



Action Network Human Rights- Philippines

HEADLINES NEWS REVIEW APRIL 2014

Headlines & Politics

'AFP skims P40m bounty'	2
Palace denies AFP, PNP pocketed bounty for Tiamzons arrest	2
PH economic growth helps govt in bid to achieve MDG targets	2
Respect rights of evacuees, govt told	3
Rights group urges Obama to push issue on PH slays	3
Philippines, US sign landmark defense deal	3
3 of 'Magnificent 12' raise concerns over new PH-US pact	4

Calamities & Climate Change

How gov't is readying farmers for climate change	4
ATM Statement for Earth Day: Filipinos should assert their right	5

Institutions

PHILIPPINES: State power does not respect or protect our liberty	5
A women's rights advocate's initial take on SC decision on RH Law	6
'Battle is not over yet,' say bishops, pro-life groups in Visayas	6
SC upholds legality of cyber law	7

Current Cases of Human Rights Violations

Families pin soldiers on death, disappearance	7
Karapatan slams CIDG's wrongful arrest' and 'red-tagging' of staff member	8
Cavite cops arrest alleged gunman in tabloid reporter slay	8
Threatened rights lawyer seeks protection	8
Tagum reporters ask for police blotters, get 'interrogation' instead – NUJP	9
AFP denies capturing gardener at house rented by Tiamzons	9
Manobo leaders dismayed with CHR, NCIP absence	10
Mayor shot dead during flag-raising ceremony	10
NPA admits killing mayor over black sand mining	10
Manobo chieftain shot dead inside restaurant in Agusan	10
Rosal daughter, due to give birth any time, jailed in poor conditions	11

Updates on Cases of Human Rights Violations

Rights groups slam trumped-up charges vs activists	11
'NPA Statement desperate diversionary tactic'	12
Amended DND-DILG Joint Order another proof that arrest of Tiamzons illegal	12
Jonas Burgos' mom to PNoy: Where is 'dedicated' probe of disappearance?	13

Peace Process

NDF offers timeframe for talks on socio-economic reforms	13
'We will not be ignored again,' say lumad in prospective Bangsamoro	14
Bangsamoro 'law' ready	14

Further Readings

STOP TORTURE Country Briefing: Philippines	15
One-dimensional diplomacy: A cost-benefit analysis of Manila's security deal	15



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The Action Network Human Rights – Philippines advocates the sustainable improvement of the human rights situation in the Philippines. Members are: Amnesty International, Bread for the World – Church Development Service, Misereor, Missio Munich, philippinenbüro e.V., the International Peace Observers Network (IPON) and the United Evangelical Mission (UEM).

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HEADLINES & POLITICS

ManilaStandardToday.com, 12.04.2014

'AFP skims P40m bounty'

By Christine F. Herrera

AN OPPOSITION lawmaker on Friday accused the Armed Forces, Defense Secretary Voltaire Gazmin and Interior and Local Governments Secretary Manuel Roxas II of pocketing almost half of the P41.45 million in reward money for the arrest of top communist leaders.

The accusation by Bayan Muna Rep. Isagani Carlos Zarate came in the wake of the misdeclaration by the Armed Forces of the bounty imposed on captured communist leaders, one of whom was shown to be a case of mistaken identity, and another of whom was discovered to be missing since 2007.

The top two communist leaders, Benito and Wilma Tiamzon, claimed they had P1.5 million in hard cash intended for the Yolanda victims when they were captured in Cebu last month but said the military claimed it only recovered P23,000 from the couple.

Zarate said the documents from the Defense Department under Gazmin and the Interior and Local Government Department under Roxas showed the bounty on the heads of the Tiamzon couple was pegged at P10 million each, for a total of P20 million. But the Armed Forces had understated the amount and publicly announced the reward collected was P11.52 million, or P5.6 million per head, Zarate said.

"Secretary Gazmin and Roxas, as well as the AFP, should account for the total amount actually released as the two officials have been quiet about the AFP's understated funds for reward money that they had collected. [...]" Zarate said.

He said a "hit list" issued by Roxas and Gazmin was used as a money-making venture by the Armed Forces, even after the Court of Appeals ascertained that one of the "leaders" was just a security guard.

"The AFP collected the P5.6 million in reward money and refused to return the bounty despite the CA ruling," Zarate said. [...] Aside from the understating of the Tiamzons' bounty, Zarate said, three other similar cases had been recorded.

"Another case is the supposed bounty for Jorge "Ka Oris" Madlos, which again they said was P5.6 million but in actuality was P7.85 million," Zarate said.

Agence France-Presse, 13.04.2014

PH economic growth helps govt in bid to achieve MDG targets

By Joann Santiago

BAGUIO CITY - With the continued improvement of the Philippine economy, the government has been able to post achievements under the Millennium Development Goals (MDG), a ranking central bank official said. Bangko Sentral ng Pilipinas (BSP) Deputy Governor Diwa Guinigundo, in his presentation during the Economic Journalist Association of the Philippines (EJAP) forum Saturday, said there are more people who have jobs now, which in turn enable them to provide for themselves and not become hungry. Eradicating extreme hunger and poverty is the first item in the government's eight Millennium Development Goals (MDG). Guinigundo said the government's workers' certification program, through the Technical Education and Skills Development Authority (TESDA), is a big help in upgrading the skills of Filipino workers as this gives them more chances of landing jobs not just in the Philippines but overseas. [...] In the local front, the central bank official said the business process outsourcing (BPO), which is being considered as the

Palace denies AFP, PNP pocketed bounty for Tiamzons arrest

By Nestor Corrales

MANILA, Philippines—Malacañang on Saturday challenged a lawmaker [Bayan Muna Representative Carlos Isagani Zarate] to prove his claim that some officials of the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) pocketed part of the reward money for the arrest of communist leaders Benito and Wilma Tiamzon in Cebu last March. [...]

"You know, I am quite sure that can be clarified, but you know, to say na binulsa (pocketed) is an entirely different thing and he better be prepared to prove that. Otherwise, he is just blowing smoke," [deputy presidential spokesperson Abigail Valte said. [...]

Inquirer.net, 12.04.2014

Zarate also cited the case of Leo Velasco, which the Armed Forces stated to carry P5.6-million bounty on his head but based on the joint memorandum was more than P8 million.

"What is more bizarre though is that they increased his bounty even if they knew that Velasco was missing since 2007," Zarate said. [...]

Zarate said the memo from the Defense and Interior departments with a 235-person hit list for communist leaders was just being used by officials to collect reward money.

This was the same list used to arrest Rolly Panesa, a security guard, who the Armed Forces said was a ranking communist leader, Danilo Benjamin Mendoza, with a P5.6 million reward on his head, Zarate said.

"The Fifth Division of the Court of Appeals ordered Panesa freed last August 27, 2013," said Zarate.

"[...] The hit list allows anyone to be captured, just like in the case of Panesa, who was mugged and tortured by his military captors. Panesa, a security guard, was jailed for several months in a case of mistaken identity that the CA declared as such," Zarate said.

What was worse, Zarate said, was that the Armed Forces had collected the supposed P5.6-million bounty and never returned the money despite the CA ruling.

"This hit list and other similar lists should not be used again because it endangers the lives of individuals even those not in the list," Zarate said.

sunrise industry, is also a big help in providing employment to Filipinos.

He said the sector continues to increase its share in the country's gross domestic product (GDP) as it is now being considered as among the key drivers of the economy. He said continued strengthening of the BPO sector also helps other industries, one of which is the food sector as proven by the mushrooming of restaurants and coffee shops where the BPO offices are located.

"[...] We still have a long way to go in terms of increasing our per capita income," he said, but added that continued growth of the domestic economy along with reforms being implemented by the government will sustain these improvements.

"[...] Under the MDG target number 1, the government bids to cut by half the number of people living on less than a dollar a day, achieve full and productive employment and decent work for all, including women and young people, and to reduce by half the proportion of people who suffer from hunger.

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ManilaStandardToday.com, 16.04.2014

Respect rights of evacuees, govt told

By Ronald Reyes

The Human Rights Watch has asked the government to "ensure that the rights of the internally displaced persons in the Cawa-cawa evacuation camp in Zamboanga City are protected as the city acts to relocate them in the coming days."

The group issued the call amid concerns that tension may rise during the final phases of the removal of the evacuees, mostly Badjaos, from their present evacuation camp in Cawa-cawa, Zamboanga, to a public elementary school.

"Any relocation should be done peacefully and fully respecting the rights and well-being of IDPs who have already been traumatized by the Zamboanga violence late last year," said Phelim Kine, HRW deputy director for Asia.

There are around 4,000 Badjaos who pitched tents on a shoreline

in Cawa-cawa, the group said.

In a statement, Kine added that "any security forces deployed to assist with the relocations should prioritize the rights and safety of the IDPs."

"Philippines' security forces –including anyone involved in the Cawa-cawa evacuation camp relocation - are obligated to follow the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials."

"Those Principles set out international law on the use of force in law enforcement situations and provide that security forces shall as far as possible apply nonviolent means before resorting to the use of force," Kine added.

Inquirer Mindanao, 28.04.2014

Rights group urges Obama to push issue on PH slays

By Germelina Lacorte

MANILA, Philippines – Visiting US President Barack Obama should press President Aquino to fulfill his promise to improve respect for human rights and accountability for abuses, Human Rights Watch said on Sunday.

