



Action Network Human Rights- Philippines

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ABS-CBNnews.com, 06.03.2012

Rights group welcomes Senate OK of OPCAT

MANILA, Philippines - Amnesty International on Tuesday welcomed the Philippine Senate's ratification of the Optional Protocol to the Convention Against Torture (OPCAT).

The OPCAT requires the government to actively prevent torture, said Amnesty International Philippines director Dr. Aurora Parong.

"Its ratification in the Philippines will bring positive changes not only in its systems but practices to curb the culture of impunity in the country," the human rights group said in a press statement.

The United Nations General Assembly adopted the OPCAT in 2002.

"Today is another good day for human rights in the Philippines. We commend the senators for ratifying OPCAT only half a year after the Rome Statute was concurred despite the ongoing Impeachment Trial at the Senate," Parong said. The Senate on Tuesday ratified OPCAT by adopting on third and final reading Senate Resolution No. 664. It was unanimously adopted with 22 affirmative votes, zero negative votes and zero abstention.

FIND, 07.03.2012

House Okays Bill against Enforced Disappearance on 2nd Reading

"Finally we are getting somewhere in our campaign to make the phenomenon of enforced disappearance a societal concern," sighs Joey Faustino, Secretary General of the Families of Victims of Involuntary Disappearance (FIND).

Last Monday, 05 March 2012, the House of Representatives approved on second reading House Bill No. 98, "An Act Defining and Penalizing Enforced or Involuntary Disappearance."

Former Minority House Leader and Honorary Chairperson of FIND, Cong. Edcel C. Lagman is the principal author of HB No. 98 which defines enforced or involuntary disappearance as the "arrest, detention, abduction, or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such person outside the protection of the law".

"We are elated over this development. Definitely, this is a something we have been expecting a long time ago, especially for the families who were victimized and their loved ones who are still missing to this day," said FIND Deputy-Secretary General, Ms. Wilma Q. Tizon when asked to comment on the news.

"Looking back, it was during the 10th Congress in 1996 when the first version of the proposed legislation --HB 8253 "An Act Penalizing Enforced or Involuntary Disappearance and for other Purposes was filed by Rep. Bonifacio Gillego and co-authored by Congressmen Gregorio Andolana and Edgar Lara. Since then,

The Philippine Star, 21.03.2012

House OKs whistle-blower bill on second reading

MANILA, Philippines - The House of Representatives has approved on second reading a measure providing protection, security and benefits to whistle-blowers in a bid to curtail graft and corruption in government.

House Bill 5715, to be known as the "Whistle-blower Protection, Security and Benefit Act of 2011," seeks to safeguard national interest through the prosecution of corrupt and erring public officials and employees and promote good governance.

The bill's author, Bayan Muna Rep. Teodoro Casiño, stressed the

Senator Loren Legarda said the move reaffirms the Philippines' commitment to promote and support basic human rights.

She said it will protect persons in detention from torture and abuse, as well as institute reforms in prisons.

"Harsh prison conditions, overcrowded jails, inadequate nutrition and medical attention for prisoners--that sums up the condition of our detention facilities today," she stressed.

She also called attention to the prisoners' meal and medical allowances which are hardly enough to cover their needs.

"As for allowance of an inmate's meals, the government provides P50 per inmate each day. The budget for medicines is a meager P3 per inmate per day," she said.

Under the treaty, the country is obliged to establish a national system of inspections of all places of detention, Legarda said.

"This will provide the impetus for the allocation of bigger resources to improve the country's detention facilities and hasten the adoption of more transparent processes with regard to the government's treatment of detained persons," she added.

we have been continuously pursuing of having a law that would protect us and hopefully put an end to enforced disappearance," she added.

House Bill No. 98 provides that the right against enforced disappearance is absolute and non-derogable under any circumstances including, political instability, threat of war, state of war or any public emergency.

The bill is comprehensive such that it covers penal sanctions ranging from arresto mayor to reclusion perpetua depending on the gravity of the offense. It considers enforced disappearance as continuing not until the whereabouts of the disappeared person have been determined with certainty.

It also provides compensation, restitution and rehabilitation of the victims and preventive suspension or summary dismissal of perpetrators including liability of commanding officers or equivalent senior officials for failure to prevent, discontinue or uncover enforced disappearance.

Six other national bills got the nod of the chamber on second reading and approved 21 national bills on third and final reading including 40 local measures and four House Joint Resolutions.

"This proves that House members are fully focused on their legislative duties. Credit goes to the collective leadership and the members of the majority as well as to the critical cooperation of the Minority. We continue to work silently but consistently," Speaker Feliciano Belmonte, Jr. said.

need for a law to protect whistle-blowers in order to encourage more people to come out in the open and denounce corrupt officials in the government.

Aurora Rep. Juan Edgardo Angara, also co-author of the measure, said the government needs a new institutional mechanism for integrity and accountability to eliminate scandals and restore credibility in public service.

Marikina City Rep. Marcelino Teodoro, another author of the bill, said the bill would provide sufficient protection to witness-



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es of misconduct who would likely experience retaliation from their superiors whom they have exposed.

The bill defines a whistle-blower as an informant or any person who has privileged or personal knowledge or access to data, events or information of any conduct constituting graft and corruption. It mandates the informant to be admitted into the Whistle-blower's Program of the Office of the Ombudsman in

accordance with rules and regulations of the Act.

The Office of the Ombudsman is granted additional powers and functions relative to implementation and enforcement.

The bill also mandates that a whistle-blower who has made the disclosure shall not be subject to any liability whether administrative, civil, criminal or other proceedings for making such disclosure or acts in relation thereto.

INQUIRER.net, 02.04.2012

Reward being considered by DoJ for capture of ex-Palawan governor Reyes

By Tetch Torres

MANILA, Philippines – Justice Secretary Leila de Lima on Monday said they are already looking into the possibility of offering a reward for the arrest of former Palawan Governor Joel Reyes, one of the accused in the death of journalist and environmentalist Gerry Ortega.

She said she will discuss the matter with Interior and Local Government Secretary Jesse Robredo.

"Within the week, if there is no new development, we can consider a reward system," de Lima said adding they believe that Reyes, like the former military general now fugitive Jovito Palparan, is still in the country.

Last week, the Palawan Regional Trial Court Branch 52 orders the arrest of Reyes, his brother incumbent Coron town Mayor Mario Reyes Jr., provincial government employees Arturo Regalado and Percival Lecias.

The police have already arrested former Palawan Provincial Administrator Romeo Seratubias.

The former governor issued a statement saying he will not surrender and insisted on his innocence. "If he believes in his innocence, he has to prove it in court. Hiding, under the rules and under the law, is indicative of guilt," de Lima told reporters.

GMA News, 13.03.2012

DOJ orders murder raps filed vs. Palawan former gov., 4 others in Ortega killing

By Mark Merueñas

The Department of Justice on Tuesday reversed its previous decision and ordered that murder charges be filed against Palawan former Governor Joel Reyes and four others for the killing of environmentalist and broadcaster Gerry Ortega.

