguindanao

The AFP also did the complex undertaking of balancing a security cover for the Mission Team without jeopardizing the latter's neutrality and not stepping on the toes of the non-state actor in the process. Can you imagine the ramification of losing any of our distinguished Mission Team members to kidnappers in the area or them getting hurt during the mission? That would have been a disaster of gargantuan proportions. Not to mention Katherine and Elisabeth coughing up millions of dollars for Chris' release.

THE MISSION

After months of preparations and some potential show stoppers, we finally made it to Mindanao for the Verification Mission in November 2009. Details of the Mission are well documented by Geneva Call in its 2009 Report launched in Manila on 01 July 2010, so I will not go into its particulars. It was definitely a success otherwise we won't be here this afternoon doing this fruitful discussion. It was just unfortunate that a gruesome incident occurred in the area during the later part of the mission. I believe that by now you are aware of the infamous Maguindanao Massacre that claimed the lives of 58 civilian men and women in the area. My team was crisscrossing that same district where they were abducted by armed men but was fortunate to have better timing that avoided the incident.

LOOKING BACK

It was a mission accomplished. It was planned and executed well. The Team was able to do verification on the incidents that have been recommended and agreed upon by both parties and more importantly, the safety and security of the Team and its support personnel were ensured. The success of this Mission could be attributed to the following:

1. Crafting of a good plan.
2. Acquiring cooperation of all parties concerned.
3. Maintaining a good balance between neutrality and doing one's job.

For these reasons, I commend Geneva Call (Mr. Chris Rush, Professor Eric David and Mr. Phil Halford) for a job very well done.

The AFP, for its part, kept its end of the deal by providing technical information, including devices/remnants recovered, reports and photographs, in respect of relevant incidents; by allowing for the inspection of relevant locations, including the sites of alleged mine use; by facilitating interviews with victims and witnesses and relevant GRP/AFP personnel and by providing other documentary evidence considered relevant to the enquiries and at the same time keeping the Mission Team safe, secured and out of harm's way.

With these actions, I would also like to laud the invaluable efforts exerted by the Office of the Deputy Chief of Staff for Plans, J5, Office of the Deputy Chief of Staff for Intelligence, J2 and the Office of the Deputy Chief of Staff for Civil-Military Operations, J7, all of the AFP General Headquarters as well as the 6th Infantry Division of the Philippine Army and its subordinate units – the 40th Infantry Battalion, 75th Infantry Battalion, the 60th Infantry Battalion and the 63rd EOD Team who are currently still in the area maintaining peace and security. Without their concerted efforts, the AFP would not have been able to deliver the goods.

ROOM FOR IMPROVEMENT

As in any endeavor, we always seek for ways to better our performance next time. Although personally, I would prefer that there would no longer be a need for such missions in the future – translated as no more violations of the DOC, I could only wish for this for now. Ideally, we should see the following improvement:

1. Better preservation of evidences and documentation of landmine incidents through enhanced troop information and education and more formal trainings on landmine detection and counter-measures and post blast investigation report procedures.
2. More landmine security awareness programs for the civilian populace in the areas of conflict.
3. Better information dissemination and implementation of the DOC by the NSA to its subordinates.
4. Quick verification response after a swift processing of allegations of violations.

Finally before I close, allow me to thank Ms Elisabeth Decrey Warner of Geneva Call and Ambassador Jurg Lauber, Permanent Representative of Switzerland to the Conference of Disarmament for inviting me to this panel discussion. I also wish to acknowledge the support expended to me by the Philippine Permanent Mission to Geneva with special mention to Minister Gary Domingo. I hope that

you have found some value to what I have shared with you today. This surely is one cherished experience for me. And the change of temperature from 32C to -5C truly made it unforgettable as well.

Thank you very much and a pleasant day to all.