The Aquino administration has undertaken reforms, but has so far failed to match his pronouncements with action to end impunity [...].

It said that while abuses had dropped since the Arroyo administration, killings of activists, environmental advocates and local politicians continued with "alarming frequency."

In many cases of political killings, local authorities and security forces were involved, it said. [...]

PH still a risky place

"President Obama should make clear that US assistance to the Philippine military is linked to abusive personnel being held to account," John Sifton, Asia advocacy director of Human Rights Watch, said in a statement. "A strong US position on rights can only strengthen Aquino's hand in combating abuses."

Sifton said the Philippines remained a "risky place to be an outspoken activist or muckraking journalist."

"People taking on powerful local interests all too frequently make the news as victims, and those responsible for killings are almost never prosecuted," he said.

According to Human Rights Watch, 12 journalists were killed in 2013, raising the number of slain media practitioners to 26 since

Aquino took office in 2010. Police arrested the suspects in only six of these cases.

Death squads

Local authorities in a number of urban areas have also been implicated in "death squads," blamed for the execution of dozens of suspected petty criminals, drug dealers and street children.

The Philippine military and various insurgent groups, including the communist New People's Army and Moro rebel groups, have also been implicated in serious abuses in the context of armed conflict.

During fighting in September 2013 between followers of disgruntled Moro leader Nur Misuari and government troops in Zamboanga City, the watchdog documented violations by both sides, including the use of human shields by the rebels.

A large number of those displaced last year by the fighting in Zamboanga City are stuck in evacuation camps, "transitional sites" or shelters with poor living conditions.

In the past seven months, more than 100 of the displaced have died, mostly children and infants, largely from preventable, sanitation-related illnesses, the watchdog said.

The US Congress has imposed conditions on assistance to the Philippine military since 2008, withholding portions of yearly funding until the Philippine government shows a better record on prosecuting extrajudicial killing cases.

Philstar.com, 28.04.2014

Philippines, US sign landmark defense deal

By Louis Bacani

MANILA, Philippines – Hours before the arrival of President Barack Obama, the Philippines and the United States signed on Monday morning a 10-year agreement allowing American soldiers to have greater access to military bases in the country.

The deal, formally known as the Enhanced Defense Cooperation Agreement (EDCA), was signed by Defense Secretary Voltaire Gazmin and US Ambassador to the Philippines, Philip Goldberg [...].

In his speech, Goldberg said the EDCA will take the Philippines-US relations to a "new and higher level" and it will be an important part of the existing Mutual Defense Treaty and the Visiting Forces Agreement frameworks.

The agreement was inked amid the increasing tensions in the contested South China Sea, though Goldberg made no specific mention of the territorial disputes between Manila and Beijing.

"The Enhanced Defense Cooperation Agreement or EDCA serves as recognition by both sides that there is even more that

we can do together to support the alliance and to promote peace and security in the region," Goldberg said [...].

[...] It will also help in the long-term modernization of the AFP as it aims to increase training opportunities for Filipino and American forces to enhance interoperability and humanitarian crisis response abilities.

No re-opening of US bases

Goldberg added that the agreement will also update the security alliance of the Philippines and the US to meet the increasingly complex challenges of the 21st century, including terrorism, transnational crime or natural disasters like Typhoon Yolanda.

The official, however, stressed that the US does not intend to establish permanent military presence in the Philippines with the signing of the EDCA. [...]

He said this is among the key principles of the EDCA, along with the commitment to democracy and international law, the mutuality of benefits to both nations and the respect for Philip-

Action Network Human Rights- Philippines

pine sovereignty.

'Milestone' for Philippine-US relations

Meanwhile, the Department of Foreign Affairs (DFA) welcomed the signing of the EDCA, saying the deal marks a "milestone" in the shared history of the US and the Philippines as enduring treaty allies. [...]

[DFA Secretary] Del Rosario said enhancing the country's self-defense capabilities, maritime security and maritime domain awareness, and the humanitarian assistance and disaster relief capacities are important given the "rapidly evolving regional architecture and domestic realities." [...]

CALAMITIES & CLIMATE CHANGE

Rappler.com, 08.04.2014

How gov't is readying farmers for climate change

Pia Ranada

MANILA, Philippines - The [latest United Nations report](#) on climate change confirmed that global warming [will threaten agriculture and fisheries](#), as well as farmers and fisherfolk - especially in tropical countries.

What's the government doing about it?

Climate-resilient infrastructure, weather-proof crops, information campaigns and adaptation schemes for easy recovery of farmers are some of the projects in the works, said Department of Agriculture Climate Change Office Director Alicia Ilaga.

By 2015, the DA plans to "transform the entire DA budget into an adaptation budget. We're now making climate change considerations in all plans, budgets, programs so that climate change is mainstreamed by all offices under the DA," she told Rappler [...].

The report, the 2nd chapter of the [5th assessment by the Intergovernmental Panel on Climate Change \(IPCC\)](#),

confirmed the warming of the planet will have devastating impacts on crops and aquatic resources. [...]

Changes in temperature, longer dry periods and intense rainfall may lower crop yields and kill populations of fish, mollusks and other marine species. [...]

Farmers and fishermen who depend on the abundance of these natural resources will also suffer economically.

In the Philippines, climate change impacts will definitely be felt by these vulnerable sectors.

"Every 1 degree Celsius increase in temperature will reduce rice yields by up to 10%," said Ilaga, quoting a PAGASA report that localized the findings of a previous UN climate change report, the IPCC 4th Assessment.

Each day with a temperature of more than 30 degrees C can reduce maize (corn) yield by 1.7% under drought conditions.

"So if we have 10 days with temperatures above 30 degrees, we will have a 17% decrease in corn."

Vegetable yield will also be low because of high temperatures, limited soil moisture and environmental extremes.

Here are government projects to prepare the agriculture industry for climate change:

1. Climate-ready crops

To address the alarming figures, the DA plans to promote the use of various climate-resilient crops.

Drought-tolerant, submergent-tolerant, saline-tolerant and early-maturing rice and other crops are already available in the market, said Ilaga.

Submergent-tolerant crops can survive floods, while saline-tolerant crops can thrive in salty environments such as coastal areas.

Early-maturing crops like BP mongo cut the number of days before harvest to 31 instead of the usual 60 days. By shortening

3 of 'Magnificent 12' raise concerns over new PH-US pact

MANILA, Philippines -- Three members of the so-called "Magnificent 12" -- senators who voted in 1991 to reject a proposed treaty extending the stay of US military bases in the country -- joined other noted personalities in raising concerns about a new agreement on increased American military presence.

Amid reports the Agreement on Enhanced Defense Cooperation will be signed during US President Barack Obama's visit to the country Monday to Tuesday, a "[statement of concern](#)," signed by, among others former Vice President Teofisto Guingona Jr. and former Senators Wigberto Tanada and Rene Saguisag, said new features raise "valid concern that the new pact may be going beyond the scope of previous military agreements."

The statement decried what it called "the lack of transparency" in negotiating the AEDC and "the rush to have the deal signed in time for the Obama visit."

It demanded that the agreement "undergo thorough and extensive deliberations by the Senate as well as wide-ranging public discussion" and called on "our people to be vigilant, defend and uphold Philippine sovereignty, whether against China's incursions or the United States of America's increased military presence in Philippine territory."

It noted that AEDC apparently intends "to increase and prolong the presence US troops in the country, and as government has already announced, allow the US access to Philippine bases, the prepositioning of US arms, military supplies and equipment as well as the construction and maintenance of US military facilities inside these Philippine bases."

These, it said, indicate that, "contrary to the negotiators' claims, this is not a mere implementing agreement of the 1951 Mutual Defense Treaty, the 1999 Visiting Forces Agreement nor the periodic arrangements on mutual logistics and support."

"The AEDC as reported by media threatens to reverse the historic Senate vote that removed the US bases in 1991," they added.

"We are apprehensive that until now, no copy of the agreement has been provided to the public. Even Congress, particularly the Senate, has been kept in the dark," the statement pointed out.[...]

Guingona, Tanada and Saguisag were among the senators who voted to reject the "Treaty of Friendship, Cooperation and Security" in 1991, preventing the extended stay for another decade of the former US military bases in Clark and Subic despite an active campaign by the then popular President Corazon Aquino, mother of the incumbent, to keep the foreign military facilities in the country. [...]

InterAksyon.com, 27.04.2014

the maturation period of crops, you also minimize risks that the crops will die, said Ilaga.

Many of these climate-resilient species of crops used biotechnology for more accurate breeding of important traits from different crops.

2. Integrated climate change map

One of the DA's biggest climate change efforts is the development of a 3-dimensional map that combines other kinds of maps to provide vital information on how climate change will affect agriculture and fisheries in any part of the country.

The map will make use of maps created by other agencies such as the environment department's geohazards maps, poverty incidence maps, and [climate change impact maps](#).

[...] "We can geographically target our interventions and prioritize the use of our limited resources," said Ilaga. [...]

4. Climate-proof infrastructure

It may be time to rethink the National Irrigation System, said Ilaga.

Because climate change may lead to heavier rainfall, irrigation canals have to be fortified against clogging due to the soil erosion and landslides that can result from extreme weather events.

The department wants to concretize all irrigation canals and install coco husk nets above canal walls to keep soil from falling into the canal during a storm.