Also ordered charged were former Palawan administrator Romeo Serraturubias, Reyes' son and incumbent Coron Mayor Mario Reyes, Arturo Regalado and Percival Lecias.

"After the reinvestigation and evaluation of the evidence adduced by both parties, the new panel arrived at the conclusion that the additional evidence offered by the complainant are relevant in appreciating other pieces of evidence previously submitted by the parties during the first preliminary investigation and that such additional evidence are sufficient to modify the initial findings of the previous panel," the DOJ said.

The murder case was ordered to be filed in the Regional Trial Court of Puerto Princesa City in Palawan.

The 28-page resolution was approved by Prosecutor General Claro Arellano. The panel is made up of Assistant State Prosecutor Stewart Allan Mariano, Assistant State Prosecutor Vimar Barcelano at Associate Prosecution Attorney Gerard Gaerlan.

Ortega, 47, was gunned down in Puerto Princesa in January 2011 after his radio program was aired. He was the main news anchor and commentator of Radyo Mo Nationwide's (RMN)'s Palawan station dWAR.

Reyes may have ordered the killing because of Ortega's vocal anti-mining advocacy, Ortega's wife claimed.

In a June 8, 2011 ruling, the Justice department dropped the murder charges against Reyes and the four others noting that evidence and testimonies available at that time were not enough to indict them.

Extra-judicial confession of Rodolfo Edrad Jr. earlier tagged Reyes as the mastermind in the Ortega killing. But the panel said that without independent pieces of evidence to support it, an extra-judicial confession was not admissible in court.

Justice Secretary Leila de Lima, however, ordered a reinvestigation of the case after the victim's widow, Dr. Patria Ortega, submitted additional evidence.

In Tuesday's resolution, only Marinduque Gov. Jose Antonio Carreon was spared from the charges due to insufficiency of evidence.

KARAPATAN, 19.03.2012

Father and two sons abducted in Samar, Eastern Visayas, Philippines

At around 7:00 in the evening of March 4, Artemio and Ruel Labong went to the nearby river to catch fish.

At almost midnight of March 4, a group of soldiers passed by the hut of the Labong family. Anecita and her two children, 12-year-old daughter and eight-year-old son, were inside. Two soldiers knocked at their door and loudly asked for village councilor Artemio.

Anecita tried to light a lamp but was told not to do so by one of the soldiers who pointed a rifle at her. One of the soldiers asked Anecita's daughter where her father is, to which she replied that her father was at the river nearby.

Two soldiers forced their way inside the nipa hut and began searching for the gun that they alleged Artemio owned. Despite

the young daughter's statements that her father does not own a gun, the soldiers continued their search.

The soldiers later headed towards the river where Artemio and Ruel were fishing for food for the family.

The Labongs' hut was overlooking the river which was less than five minutes away. The soldiers immediately got hold of Artemio, and brought him back to the house where he was interrogated by two soldiers. Meanwhile, Artemio's daughter last saw her brother Ruel being chased by soldiers through the rice field.

Artemio was punched on different parts of his body, manhandled by the soldiers and was made to kneel down at gunpoint. He was questioned about a gun which the soldiers alleged as owned by Artemio. The interrogation and beating was done in



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the presence of Artemio's young daughter who was crying and begging the soldiers not to hurt his father. The soldiers later took Artemio away.

Two days after the incident, Anecita went to Camp Lukban, headquarters of the 8th Infantry Division of the Philippine Army to search for her husband. But she was given the runaround by soldiers. She also sought the help of other village and municipal officials, and the police, but to no avail.

On March 12, Anecita received a letter handcarried by her brother-in-law, who said that soldiers went to his house in Ba-

rangay Paranas and ordered him to deliver the letter. The letter, signed in the name of Artemio, told Anecita to go to Camp Lukban, headquarters of the 8th Infantry Division of the Philippine Army.

The following day, March 13, soldiers also took Jeffrey, Artemio's 26 year old son, at a cockpit in the Paranas town proper. There are reports that Artemio accompanied the soldiers when Jeffrey was taken.

As of writing, Artemio, Ruel and Jeffrey have not yet been surfaced.

KALUMBAY Regional Lumad Organization, March 2012

Impunity no let-up: Another indigenous leader killed in San Fernando, Bukidnon

Jimmy Liguyon, the vice chairperson of Kasilo, an organization of the Matigsalug-Manobo of Bukidnon, was shot dead in front of his home on Monday, March 5 by Aldy "Butsoy" Salusad, a leader of a paramilitary group in the province.

Liguyon is also the Barangay Captain of Dao, San Fernando, Bukidnon. In October last year, he already received death threats from the group of Salusad. Salusad is the son of Ben 'Nonong' Salusad, appointed head of the tribal arms of the San Fernando Matigsalug Tribal Datus (SANMATRIDA) which has a Certificate of Ancestral Domain Title over 52,000 hectares in San Fernando, Bukidnon. The SANMATRIDA Multi-purpose Cooperative, chaired by Herman P. Estrella, has been enticing mining investors into their domain since it was instituted in 2009. The tribal datu of Barangay Dao under the SANMATRIDA is Aldy's uncle, Datu 'Manayab' Carillo Salusad.

Aldy Salusad, after killing Liguyon, shouted to the people who witnessed the act that Liguyon was killed because he would not recognize the SANMATRIDA claim and refused to sign any agreements that support it. He also threatened the people that those who would oppose their group would similarly be killed.

On October 28 last year, Liguyon and his wife were coming home from a human rights rally in Cagayan de Oro City, Dal-anay, were stopped by armed men and were marched them to a vacant house. There, Liguyon was ordered by Angge Dal-anay, another leader of the group, to stop joining rallies. Additionally, Dal-anay told him he should allow mining in Barangay Dao. Liguyon was steadfast in his anti-mining position, arguing that the people in Barangay Dao did not want it and he, as barangay captain, would not force them to it.

Before that, on October 16, Dal-anay's group also went to Liguyon's house looking for him. Liguyon wasn't there however. His family moved out of Dao after the incident. Also on October 13, Ben Salusad called Liguyon, who was then attending a seminar in Cagayan de Oro, and threatened him that should he go back to Dao, they would kill him.

The body of Brgy. Capt. Jimmy Liguyon will be carried in a funeral procession to the municipal center of San Fernando, Bukidnon after which a vigil will be held by Kasilo and other organizations supporting the community's fight against mining and the paramilitary group of the SANMATRIDA.

ACHR Press Release, 16.03.12

"Reverse prosecutor's resolution dismissing torture" AHRC asks DoJ

HONG KONG - Invoking public interest for the protection of Constitutional and Statutory rights, the Asian Human Rights Commission (AHRC) today has written to the Secretary of the Department of Justice (DoJ) asking them to reverse and resolve promptly a petition questioning the dismissal of the complaint of torture by five victims.

