

MISSING PEACE



*Protecting life, well being & dignity:
Promoting the **Human Security**
of uprooted people in the ASEAN region*

a MUCH NEEDED PIECE



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Community and Family Services International (CFSI) is a humanitarian organization committed to peace and social development, with a particular interest in the psychosocial dimension. The mission of CFSI is to vigorously protect and promote human security, specifically the lives, well being, and dignity of people uprooted by persecution, armed conflict, disasters, and other exceptionally difficult circumstances.

Established in 1981 and based in the Philippines, CFSI has worked closely with the international community as well as national and local authorities responsible for uprooted persons in many of the countries of the Asia and Pacific Region, especially South East Asia. In addition, CFSI has carried out special training efforts in various parts of the world for humanitarian workers, social services personnel, and human rights specialists.

Now celebrating its 25th Anniversary Year, the vision of CFSI is diverse people living together in dignity, peace, and harmony.

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ASEAN Consultation Workshop Summary

The Eminent Persons Group (EPG) of the Association of South East Asian Nations (ASEAN) is currently engaged in a historic effort to draft the ASEAN Charter, perhaps the most significant development for the ASEAN since its establishment in 1967. In a major departure from the past, when ASEAN affairs were discussed and decided mainly among governments, some of the members of this group of distinguished and well-respected citizens of ASEAN member nations, have sought the participation of civil society, and held numerous consultations with civil society organizations in the region on a wide variety of subjects. This is particularly so in the Philippines where the effort has been led by EPG Member, former Philippine President Fidel V. Ramos.

It was in this context that Community and Family Services International (CFSI), the United Nations High Commissioner for Refugees (UNHCR), and the Philippine Government's Department of Foreign Affairs (DFA) joined forces to host a consultation workshop on "Protecting Life, Well Being, and Dignity: Promoting the Human Security of Uprooted People in the ASEAN Region". The workshop was held in Manila on 19 September 2006 and succeeded in bringing together more than sixty participants of national and international repute, including academics, policymakers, social activists, representatives from national and international NGOs and various donor agencies. The workshop sought to:

- Highlight the present situation of uprooted people in the region;
- Formulate plans and recommendations for better protecting and promoting the human security of such people over the course of the next three to five years; and
- Establish or strengthen existing regional networks for humanitarian action and development cooperation on behalf of uprooted people in the region.

The recommendations arising from this Consultation Workshop were presented to Madame Sadako Ogata - President of the Japan International Cooperation Agency (JICA) and former UN High Commissioner for Refugees - at CFSI's 25th Anniversary Dinner in Manila on 19 September 2006. These recommendations, listed below, reflect the need for a strong commitment in the ASEAN Charter to human security in general and the protection of the rights of uprooted persons in particular.

- Advocate that the ASEAN Charter includes a firm commitment to protect and promote the human security of uprooted people in the region taking into account relevant international instruments and norms.
- Engage Member States of ASEAN to accede to international instruments that protect the rights of uprooted people and to implement appropriate legislative measures.
- Encourage Member States of ASEAN to undertake technical cooperation activities to promote the human security of uprooted people.
- Urge Member States of ASEAN to develop capacities at the national, sub-national and local levels through participatory processes that will effectively address the human security concerns of uprooted people, cognizant and respectful of gender, age, ethnicity, and religion.
- Encourage Member States of ASEAN to institute measures to prevent and mitigate the impact of threats to human security in consultation with all stakeholders, including civil society and the active participation of local communities.
- Engage bilateral, multilateral, and international organizations, including international finance institutions, to provide necessary technical and financial assistance to strengthen the institutional capacities of member states in order to promote the human security of uprooted people.

A. Background

Human security – specifically, the protection and promotion of life, well being, and dignity – is a subject of growing interest within, and amongst, the ten countries that comprise the Association of South East Asian Nations (ASEAN)* as well as neighbouring states, such as Timor Leste, Australia, New Zealand, and Japan. Three major human security issues are of particular interest to the region.