But the irrigation system may need a more extreme overhaul than that.

Longer dry periods and short periods of intense rainfall in the Philippines may make rainwater harvesting systems more practical than typical irrigation systems. At the very least, they will be vital complements. [...]

5. Climate field schools

Farmers have to know about climate change so they can prepare for it.



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The DA will introduce climate change into its "field schools," or curriculum formulated by the DA, that is cascaded to farmers organizations. [...]

Data from the integrated map will also be relayed to farmers through these "schools," with the aim of showing them their vulnerabilities so they can make potentially life-saving adjustments.

6. Schemes for early recovery of farmers

After a super typhoon, how can a farmer or fisherman who has lost everything get back on his feet? [...]

The DA will finance schemes for adaptation and quick post-disaster recovery of farmers. These schemes will not only insure their crops but their house, assets and life as well.

HRonlineph.com, 22.04.2014

ATM Statement for Earth Day: Filipinos should assert their right in protecting the environment

[...] "When it comes to environmental issues, there are just so many things to deal with. There is deforestation, destruction of biodiversity and of course destructive and irresponsible mining, among others. The issue even extends to human rights violations and the abuse of rights of our Indigenous Peoples" said Jaybee Garganera, ATM National Coordinator.

"But these issues are not hopeless. International and local groups from different sectors are doing their best to resolve these problems. The question however, is how willing are we to open our minds and assert our rights for a clean and safe environment. As long as we let the dysfunctional system and the culprits behind these environmental atrocities do what they do, we can continue to fight for 50 years or more and not even make a dent to save the Earth." Garganera added. [...]

"We do not have to look so far behind our history to recount instances when our vulnerability as a nation was intensified by mining, coal plants operations, deforestation and other acts and operations that are clear desecration of our environment. 19 years ago, the Mining Act of 1995 was enacted and it has brought an imbalanced development but inconsiderate extraction of our national resources, destruction of our environment,

The Philippine Crop Insurance Corporation currently covers less than 10% of the 10 million Filipino farmers. By 2015, the DA hopes to bring this up to 13%.

Ilaga admits there is a lot of work left to do. But her office is riding on the momentum created by Yolanda.

"All our advocacies last year didn't really get that much attention. But after Yolanda happened, people in the department realized how urgent an issue climate change is. Now, we don't even need to advocate anymore."

health risk to the people and a long list of mining disasters that have left irreversible consequences to the affected communities. Just 5 months ago, Yolanda struck us and look how deforestation and mining contributed to the devastation it brought" Garganera stressed. Truly, the social, environmental and political costs of mining far outweigh its supposed economic benefits. According to the most recent climate change report released by the United Nations last march 30, the intensifying global warming will gravely affect countries that rely on agriculture and fishery, and linking it to the booming population that is estimated to become 9.7 billion by 2050, worldwide hunger has been foreseen.

The Philippines, which mostly depends on agriculture and fishery as livelihood resources is bound to suffer more as climate change aggravates. [...] The contradicting policies on addressing climate change and mining and other development projects are going to lead us nowhere. For this, ATM is calling upon citizens of our country to stand up against these environmental atrocities because 'Ganansiya ng iilan' has to stop, otherwise, hope falls short for the rest of the Filipino people. [...]

INSTITUTIONS

Asian Human Rights Commission, 02.04.2014

PHILIPPINES: State power does not respect or protect our liberty

By Danilo Reyes

"He who opens a school door, closes a prison."- Victor Hugo, author of *Les Misérables*

I was observing a trial in a crowded court room in Manila when, in a middle of packed bench, a public lawyer drew the attention of his client seated at the back with another accused wearing prison uniforms. He said:

"[...] Stand up! What is your name? Listen, the court will read the judgment."

Shortly after, a court staff stood up, briefly read his case in English, and without elaborating, concluded, "The court finds you not guilty." In few words the faith of a young man, who spent over four years in jail for charges of robbery, was decided. He regained his liberty. But this young man showed no reaction, there was no smile on his face.

He only smiled and was visibly elated only after he heard the court staff told him in Filipino:

"[...] Oh, did you understand the decision? You are not guilty. You are free now."

In my adult life, from my days as student activist until I became a professional journalist, I have observed court trials, but what I witnessed that day was deeply profound. It says a lot about our own society. It gives rise to questions on what protection an

individual has from State's exercise of power, and its obligations to respect and protect our liberty.

It was clear that the young man could not speak the language of the court: English. The question asked by his lawyer: "What is your name?" who should have known him presuming he had served his clients for many years, demonstrates that he barely knew him. His client was just one of the many accused he was appearing for in court that day.

What I witnessed was not a scene in a movie adaptation of *Les Misérables*, /a French novel set in 1862. It was present day Manila, the heart of the Philippines.

The young man lost four years of his life in prison. What he endured was no different to millions of Filipinos who are in police stations, jails and reformatory centers scattered all over the country.

These detainees are waiting either for conclusion of trial or completion of their prison terms. While the young man was found 'not guilty,' others accused in another case who appeared in court were convicted. [...]

[...] our freedom, our liberty, and our priceless possessions, have no adequate protection from the excesses, abuse and neglect, of the government in its exercise of power. What the young man experienced is what millions of the Filipinos—men,



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women and children—have suffered. Those who suffer are not only those in jails inside the country; there are even Filipino migrant workers in Hong Kong whose loved ones are in prisons back home.

In our Philippine society, we condemn and fear the detainees, and not the system of justice that incarcerated them. We condemn individuals, not our State who has enormous power over us to deprive us of our liberty. We tend to assume that justice serves its course and it is being doing the right way. We fear not only prisoners, but also the prisons. Our courts are no longer a place where the poor can seek remedy and relief, but only for the rich. In our courts it is the poor, not the rich, whose liberties are deprived.

We demanded too much about codifying our rights in our laws—they must be written, but we don't pay attention in understanding what our justice institutions have now become, and how they ought to function.

Our rights in the Constitution and laws: to be presumed innocent, to have to have speedy trial, free from torture, etc. remains on paper.

They either no longer protect our fundamental freedoms or they are fast degenerating.

InterAksyon.com, 09.04.2014

MEL STA.MARIA | A women's rights advocate's initial take on SC decision on RH Law

By Atty. Mel Sta. Maria

The Reproductive Health Law was generally considered not unconstitutional. However, a number of provisions were considered unconstitutional. Below is the initial take of Atty. Ampy Sta. Maria, Director of the Women's Desk of the Ateneo Human Rights Center:

"I am not overjoyed about what I've read but we will eventually get there. I still don't have a copy of the entire decision but as far as I know, the SC struck down the provision where private health care providers must refer a patient in a non-life threatening condition to another facility on the ground of conscientious objection.

"In other words, these providers can outright refuse to refer or give information to a patient whose preference for reproductive service is against the belief of such providers. I believe that an effective referral system is central to primary health care, whether public or private. It comes within the territory of making health care accessible and available - which is a State obligation.

"Another provision struck down was the prohibition for health care service providers to refuse to perform legal and medically-safe reproductive health procedures on any person of legal age on the ground of lack of spousal consent in case of married persons (and in case of disagreement, the decision of the one undergoing the procedure shall prevail). Obviously, this will have more negative impact on women than men [...]. And health providers can lawfully refuse to treat you because your husband refuses to allow you to undergo something which you think is best for you and your body. [...] his consent has become a pre-requisite to such procedure. And we are not talking about property jointly administered by the husband and wife!

"The third is the provision in the IRR which punishes any public officer who refuses to support reproductive health programs or shall do any act that hinders the full implementation of a reproductive health program, regardless of his or her religious beliefs. [...] "[A]ny act that hinders

Stories of policemen torturing suspects to extract confessions, planting evidence in illegal searches and raids; and the prosecutor's evidence taken by illegal means by police are used in court trials, are all too common. It is now the way of life. We live in a social condition as described in /Les Misérables/ in our present day.

When I appeared in court trial, my initial plan was to observe and comment on the trial of an activist, who is detained and prosecuted on evidence obtained by torture. However, what gives me profound understanding as to how the system of justice in our country operates, was how these nameless and ordinary Filipinos have to struggle to regain their liberty.

In fact, I thought the situation of the activist whose trial I had come to observe, was better off than the other detainees I had seen in court. He has legal counsel, many foreign observers were present. The court had to read quick judgments, so it could proceed to the trial of the activist. Other accused were quickly disposed off to make room for foreign observers in court.

In conclusion, while we value our freedom we have yet to understand whether or not our system of justice is founded on, operating and functioning with the idea of protecting our liberty at its core.

is broad enough to allow the public officer to frustrate the delivery of health care programs, facilities and services. The rule of law cannot just be subject to one's personal beliefs. [...]..So far, my take on the decision."

I agree

'Battle is not over yet,' say bishops, pro-life groups in Visayas

CEBU CITY, Philippines – The Supreme Court ruling that declares the reproductive health law as constitutional has not deterred the spirit of the Visayas-based pro-life advocates who vowed to continue fighting the law, which they have described as "immoral."

"May God forgive them," said Fr. Amadeo Alvero, Palo Archdiocese spokesperson, referring to the justices who voted in favor of the RH law.

He stressed that the high court ruling would not change their conviction that the "RH Law is not a law willed by God but a law made by anti-life people."

The Church, he added, would continue to "uphold, respect and promote life which God wants."