In his letter to DoJ Secretary Leila De Lima, AHRC executive director, Mr. Wong Kai Shing raised serious concerns that if the Resolution is "not reversed, any sort of remedy for victims complaining of torture in future would be inapplicable and meaningless".

Mr. Wong was referring to the Resolution dated July 21, 2011 of Maria Gracella Dela Paz - Malapit, prosecutor of San Fernando City, Pampanga, dismissing the charges for violation of Anti-torture Act of 2009 against P/Supt. Madzgani Mukaram and other police officers "be DISMISSED for insufficiency of evidence".

The complainants, Lenin Salas, Jose Gomez, Jerry Simbulan, Rodwin Tala and Daniel Navarro, filed charges on August 9, 2010, against P/Supt. Mukaram, commander of the Provincial Public Safety Office (formerly Regional Mobile Group) and other police officers whose names could not be immediately identified

at the time.

In her Resolution, Prosecutor Malapit admitted that "with the presence of the above-stated injuries of the complainants, there exists a probability that they were tortured"; however, she nevertheless dismissed the charges because "they did not have the opportunity to see him considering that they were blindfolded".

Her Resolution is the subject for Petition for Review filed by the complainants with the DoJ on December 8, 2011, which was opposed by the accused, P/Supt. Mukaram, in his Comment and Opposition dated January 23, 2012.

Mr. Wong urges the DoJ to use its authority to ensure protection of Constitutional and Statutory rights of freedom from torture by reversing the Resolution on these grounds: firstly, none of the parties involved challenged the existence of probable cause; secondly, the prosecutor usurped the power that should have been for the court. Here, the prosecutor acted beyond her role of determining probable cause in dismissing the complaint.

Mr. Wong further stated that unless the prosecutor's reasoning is not corrected, it "emboldens the perpetrators to create more sophisticated forms of torture without being identified and with the assurance of impunity".

The Philippine Star, 03.03.2012

Radioman survives ambush

By Cecille Suerte Felipe

MANILA, Philippines - A block-timer radio commentator was wounded after two men on a motorcycle waylaid him in Jaro,

Iloilo yesterday morning.

Fernando Gabio, 62, married, known as "Mr. Expose" on RMN, and resident of Barangay Democracia, Jaro, Iloilo City suffered a



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gunshot wound on the right leg, according to Police Officer 1 Raul Romero II of the Jaro police.

Reports said the incident took place at around 7 a.m. March 2 on Democracia St., Barangay Democracia, Jaro, Iloilo City.

Police said the two suspects repeatedly shot Gabio while he was

washing his vehicle. The suspects fled, police added. Gabio was taken to Iloilo Mission Hospital. Responding policemen recovered three empty shells of a caliber 45 pistol and three deformed slugs.

The Philippine Star, 14.03.12

Work-related angle not yet ruled out in attack on reporter

By Cecille Suerte Felipe

MANILA, Philippines - Investigators have yet to rule out the work-related angle in the attack against Daily Tribune reporter Fernan Angeles last Sunday in Pasig City.

Chief Superintendent Agrimero Cruz Jr., spokesman for the Philippine National Police (PNP), said that Task Force Usig, created to focus on media attacks, is still part of the investigation in the Angeles case.

"A special investigation task group is handling the investigation on the Angeles case, while Task Force Usig is supervising the ongoing probe. In fact, members of the Special Investigation and Task Group (SITG) and TF Usig held a case conference to determine the development in the investigation," Cruz said.

Cruz believed that more leads will be gathered to help in the early solution of the case because the area in Evangelista St. in Barangay Pinagbuhatan, Pasig where the attack happened was not an "isolated place" and several witnesses could have seen the incident.

The PNP spokesman, however, clarified that once the investigation indicates that the attack was not work-related and was an ordinary case of attempted murder, TF Usig will task the SITG to handle the case.

Cruz maintained that TF Usig has a batting average of 80 percent since it was created on May 13, 2006, amid killings of media practitioners in various parts of the country. The PNP created TF Usig to monitor and investigate the killings of media practitioners and members of militant/activist organizations.

Killings of media practitioners are considered an attack on press freedom.

For purposes of investigation, TF Usig backtracked to cases perpetrated since 2001 with a total of 41 cases. Of the 41 media practitioners slain under work-related circumstances, 33 (80 percent) cases were filed and 8 (20 percent) cases are under investigation. Out of the 33 cases filed, one incident was perpetrated by the Communist Party of the Philippines/New People's Army; another case involved a soldier as suspect; six cases involved six policemen, four of whom were detained. Three other cases involved three government officials, two of whom voluntarily surrendered; and 22 cases involved ordinary civilians as suspects.

On the status of the cases, 20 are currently on trial, 4 were archived, 4 were resolved with the suspects' conviction, 4 were dismissed and 1 is undergoing preliminary investigation at the Prosecutor's Office.

The Maguindanao incident, considered a case of multiple murder with 31 media workers killed, is also a TF USIG concern. However, a national investigation task force handled the probe.

The Philippine Star, 10.03.2012

NBI men tagged in new extort case

By Edu Punay

MANILA, Philippines - Two months after the dismissal of National Bureau of Investigation (NBI) director Magtanggol Gatdula, several agents of the bureau have been implicated anew in another case of kidnapping and extortion.

According to TF Usig, the years 2003 and 2004 registered the most number of slain media practitioners, with six incidents each. Last year, two cases were recorded.

Meanwhile, a son of a drug lord is being sought in the attack against Angeles. Soriano added that nobody from Barangay Pinagbuhatan, where Angeles was shot, expressed willingness to testify. "That's how powerful and influential Faisal's family is in the area. But we are doing our utmost to solve the case at the soonest possible time," he noted.

The acting EPD director also deployed two policemen to secure the room of Angeles in the hospital on a 24-hour basis to prevent Faisal and his gang from finishing him off.

Police investigators have also obtained clearance to have Angeles identify, once his condition becomes stable, names and photographs of the suspects.

National Capital Region Police Office (NCRPO) chief Director Alan Purisima earlier declared that the shooting of Angeles was not related to his job as journalist. Although the local police were pursuing the revenge angle, Soriano said they are also looking into other motives.

Malacañang assured the public yesterday that there would be no whitewash in the investigation on the attempt on the life of Angeles. "There will be no whitewash. This is something that has shocked all of us. This is something that is a point of grave concern and certainly we will not tolerate any whitewash on this incident," deputy presidential spokesperson Abigail Valte stressed.

Valte said a parallel investigation by the National Bureau of Investigation is not necessary at this point, as Angeles' wife is "already cooperating with law enforcement agencies."

"One point that we did raise is the concern of Mrs. Angeles, and it was conveyed to DILG Secretary Robredo who assured that the investigators will not be taking any sides or will not do anything that may influence the outcome of the investigation," she reiterated.

"For now, we should let the investigation push through. We are monitoring the situation very closely. In fact, we have received an update on the progress of the investigation," Valte added.