1. Refugees

Each of these states has, within recent years, produced refugees, provided asylum for refugees, allowed refugees to repatriate, and/or funded organizations or activities established to protect and assist refugees. In addition, there are stateless persons in need of protection and assistance in some of the ASEAN states.

2. Internally Displaced Persons

Many of these states have been, or currently are, challenged by armed conflict and other forms of violence within their borders resulting in large numbers of internally displaced persons. Often, these situations have cross-border implications.

3. Disaster Survivors

Natural disasters, including the devastating tsunami that hit the region on 26 December 2004, have uprooted tens of thousands of children, women, and men in many of these countries in recent years. Included amongst those directly affected by disasters are refugees and persons displaced by armed conflict and other forms of violence.

* The members of the ASEAN include:
(1) Brunei Darussalam, (2) Cambodia,
(3) Indonesia, (4) Laos, (5) Malaysia,
(6) Myanmar, (7) Philippines,
(8) Singapore, (9) Thailand,
and (10) Viet Nam.

The ongoing efforts of the *ASEAN Eminent Persons Group* (EPG) to draft an ASEAN Charter and the holding of the ASEAN Summit in Cebu, Philippines in December 2006—which will include an opportunity for civil society organizations to be heard—are unique opportunities to advance human security in general and, in particular, the situation of uprooted people. It was in this context that Community and Family Services International (CFSI), the United Nations High Commissioner for Refugees (UNHCR), and the Philippine Government’s Department of Foreign Affairs (DFA) joined forces to host a consultation workshop on *“Protecting Life, Well Being, and Dignity: Promoting the Human Security of Uprooted People in the ASEAN Region”*. The workshop provided a platform for stakeholders to discuss – across national and sectoral borders – the situation of uprooted people in the region and bring their concerns to the attention of policymakers. The consultation workshop was held on 19 September 2006 and succeeded in bringing together more than sixty participants of national and international repute,

including academics, policymakers, social activists, representatives from national and international NGOs and various donor agencies.

The workshop sought to:

- Highlight the present situation of uprooted people in the region;
- Formulate plans and recommendations for better protecting and promoting the human security of such people over the course of the next three to five years; and
- Establish or strengthen existing regional networks for humanitarian action and development cooperation on behalf of uprooted people in the region.



B. Summary of Presentations

Jaime Galvez Tan (Chairperson, CFSI Board of Trustees) welcomed the participants to the Consultation Workshop and underscored the importance of protecting and promoting the rights and well being of uprooted persons. He introduced Former Philippine President Fidel V. Ramos, the Philippine Member of the ASEAN Eminent Persons Group (EPG), who congratulated the organizers of the workshop and provided opening remarks.

President Ramos explained the need for the ASEAN Charter and provided an update on the work of the EPG, as well as expected future directions. He emphasized the importance of promoting human security in the region and drew attention to some of his recent advocacy efforts in this regard. President Ramos also encouraged greater civil society participation towards human security in the region.

In her keynote address on the **“Costs of Displacement”**, *Professor Solita Monsod* (Chair of the Philippine Human Development Network) traced the emergence of the concept of human security and noted that it broadens the concept of security to include several non-traditional security threats such as: involuntary movements of populations across borders, trafficking, natural disasters, and the spread of diseases such as SARS and avian influenza. She noted that the ASEAN countries have witnessed significant uprooting of people in different parts of the region due to armed conflict or natural disasters. Professor Monsod then drew attention to the costs of armed conflict in the Philippines. Besides the direct costs amounting to a loss of 100-150 million USD annually from 1970 to 2001, the indirect economic costs, including foregone investment, are estimated at 200 million USD per annum. In addition to this are the non-monetary costs in terms of loss of lives and internal displacement, and innumerable ecological, social, cultural and spiritual costs.