Bacolod Bishop Vicente Navarra said the provisions that were thumbed down by the Supreme Court should be considered as a little triumph.

"We need to take action and make a careful study and strategic pastoral response to this, because this battle is not over yet," he said. [...]

"The challenge is to form and inform the consciences of our faithful because the real fight against the artificial contraceptive methods which are not accessible, is fought within that sanctuary of conscience and where one makes a choice," he said.

The second challenge would be for the church to strengthen its various family ministries, he said.

"We shall make our resistance known and felt in every nook and cranny starting from the basic ecclesiastical communities and parishes. This is our commitment and with ever greater intensity and energy, we shall not waver from it," he said

A church leader in Iloilo also expressed dismay over the Supreme Court ruling.

"A disastrous day for life!" reacted Msgr. Meliton Oso, social action director of the Jaro Archdiocese. [...]

While seeing flaws in the law, the women's group Gabriela in Panay welcomed the ruling of the high court, especially in addressing needs of women and children.

"The ruling also serves as a challenge to the government to prioritize health care as its basic responsibility to the people," said Roxanne Arsaga, spokesperson of Gabriela Panay.

She said the government should ensure that free, accessible and comprehensive reproductive health would be available to women and children especially those coming from poor families. [...]

InquirerVisayas.com, 09.04.2014

Action Network Human Rights- Philippines

ManilaStanardToday.com, 23.04.2014

SC upholds legality of cyber law

By Rey E. Requejo

The Supreme Court on Tuesday junked all motions seeking reconsideration of its February 18 decision on Cybercrime Law that declared constitutional internet libel with respect to the original author of the post.

But the SC decision penned by Associate Justice Roberto Abad declared as unconstitutional the authority of law enforcement agencies to engage in real-time collection of traffic data and the power of the Department of Justice to restrict or block access to computer data.

[...] The decision granted the relief sought by the petitioners in 15 cases that challenged the constitutionality of certain provisions of the new law under Republic Act No. 10175.

With the decision, the temporary restraining order issued against the implementation of the Cybercrime Law was effectively lifted.

In its February 18 ruling, the SC affirmed the constitutionality of a key provision in the controversial Republic Act No. 10175 or Cybercrime Prevention Act that criminalizes online libel.

Declared as constitutional was Section 4 (c) (4) of the law, which penalizes acts of libel as defined in Article 355 of the Revised Penal Code committed through a computer system.

The 15-member bench held that the imposition of the cyber libel offense on "original author of the post" is constitutional, but clarified that the same is unconstitutional insofar as it penalizes those who simply receive the post and react to it.

This means only the source of a malicious e-mail, a Facebook post or any websites, tweet on Twitter can be held liable under R.A. 10175.

The SC also affirmed the constitutionality of the imposition of penalty on those aiding or abetting the commission of cyber-crimes provided under Section 5.

[...] In other words, those who "willfully abets or aids" the

author in posting of a malicious online item cannot be held criminally liable.

The SC also nullified Section 7, which allows prosecution of online libel and child pornography both under RA 10175 and RPC. The court said such provision violates the constitutional right against double jeopardy.

This means a netizen prosecuted for online libel under the Cybercrime law could no longer be charged with a separate case for libel under the RPC.

The tribunal dismissed the constitutional questions raised in the 15 consolidated petitions on 19 other provisions of R.A. 10175.

Among the key provisions declared constitutional by the SC were the sections penalizing illegal access, data interference, cybersquatting, computer-related identity theft, cybersex, child pornography and allowing search and seizure of computer data.

But the high court declared as unconstitutional three other assailed provisions of the law: Section 4 (c) (3), which penalizes unsolicited commercial communication; Section 12, which authorizes the collection or recording of traffic data in real-time; and Section 19, which authorizes the Department of Justice to restrict or block access to suspected computer data.

[...] The R.A. 10175 was supposed to take effect on October 2010, but the SC deferred its implementation following a 120-day temporary restraining order that was extended for an indefinite period in February last year.

[...] The petitioners argued that the law signed by President Aquino last Sept. 2012 violated the people's rights to freedom of expression, due process, equal protection and privacy of communication.

They said the new law also violated constitutional sanctions against double jeopardy, undue delegation of legislative authority and right against unreasonable searches and seizure.

CURRENT CASES OF HUMAN RIGHTS VIOLATIONS

DavaoToday.com, 02.04.2014

Families pin soldiers on death, disappearance

By Tyrone A. Velez

DAVAO CITY - Two families demanded the newly-deployed Philippine Army 9th Infantry Battalion to bring out soldiers allegedly involved in the murder of a youth and the disappearance of his friend two weeks ago in Maco, Compostela Valley.

The families sought help from human rights group Karapatan after saying authorities failed to act on them.

Brothers Jayson Vargas and "Ian" (a minor), told reporters here that their brother Welmer, aged 20, was strangled to death last March 23 by drunk soldiers who joined them in a drinking session in their community of Barangay Elizalde.

Welmer's companion Emar Tomampos was also strangled but managed to escape. Tomampos immediately went to his family and sought barangay officials for help. But Emar's stepsister Jenelyn Gigantos said she could no longer reach her brother and believed the military might have a hand on his disappearance.

Gigantos said that based on accounts of the victims' friends, they were having a drinking session in a videoke house on Sunday morning as it was a day-off from their work in small scale mining operations.

She said the friends saw a number of soldiers in another videoke house drinking, while dancing and swaying with their firearms.

[...] The soldiers belonging to the 9th Infantry Battalion were newly deployed a week earlier to Maco after coming from Bicol Region.

The soldiers reportedly joined the miners later on the other side, in which the miners obliged out of respect.[...]

He [Jayson] said by late afternoon, Welmer tried to leave the

table but was repeatedly held back by soldiers. But by 6 pm, around four soldiers accompanied him and Emar out of the videoke house.

Jayson said that the two were led to a place near the soldiers' detachment and were strangled by the soldiers using the sling of their rifles.

Gigantos said Emar pretended to lay dead and saw Welmer being ganged up by soldiers. He managed to slip out and fled to their house and recounted the incident.

When word of Welmer being ganged up reached his family, his parents and younger brother "Ian" went up near the detachment to try to save him. They found Welmer's near lifeless body on the ground, but he died while they were bringing him to the hospital.

[...] Karapatan obtained a medico-legal report that said Welmer died due to "asphyxiation due to strangulation."

Jayson said he is frustrated that officials failed to act on this incident.

"[...] We filed a blotter to the police in Maco but they did nothing. Not even to investigate," Jayson said.

Gigantos also appealed to Maco officials to find her brother.

"He was last seen on Sunday night and was accompanied by barangay officials to seek our mayor (Alvera Rimando) for help," Gigantos said. [...]

Meanwhile, the New People's Army Comval sub-region command released a statement last week condemning the 9th IB over the killings, adding that "AFP death squads" would face



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justice from the revolutionary movement.

[...] [NPA Comval Davao Gulf spokesperson Daniel] Ibarra [...] said the deployment of the 9th IB complements the 71st IB operations [...] in the second district of Comval, where expansion of mining exploration by American firm St. Augustine Gold and Copper Ltd and Malaysia-owned Apex Mining are being made,

DavaoToday.com, 04.04.2014

Karapatan slams CIDG's wrongful arrest' and 'red-tagging' of staff member

By Tyrone A. Velez

DAVAO CITY - Human rights group Karapatan criticized government security elements for attempting to pull out and arrest its staff member during a protest caravan here on Thursday by alleging her as a New People's Army leader.

Karapatan's Hanimay Suazo said elements of the Criminal Investigation and Detection Group (CIDG) tried to arrest a female human rights worker based in Compostela Valley, and who they identified only as 'Ana' to protect her identity.

The incident happened on Thursday noon when the group accompanied a contingent of farmers from Maco and Mawab towns of Compostela Valley to hold a rally outside the gate of the headquarters of the Armed Forces' Eastern Mindanao Command in Panacan on the one year death anniversary of a boy allegedly killed in a military operation.

Ana told Davao Today that the contingent was stopped along Barangay Lasang by police and highway patrol members. As Karapatan members were negotiating with the police, elements of the CIDG approached Ana and handed her a warrant of arrest and told her to go with them to the CIDG.

Surprised, Ana demanded that she read the warrant, and found

Philippine News Agency, 09.04.2014

Cavite cops arrest alleged gunman in tabloid reporter slay, suspect '80 percent' similar to sketch

By Christopher Lloyd T. Caliwán

MANILA -- The Philippine National Police in Cavite City nabbed a suspect in the slaying of tabloid reporter Ruby Garcia on Tuesday, a day after authorities released a sketch of the suspect.

Senior Superintendent Joselito Esquivel, Cavite Police Provincial Office director, identified the suspect as Airon Cruz, 23, who was arrested [...] in Barangay de Guzman in Cavite City on Tuesday. Operatives found drugs and a .22-caliber revolver on the suspect.

Esquivel said Cruz was 80-percent similar to the description and matched the sketch of the gunman prepared by the local police.

[...] Esquivel said police contacted another witness to help them determine whether or not Cruz was really the gunman and to corroborate the statement of the first witness.

He said investigators will also find out if the gun found on the suspect matched the gun used in Garcia's murder, noting that the bullet that killed Garcia came from a .380 revolver.

Victim named Tanza police chief as brains behind attack

Garcia, a reporter of Remate, was shot dead in front of her house in Bacoar, Cavite last April 6. Minutes after she was gunned down, Garcia managed to tell her son, Tristan, that Supt.