However, the Palace official refused to divulge details, saying it would be the call of police officials concerned.

"We are not at liberty at the moment to disclose. We will let Secretary Robredo divulge the details at the time that he determines." The undersecretary also said that President Aquino had directed them to make sure that Angeles and his family get the needed assistance.

Alma Valencia Yamaguchi, who is married to a Japanese, filed a complaint for robbery, illegal detention, kidnapping, grave coercion, trespassing and extortion before the Department of Justice (DOJ) against 14 officers and personnel of the NBI.

Justice Secretary Leila de Lima ordered a preliminary investiga-



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tion on Yamaguchi's complaint against former NBI-Anti Graft Division chief Allan Contado, NBI-Reaction Arrest and Interdiction Division (RAID) executive officer Gregorio Zuñiga, agents Fatima Liwalug, Bertrand Mendoza, Melvin Escruel, and Henry Canapi, and special investigators Joel Ottic and Nelson Saul. Also included in the charge sheet were civilian assets Bernardo Carpio and Benjamin Mendiola, and a certain Randy who served as their driver.

"It is extremely disturbing to hear of these serious allegations against our people in the NBI. As the primary national law enforcement and investigative agency under the Department of Justice, our agents and personnel are supposed to be the first to merit and secure the trust of our people," De Lima said.

She also directed NBI officer-in-charge Nonnatus Caesar Rojas to conduct an investigation on the concerned bureau employees.

In her complaint, Yamaguchi claimed that the respondents looted her office in Bacoor, Cavite and illegally arrested Nigerian national Dickson Akinbode on March 16 last year. She claimed that at least 15 men, who introduced themselves as members of the NBI-RAID, barged into her office reportedly to arrest Akinbode for a still undetermined case.

The complainant alleged that agent Liwalug took her Tiffany necklace worth P25,000, a pair of earrings worth P100,000, two gold rings, and two wristwatches.

She added that the respondents also took her laptop computer, her bag, passport, Social Security System identification card, and

four envelopes containing P200,000 before they were brought to the office of NBI-RAID.

Yamaguchi said the bureau agents tortured Akinbode inside the NBI-Raid office. The agents allegedly hit the Nigerian with a baseball bat. She alleged the agents repeatedly slapped and hit Akinbode, ignoring his pleas for them to stop. She then instructed him to turn on his cell phone so she could talk to them.

Yamaguchi saw her chance to get help when her captors left her cell phone on an office table. She sent a text message to her son, to a Nigerian Association officer and her friends.

"Please do something, we were kidnapped by the NBI on Wednesday night and being kept in Room 513. Please let a lawyer know and come see me ASAP," her text message read.

She claimed that the NBI agents quickly prepared a complaint against them using three fake complainants after they learned that she was able to ask for help. Before they were released, Yamaguchi alleged that Zuñiga asked her to produce P500,000 that was later reduced to P300,000. The suspects later took her ATM card and withdrew P32,000.

As for the participation of Contado, she said that the NBI official reportedly kept on asking her to pay P150,000 in exchange for the dismissal of the case filed before the DOJ against the Nigerian. Yamaguchi admitted she decided to file the complaint after learning of the case against dismissed NBI chief Gatdula involving the alleged kidnapping of undocumented Japanese national Noriyo Ohara last year.

MindaNews, 14.03.2012

No revenge please on Italian priest's slay – bishop

KIDAPAWAN CITY - Kidapawan Bishop Romulo dela Cruz said the church is not condoning any act of revenge for the death of an Italian missionary in the hinterlands of North Cotabato.

Dela Cruz said he wanted that justice be served for the death of Fr. Fausto Tentorio in a peaceful way, not in a violent manner. Besides, he said he did not ask anybody nor any group to avenge the priest's brutal murder.

"We do not seek revenge for the death of Father Tentorio. In the spirit of brotherly love, I am impelled to appeal to all those still enamored by empty promises of violence to at least allow those who are not of the same persuasion to try the healing ways of peace," said the bishop.

Earlier, the New Peoples' Army (NPA) in Southern Mindanao has owned the killing of Swiss-Filipino national Patrick Wineger after they found him guilty for the crimes he committed against the people, including his connections as one of the "principals"

behind Tentorio's slay.

"As a Christian, and as your Bishop, I cannot pass over this incident in silence. The sanctity of life, which we hold dear in our faith, can never make us agree, implicitly or much less explicitly, with gunning down a defenseless man no matter what crimes he may have committed," he stressed.

For Dela Cruz, he cannot condone such act because Wineger was not given opportunity to defend himself.

The Italian priest, of the Pontifical Institute of Foreign Mission (PIME), was gunned down inside his parish October 17 last year. He was priest of the Our Lady of Perpetual Help Parish in the hinterland town of Arakan.

At least four people were charged of the murder, including two Teduray natives from a remote village in Arakan town. Of those charged, only one was arrested, the rest remain at large. (Malu Cadelina Manar / MindaNews)

Task Force Detainees of the Philippines

Urgent Action Alert: arrest and alleged torture of farmer in Basilan Province

The following is an extract of an Urgent Action of TFDP. Please find the complete original and a sample letter on the TFDP website under www.tfdp.net.

Dear Friends,

Task Force Detainees of the Philippines (TFDP), writes to inform you about the arrest and alleged torture committed to a native of Sama Bangingi tribe. He was arrested in his residence in Barangay Tandong Ahas, Lamitan, Basilan Province island of Mindanao on December 15, 2011. The alleged perpetrators were said to be members of Criminal Investigation and Detection Group (CIDG) of Zamboanga City.

Molis Hasim Tahsin also known as "Kole" by his friends and family is a thriving fishpond owner and farmer. He is 53 years old, widower and belonged to the Sama Bangingi tribe in Barangay Tandong Ahas, Lamitan Basilan Province.

On December 15, 2011 around 11 p.m., while he was sleeping in

his home together with his two children, they were awakened by gun shots coming from outside their house. Seconds after their jealousies and door were smashed. Immediately, Molis went out from his room and when he goes downstairs he sees around 10 policemen in full battle gear attire already inside his house. One of them also pointed Molis and quickly he was handcuffed behind his back and he was also blindfolded. According to him, he was dragged outside from his house and brought to the seashore where he sensed that there were boats awaiting. From there he was dragged again to the water through a rubber boat. Molis said that the strong current of water he encountered detached the blindfold and he was able to see that there are four (4) rubber boats along with him and their destination is to the bigger boat (he called it as Gun Boat) 30 meters away from him.



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They boarded him to the vessel going away from his place.

