



Action Network Human Rights- Philippines

HEADLINES NEWS REVIEW AUGUST 2014

HEADLINES & POLITICS

US calls attention to media killings	2
Caught on video: 'Soldiers' shoot man in cold blood	2
Int'l Day of the World's Indigenous Peoples More IP victims under Aquino's term	3
Environmental organizations fight back allegations of pro-mining protesters	3
'Dead scared' Palparan finally arraigned, brought to Bulacan jail	3
OHCHR welcomes arrest of Palparan	4
Eastern Visayas victims step forward, demand speedy conviction of Palparan	4
Does Palparan arrest signal end of Aquino's apathy towards impunity?	4
Aquino frustrated over slow wheels of justice	5
AFP shake up complete: 2 'notorious' generals assigned to NPA hotbeds	5
ICRC chief urges end to plight of Zamboanga's displaced	5

CALAMITIES & CLIMATE CHANGE

Yolanda rehab plan: Gov't to relocate 940,000 survivors	6
---	---

INSTITUTIONS

Almonte: Oust oligarchs in govt	6
House approves Magna Carta for the Poor	6
Women activists say govt policies jacking up maternal death rate	7
ARMM pursues responsible mining law in the region	7
Photographers' group slams HB 4807, claims it suppress press freedom	7
Drilon confident Senate will pass anti-dynasty bill	8

CURRENT CASES OF HUMAN RIGHTS VIOLATIONS

3 indigenous people killed in a week	8
NPA: We killed Misamis Oriental councilor	9
Arrest of IP leader hit	9
Lawyer shot dead by riding-in-tandem gunmen	9
Broadcaster shot over drug exposé	9
Pangasinan Broadcaster attacker faces frustrated murder rap	10
False charges were filed against two labour leaders	10
Four-month old child hit by soldiers' bullets, 14-year old boy abducted with father	10
A union member illegally arrested and harassed by police authorities in Albay	11
Bicol labor leader freed on bail	11
Two youth volunteers arbitrarily arrested in Neuva Ecija province	11
Two relief workers and two other peasant leaders killed in August	12

UPDATES ON CASES OF HUMAN RIGHTS VIOLATIONS

Scientist Gargar recounts experience in Jail, seeks Justice	12
"Incidents must be investigated"	13
Failure to nab trade exec's killers hit	13
Aquino: 'Developments' in hunt for Reyes brothers, Ecleo	14
Southern Tagalog groups demand justice for missing, slain colleagues	14



Action Network Human Rights- Philippines

SC asked to order habeas corpus hearing on arrest of 'bodyguard' of Andrea Rosal	14
'Conspired' to kill	15
De Lima orders raps vs ex-Davao del Sur gov, mayor for journalist's murder	15
BJMP admits PH jails, including those in Metro Cebu, are congested	15
<u>MAGUINDANAO MASSACRE</u>	
Private prosecutors protest move to rest case vs 28 accused	16
Malacañang to families of massacre victims: Expose bribe attempts	16
<u>PEACE PROCESS</u>	
Murad to Lumads: "We will not repeat the situation"	17
Attempt to arrest Misuari 'an act of war'	17

Disclaimer: The news articles available in this review are only collated from local newspapers. They were not written by the Action Network Human Rights- Philippines.

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).



Action Network Human Rights- Philippines

HEADLINES & POLITICS

ManilaStandardToday.com, 01.08.2014

US calls attention to media killings

By Sara Susanne D. Fabunan

Goldberg met Wednesday with representatives from the Confederation of Asean Journalists, Center for Media Freedom and Responsibility, National Press Club, Kapisanan ng Brodkaster sa Pilipinas and the Philippine Center for Investigative Journalism. An embassy statement quoted Goldberg as saying freedom of the press is "a fundamental human right" and the US government supports an "open media environment where journalists are free to work safely without the fear of being threatened or killed."

"The targeted killing of journalists has continued in the Philippines and impunity for these crimes has remained a serious issue," the embassy said.

It was the second time Goldberg issued a statement on the matter after he expressed alarm about the growing number of media killings in the country in May, when the US embassy issued its lengthiest remarks on the killings of journalists.