Bulatlat.com, 12.04.2014

Threatened rights lawyer seeks protection

By Ronalyn V. Olea

MANILA - A human rights lawyer who has been a target of surveillance by suspected state agents filed this morning April 11 a petition for a writ of amparo and writ of habeas data before the Court of Appeals (CA).

Isabela-based lawyer [Catherine D. Salucon](#) is seeking protection against "threats to her life, liberty and security" allegedly perpe-

trated by elements of the police and military.

The [writ of amparo](#) is a remedy available to relatives of victims of extralegal killings, enforced disappearances or victims of threats. The [writ of habeas data](#) is a remedy available to any person whose right to privacy, life, liberty or security is violated or threatened.

out that it contained names and aliases of people accused of murder, but could not find her name on it.

The warrant was allegedly against members of the NPA Front Committee 18 leaders.

"I refused to go with the CIDG," Ana said. "My name was not there, but they insisted I was this alias 'Evelyn'. They did not even bother to ask for my name or my identification."

A news footage later that day showed a CIDG personnel bringing out a man who covered his face with a towel, and pointed at people in the caravan as NPA members. The CIDG claimed the man was a rebel returnee.

The intervention of other human rights workers and Bayan spokesperson Sheena Duazo stopped the CIDG from making the arrest. The police also relented and the protesters proceeded with their rally outside the Eastmincom and went home hours later.

She [Ana] described it as "erroneous arrests" and expressed fear that this may be part of a crackdown on activists and human rights defenders. [...]



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According to human rights group Karapatan, Salucon was with William Bugatti in the morning of March 24. Both attended a hearing of political prisoners Rene Boy Abiva and Virgilio Corpuz in Lagawe, Ifugao. On the same night, [Buggati, a human rights defender, was killed](#) by suspected state agents.

In a statement, the National Union of Peoples' Lawyers (NUPL) said Salucon learned that she is being tailed by members of the Intelligence Service of the Armed Forces of the Philippines (Isafp). The NUPL, of which Salucon is a member, also said that Salucon learned that the Regional Intelligence Division of the Philippine National Police (PNP) issued a directive to the PNP of Burgos, Isabela, Salucon's hometown, to conduct a background investigation and to confirm whether Salucon is a "red Lawyer."

Salucon is seeking temporary protection for her and her family.

GMAnetwork.com, 15.04.2014

Tagum reporters ask for police blotters, get 'interrogation' instead - NUJP

By Elisabeth Marcelo

Two radio reporters in Tagum City, Davao del Norte were allegedly denied access to blotter reports from various police field offices in the province and ended up being interrogated by police.

In a statement on Monday, media organization National Union of Journalists of the Philippines (NUJP) said Erwin Batucan and Jojo Gales, reporters of local station Radyo ni Juan 100.7 FM visited the PNP provincial office in Davao del Norte on April 8 to check the police blotters for story leads. The radio reporters were instead directed to the office of the Intelligence Division where two officers had them write down their personal information on forms provided by the police, the group said.

[...] "Batucan also said they were not given any reason why they needed to write down their personal information...Both policemen also refrained from identifying themselves other than to say that both were intelligence officers." After 40 minutes of undergoing questioning and filling up the forms, the journalists were told they were free to go. They were not given a chance to look through the police blotter reports, however.

Batucan said he and his colleagues at the radio station have also seen unidentified men on motorcycles observing the goings-on at the radio station at different times. The NUJP said an Army spokesman had previously tagged the radio station as biased towards the New People's Army. "We demand an immediate investigation and sanctions against military and police personnel who, in violation of their sworn duties, have engaged in this brazen attempt to stifle freedom of

Philstar.com, 16.04.2014

AFP denies capturing gardener at house rented by Tiamzons

By Alexis Romero

MANILA, Philippines - The military on Wednesday denied that it has captured the gardener at the house leased by communist leaders Benito and Wilma Tiamzon, who were arrested last month in Cebu.

Armed Forces Central Command (CENTCOM) chief Maj. Gen. John Bonafos described as "baseless" claims that the gardener, previously identified as Gary Aguilar Santos, is being held captive by security forces.

"We cannot confirm nor deny that there really is a Mr. Gary Aguilar Santos because he was not with the Tiamzons during the actual arrest and neither was he there at the safe house during the raid," Bonafos said in a statement.

[...] Earlier, Karapatan claimed that Santos has been missing since March 22, the same day the Tiamzons were arrested for

She is also asking the court to direct the respondents and any persons acting on their behalf to destroy any information, statements, records, photographs, dossier and all other evidences pertaining to her in their files or record.

Named respondents included President Benigno Simeon Aquino III, AFP Chief-of-Staff Gen. Emmanuel Bautista, Philippine Army Commanding General Gen. Hernando Iriberry, and Commanding General of the 5th Infantry Division of the AFP Gen. Joel Ibanez.

[...] The NUPL said Salucon has been taking on the defense of several political detainees and most of her clients are members of peasant and other people's organizations. [...]

Edre U. Olalia, NUPL secretary general, said they would hold the military and the police and Commander-in-Chief President Aquino himself accountable if any harm is inflicted on Salucon.

the press and of expression," the NUJP said. The NUJP also demanded the following from the Davao del Norte Provincial Police Office:

- The immediate identification of the Intelligence Division personnel who subjected Batucan and Gales "to what can only be described as illegal interrogation and detention"
- The immediate investigation and discipline of these two officers
- To publicly hand over to Radyo ni Juan the information illegally extracted from Batucan and Gales
- A notarized promise to end any and all surveillance of the radio station and its personnel
- An immediate public apology and a written explanation from the provincial police director to the two reporters and to other personnel of the station, and to the media community in Davao del Norte, with the assurance that no such incident will ever occur again

GMA News Online sought PNP spokesman Senior Supt. Reuben Theodore Sindac for comment, but he is yet to respond as of this post.

In 2008, the Philippine National Police came under fire for [a new policy that barred media and the public from accessing police blotter reports without either a court order](#) or permission from the station commander. "The right to information is very basic and blotters are public records, and therefore should be available," the Palace said then.

murder charges in Cebu.

The group claimed that Santos was employed as a gardener by Rex and Lorraine Villafior, the couple that leased the house to the Tiamzons. Karapatan said Lorraine's last communication with Santos was on March 22 at around 4 p.m., a few hours after the arrest.

"Upon hearing the news report on the search operations at their house, Lorraine and Rex expressed their concern about the gardener who was left alone at the house," the group said in its website.

Karapatan demanded the "immediate surfacing and release" of Santos, whom the group said might be tortured by soldiers and policemen.

CENTCOM spokesman Navy Lt. Jim Alagao maintained that



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Santos is not under their custody.

[...] Alagao claimed that the military and police uphold human rights and strictly adhere to the International Humanitarian Law.

DavaoToday.com, 16.04.2014

Manobo leaders dismayed with CHR, NCIP absence

By Myra Acuzar

DAVAO CITY - Leaders of the Manobos trooped to the offices of the National Commission on Indigenous Peoples (NCIP) and the Commission on Human Rights (CHR) Tuesday to report abuses purportedly committed by the military in their community of Talaingod, Davao del Norte.

But the leaders under the Salugpungan 'Ta Tanu Igkanugon were disappointed as officers in both offices were not present at that time.

Support groups like Kilusan ng mga Magsasaka ng Pilipinas (KMP), PASAKA and Anakbayan also staged rallies in front of the offices to highlight the Manobos' calls to the public.

Tungig Mansumuy-at, a leader of the Salugpungan said that they should be recognized and be prioritized by government offices such as the NCIP because they are the largest number of indigenous group in Davao region.

The group then went to the CHR which was a short distance from the NCIP, but found out that the office was close as its personnel were on training.

One of the Manobo supporters, Gelyne Alapag of Anakbayan said government offices should have taken a pro-active stance on this issue.

"We went to the NCIP but the officials were not there. The CHR should be open at all times. They should be the first to know and to respond on the needs of the lumads but they had not done anything," Alapag said.

But the NCIP regional director Dr. Beth Malabanan told Davao Today that they are open to talk with the Talaingod Manobos.

She explained that last Tuesday, the group did not enter their office even after the NCIP legal counsel and former provincial officer in Talaingod Atty. Jake Dumagan invited them in.

"I don't know if they really want to talk with us. We just want them to air their side. We welcome them anytime," said Malabanan. [...]

The Manobos are now on their second week in their sanctuary at a church compound, and are still waiting for government's response to their situation.

ABS-CBNnews.com, 21.04.2014

Mayor shot dead during flag-raising ceremony

MANILA- The mayor of Gonzaga, Cagayan was shot dead during Monday's flag-raising ceremony, the police said.

Cagayan Police said Mayor Carlito Pentecostes Jr. was shot dead by fatigue-wearing assailants at around 8 a.m. in front of the municipal hall.

Pentecostes, who was on his second term as Gonzaga mayor, died on the spot. His two bodyguards were also killed in the shooting incident.

Chief Supt. Miguel Laurel, Philippine National Police Region 2 (Cagayan Valley) director, confirmed earlier allegations that New People's Army (NPA) rebels were behind the attack.

Laurel said this was based on the leaflets left by the attackers at the crime scene. The leaflets showed criticisms against the black sand mining industry in the province.