In his estimation it was around 1:30 a.m. of December 16 when they arrived in Zamboanga City. By 2 a.m. he was in a solitary confinement (bartolina) at the police headquarters. When the morning came, an officer goes to him bringing food and water. He was also instructed to take a bath. It was eight o'clock in the morning when he was brought to one of the offices in headquarters, blindfolded with hands handcuffed behind his back. He was led to sit in one of the chairs when the interrogation started. According to him, in his estimation, there were eight people who asked him questions including two women. Unsatisfied to his answers the interrogators punched and kicked him to different parts of his body and one of his teeth was extracted due to the impact. He was also asked if he was Kole and according to him with truthfulness he answered "yes" to the question (Kole is his nickname). There were statements and questions thrown out to him that he cannot understand. Later he has known that the officers were looking for Commander Kule Mamagong. Two women whom he believed as policewomen came near to him and beat his soles by hard round wood object and repeatedly asked him if he was a bomber. But he always denies the allegation. His soles were in great pain and there were blood flowing out from his feet. Molis recalls that they also put bullets in the middle of his fingers and squeezed them hardly. His genital was

also pinned by steel object and his thighs were electrocuted. These situations lasted until 12 noon and he was made to rest until one o'clock. After an hour of rest, he underwent again the painful interrogations. He also remembers that during night time in his solitary confinement he was awakened of splashed of waters coming outside done by policemen. This maltreatment lasted until four days.

Molis was allowed to rest on December 21. On December 22, he was flown through a commercial flight with CIDG personnel from Zamboanga City to Davao City. When they reached Davao airport around 11 p.m. he was brought to the police headquarters. By 2:30 p.m., they left Davao City to Kidapawan City. He was brought to a doctor for check-up. But according to him it was not a thorough check-up because they only get his blood pressure. It was 4:30 p.m. when he was presented to a Judge in Kidapawan court and by 6 p.m., he was formally remanded to North Cotabato District Jail in Amas, Kidapawan City.

Molis said that during his apprehension no warrant of arrest was presented to him. He was not also aware of the case filed to him. He is facing now Multiple Murder with Multiple Frustrated Murder at the Regional Trial Court branch 17 in Kidapawan City. This case implicated him as Commander Kule Mamagong who accordingly done the bombing incident last October 2006.

KARAPATAN, 07.03.12

Urgent Action Alert: farmer and his two children killed, another wounded in massacre by 49th IB

The following is an extract of an Urgent Action of KARAPATAN. Please find the complete original with recommended actions on the KARAPATAN website under www.karapatan.org.

Four people -three civilians, including two children and an NPA rebel - were killed in a massacre by soldiers of the 49th Infantry Battalion in Labo, Camarines Norte on Feb. 25. Those killed were Benjamin Mancera, 54 y.o., farmer, Michael Mancera, 10 y.o. Richard Mancera, seven y.o. and Rafael Llantino aka "Ka Pedro", 29 years old, New People's Army member.

Despite claims by the military that they were slain in a crossfire between the government troops and the New People's Army, results of the fact-finding mission (FFM) conducted by the regional and provincial chapters of Karapatan in Bicol and Camarines Norte, respectively, show that it's another case of the military's wanton disregard of civilian lives, as it pursued and tried to destroy its enemies. It is a violation of the international humanitarian law, which provides protection for civilians and their properties, and should be distinguished from combatants.

Aware of their own crime, the military tried to cover up the killings by labelling Benjamin as an "NPA militia" - a claim disproved by the Malaya residents and village officials, with the latter issuing a certificate that Benjamin was a civilian. The military attempted to hide and take into their custody the wounded survivor Leonisa, 14 yo after keeping her under tight guard as she recovered at the hospital.

From the FFM's interview with Leonisa Mancera, it was learned that in the afternoon of February 25, she was sitting in the living room near the door while her father was asleep, and her brother Richard was playing; Michael was in the bedroom doing homework. An NPA member, whom Leonisa knew as "KaPedro" was also resting in the kitchen, near the back door. Leonisa saw a soldier with a rifle approach their house, so she roused Benjamin, who peeked at the door. As soon as he went back in, they heard a gunshot, followed by a volley of gun fire. Benjamin told Richard to lie down beside him, while Leonisa was already lying nearby.

"Ka Pedro" was immediately shot dead before he could even fire a shot. Benjamin and Richard were both hit and immediately killed; so was Michael who was inside the bedroom. Leonisa had wounds grazed by bullets on both arms, right thigh and left

buttock.

After what she estimated as about 30 minutes of gun fire, Leonisa saw a soldier enter their house. Upon seeing the casualties, the soldier shouted: "May mga batang patay! May mga batang patay! (There are dead children here!)" Then he rushed out.

Another soldier came in and made Leonisa stand and walk towards the door where another soldier waited. They then made her walk towards the kitchen where she saw "Ka Pedro" dead on the floor. Leonisa recalled that at least 20 soldiers had gathered at their house. They asked her if she knew the dead NPA rebel in their kitchen. They gave her a biscuit, and two anti-tetanus tablets.

It was only after three to four hours that the soldiers put Leonisa in a hammock and carried her down to the barangay proper. The soldiers covered the hammock, and told Leonisa to hide herself when they get to the barangay proper so that people will not see her.

Despite the soldiers' efforts to conceal her, barangay officials and health workers saw the wounded Leonisa and helped her change clothes. Several women barangay officials and health workers accompanied her on board the military truck which brought her to the Daet Provincial Hospital where her wounds were treated.

In news reports on February 26, Maj. Gen. Josue Gaverza, 9th Infantry Division commander blamed the NPA for the deaths of Benjamin and his two children, and the wounding of Leonisa. Gaverza claimed that Benjamin Mancera was an NPA member, who was killed along with another NPA, identified as Rafael Llanto. Gaverza even said he was saddened by the deaths, but it was the "NPA rebels" who fired the first shot.

On February 26, 2Lt. Robert Lee and a certain T/Sgt. Babor gathered the barangay officials and several residents of Malaya to retrieve the victims' bodies, along with the soldiers and investigators of the police Scene of the Crime Operatives (SOCO). The Mancera residence in Sitio Mapatong is a two-hour trek from the village proper. At around 8 am, they approached the house, but



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the soldiers did not allow the barangay officials to enter until 30 minutes later. The barangay officials overheard the SOCO agents and soldiers arguing because the soldiers handed over the firearms, supposedly of the rebel's, which was retrieved from the site instead of letting the SOCO gather the evidence.

On the same day, soldiers guarding Leonisa at the provincial hospital prevented her mother Lourdes from seeing her. Lourdes had just travelled from Manila where she works as a household help. Lourdes did not get to see Leonisa until the next day, February 27. A soldier discreetly handed her an envelope containing Php 10,000.

Also on February 27, two members of the fact-finding mission

team were able to talk to Leonisa, but only after arguing and strongly insisting with the soldiers that they should be allowed to see her.

On February 28, the military attempted to take custody of Leonisa, who was to be released from the hospital that day. While 2Lt. Robert Lee tried to convince Lourdes to allow the military to take Leonisa, a woman, suspected to be working for the military, pretended to be the child's mother and had obtained her discharge papers. Lourdes rejected the military's offer. She also asserted that she is the child's real mother and insisted that the hospital issue another discharge sheet. Outside the hospital, soldiers on a 6x6 army truck awaited.