"I have been troubled by continued acts of violence committed against journalists," Goldberg said in May. "Our people share a belief that a free press helps to ensure a vibrant democracy."

[...] The embassy issued the statement a month after United Nations special rapporteur on extreme poverty and human rights Philip Alston also expressed concern at the continuing incidents of extrajudicial killings and escalating human rights violations.

Alston expressed a keen interest in looking into the new allega-

tions after he learned that the Aquino administration had done nothing to implement the recommendations that he made seven years ago.

In 2007, Alston, who was then the UN special rapporteur on extrajudicial, summary or arbitrary executions, came to the Philippines to investigate the cases of extrajudicial killings under the Arroyo administration.

In that report, Alston pointed to the responsibility of the government, military and police in the targeted killings and disappearances of hundreds of political activists and those tagged as rebel supporters as part of the counter-insurgency campaign of the state.

He recommended a checklist of concrete steps that the Philippine government should do to address and abate the rights violations, but the recommendations remain unheeded.

Alston said UN rapporteurs Chaloka Beyani and Gabriela Knaul, Palabay have also expressed interest in coming to the country to conduct an investigation.

Beyani, UN special rapporteur on the human rights of internally displaced persons, is slated to conduct his official visit this year, but Knaul has yet to secure an invitation from the Philippine government following her request to visit the Philippines.

Knaul is set to look into the independence of judges and lawyers and the attacks against them.

Rappler.com, 01.08.2014

Caught on video: 'Soldiers' shoot man in cold blood

By Karlos Manlupig

DAVAO CITY, Philippines - He's hogtied, his face kissing the ground. In a few seconds, about 18 armed men around him - all wearing military uniforms - take turns kicking him and stepping on his head as he lay helpless at the back of a 2-story house. [...] It ends with alleged soldiers rapidly firing their M16s at the hapless man after they drag him into the field. At some point, we hear a man shout: "That's enough! That's enough!". But another continues to fire his weapon, followed by the rest who empty their magazines in succession, killing the man.

At least 109 gunshots are heard throughout the 4 minutes and 8 seconds.

Posted on Facebook on June 20, 2014 by a certain Abu Maidan, the video has triggered an investigation by the Armed Forces of the Philippines into the alleged involvement of its men in the gruesome killing.

The Moro Islamic Liberation Front (MILF) told Rappler it is done with its own probe, claiming that the video captured an incident on June 10, 2014 when Army troops raided a suspected safe house of alleged top terrorist Abdul Basit Usman in Barangay Libutan, Mamasapano town, Maguindanao. The man who was summarily executed, based on the video, was Muslimin Talib, the uncle of Usman's wife, according to MILF spokesman Von Al Haq.

Military officers, however, told Rappler that the video could have been taken years ago [...].

Former Armed Forces chief of staff retired General Emmanuel Bautista [...] immediately [ordered an investigation](#). The unfinished probe has yet to determine if the men who took part in the shooting are soldiers. [...]

Military, MILF investigations

The MILF, which interviewed barangay residents and its own troops based in the area after it saw the video, said Talib was DavaoToday.com, 11.08.2014

executed in cold blood by soldiers during their raid of Usman's alleged safe house - as caught on the video.

The man who posted the video on Facebook claimed he is from the BIFF, which broke away from the MILF and is accused by the military of coddling Usman and other terrorists. [...]

Military intelligence has been ordered to trace the source of the video, according to the same officer. [...]

The MILF, which has signed a peace agreement with the Aquino government, said it has submitted its initial findings to the joint Coordinating Committee on Cessation of Hostilities, a body composed of government officials and the MILF tasked to monitor ceasefire and human rights violations in the area.

"It was clearly an overkill. Regardless if he is a combatant or a civilian, he is still a human being," Al-Haq said. [...]

Obstacles to peace

BIFF spokesperson Abu Misry Mama said they would help seek justice for the victim most especially if the family asks for their assistance.