Municipal hall employees said the mayor was giving a speech when two of the suspects approached and even greeted him before shooting him down.

The two assailants were with other 6 others who had surrounded the town hall.

A firefight immediately ensued but the suspects were quick to withdraw from the scene. [...]

Military troops are now working with the Philippine National Police in pursuing the assailants.

Laurel said an administrative investigation may also be launched to determine whether there were lapses on the part of the policemen tasked to protect Pentecostes.

NPA admits killing mayor over black sand mining

TUGUEGARAO CITY - The New People's Army (NPA) took responsibility for the April 21 assassination of Mayor Carlito Pentecostes Jr. of Gonzaga town, Cagayan province, after a revolutionary court sentenced him to death for his role in the arrest of a rebel leader and for supporting black sand mining in his town.

In a statement released on Thursday, Ester Falcon, spokesperson of the NPA's Danilo Ben Command-West Cagayan Front, said eight judges found Pentecostes guilty and was then condemned to die by virtue of Section 2, Article VI of the Patnubay sa Hukumang Bayan (Rules of the People's Court), which imposes a death penalty for the crimes of "espionage, killing, arson, betrayal of public trust, rape and other heinous crimes."

"This is a testament to everyone that no one is above revolutionary justice. No matter how near or far, or how easy or difficult, the Red court empowered by the people will punish the guilty," the NPA statement said.

The NPA court began hearing Pentecostes' case in 2012, Falcon said.

Major victory

Pentecostes was shot dead in front of the town hall after a flag-raising ceremony.

"It is a slap in the face of the Philippine National Police and the security personnel of Pentecostes, that the red unit tasked to punish the mayor was able to penetrate their ranks at 8 a.m. right in front of the town hall," the NPA statement said.

The NPA also rebuked the military for declaring that the NPA is no longer operating in Cagayan.

"This is a major victory for the people of Cagayan and for the revolutionary movement in the province despite the insistence of the Army's 5th Infantry Division that the NPA is no longer operating in Cagayan," the statement said.

Newspapers and television news broadcasts quoted a military official as saying crime scene evidence disputed the theory that an NPA hit squad had murdered Pentecostes. [...]

Philippine Daily Inquirer, 26.04.2014

ManilaStandardToday.com, 23.04.2014

Manobo chieftain shot dead inside restaurant in Agusan

By Alvin T. Guanzon

BAYUGAN CITY, Agusan del Sur --- Two gunmen shot dead on Tuesday morning a Manobo chieftain inside a restaurant in San Francisco town but responding policemen caught up with killers as they fled and killed one of them in a gunbattle at the national highway, a official said.

Agusan del Sur Provincial Safety Command Insp. Jovierick

Decapia said Datu Bulawanon, head of the tribe that consider as part of its ancestral domain thousands of hectares of gold mining areas in the towns of Rosario and San Francisco, was shot at close range while drinking liquor with several tribe members.

"Datu Bulawanon was hit several times and died on the spot," Decapia said.



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Two men backed by two lookouts walked up to the Manobo chieftain sitting on one of the tables at Hubang Gallery Cockpit and opened fire with .45 calibre pistols. They fled on board two motorcycles.

Police killed one of the suspects in a gunfight at the national highway and another was wounded and taken into custody. The wounded suspect was identified as Jemilo Bansag Pepito, 20, a

miner.

Decapia said the slain suspect was unidentified.

The Manobo tribe has been involved in various legal conflicts regarding royalties from large and small scale mining operations in their ancestral domain. The conflicts often result in unsolved killings.

Interaksyon.com, 25.04.2014

Rosal daughter, due to give birth any time, jailed in poor conditions, rights group says

By Lira Dalangin-Fernandez

MANILA, Philippines -- The human rights group Karapatan on Friday called on the government anew to order the release of pregnant detainee Andrea Rosal for humanitarian reason and for the sake of her baby.

Quoting Rosal's attending doctor from the Health Alliance for Human Rights, Karapatan said that the baby is due any time. When she gives birth, Rosal is reportedly given only 24 hours to be with her baby, which the group said was a very short period for Rosal to breastfeed.

"The threat of separating Andrea and her baby forebodes the Philippine government's violations of the recommendations of World Health Organization on breastfeeding and the UN Convention on the Rights of the Child," it said in a statement.

According to Karapatan, the WHO recommends exclusive breastfeeding for six months and sustained breastfeeding for more than two years in an environment where both baby and mother are properly fed and cared for, where the mother can also have the health and stamina to nurture her child, free from unnecessary stress and discomfort.

Rosal, 31, was arrested on March 27, 2014 in Caloocan City, together with Edward Lanzanas. They were suspected of being members of the New People's Army (NPA).

Rosal is the eldest daughter of the late Rogelio "Ka Roger" Rosal, spokesperson of the Communist Party of the Philippines, the political wing of the NPA.

Rosal and Lanzanas were on their way to the doctor for a check-up when they were arrested. Rosal is seven months pregnant.

Karapatan said both Rosal and Lanzanas should be released because the charges against them were "fabricated, malicious and baseless."

Rosal's condition also warrants prompt medical attention, and her continued detention under "subhuman condition" endangers her and her baby, the group added. Both are currently detained at the Taguig City Jail.

Karapatan said that Andrea currently shares the cell with 24 other female detainees, some of whom are also political prisoners.

"Each cell has only a window built along the building's corridor; no window is built where fresh air and sunlight could get through. Due to her arrest, Andrea did not have the chance to prepare for the baby's needs, such as diapers, clothes, etc. She had stopped drinking her supplements and has to make do with food rations, usually just rice and a very small amount of fish or boiled vegetable," it added.

UPDATES ON CASES OF HUMAN RIGHTS VIOLATIONS

Karapatan - Statement, 01.04.2014

Rights groups slam trumped-up charges vs activists, peace consultants in talks with government

Rights groups held a protest action in front of the Manila Regional Trial Court Tuesday morning, when the court conducted a clarificatory hearing on the multiple murder case filed against former Bayan Muna Rep. Satur Ocampo and peace consultants in talks with the government, including Randall Echanis, Rafael Baylosis, Vicente Ladlad, and recently arrested consultants Benito Tiamzon and Wilma Austria.

"The revival of these trumped up charges against Ocampo and the peace consultants signals the intensification of political persecution under the Aquino administration. These were charges hatched under the auspices of former Pres. Gloria Macapagal Arroyo's Inter-Agency Legal Action Group (IALAG), which was deemed by United Nations Special Rapporteur Philip Alston as a means by which the government prosecutes and punishes "enemies of the state," said Cristina Palabay, Karapatan secretary general.

Palabay said that while the IALAG was abolished due to extensive campaign of human rights groups and the international community, the policy and practice of filing trumped-up criminalized charges continues under the Aquino government.

Karapatan has documented 570 cases of illegal arrests and detention from June 2010 to December 2013. The group also documented 427 political prisoners, as of December 2013, including 152 persons arrested under Aquino's term. Palabay added that almost all of cases, like those of detained NDFP consultants, are criminal charges spuriously filed based on highly questionable evidence and fabricated testimonies.

"Leaders of people's organizations in Negros, for instance, are

constantly threatened with fabricated criminal charges of the AFP and the PNP. Under the Aquino government, the assault on political dissenters through the filing of trumped-up charges is on the rise. In an attempt to silence opposition, they make up all sort of charges using the wildest of their imagination," Palabay said.

Organization of ex-political detainees SELDA (Samahan ng Ex-Detainees Laban sa Detensyon at Aresto), of which Ocampo is board member, also condemned the revival of charges against Ocampo and consultants who are performing tasks in the peace talks on the side of the National Democratic Front of the Philippines.

"How the police and military have arrested, demonized and dealt with the latest political prisoners Benito Tiamzon, Wilma Austria and their five companions, and the arrest of the late Ka Roger Rosal's daughter, is vintage martial law practice. The "planting" of evidence has been a long-standing practice of the police and military, extensively used during the Martial Law period. They use this to justify illegal arrests and detention. They also exploit the use of John and Jane Does, even aliases, to charge anyone as respondents to a case," Bonifacio Ilagan, vice chairperson of SELDA, said. [...]

"Circumstances of arrests and detention are highly anomalous, and the so-called evidences improbable," said Ilagan, "human rights lawyers call the circumstances cited in trumped-up charges as beyond human experience, like soldiers' testimonies that they identified the respondents by virtue of seeing their faces in alleged military encounters."



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Karapatan and SELDA joined calls to free all political prisoners, and demanded that the Aquino government stop filing

trumped-up charges. [...]

Visayan Daily Star, 11.04.2014

'NPA Statement desperate diversionary tactic'

By Gilbert Bayoran

The Army's 3rd Infantry Division yesterday dismissed as "desperate diversionary tactics" the justification by the Apolinario Gatmaitan Command of the New People's Army, that the killing of eight civilians and a policeman in Brgy. Puso, La Castellana on January 27 last year, was a legitimate ambush, and not a massacre.

Juanito Magbanua II, spokesman of the Apolinario Gatmaitan Command, said in a statement it issued to the media, that, based on their investigations, it was a legitimate military action of the NPA against legitimate military targets, Philippine National Police and paramilitary men, including the armed Barangay Peacekeeping Action Team members.