Asian Human Rights Commission, 16.03.2012

Three journalists who survived the Maguindanao massacre fear for their lives

The Asian Human Rights Commission (AHRC) writes with grave concern that the children of Alejandro "Bong" Reblando, one of the 32 journalists murdered in the November 2009 Maguindanao massacre, have been subjected to overt surveillance in their home in General Santos City. The AHRC is deeply concerned by the targeting of Reblando's widow and children in their pursuit of seeking legal remedies for the death of their loved one and the lack of adequate protection to ensure their safety.

CASE UPDATE:

As it has been widely reported, the widow of Alejandro "Bong" Reblando, Myrna, and her children have been pursuing prosecution for the death of their father, together with other family members of journalists murdered in the massacre. Myrna, however, broke down in one of the court trials she observed. Myrna has been undergoing trauma counseling. In her absence from the trial, she delegated her six children to represent her, as needed, in court and to carry out the criminal prosecution for the murder of their father against the accused. Before Myrna's children took responsibility in representing her case, she herself had received threats and money worth Php three million was offered for her murder.

As certified by Jose Manuel Mamaug, Focal Commissioner for Mindanao of the Commission on Human Rights (CHR), on May 23, 2011, the threats to life of Myrna and her children are real, not subjective.

Since May 2011, no adequate and state-sponsored protection had been afforded to ensure the security and safety of Reblando's six children. Thus, what his children could and did do was to report the overt surveillance that they noticed at their home in General Santos City to the closest police station.

However, despite the CHR's confirmation of the "existence of continuing serious threats" and repeated reporting of Reblando's children to the police station close to their home, under the General Santos City Police Office (GSCPO), no investigations have been conducted into this matter, and none of them were offered security and protection. As shown, the police merely recorded their complaints without acting on them.

The AHRC is deeply concerned by the continued failure and inaction, if not omission, on the part of the local police in General Santos City to ensure the safety of this family. We are of the opinion that the threats to Reblando's children are deliberate acts to intimidate and harass them into withdrawing from the prosecution of the murder case.

Mindanews, 24.03.2012

Murder case finally filed, 28 months after the massacre

By Edwin G. Espejo

MANILA — The Department of Justice finally began its preliminary investigation into the murder of news photographer Reynaldo "Bebot" Momay, the 32nd media victim out of 58 victims in the November 23, 2009 massacre in Ampatuan town in Maguindanao, with a hearing at Camp Bagong Diwa in Bicutan, Taguig on March 22.

The case of Momay, photographer of the Tacurong-based *Midland Review*, is the last of the 58 victims to be investigated by the justice department. Momay's remains have yet to be found hence the delay in his inclusion in the cases filed days after the massacre by relatives of the 57 other victims. The only clues to his apparent death were his dentures recovered in the massacre site and a list of media workers who joined the entourage, found concealed in the sock of one of the journalist victims.

Momay's daughter, Reynafe "Neneng" Momay-Castillo said she was grateful the case of her father is finally gaining ground. "Twenty eight months after. All we want is justice for my father," said the nurse who has not gone back to work in her quest for the prosecution of her father's killers. Reynafe earlier confided she was already losing hope but kept on her crusade with the help of her lawyers and other groups that are closely monitoring and pursuing the case of the victims of the Ampatuan massacre. During the preliminary investigation, Reynafe said the suspects

far outnumbered their security escorts but she was not intimidated. Reynafe brought with her a journalist who escaped death when the latter dropped out of the convoy. The journalist executed an affidavit that he saw Reynafe's father join the convoy. She said she is hopeful that her father's case will be consolidated and included in the charge sheets against the Ampatuans and other suspects.

The journalists and media workers joined the convoy of Genalyn Mangudadatu on her way to filing the certificate of candidacy of her husband, now Maguindanao governor Esmel "Toto" Mangudadatu. The convoy was stopped by heavily armed men in Ampatuan town while on its way to the Commission on Elections provincial office in Maguindanao's capital town of Shariff Aguak. The passengers of the convoy were then led to a remote hill in Masalay village where they were mercilessly gunned down. Nobody from the convoy survived.

Witnesses later identified then Datu Unsay mayor Andal Ampatuan Jr, as the one who led in stopping the convoy and fired the first shots that led to the death of the victims. Andal Jr, along with his father, former Maguindanao governor Andal Sr, three brothers, including then ARMM Governor Zadly Ampatuan, and several relatives are now detained at Camp Bagong Diwa along with tens of others for the murders. A total of 196 have been charged for the crime but less than 100 have been arrested.



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Mindanews, 05.03.2012

Duterte warns youth offenders: leave Davao

Vice Mayor Rodrigo Duterte has warned young offenders to "leave Davao as soon as possible" to avoid trouble or possible death.

In his Sunday television program, "Gikan sa Masa, Para sa Masa," (From the masses, for the masses), Duterte also warned parents of youth offenders to make them leave the city or work in Sabah. "Let them leave or make them work in Sabah," Duterte addressed the parents.

Duterte said he hopes the Commission on Human Rights and other rights advocates understand that the warning is not about "salvage" (summary executions). He explained it is "standard police practice" that offenders are under surveillance and if they commit another crime, they could get into trouble or even get killed. "You could be caught and if you try to make a go for it, you could be shot and killed", he addressed the young offenders.

Duterte, who was mayor when Republic Act 9344 or the Juvenile Justice and Welfare Act of 2006 was passed, had repeatedly appealed to Congress to amend the law, claiming it encourages youth offenders to commit crimes "with impunity."

Section 6 of the law on minimum age of criminal responsibility, provides that children 15 years of age or under at the time of the commission of the offense "shall be exempt from criminal liability" but shall be subjected to an intervention program. Children between 15 and 18 "shall likewise be exempt from criminal liability and be subjected to an intervention program, unless he/she has acted with discernment," in which case, they shall be subjected to the appropriate proceedings under the law.

The law, introduced by Senator Francis Pangilinan, covers the different stages involving children at risk and children in conflict with the law – from prevention to rehabilitation and rein-

tegration.

Pursuant to Article 40 of the United Nations Convention on the Rights of the Child, the law "recognizes the right of every child alleged as, accused of, adjudged, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, taking into account the child's age and desirability of promoting his/her reintegration."

It also provides that "whenever appropriate and desirable, the State shall adopt measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected" and that children as "dealt with in a manner appropriate to their well-being by providing for, among others, a variety of disposition measures such as care, guidance and supervision orders, counseling, probation, foster care, education and vocational training programs and other alternatives to institutional care."

Since the law's passage in 2006, Duterte had repeatedly said it does not help solve the problem on young offenders but instead "compounded" the situation. In January 2007, Duterte cited complaints by judges and police on the law's flaws. He said it does not provide an agency that would receive and deal with the children in conflict with the law. He also said he agrees with the intention to rehabilitate the offenders but said government lacks funds.

