

As I sat on the pew behind comedian Jon Santos and in front of Richard Gomez, witnessing the exchange of vows between Sen. Mar Roxas and broadcaster Korina Sanchez at the Santo Domingo

Church

, I received a text message. (Like most in the church, we could not cut the umbilical cord of the mobile phone but kept it on silent mode).

The urgent message was from Carol Arguillas, editor in chief of *Mindanews*, asking for comments on a new development: the Philippine government and the Moro Islamic Liberation Front (MILF) had signed in

Kuala Lumpur

a new document ensuring the protection of civilians in armed conflict areas in

Mindanao

It seemed fitting to receive such a message as I was witnessing vice presidentiable Mar's wedding. I thought: if only he had not demonized the memorandum of agreement on ancestral domain (MOA-AD) with references like "rape of our nation" or "dismemberment of the state"!

Newly-appointed Presidential Adviser on the Peace Process Annabelle Abaya was very pleased with the signing of Agreement on the Civilian Protection Component of the International Monitoring Team. It is a strong block for Secretary Abaya to continue peace building with. The agreements, inked on the heels of the devastating consequences of the non-signing of the MOA-AD, included the Suspension of Military Operations and Suspension of Military Activities and the agreement on the formation of the International Contact Group.

The Government of the Republic of the Philippines-MILF agreement for civilian protection, welcomed by most civil society groups in Mindanao, "reconfirms their obligations under humanitarian law and human rights law to take constant care to protect the civilian population and civilian properties against the dangers arising in armed conflict situations." Further, the GRP

and the MILF also agree to:

1. Refrain from intentionally targeting or attacking non-combatants, prevent suffering of the civilian population and avoid acts that would cause collateral damage to civilians;
2. Refrain from targeting or intentionally attacking civilian properties or facilities such as schools, hospitals, religious premises, health and food distribution centers, or relief operations or objects or facilities indispensable to the survival of the civilian population and of a civilian nature;
3. Take all necessary actions to facilitate the provision of relief supplies to affected communities;

4. Take all precautions feasible to avoid incidental loss of civilian life, injury to civilians, and danger to civilian objects;
5. Ensure that all protective and relief actions shall be undertaken in a purely nondiscriminatory basis covering all affected communities.

The responsibility for civilian protection has been placed under the International Monitoring Team (Article 2). This will be part of the Terms of Reference of the IMT to be negotiated when the Parties formally resume their peace talks.

The Philippine Council for Islam and Democracy welcomes the Agreement on the Civilian Protection Component of the International Monitoring Team. It hopes that its implementation will not fall prey to the lack of political and moral credibility of this administration whose record on peace inspires very low expectations.

The agreement was signed by Undersecretary Rafael Seguis, chief government negotiator and his MILF counterpart, Mohagher Iqbal, in Kuala Lumpur, Malaysia. Datuk Othman bin Abdul Razak of Malaysia facilitated.

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The Concept of the "Responsibility to Protect"

In a previous column (June 28, 2009), I wrote about the concept of the "Responsibility to Protect" (R2P). The term was first presented in the report of the International Commission on Intervention and State Sovereignty (ICISS) in December 2001. The ICISS had been formed in response to Kofi Annan's question of when the international community must intervene for human protection purposes. That report reinterprets the concept of state sovereignty to include its primary responsibility for the protection of its people. "The idea that sovereign states have a responsibility to protect their own citizens from avoidable catastrophe—from mass murder and rape, from starvation—but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states."

The State's responsibility to protect embraces three specific responsibilities: the responsibility to prevent monstrous crimes; the responsibility to react to situations of compelling human need with appropriate measures, which may include coercive measures like sanctions and international prosecution, and in extreme cases military intervention; and the responsibility to rebuild post-conflict both physical and human infrastructure.

Will the principles of R2P find support in the Philippines now that the Philippine government and the MILF have signed a new document ensuring the protection of civilians in armed conflict areas in Mindanao?

Reworking the Definition of State Sovereignty

We from the PCID are particularly interested in R2P's reworking of the definition of state sovereignty away from its traditional notion of protecting the interest of the state. Sovereignty is to be reinterpreted as implying responsibility of the state to its own people, that the primary responsibility for the protection of its people lies with the state itself. Should the state violate the responsibility, the international community is obligated to intervene.

It is quite interesting to know if R2P will be relevant to this agreement for the protection of civilians. More significantly, I wonder, amidst the political circus that surrounds the upcoming elections, how the prospective candidates for president stand on R2P?

Oh, by the way, my reply to Carol's text message: "Since I have very low expectations, I am very happy with the agreement."

And finally they kissed! # # #

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