Despite forced displacement being a serious problem in the region, there has been a marked absence of regional efforts to address the problem, since the ASEAN traditionally did not take positions on internal conflicts on the grounds that it would constitute an infringement of state sovereignty. However, with the emergence of the human security concept, governments in the region have begun to appreciate both the need and value of integrated approaches to regional security.

The UNHCR Deputy Regional Representative, *Henrik Nordentoft*, who spoke specifically on *”Refugees and IDPs”*, noted that the region has not witnessed abrupt, large-scale movements of refugees in the last decade, the major exception being the movement of 250,000 East Timorese into Indonesia following the vote on independence in August 1999. In fact, the nature and pattern of refugee movements have changed from large-scale movements of people from neighboring countries, to the arrival of smaller groups and individuals, some from countries and regions much farther away. Refugee movements now constitute only 5% of the overall migration movements taking place. A significant proportion of such movements are undertaken with the assistance of traffickers and human smugglers.

These new developments have added to the difficulties faced by governments in managing these issues. In the ASEAN region, only two of the ten member countries have ratified the 1951 Convention relating to the status of refugees that sets out the basic framework for refugee protection. Most ASEAN countries have not developed specific national legislation that addresses the complex issues posed by the arrival of asylum-seekers and refugees. In the absence of enabling legislations and regulations, law enforcement agencies use a combination of ad-hoc and informal approaches, usually as exceptions to the general immigration rules, when dealing with refugee or asylum issues. In the process, human security issues are given little or no consideration and asylum seekers and refugees tend to be pushed to a bleak existence at the very fringes of society.

Mr. Nordentoft suggested the following measures be instituted by governments in the region to improve the human security of their refugee populations:

- Accede to the 1951 Convention on the Status of Refugees;
- Establish entry management systems to deal with mixed population movements that would safeguard borders without jeopardizing the human security aspects of the forcibly displaced; and
- Establish, in collaboration with Civil Society Organizations (CSO), procedures and training for personnel involved, to undertake profiling and needs assessment of those seeking protection.

On the question of IDPs, Mr. Nordentoft noted that their situation is very similar to that of refugees in many ways. However, since there is no international organization with a mandate for IDPs, there is no automatic advocacy on their behalf. He recommended that Governments develop policies using the Guiding Principles on Internal Displacement drawn up by the Special Representative of the Secretary General, and also draw on international best practice.

Is forced displacement a gendered phenomenon?

How does it affect the lives of women and girls? These were some of the questions addressed by

Patricia Licuanan (President, Miriam College, Manila, Philippines) who spoke on

“Gender Perspectives in Promoting the Human Security of Uprooted People”.

In displaced populations, women and girls are at risk of having their rights, safety and well being seriously compromised. They are at risk of sexual and gender-based violence, persecution, social exclusion, detention, extreme poverty, forced repatriation, and several other potentially life threatening situations. These risks may be present throughout the cycle of displacement – pre-flight or in their home countries, during flight, in the country of asylum, or upon return or resettlement.

Displacement also significantly undermines women’s reproductive health status, thereby increasing their vulnerability. The UNHCR acknowledges the seriousness of the threat to displaced women’s human security and has taken some basic measures to mitigate the risks. Ensuring separate registration of women and providing them separate documents, ensuring women’s inclusion in camp management committees and in the distribution of relief goods are examples of such measures.

However, there is a lot more that needs to be done to ensure that the human security of displaced women and girls is not compromised. Among those recommended by Dr. Licuanan are:

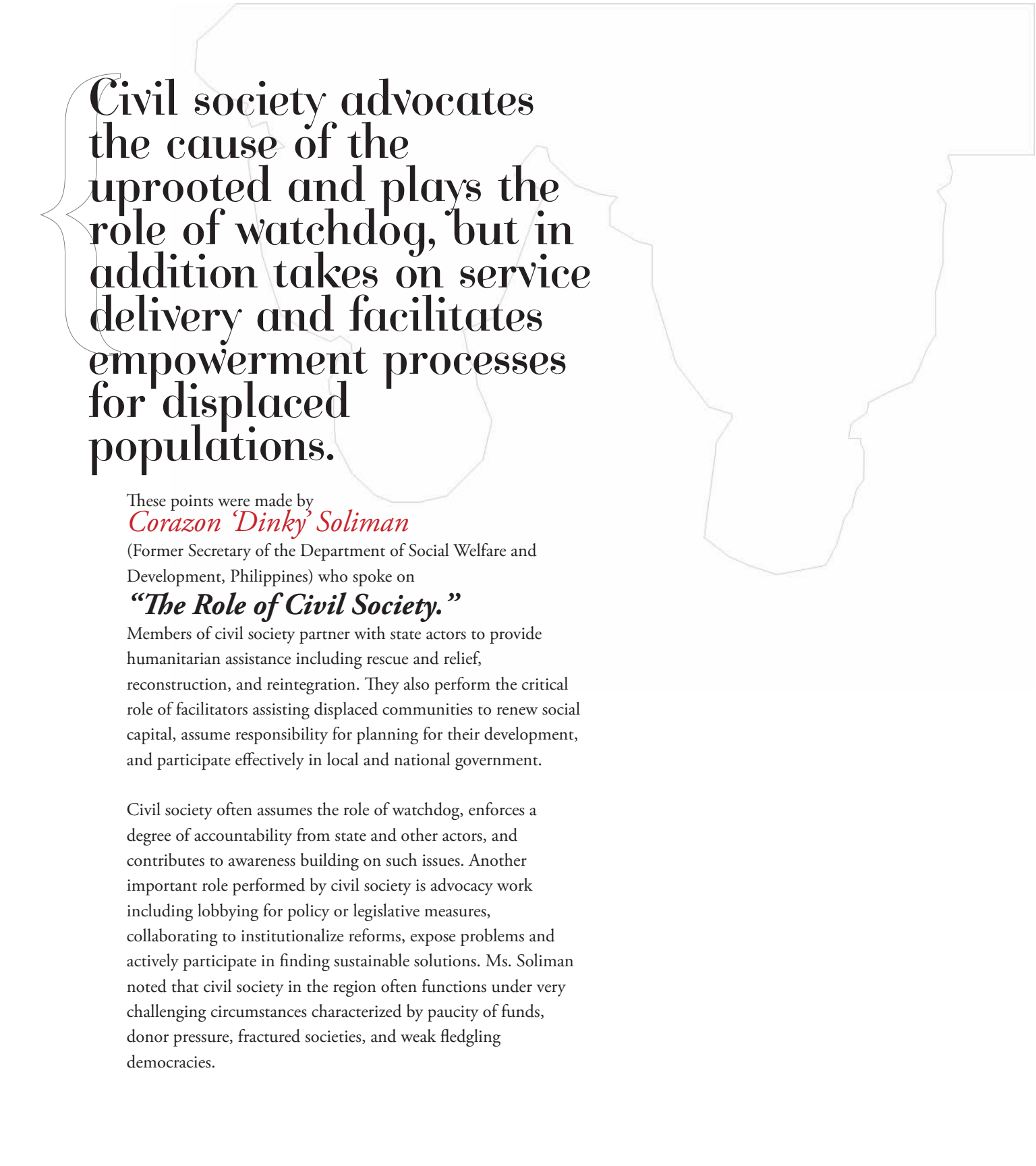
- Adherence to the Guiding Principles on Internal Displacement and their incorporation into national laws;
- Amending asylum policies to take into consideration sexual and gender-based political persecution;
- Training of law enforcement personnel so that they become aware of the problems faced by displaced women and girls;
- Involving women in all aspects of repatriation or resettlement planning and implementation and in managing refugee/IDP camps and in relief distribution; and
- Providing for reproductive health care and trauma care and counseling.