On Sunday, Duterte said there are children who have repeatedly committed crimes but are able to get away with it because of the law. He said parents know their children are committing crimes. Instead of crying and shouting for justice if something happens to their children, they should "make them leave or let them work in Sabah."

KARAPATAN Press Statement, 21.03.2012

Karapatan to AFP: Stop victim blaming

"The Armed Forces of the Philippines (AFP) should stop its habit of blaming the people whose rights are violated in the implementation of its counter-insurgency program, Oplan Bayanihan, especially when the victims are children," asserted Marie Hilao-Enriquez, chairperson of Karapatan.

The AFP claimed that the 6 year-old Rodilyn Aguirre was killed, and her 4 year-old sister Baby wounded, because of their involvement with NPA activities, specifically in manufacturing improvised explosive device (EID). "These are not only false claims, these are preposterous! Rodilyn and her sister were hit by grenade shrapnel from an M203 launcher. The barangay residents believed that the explosion could only come from the nearby detachment of the 61st IB-PA as they often saw army personnel Willy Faulo brandishing that weapon," retorted Hilao-Enriquez.

Results of the fact finding by Karapatan-Panay stated that on March 11, the two children were in their house with their grandfather, Julian Aguirre, when an explosion struck a few meters from their house. The report said that, "Rodilyn was hit by shrapnel from M203 launcher in "different parts of her body, resulting in fatal injuries. The most fatal wounds were on her left eye and her neck. Baby sustained superficial injuries on her face, arms and stomach." Rodilyn died on the way to the hospital which was "two hours walk and another hour by motorcycle away from the village."

Karapatan said that the people in Brgy. Tacayan have, for years, complained of the military's presence in their village for fear of their safety. Hilao-Enriquez said that, "this is proof that civil-

ians' lives are endangered by the mere presence of the military in the communities. Children are especially vulnerable to such violations, depriving them not only of a peaceful environment, but of their lives and security as well."

Four days earlier, on March 7, 10 year-old Michael Mancera and brother Richard, 7 y.o., were likewise killed when soldiers from the 49th IB in Labo, Camarines Sur fired at the Mancera's house. The 24 sqm. Mancera house was riddled with bullets. Recovered from the different spots outside the house were a total of 231 spent shells from armalite rifles. To cover up the killings, the military tagged Benjamin, Michael and Richard's father, as "NPA militia" and called the incident an 'encounter' between the military and the NPA.

Karapatan said it has been the practice of the AFP to easily and immediately brand the victims of human rights violations as members or supporters of the New People's Army (NPA) to wash off their bloodied tracks. Hilao-Enriquez added that, "the AFP often uses 'legitimate encounters' or 'hot pursuit operations' against the NPA to cover up its rights violations against the unarmed civilians in the communities. They are mindless of who are victimized in the process because they have a healthy excuse -- branding civilians, including children as rebels, as if branding a person as NPA or NPA supporter justifies extrajudicial killing."

Karapatan reiterates its call "to immediately pull out military units in the communities and stop the implementation of Oplan Bayanihan which is nothing but a repackaged Oplan Bantay Laya.



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Bulatlat, 16.03.2012

Vilification of activists continues with Oplan Bayanihan

By Ronalyn V. Olea

After investigating extrajudicial killings here in 2007, Philip Alston, then UN Special Rapporteur for extrajudicial executions, tagged the vilification of activists as one of the practices that gave rise to these killings. But vilification has continued.

Twenty-year-old Mildred Salang-ey was shocked to receive a subpoena on March 5, 2011. She was charged with murder, frustrated murder and attempted murder by the 86th Infantry Battalion of the Philippine Army.

The military accused Salang-ey, a member of Mt. Province Youth Association and Anakbayan, as one of the New People's Army guerrillas who launched an offensive against the Philippine Army on February 26, 2011 in Asipulo, Ifugao.

"My family was in disbelief. It [filing of charges against me] had dire effects on my studies and on my family. They were so worried. My sibling suffered a psychological problem because of this," Salang-ey said in Filipino during a hearing of the House Committee on Human Rights, March 13. Salang-ey was a student of the Mountain Province State Polytechnic College in Bontoc.

Salang-ey was one of the witnesses who testified before members of the committee regarding the continuing vilification campaign of the military against development workers and activists.

Through the help of Cordillera Human Rights Alliance, a local chapter of Karapatan, Salang-ey was able to file her counter-affidavit. On December 22, 2011, the case has been dismissed due to lack of merit.

"The accusations by the military have no basis at all," Salang-ey said. "We have our rights as humans. We have the right to do what we think is right," she said.

Meanwhile, Milagros Aowat, 58, a staff of the Community Health Education, Services and Training in the Cordillera Region (Chestcore), could not accept that her more than 30 years of service to the poor communities in the region as a health worker would be the very reason why she experienced several forms of harassment.

From December 2010 to July 2011, Aowat had been receiving death threats through text messages. Like Salang-ey, she was accused of being a member of the NPA. "At first, I thought it was a joke...When the other messages came in, I realized that the threats were real and were no doubt meant for me," she said during the hearing.

Aowat also noticed that for several times, she was being tailed on her way home. "Since that time, I have become very anxious, paranoid and very depressed," Aowat said. She suffered a stroke that affected her speech, her memory and worsened the vertigo she is already suffering from.

Aowat said her volunteer work had also been disrupted. She was in charge of the medical program of the office and her condition hampered the delivery of much-needed health services to the marginalized indigenous peoples communities the group is serving. "To our region who has been historically neglected, the attacks against me and our office are tantamount to attacks against the Cordillera people," Aowat said.

The cases of Salang-ey and Aowat are not isolated. Jude Baggo, CHRA secretary general, told the members of the committee that their group, along with other organizations affiliated with the Cordillera Peoples Alliance (CPA) and even non government organizations such as Montañosa Research and Development Center (MRDC), Center for Development Programs in the Cordillera (CDPC), Cordillera Disaster and Response (CorDis) have

been tagged as fronts of the Communist Party of the Philippines (CPP).

Even scholars of progressive party lists such as Kabataan and Gabriela, specifically those at the Ifugao State University (IFSU) and Kalinga Apayao State College also experience red tagging and surveillance, Baggo said.

"We fear for our security as persons and communities. Our organizations and communities are classified as 'fronts' and then as 'enemies of the state' and are accordingly considered to be legitimate targets for "neutralization" by State security forces and their agents," Baggo said.

Elsewhere in the country, in Amulung, Cagayan, members of Anakpawis are labeled as NPA members.

Fifty-year-old Carmelita Munduc, a member of Anakpawis, was approached by two men on her way to a bus terminal on October 30, 2011. In her sworn statement submitted to Congress, Munduc said the men introduced themselves as intelligence operatives of the 17th Infantry Battalion of the Philippine Army.

The men told her, "Surrender, Manang Lita." She replied: "Why? What did I do wrong?" The men said they know she is a member of Kagimungan, a local organization and Anakpawis. When Munduc said she finds nothing wrong with that, the men said: "Don't you know that Kagimungan and Anakpawis are NPA?"