For several decades, the Philippine military has had to battle accusations of human right violations. After the fall of the Marcos dictatorship in 1986, [...] Human rights has [...] become part of the military curriculum.

But problems persist in the battlefield, according to various human rights groups.

The peace agreement signed by the Aquino government and the MILF is meant to pave the way for lasting peace especially in MILF-controlled areas in central Mindanao, but this has not been easy given the presence of the BIFF, the recruitment by international terrorists of members, and the continued presence of factors that fuel rebellion - poverty and government abuses.

Action Network Human Rights- Philippines

Int'l Day of the World's Indigenous Peoples More IP victims under Aquino's term, groups say

By Mart D. Sambalud

DAVAO CITY— As the country joined the global observance last August 9 during the International Day of the World's Indigenous Peoples, an organization of tribal communities deplored the Aquino administration for having made them "sacrificial lambs" for the government's various projects and programs.

"We are the government's sacrificial lamb in the altar of foreign investors in mining and logging, palm oil plantations, energy projects, special economic zones, real estate and tourism projects," said Piya Macliing Malayao, spokesperson of the Kalipunan ng mga Katutubong Mamamayan ng Pilipinas (KAMP).

Malayao pointed out that "President Aquino's economic policies of deregulation, liberalization, and privatization, combined with his counterinsurgency program Oplan Bayanihan have dispossessed and uprooted indigenous peoples from their ancestral territories in favor of profits for local and foreign big businesses." [...]

The group claimed that more than 100,000 indigenous peoples from 39 tribal groups all over the country will be displaced or will lose their livelihood as an effect of the all-out mining liberalization under Aquino. [...]

Malayao blamed some of the government's projects that resulted to the displacement of Lumads. "The construction of Kaliwa Dam, the Jalaur Dam, and the Clark Green City, will adversely affect almost 30,000 indigenous peoples." [...]

KAMP also blamed the government's counter-insurgency operation which resulted "to forced evacuations; displacement of indigenous communities."

Under the Aquino presidency, KAMP recorded 16 cases of forced evacuations of indigenous peoples involving an approx-

imate of 9,754 individuals, including peasant settlers, mostly in Mindanao. [...]

KAMP blamed also the military forces and paramilitary groups for the "increasing number of extrajudicial killings of the indigenous peoples," citing that 43 indigenous people have been slain since June 2010 including women and children.

[...] The government has not acted on these cases, KAMP said.

[...] KAMP said it will submit "reports and documents that expounds on the land-grabbing, extrajudicial killings (EJKs), and other human rights violations committed against Philippine indigenous peoples to Victoria Tauli-Corpuz, the United Nations Special Rapporteur on the Rights of the Indigenous Peoples."

The submission of documented cases against IPs will be during a National Consultation with the Special Rapporteur on the Rights of Indigenous Peoples held in Sulo Hotel in Quezon City this month.

"We hope that the Special Rapporteur echoes our calls and urge the Philippine government to act with urgency on the deteriorating state of the rights of indigenous peoples." [...]

Among its recommendations [...] are "to recognize and uphold the rights of indigenous peoples and revoke discriminatory legislation and doctrines, and with urgency scrap the Philippine Mining Act of 1995; abandon the counter-insurgency program Oplan Bayanihan. Pull-out state forces in indigenous communities and immediately dismantle paramilitary groups and carry-out prompt and effective investigation of the human rights violations committed against indigenous peoples. Ensure that all responsible for these violations, including officers under whose command such abuse occurred be prosecuted." [...]

Alyansa Tigil Mina-Press Release, 12.08.2014

Environmental organizations fight back allegations of pro-mining protesters

Concerned Citizens of Sta. Cruz Zambales (CCOS) is facing a new challenge after the peoples organization (PO) won the battle against four (4) mining companies that operate in the area.

Mines and Geosciences Bureau (MGB) and Environmental Management Bureau (EMB) suspended Diversified Metals Corporation (DMC), Benguet Corporation Nickel Mines Inc., Eramen Minerals Inc. (EMI), and LNL Archipelago Minerals Inc. (LAMI) in the area due to unsystematic methods and grave environmental degradation.

