



# NDCP POLICY BRIEF

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## Managing the Sabah Crisis:

Focus on the Evacuation of Filipinos from the Embattled Zone\*

### Background of the Problem

The aftermath of the bloody confrontation in Sabah between the Malaysian Armed Forces (MAF) and the army of the Sultanate of Sulu in March 2013 has left the contested state grappling with a crisis of alleged human rights violations against Filipinos caught in the crossfires. On 30 March 2013, about 72 Filipinos were reported to have died in military operations unleashed by the MAF, following a three week standoff with the self proclaimed Royal Army of Filipino Sultan Jamalul Kiram III.

As a result of what had appeared as an overkill against Kiram's armed followers, some survivors of his subjugated army managed to make their way back to Philippine shores, while others were caught. As of 03 April 2013, sixteen (16) of them have been charged with launching terroristic acts under Section 130A of the Penal Code of Malaysia, and of waging war against King Abdul Halim under Section 121 of the Code.

With the manhunt of the Sultanate army's remnants in Sabah, serious illegal inspection and detention of Filipinos, including locals of Philippine descent, were reportedly undertaken by Malaysian government troops. Stories of maltreatment and excessive use of force on Filipinos living and working in Sabah raised international alarm, prompting the United Nations to intervene and look into how Malaysian authorities handle Filipinos in Sabah.

Meanwhile, the Philippine government through the Department of Foreign Affairs (DFA) started to make representation with Kuala Lumpur to ensure that Filipino civilians are protected in the area, and those affected by violence are given emergency assistance. The Philippine government also asked that alleged violations of human rights be investigated and Filipinos be evacuated from the embattled area.

Accordingly, concerned government agencies in the Philippines came out with their respective contingency plans to facilitate the influx of Filipino evacuees from Sabah. These agencies include: the local government of Tawi-Tawi and the Autonomous Region of Muslim Mindanao (ARMM); along with the Department of Social Welfare and Development (DSWD), Department of Health (DOH), and, the Department of National Defense (DND) through Office of Civil Defense (OCD) and Armed Forces of the Philippines (AFP).

The Philippine government activated the National Crisis Management Committee (NCMC) on 01 March 2013 to oversee the proper and orderly evacuation of Filipinos from Sabah. The DSWD informed that it had assisted a total of 2,631 Filipino evacuees from Sabah from March 5 to 17, 2013. The Crisis Management Committee (CMC) in Taganak, Tawi-Tawi, on the other hand, reported to have assisted 2,951 adults and 2,107 children, and to continue processing more than 600 evacuees, as of 3 April 2013.

\* This policy brief was prepared by Clarence Anthony P Dugenia with Ananda Devi D Almase, DPA as Editor.

A “One-Stop-Shop” program to assist the evacuees was launched in Taganak, Tawi-Tawi by the national government through the joint operations of DSWD, Department of Foreign Affairs (DFA), Department of Labor and Employment (DOLE), Technical Education and Skills Development Authority (TESDA), and the Bureau of Immigration (BI). The said program provides the evacuees with psychological counseling, issuance of legal documents, skills training, livelihood, and shelter assistance. The DSWD, in collaboration with the DFA, established humanitarian and welfare desk to complement the Rapid Response Teams (RRTs) in Sabah. The CMC in BaSulTa also set-up six (6) processing centers in Bongao, Tawi-tawi, following reports that 100,000 more Filipinos in Sabah would flee to the Philippines by May 2013.

### **Policy Issues and Concerns**

The activation of the National Crisis Management Committee (NCMC) under the Office of the Executive Secretary aims to ensure the orderly evacuation of Filipino nationals from Lahad Datu, Sabah. The activations of two CMCs and two Incident Command Systems (ICS)--one in Kuala Lumpur and the other in BaSulTa Region in the Southern Philippines--are crucial to synchronize efforts during the evacuation. The effectiveness of the CMC will be gauged on how well the evacuation of affected Filipinos in Sabah is conducted with zero or minimum casualties. Timely coordination and exchange of information of the Chief CMC and ICS Commander with national and local government authorities shall also serve as indicators of effectiveness.

The NCMC is a newly-created policy framework that shall coordinate efforts of all government agencies in dealing with emerging threats and existing crises of varying degrees. The Sabah crisis can be said to be a test of the NCMC capability to manage a complex crisis with mass evacuation of Filipinos from a beleaguered state offshore. It must be noted that prior to the crisis, the NCMC has never been used in actual situation. Given this condition, issues may arise

on the effectiveness of the new policy mechanism, calling for a thorough evaluation of its success and plausible weaknesses.

One of the policy issues that arise pertains to the huge amount of resources needed to attend to immediate needs of the evacuees, especially children, elderly, and the sick. The Department of Budget and Management (DBM) released P13 Million to augment the resources provided for by DSWD, DOLE, DOH, and DFA. The question, however, is how government can sustain budgetary support to evacuate an increasing number of Filipinos from Sabah. Moreover, their return to the Philippines entails government provisions of basic social services, housing, and livelihood opportunities. To note, there are about 800,000 Filipinos who live and work in Sabah, a significant number of whom might be displaced by the ongoing crisis.

Participating agencies in crisis management must have standard coordinating protocols to prevent duplication of efforts, and avoid waste of time and resources. Aside from the efforts of national government agencies, the ARMM and other local government units undertake their own programs of action to assist Filipino evacuees. For instance, Task Force “Tabang BASULTA” oversees welfare of evacuees, and provides legal assistance through the ARMM Provincial Prosecutors and the Commission on Human Rights in Sabah.