The men showed her a list of her so-called "comrades." All are members of Anakpawis and Amihan, an organization of peasant women. The men attempted to bring her to their "boss" but Munduc managed to go inside the bus.

Another member of Anakpawis, Efrén Cabildo, 33, was also harassed several times. On Sept. 29, 2011, a certain Valmar Agustin who introduced himself as a policeman and his two companions went to Cabildo's house in barangay Manalo, Amulung, Cagayan. Cabildo was away during that time. The men left a message for him through his sibling. The men said they would give him a job and a cellphone in exchange for information about the activities of Anakpawis and its coordinator in the province, Isabelo Adviento.

On October 2, 2011, at around 10 p.m., Cabildo went to the place where he usually parked his motorcycle. He was about to go home when a vehicle stopped near him. Then, two men riding in tandem in another motorcycle passed by. Sensing danger, Cabildo hid behind the trees nearby. He called up his companions and left the place.

Baggo said nothing is new with Aquino's counterinsurgency program as it continues to label progressive groups as communist fronts like the Arroyo's Oplan Bayanihan. For the military, there remains no distinction between the political activists and combatants.

Former United Nations Special Rapporteur for extrajudicial, summary, or arbitrary executions Philip Alston, in his report after a mission to the Philippines in 2006, recommended that such practice be stopped.

"Disturbing human rights situation remains to this day," Karapatan chairwoman Marie Hilao-Enriquez said during the same hearing.

In a related development, Bayan Muna Representatives Teddy Casiño and Neri Javier Colmenares filed on March 6 House Resolution No. 2225 urging the House of Representatives to condemn the vilification of persons because of religious, political and organizational affiliation and to support the recommendations of Alston to put a stop to the practice of vilification.



Action Network Human Rights- Philippines

Philippine Daily Inquirer, 06.03.2012

Ex-officers behind oust-Aquino plot, says Trillanes

By Cathy Yamsuan

The plot to oust President Benigno Aquino III is real and those behind it are using the criminal cases filed against erring military officers to convince recruits the current administration is antimilitary and procommunist.

Senator Antonio Trillanes IV said as much in a phone interview, adding that those attempting to recruit soldiers to their cause were also spreading the rumor that President Aquino had offered communist leader Jose Ma. Sison a Cabinet post.

Trillanes said some retired military officers were doing the recruiting of active Armed Forces of the Philippines personnel.

"They are using the same tactics and recruitment lines of the 1980s during the time of President Cory (Aquino)," the senator said.

Last week at the anniversary of the Presidential Security Group, President Aquino said there were people out to topple him. While he did not identify those behind the supposed plot, Mr. Aquino described them as those whose illegal activities had been adversely affected by his anticorruption campaign.

"Concerned soldiers alerted me about this," said Trillanes, no stranger to ouster plots himself following his leadership of two attempts to oust former President Gloria Macapagal-Arroyo.

The senator said possible recruits are invited to dinner where

their likelihood of joining a plot against the Aquino administration is gauged. "The group that invites the soldiers floats ideas about an ouster plot. The soldiers who appear or sound like they have a grudge are identified. They are invited to another event where the conversation is taken to the next level," Trillanes said. He, however, said that "many of those invited are not biting. That's how the information reached us. The soldiers would rather report the anti-administration efforts than join them."

Recruiters would reportedly weave into their conversations with potential recruits the supposed harassment being heaped on Navy personnel accused in the death of Navy Ensign Philip Pestaño, the human rights case lodged against retired Major General Jovito Palparan and the plunder charge filed against former AFP comptroller Brigadier General Carlos Garcia.

"The recruiters are making it appear that military officers are being harassed by weaving together cases that are not related in any way. They also point out that the release of members of the Morong 43 should be seen as something objectionable," Trillanes said.

The Morong 43 is the group of health workers who were arrested by the military in a resort in Morong, Rizal, for allegedly engaging in subversive activities. Trillanes said those being targeted for recruitment belonged to different batches of the Philippine Military Academy.

NUPL News Release, 20.03.2012

Military and Police Coddling Morong 43 Rights Violators

Months after summons have been issued by a Quezon City Regional Trial Court, several respondent military personnel and police officers in the P15-million damage suit filed by the Morong 43 health workers remained officially unnotified of the charges. The National Union of People's Lawyers (NUPL), counsel for the complainants, asked the Philippine National Police (PNP) and Brig. Gen. Herbert Yambing of the Office of the Provost Marshall General of the Armed Forces of the Philippines (AFP) to locate and provide information on the "missing" respondents but to no avail.

"This is tantamount to a cover-up of the military and the police for their peers whose accountability is being sought for their involvement in brazenly violating the rights of the Morong 43 health workers," said the NUPL through its Assistant Secretary for Legal Services Atty. Ephraim Cortez.

Addressed at their last known assignments, the summons against Gen. Jorge Segovia, Lt. Col. Cristobal Zaragosa, Col. Aurelio Baladad, Lt. Col. Jaime Abawag, Maj. Manuel Tabion and P/Supt. Marion Balonglong were returned unserved on the ground that they were no longer assigned thereat.

"With their cynical unwillingness to cooperate, state forces have put up another roadblock to justice that effectively frustrates efforts to seek accountability for human rights violations against the Morong 43 health workers," said Cortez.

In a letter sent to the NUPL, Yambing declined to give information on the whereabouts of the military personnel purportedly because his office has "no direct knowledge" on the whereabouts of the military officers and that he supposedly has no authority to release such information. On the other hand, the PNP, through Records Management Division Chief Manuel

Gaerlan, CEO VI, said in its reply that the names of P/Supt. Balolong and P/Supt. Nubleza, who have been publicly known to be part of the service, strangely do not appear in the roster of the PNP.

"Either they are deliberately hiding any information about those involved or they are giving us a run-around through technicalities in disclosing very simple standard details about their personnel for the purpose of serving summons, or both" Atty. Cortez said.

The summons to the respondents in what is considered the first civil case for human rights violations against former President Gloria Arroyo and her security forces were issued last November 28, 2011. The Morong 43 health workers were illegally arrested in Morong, Rizal on February 2010. They were illegally arrested, detained, and tortured on the baseless charges of being members of the New People's Army (NPA). Against all odds, they had filed the countersuit way back in April 2010.

Aside from Segovia, Zaragosa, Baladad, Abawag, Tabion, Balonglong and former President Arroyo, the other respondents in the case are former Defense Secretary Norberto Gonzales, Gen. Victor Ibrado, and Gen. Delfin Bangit.

"This obstructionist attitude demonstrates the manifest bias of the military and the police in favour of those from their ranks who commit rights violations," Atty. Cortez said. "And it shows once again how hard and sometimes frustrating it is to pursue justice for human rights violations under the present legal and judicial system and how impunity is perpetrated before, during and after a violation," NUPL Secretary General Atty. Edre U. Olalia added. "But we shall not let up. They cannot just get away with it just like that."