[...] Less than a month after the suspension, pro-mining advo-

cates from EMI and LAMI, two of the four mining companies that were ordered suspension held public protests asking MGB and EMB to lift the order.

In an interview by InterAksyon.com, Barangay Captain Diosdado Alota of Guinabon said that they were surprised by the suspension order.

He also appealed to MGB and EMB to be "compassionate" and lift the order, especially for the sake of the families who rely on the mining companies' operations for their livelihood and their children's scholarship.

Bulatlat.com, 18.08.2014

'Dead scared' Palparan finally arraigned, brought to Bulacan jail

By Janess Ann J. Ellao

MALOLOS, BULACAN - Retired Army Maj. Gen. Jovito Palparan was finally brought to the Bulacan Provincial Jail, after a Malolos court denied his motion to stay at the National Bureau of Investigation in Manila.

Palparan did not enter any plea during his arraignment today, August 18, on the kidnapping and serious illegal detention of two UP students Sherlyn Cadapan and Karen Empeño. Judge Teodora Gonzales of the Malolos Regional Trial Court Branch 14 entered a "not guilty" plea for the accused, and set his pre-trial on Sept. 1.

[...] Palparan, dubbed as "The Butcher," was arrested on Aug. 12. in a house in Sta. Mesa, Manila based on a standing three-year-old warrant. [...]

His co-accused M/Sgt. Rizal Hilario is still at large as of this writing.

Denied

Palparan, during the hearing, reiterated his earlier pronouncements that the threats to his life are real. He also repeatedly asserted that the Bulacan Provincial Jail is not prepared to provide him security despite Judge Gonzales' citing a letter from jail warden Lt. Col. Pepito Plamenco, who stated that they are prepared to take in Palparan. [...]

Public prosecutor Juan Pedro Navera said the Department of Justice recognizes the threats to Palparan's life and is urging the court to strike a balance between ensuring his safety and not giving special treatment to the arrested general.

[...] Judge Gonzales, in her ruling to commit Palparan to the provincial jail, also said that he could not be sent to military detention as he is already retired and considered a civilian [...].

Motion to quash dismissed



Action Network Human Rights- Philippines

[Palparan's lawyer Narzal] Mallares filed a motion to quash information on Palparan's warrant of arrest, which stated that the accused, at the time of the abduction was "way, way up the ladder of the AFP to be responsible for the individual acts of each of the subordinate officers and men in his division."

Public prosecutor Navera countered it saying that it was a "mere rehash" of a motion filed and already dismissed back in April 2012.

Judge Gonzales junked the motion before proceeding to Palparan's arraignment.

For resolution

Meanwhile, the court has ordered to put to rest the presentation of evidence for Palparan's co-accused Anotado and Osorio.

Defense lawyer Jose Cruz argued that they have yet to present Alex Alberto Popanes, legal counsel of the Philippine Army, as a witness to prove that Osorio was, indeed, at a military hospital during the time of the abduction.

Osorio was identified by eyewitness Wilfredo Ramos as one of those who abducted the missing UP students. [...]

When asked why they did not ask for a subpoena, Cruz said they were having a hard time communicating and coordinating with Popanes.

Navera said these are "belated excuses" [...]. Even so, he added, Popanes' judicial affidavit should have been submitted before the court.

Judge Gonzales cited that the defense had been given four chances but failed to present their witnesses. She ordered the resting of the presentation of evidence and issue resolution for the two co-accused, which, private prosecutors expect to be issued in three months.

Mothers happy

Mrs. Empeño said she felt so grief-stricken she wanted to cry when she first saw Palparan. She said she was reminded of the pain when she heard the clerk of court enumerate the crimes Palparan is accused of.

[...] Mrs. Cadapan said that while she is happy that the court will now hear the case against Palparan, she hopes that the hearing would not be dribbled around. Eyewitnesses and Palparan's torture victims themselves, Oscar Leuterio and Raymond Manalo told *Bulatlat.com* that the "coward" Palparan they saw before the court today was far from the vicious and brutal military official they met a few years ago.