The media has an important role to play in drawing attention to humanitarian crisis

such as forced displacement, asserted *Rina-Jimenez David* (Columnist, Philippine Daily Inquirer) who spoke on the **“Role of Media in Promoting Human Security.”** Both print and visual media are powerful vehicles that convey the experiences of the affected people more effectively than an official report can ever do. Media thus has the capacity to define what constitutes a crisis through the coverage it provides and to raise the level of the response to displacement by state as well as non-state

actors. By the frequency and intensity of reporting on such crises, media often influences public opinion and policy responses and also performs the function of watchdog. In some instances media reports have unintended negative consequences against asylum seekers or refugees. Media representatives also share the same risks as the people they write about and therefore are as vulnerable. Above all, the media records humanitarian crises as they unfold and does not let the world forget the cause of the displaced people.





Civil society advocates the cause of the uprooted and plays the role of watchdog, but in addition takes on service delivery and facilitates empowerment processes for displaced populations.

These points were made by
Corazon 'Dinky' Soliman

(Former Secretary of the Department of Social Welfare and Development, Philippines) who spoke on

“The Role of Civil Society.”

Members of civil society partner with state actors to provide humanitarian assistance including rescue and relief, reconstruction, and reintegration. They also perform the critical role of facilitators assisting displaced communities to renew social capital, assume responsibility for planning for their development, and participate effectively in local and national government.

Civil society often assumes the role of watchdog, enforces a degree of accountability from state and other actors, and contributes to awareness building on such issues. Another important role performed by civil society is advocacy work including lobbying for policy or legislative measures, collaborating to institutionalize reforms, expose problems and actively participate in finding sustainable solutions. Ms. Soliman noted that civil society in the region often functions under very challenging circumstances characterized by paucity of funds, donor pressure, fractured societies, and weak fledgling democracies.

Noraida Abdullah Karim

(Officer-in-Charge of CFSI Operations in Mindanao) recounted the harrowing experiences she went through as an ***internally displaced person*** (IDP), over repeated displacements brought about by protracted armed conflict in Mindanao, southern Philippines. Using her own experience she underscored the challenges that displacement brings to bear on young people, including the sudden loss of home and everything that is familiar, the miseries of life in evacuation centers, hunger, poverty, overwhelming insecurity, truncated schooling, and above all the crushing realization that there is nothing to look forward to.

In such circumstances young people feel neglected, marginalized and betrayed.

They fall easy prey to drug pushers and other criminal elements. Armed with a ferocious determination to overcome her circumstances, Noraida managed to complete her schooling and went on to graduate from college. She is now a registered social worker and a senior member of CFSI's staff in Mindanao, working full-time for the last six years to ensure a decent future for displaced people.



c. Discussions

The presentations were followed by discussions in three

'breakout groups' that focused on identifying the relevant issues and needs at the community, national, and regional levels. The groups were also tasked with formulating measures to address the identified issues and needs. Each group had a different set of questions to help frame the discussions, a facilitator, and rapporteurs.

After their discussions, each of the groups then presented their findings and recommendations in plenary. The presentations were discussed, issues clarified, and the common themes identified.

Drawing on these outputs, a small group then drafted over-arching recommendations for consideration by all participants. After clarifications and some refinements, consensus was achieved and the recommendations were adopted.



D. Recommendations

The recommendations that emerged from the Consultation Workshop are:

- Advocate that the ASEAN Charter includes a firm commitment to protect and promote the human security of uprooted people in the region taking into account relevant international instruments and norms.
- Engage Member States of ASEAN to accede to international instruments that protect the rights of uprooted people and to implement appropriate legislative measures.
- Encourage Member States of ASEAN to undertake technical cooperation activities to promote the human security of uprooted people.
- Urge Member States of ASEAN to develop capacities at the national, sub-national and local levels through participatory processes that will effectively address the human security concerns of uprooted people, cognizant and respectful of gender, age, ethnicity, and religion.
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