Magbanua also said that it is the concept and principled stand of the NPA not to harm civilians and the fact that they had hitched a ride on board was a failure of intelligence, lax discipline and violation of strict centralism of the CPP and rules of its guerilla unit, the NPA, and primarily warrants only administrative discipline.

Maj. Rey Tiongson, 3ID spokesperson, said the justification made by the NPA aims to clean their name, and escape from their guilt.

"In the end, the fact remains that they have killed civilians, including those who pleaded for their lives", Tiongson said.

During the first anniversary of the La Castellana massacre on Jan. 27, the Diocese of Kabankalan, in a strongly-worded statement signed by Bishop Patricio Buzon, said "The merciless and treacherous killings of civilians, the random firing at innocent

passengers and hitch-hikers that wounded many of them, the unimaginable grief of losing loved ones and bread winner of poor families, and the fear and terror which traumatize persons and communities, are inhuman, evil and detestable. [...]"

Magbanua said the NPA has no intention to make force multipliers their targets. But since they were armed and in the company of the police, they became paramilitary men and legitimate targets of military action, he added.

Col. Jon Aying, 303rd Infantry Brigade commander, however, said [...] "The People's verdict is clear. They are guilty of this criminal act" [...].

Magbanua said the two civilians [...] ended as "collateral damage". He, however, insisted that the NPA has no criminal liability for the incident, and therefore, it is not under obligation to provide indemnification to the victims.

Nine counts of murder have been filed by the police against the rebel suspects.

[...] He also said that the charges could well be tackled and was decided administratively by the Negros Island Party Committee [...].

Bishop Buzon, had earlier said in a statement that the CPP-NPA, the group that prides itself as the champion of justice and human rights, publicly admitted responsibility for these killings, with distortion of facts, a bundle of justifications and promises of indemnification, which were meant to sanitize the barbarity of the act and impress the world of the group's faithful adherence to agreements it signed with the government. [...]

Karapatan - Press Release, 24.04.2014

Amended DND-DILG Joint Order another proof that arrest of Tiamzons illegal –

Karapatan

"The GPH cannot escape the fact that the Joint Agreement on Safety and Immunity Guarantees (JASIG) is operative and JASIG-protected persons are immune from arrests, including recently arrested NDFP consultant Wilma Austria Tiamzon," declared Cristina Palabay, secretary general of Karapatan.

Palabay made reference to the DND-DILG ORDER ON REWARD NUMBER 14(A)-2012 issued on December 12, 2012 amending earlier DND-DILG Joint Order Number 14-2012 stated, "Pursuant to the Joint Agreement on Safety and Immunity Guarantees (JASIG) dated 24 February 1995 and the current GPH list of JASIG-covered personalities, the following names are to be deleted from DND-DILG JOR Number 14-2012 in recognition of the pending peace negotiations and conditions upon the existence of said peace negotiations".

The amendment ordered the deletion of names of Wilma Austria Tiamzon, Rafael Baylosis, Vicente Ladlad, Reynaldo Bocala and Jose Maria Sison from the list of so-called 235 "communist personalities" who are targets of arrest or neutralization, with corresponding reward money. Except for Sison, who is NDFP chief political consultant, all are consultants in the GPH-NDFP peace negotiation.

[...] "The list of deleted persons is incomplete," Palabay said as there are 14 NDFP consultants who are detained on numerous trumped up criminal charges, including the Tiamzon and Aus-

tria. Under BS Aquino, a peace consultant was convicted for the first time. Eduardo Sarmiento, who hails from Samar, was sentenced 40 years imprisonment in December 2013 for trumped up charge of illegal possession of explosives. There are also 13 NDFP consultants and staff who are victims of enforced disappearance.

The DND-DILG Joint Order Number 14-2012 is a hitlist akin to Gloria Arroyo's Order of Battle used in the implementation of her Oplan Bantay Laya. In the said list, Benito Tiamzon and Wilma Austria-Tiamzon have a 10 million-peso reward each on their heads. Karapatan considers the reward system an "organized racket" of the AFP and the PNP and called on the government to scrap the said order.

The amendment of DND-DILG Joint Order on Reward Number 14 (A)-2012 was signed by DND Sec. Voltaire Gazmin and DILG Sec. Mar Roxas. The said document also stated, "All previous Joint Orders contrary to or inconsistent with this Order are hereby rescinded."

"The GPH should take responsibility in stalling the peace negotiation with its double talk," said Palabay as it reiterates Karapatan's calls to: Resume peace talks with the NDFP! Release all detained NDFP consultants! Surface missing consultants and staff!

Action Network Human Rights- Philippines

InterAksyon.com, 27.04.2014

A MOTHER'S PLEA | Jonas Burgos' mom to PNoy: Where is 'dedicated' probe of disappearance?

[...] AN OPEN LETTER TO PRESIDENT BENIGNO SIMEON C. AQUINO III. [...]

Mr. Benigno Simeon C. Aquino III

The President of the Philippines

[...]:

Tomorrow, April 28, 2014, as we sadly commemorate the 7th anniversary of the abduction of Jonas, we recall how a few days before you were sworn in as President of the Republic of the Philippines, we were so full of hope. We, my children and I, thought that it would be just a matter of time before we would find Jonas. [...] This was almost four years ago, May, 2010.

May I refresh your memory Mr. President—just by focusing on the evidence on the Jonas case:

On March 15, 2011 the Commission of Human Rights (CHR) submitted its report to the Supreme Court (SC) naming Maj. Harry Baliaga Jr. as the principal abductor of Jonas. The CHR findings were upheld by the SC in July 5, 2011, directing the military to produce Jonas.

In June 2011 I filed a criminal case with the DOJ against Harry Baliaga Jr. and Eduardo Año, et al based on the CHR findings.

In Dec. 2, 2012 in spite of this pending preliminary investigation, Eduardo Año is appointed chief of the Intelligence Service of the Armed Forces of the Philippines (ISAFP). Later Eduardo Año is promoted from Brigadier General to Major General, in spite of my objections filed with the Commission on Appointments.

March 18, 2013 the Court of Appeals has found that: a) the abduction of Jonas Burgos is a case of Enforced Disappearance; b) Maj. Harry Baliaga Jr. is held responsible for the abduction of Jonas; and c) the Armed Forces of the Philippines and elements of the AFP, particularly the Philippine Army, are accountable for the abduction of Jonas Burgos. The same findings were later upheld by the Supreme Court in its ruling dated February 2, 2014.

PEACE PROCESS

InterAksyon.com, 09.04.2014

NDF offers timeframe for talks on socio-economic reforms but maintains JASIG is 'binding'

MANILA, Philippines -- Communist rebels are proposing a six-month timeframe to discuss social and economic reforms but maintain that an agreement that protects negotiators and consultants from arrest and prosecution is "binding" and not merely "procedural matters" as claimed by presidential peace adviser Teresita Quintos-Deles.

Should formal peace talks between the communists and government, stalled since 2012, resume, the National Democratic Front "is willing to target the completion of the CASER (Comprehensive Agreement on Social and Economic Reforms) in six months," the rebels' chief negotiator, Luis Jalandoni, said in a statement.

He also said preparations for the resumption of the talks could begin with "informal talks or consultations" in Norway's capital, Oslo, in the last week of May to be followed by a "two-week meeting of both sides, facilitated by the RNG (Royal Norwegian Government)," also in Oslo, "for the formal resumption of peace negotiations."

Socio-economic reforms are the second of the four so-called "substantive agenda" to be tackled during the negotiations.

The completion of discussions on the first agenda, respect for human rights and international humanitarian law, resulted in two major agreements, the Comprehensive Agreement on Respect for Human Rights and International Law and the Joint Agreement on Safety and Immunity Guarantees.

In the light of the new evidence I have submitted to the SC on April 1, 2013, on April 4, 2013 you issued a directive to the Department of Justice (DOJ) to order the National Bureau of Investigation (NBI) to conduct a 'focused, dedicated and exhaustive investigation on the Jonas Burgos case ... to ferret out the truth...'. Mr. President, more than a year has passed since this order was given, may I know if this order elicited any result?

On April 12, 2013, the SC has ordered the chief of the AFP to locate the officers who abducted Jonas, and has issued a Temporary Protection Order to me and members of my family in cognizance of the critical value of the new evidence I submitted to the SC.

On February 2, 2014, the same CA resolution was upheld by the Supreme Court [...].

May we highlight the following facts:

In spite of the unfulfilled SC order to produce Jonas, no one has been penalized or found accountable;

In spite of the overwhelming evidence that the military is accountable for Jonas' disappearance, you have not acted on the case as you promised;

In spite of your Order to the DOJ-NBI, there has been no 'dedicated and exhaustive investigation' on the case.

Meanwhile, those we believe were responsible for giving the orders to abduct Jonas, were promoted and even appointed to crucial positions which could enhance and encourage the climate of impunity, now prevalent in our country.

It has been four years that you have been Commander-in-Chief, yet we do not know the truth about Jonas. Mr. President, is there hope that the truth will finally be revealed while you are still in the position to make this happen? [...]

In the love of the God of mercy,

EDITA TRONQUÉD-BURGOS, OCDS

Mother of Jonas

The last two agenda are constitutional, political and electoral reforms, and the end of hostilities and redistribution of armed forces.

The government has blamed the NDF's insistence on the release of captured rebel leaders it describes as peace talk consultants and, thus, covered by the JASIG, for the stalled negotiations.