"When they were torturing us, they did not stop even as we begged for mercy," Manalo said. [...]

Justice

[...] The protesters later on managed to hold a short program in front of the jail, carrying pictures of victims of extrajudicial killings and enforced disappearances from Central and Southern Luzon and Eastern Visayas.

InterAksyon.com, 13.08.2014

Does Palparan arrest signal end of Aquino's apathy towards impunity?

By Carlos Conde, Human Rights Watch

Philippine authorities did something extraordinary on Tuesday: in the early morning hours they arrested a former senior security forces official implicated in serious human rights violations.

The arrest of Jovito Palparan, a retired army major general, marks a rare challenge to the country's rampant impunity, which the government of President Benigno Aquino III has failed to adequately address.

Palparan had been a symbol of that impunity by evading arrest for the past three years and thumbing his

OHCHR welcomes arrest of Palparan

BANGKOK - We welcome the arrest by the Filipino Army of former major general Jovito Palparan, which represents an important step towards addressing impunity for serious human rights abuses in the Philippines.

[...] He was indicted in 2011 for ordering the torture, rape, and execution of two Philippines students Sherlyn Cadapan and Karen Empeno in 2006. According to reliable sources, Palparan has also been linked to several human rights abuses, including disappearances, torture and extrajudicial killings of leftist activists from 2001 to 2006.

In early 2007, after his official mission to the Philippines, the UN Special Rapporteur on Summary Executions recommended that "as Commander-in-Chief of the armed forces, the President must take concrete steps to put an end to those aspects of counterinsurgency operations which have led to the targeting and execution of many individuals working with civil society organizations." We recognise the current efforts of the Aquino administration to follow-up on the recommendations of the Special Rapporteur, and further encourage the Government to take additional steps to strengthen the rule of law and accountability mechanisms.

Ensuring justice in this case will set an important precedent for the Philippines and South East Asia region, where impunity remains an issue of serious concern.

HRonlineph.com, 13.08.2014

Kin of victims hurled invectives as Palparan passed by. [...]

[Edre] Olalia [secretary general of the National Union of People's Lawyers and one of the counsels of the kin of victims], in a later statement said: "While his transfer to a regular detention cell today is some kind of soothing balm to a lot of pain and suffering for his many victims, the fight for justice is far from over. [...] But the vigilance and determination of mothers, victims, and rights workers are crucial to the legal and political struggle to hold Palparan accountable for his crimes against humanity."

Eastern Visayas victims step forward, demand speedy conviction of Palparan

Long before supertyphoon Yolanda wreaked havoc in Eastern Visayas that claimed thousands of lives and damage to millions of property, Jovito Palparan's military-instigated tragedy first struck the region.

Two days after his arrest, victims and survivors of Palparan in the provinces of Samar and Leyte joined the call for a speedy conviction [...].

"I felt a sense of fulfillment, even a little, that Palparan has been arrested. We will look into filing more charges against him. He should account to his crimes in our region and to members of our church as well. We urge all other victims of Palparan to come forward and do the same," said Emma Lapuz, widow of United Church of Christ in the Philippines (UCCP) pastor Rev. Edison Lapuz.

Rev. Lapuz and Alberto Malinao, a leader of local peasant organization, were both shot dead [...] on May 12, 2005. The pastor was then conference minister of the UCCP and chairperson of Karapatan (Katungod-Sinirangang Bisayas) in the region.

Palparan has earned the rank of major general in 2004 when he was appointed commander of the 8th Infantry Battalion of the Philippine Army, covering the area of Region VIII, the provinces of Samar and Leyte.

In a span of six months, from February to August of 2005, Palparan and his men unleashed a bloody campaign of terror and mayhem upon the people of Leyte and Samar and claimed 19 victims of extrajudicial killings, 12 victims of enforced disappearances and 25 victims of torture in Eastern Visayas.

"The killings in 2005 were intensive and without let-up. Only days and weeks separated the series of murders. Victims were leaders and members of different people's organizations branded by Palparan as fronts of the Communist Party of the Philippines and New People's Army," said Cristina Guevarra, secretary general of Hustisya. [...]