There is also a need to strengthen joint-task forces or inter-agency collaboration between and among government organizations to maximize resources and capabilities in managing the crisis in Sabah. In inter-agency collaboration, various national government agencies will have to work in harmony to attain strategic response, manage reliable information, and allocate ample resources. Complex crisis requires complex responses, often involving multiple agencies and authorities acting in concert with one other. Coordination is the key to achieve unity among interconnected agencies, tasks, and activities.

Providing timely public information is also critical for effective evacuation efforts. The public, especially concerned family members in the Philippines, must be duly informed of the nature of the crisis, its effects, and ongoing actions by government to address the problem. Crucial to this is the plausible generation of invalid and unreliable information which could result in panic and ill-advised government responses. Identification of a spokesperson that provides timely and reliable information is essential in crisis management.

In reporting the Sabah crisis, an official spokesperson was not identified by the national government. Because of this, heads of agencies made their own public announcements of their respective courses of action, generating differing views without an official national position. It would be much helpful if heads of agencies were to coordinate and designate their spokesperson during press conferences in order to eliminate misinformation and confusion.

In crisis situations, concerned individuals are emotional and eager to get information on the welfare of their families and relatives. Proper handling of information is thus crucial to mitigate the risk of making exaggerations, speculations, as well as unrealistic expectations that would only create frustrations and more harm.

## **Policy Options**

In managing the Sabah crisis, particularly the evacuation of Filipinos from the embattled zone, three (3) varying courses of action are forwarded in this policy commentary. The options include the following: (1) local government jurisdiction; (2) inter-agency collaboration; and, (3) whole-of-nation approach.

For the first course of action, the national government can delegate to the ARMM the evacuation of Filipinos from Sabah to Mindanao. The ARMM will handle the evacuation response since most of the evacuees are from the BaSulTa region. Local government units (LGUs) also have

the ease to identify and process the evacuees. However, LGUs work against limited budgetary allocations and lack of technical experts, particularly those that can provide psycho-social evaluation to the evacuees. Given these conditions, the sustainability of local government programs are at stake. The management of the crisis in Sabah is one such case that cannot be fully delegated to LGUs if government wants to ensure effectiveness of evacuation efforts from another country.

The second policy option is inter-agency collaborative response. In a post-modern world where crises and risks are getting complex, addressing these by a single agency is not sufficient. Among others, limited resources and manpower can be resolved through inter-agency collaboration. In the evacuation of Filipinos from Sabah, the LGUs of BaSulTa and the ARMM cannot handle the situation in the long run because of insufficient capacities. It would be more effective and efficient if the national government were to participate in evacuation efforts. Nevertheless, having multiple agencies that work together but do not act in sync would pose bigger problems in terms of duplication of responses and uncoordinated decisions.

The NCMC framework requires unity of effort through policy actions that respect the chain of command, transcend parochial interests, and integrate jurisdictional areas to achieve common objectives. For instance, the operations to evacuate Filipinos in Sabah by LGUs BaSulTa and ARMM must be complemented by national agencies through provisions of support services. One good example of these is the establishment of the “One-Stop-Shop Processing Center” that provides psycho-social interventions, legal documentations, skills training, livelihood opportunities, and shelter assistance. These services cannot readily be provided by LGUs without help from the central government. The NCMC framework provides guidelines on how participating agencies will work and complement one another.

The third and most comprehensive course of action, which government must take the lead to facilitate, is the whole-of-nation-approach. It has been discussed that inter-agency collaborative response is more effective than having only one agency or department in charge of addressing the crisis. However, the participation of other stakeholders, such as private groups, non-government organizations (NGOs), and international bodies, will definitely bolster the efficiency, responsiveness, and accountability of crisis management by government.

The NCMC recognizes the crucial role of concerned citizens and institutions outside of government in crisis situations such as the mass evacuation of Filipinos from Sabah. The establishment of an ICS under the NCMC facilitates sharing of information and coordination of efforts among various stakeholders in a whole-of-nation approach. It provides a policy mechanism through which leaders at all levels communicate and engage all concerned in identifying problems, agreeing on solutions, and consolidating capabilities to manage crisis. Stakeholders' participation is critical in order to have a sense of ownership of response actions.

For instance, the Philippine Red Cross (PRC) and other volunteer medical organizations can work with the DOH and DSWD in providing evacuees with psycho-social advice, health services, and social welfare needs. The participation of NGOs in evacuation and relief efforts can also augment government resources and manpower demands. Business organizations, on the other hand, can lend their technical expertise and equipment such as telecommunication services by providing free calls and internet usage to evacuees and their respective families. Pharmaceutical companies can also provide medicines, vitamins, and other supplements to victims in Sabah.

## Policy Recommendation

Crisis situations, such as the aftermath of the siege in Sabah, call for a comprehensive approach by the Philippine government in collaboration with civil society and the private sector that undertake humanitarian aid. An overarching framework on crisis management response, thus, needs to be adopted by government through the whole-of-nation approach.

The possible evacuation of more than a hundred thousand Filipinos from Sabah would be a daunting task for the Philippine government to handle on its own. Continuous influx of Filipino evacuees would drain public resources in the long run, and take its toll on the national government. With this, the latter must explore the advantages of the whole-of-nation approach in addressing the plight of Filipinos in Sabah. The government should mobilize other stakeholders, aside from concerned LGUs and national agencies.

The practice of good governance synergizes the capabilities and competencies not just of public, private, and civil society, but also of international organizations as well. Significantly, the involvement of non-state actors enhances the commitments, capacities, and accountabilities of all concerned. If the whole-of-nation approach were adopted as a policy principle, crisis situations would be manageable and human security conditions achievable.

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