It has also derided the Hague Joint Declaration, which sets the framework for the talks, including the substantive agenda, as a "document of perpetual division." [...]

Jalandoni and Sison also dismissed Deles' claims the rebels have been obsessing on the JASIG, saying that the NDF has been insisting on discussing social and economic reforms since March 16, 1998, when the CARHRIHL was signed and the NDF draft of the CASER was presented to the government's negotiating panel.

Laying out the proposed timeline for discussions on social and economic reforms, Jalandoni said the issues surrounding Hacienda Luisita, the vast sugar estate owned by the Cojuangco clan to which President Benigno Aquino III belongs could be taken up "within one month" of the talks' resumption.

Aside from this, he said:

- "We propose to deal with an effective and comprehensive rehabilitation program for (super typhoon) Yolanda affected areas within two months, with the



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help of the Royal Norwegian Government and the UN (United Nations) Food and Agriculture Organization.

- We propose the taking up and forging an agreement on the Public Private Partnership (PPP) and its effects on demolitions of urban poor communities within three months. Likewise, we want to take up the issue of skyrocketing prices of gas and oil, food, electricity, water and other basic commodities within three months. We can also take up within three months the issue of privatization of the Fabella and Orthopedic hospitals and related issues.
- We propose to take up the issue of foreign destructive mining, the displacement of indigenous peoples and peasants, and destruction of their livelihood within four months. We can ask for the help of the Norwe-

gian Refugee Council, which has published a document on the Lumads.

- All other issues such as health, housing and rights of women, children and elderly, to be included in the Comprehensive Agreement on Social and Economic Reforms within six months."

"These concrete proposals of the NDF are a challenge to ... President Benigno S. Aquino III. Does he take seriously the people's demands for a just peace, or is his priority the imprisoning of NDFP consultants and political prisoners?" Jalandoni said.

InterAksyon.com, 13.04.2014

'We will not be ignored again,' say lumad in prospective Bangsamoro

MANILA, Philippines -- Indigenous people in the prospective Bangsamoro have informed President Benigno Aquino III that they will not allow themselves to be ignored again and will pursue the delineation of their ancestral lands within the new territory.

"Although a handful individuals are critical and not happy about this development and even misinterpret this as causing harm to the peace process -- there's no stopping now," leaders of the Teduray, Lambangian, Dulangan Manobo, Eruananen ne Manuvu, Obo Manobo tribes said in an open letter to Aquino.

In the letter, they informed Aquino that they were working with the National Commission on Indigenous People with the delineation of their ancestral lands within the Autonomous Region in Muslim Mindanao, which will eventually be dissolved to give way for the new Bangsamoro territory under the terms of the peace agreement between government and the Moro Islamic Liberation Front.

"After seeking guidance from our ancestors, we decided to do what is just and fair to our children's children -- to carefully prepare the small space for our tribes to thrive as distinct peoples and contribute to the new tomorrow that waits for us in the Bangsamoro," the tribal leaders said.

There are more than 100,000 *lumad* within the ARMM who lay claim to an ancestral domain that spans 300,000 hectares of land and coastal waters within 12 municipalities of Maguindanao and parts of neighboring Sultan Kudarat province.

The *lumad* leaders said what they seek is to be a "'minority of the minority'" within the Bangsamoro and that the reaction to the delineation process would determine if this was possible.

Earlier, indigenous people within the ARMM, which was created through the peace agreement between government and the Moro National Liberation Front, said they had been left out of the pact and its aftermath, mainly by the failure to include the autonomous region in the coverage of the Indigenous Peoples Rights Act or even set up an office of the NCIP.

Because of this, the *lumad* leaders said that since 2005, they "have been supportive all the way" of the peace negotiations between the government and the Moro Islamic Liberation Front and had constantly sent proposals and position papers to both sides and engaged them in dialogues since 2005.

The Bangsamoro Transition Commission drafting the law that will create the new entity also has two *lumad* representatives.

Philippine Daily Inquirer.com, 15.04.2014

Bangsamoro 'law' ready

By Christian V. Esguerra

MANILA, Philippines -- Malacañang on Monday received the draft of the Bangsamoro basic law, a priority measure President

Despite this, they asked: "What have happened to the many years of our engagement with the government, our own LGUs (local government units), the MILF and OPAPP (Office of the Presidential Adviser on the Peace Process)? Where have all our proposals gone? Are we to expect the same treatment and inattention to happen to our submissions to the BTC?"

The tribal leaders said that while the framework and comprehensive agreements on the Bangsamoro "may have answered consensus points for the Moro peoples," they had "raised a lot of crucial questions for us indigenous peoples:

1. Why was the (IPRA), the very law that protects our rights as Indigenous Peoples not included in the FAB, Annexes and the CAB? And therefore, we believe that our rights won't be significantly entrenched in the BBL (Bangsamoro Basic Law). [...]
2. Isn't it that by empowering and providing us our rights to govern our own territory, exercising our culture and recognizing that we are distinct peoples part of the over all peace process? But where are we in the entire picture? Are we talking about a different peace in the Bangsamoro?
3. How can we address a competing and contradictory policy over land and ancestral domains by the peace actors themselves? Government instrumentalities are supporting us for as long as the ARMM is not yet abolished; they say that IPRA can still take effect. In apparent contradiction, the MILF Central Committee publicly stated their position on a single ancestral domain and not allowing AD delineation processes (refer to [April 1 Editorial, Luwaran](#), official publication of MILF).
4. Can the executive branch of the government lead the way to finally overcome the problematics of the IPRA in the ARMM? We are humbly appealing your esteemed intervention to inspire the process and break this impasse."

The open letter stressed that the *lumad* "are not and will never be spoilers, free riders, or even ill-minded whisperers of some sort. Our open, honest yet critically constructive support to the peace process through the early years will bear us out. We remain fully supportive of your administration's efforts to reach a just and sustainable peace in the Bangsamoro and beyond." [...]

Aquino would submit for congressional scrutiny and approval to pave the way for the creation of a new autonomous region in



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Mindanao.

Mohagher Iqbal, chair of the Bangsamoro Transition Commission, submitted the document during a meeting with Undersecretary Michael Frederick Musngi of the Office of the Executive Secretary.

"The draft has been submitted," deputy presidential spokesperson Abigail Valte told the Inquirer after the meeting.

"After a thorough review by the Office of the President, the intention is to submit it to Congress for the consideration of our legislators."

Asked if the Palace would submit the draft to Congress once session resumes on May 5 after the Lenten break, Valte mentioned no specific deadline.

"While there is no hard deadline set, we remain cognizant of the necessary pace of the process that needs to be undertaken," she said.

The President is expected to certify the draft basic law as urgent. Once it is approved by Congress, a plebiscite will be held in areas to be covered by the new Bangsamoro autonomous region, which would take the place of the Autonomous Region in Muslim Mindanao (ARMM). [...]

If ratified in the plebiscite, the basic law would render the Organic Law that created the ARMM repealed and thus abolish the old autonomous region.

Constitutional challenge

Valte said both the government and the Moro Islamic Liberation Front (MILF) panels that negotiated the peace agreement were

aware that the basic law would likely be questioned in the Supreme Court.

"Knowing that anything that will come out of their negotiations will be challenged, they have made sure that they had the proper legal guidance while it was being crafted and that it will stand scrutiny," she said in a press briefing.

Valte said the draft law would be reviewed by the Office of the President, particularly by the Deputy Executive Secretary for Legal Affairs, Michael Aguinaldo. [...]

Iqbal earlier described the drafting of the basic law as a "very difficult process."

The 15-member Transition Commission drafted the proposed basic law based on the Comprehensive Agreement on the Bangsamoro, which was signed in Malacañang on March 27.

Support from Congress

The five-page agreement covered signed deals, including the 2012 Framework Agreement on the Bangsamoro and four annexes and addenda negotiated between the government and the MILF.

Both Senate President Franklin Drilon and House Speaker Feliciano Belmonte have committed to work on the basic law to meet the government-MILF timetable of completing the entire peace process by the time the President steps down in June 2016. [...] Drilon earlier said that the Senate was "more than ready to work on the new Bangsamoro basic law—one that would be universally fair, practical and constitutionally consistent." [...]

FURTHER READINGS

Amnesty International, 2014

STOP TORTURE Country Briefing: Philippines

Amnesty International has serious concerns about the widespread use of torture and other cruel, inhuman or degrading treatment or punishment in the Philippines. State security forces including law enforcement officers continue to torture suspects and prisoners.

Justice is out of reach for the vast majority of people who are tortured. And perpetrators are almost never held to account.

Click [here](#) to view the complete report.

Inquirer.net, 23.04.2014

One-dimensional diplomacy: A cost-benefit analysis of Manila's security deal with Washington.

By Walden Bello

Manila and Washington are said to be rushing to complete negotiations on the Agreement on Enhanced Defense Cooperation (AEDC) so both Presidents Aquino and Obama can seal the new security deal when the American head of state arrives next week.

[...] Our territorial conflicts with China are the reason for this new agreement, and the message del Rosario and Malacañang want to deliver is that the AEDC is the mechanism that will make the Chinese respect our rights to Scarborough Shoal, the nine islands and reefs we claim in the Spratly Islands, our continental shelf, and our 200 Mile Exclusive Economic Zone.

The truth of the matter, however, is that the deal negotiated by Secretary del Rosario will do no such thing.

Click [here](#) to view the complete article.