Also, there were nine victims and survivors of frustrated killings. One of them was Dario Tomada, a peasant leader in Leyte, who narrowly escaped an assassination attempt against him [...] in [...] 2005. He and his brother survived the attack.

While in a sanctuary in Manila, however, he was arrested in July 2010 and is facing trumped-up charges of multiple murder as one of the John Does in the case along with Jose Maria Sison and Satur Ocampo. Tomada is in detention at the Manila City Jail.

"Like what he did in Mindoro, Palparan hamletted communities of farmers and ordinary folks. They were hauled and forced to undergo intensive interrogations, coerced to sign documents incriminating themselves being rebels and made to appear as rebel surrenderees pervaded in the farflung communities," said Guevarra. [...]

Hustisya Press Release, 14.08.2014



Action Network Human Rights- Philippines

nose at the authorities with the alleged help of former military colleagues. His arrest by agents of the National Bureau of Investigation and naval intelligence should be a warning to other rights abusers who routinely elude justice for serious crimes. [...]

Palparan's reputation for abuses made him a visible symbol of military brutality during the administration of former President Gloria Macapagal-Arroyo. During her State of the Nation Address in 2006, Arroyo publicly praised Palparan for his role in a military counterinsurgency campaign that had resulted in widespread human rights violations.

Palparan's arrest gives Aquino an opportunity to make real progress on his long unfulfilled promise to end rights abuses in

the Philippines. That means ensuring that Palparan goes to trial without interference from powerful elements in the military who might seek to protect him.

Above all, Aquino needs to follow-up Palparan's arrest by bringing to justice other high-profile rights abusers, such as former Mayor Rey Uy, the alleged mastermind of the Taguig City "death squad."

That means jumpstarting the currently moribund judicial "superbody" Aquino created in 2012 to expedite the investigation and prosecution of extrajudicial killings.

Failure to do so will be a betrayal of the victims of human rights violations who have looked to Aquino to end the status quo of impunity rather than perpetuate it.

Rappler.com, 18.08.2014

Aquino frustrated over slow wheels of justice

By Natashya Gutierrez

MANILA, Philippines - President Benigno Aquino III continued to air his grievances with the judiciary, admitting he is frustrated with the slow wheels of justice in the country.

In an exclusive interview with News5's legal analyst Mel Sta. Maria [...], Aquino said reforming the judiciary was part of his platform when he ran for president in 2010.

"For instance the Constitution talks of the Supreme Court having 2 years to decide on a particular case. We know that is not met," he said.

"When I first sat down, I was told there were some cases that were started in the 60s, and they still haven't finished."

Aquino said the High Court's changing of past decisions is also a concern. Aquino's allies in [Congress](#) have, in the past, chastised the Supreme Court's [change of mind](#) in approving the cityhood of 16 cities. [...]

The President also talked about the Maguindanao massacre, and how he shared the pain of the victims' families.

A recent Social Weather Stations (SWS) survey taken in June showed that Filipinos gave Aquino's administration the [biggest negative net satisfaction ratings for its handling of the Maguindanao massacre case with justice](#).

"I feel what the families feel: when will justice come?," he said.

The relationship between the President and the Supreme Court deteriorated after the High Tribunal [declared as unconstitutional parts of the administration's controversial Disbursement Acceleration Program \(DAP\)](#), which officials say was meant as a stimulus package to pump-prime the economy in 2011.

What followed was a back and forth between the two branches ranging from probing court spending to the rejection by the Judicial and Bar Council of Solicitor General Francis Jardeleza as a nominee for SC Associate Justice.

Aquino also admitted in the same interview that he became [open to the possibility of Charter change after recent events](#), as a way to clip the wide powers of the judiciary.

Rappler.com, 26.08.2014

AFP shake up complete: 2 'notorious' generals assigned to NPA hotbeds

By Carmela Fonbuena

MANILA, Philippines - As far as the government's counterinsurgency campaign is concerned, there are two important military commands: the Eastern Mindanao Command (Eastmincom) in Davao region and the Southern Luzon Command (Solcom) in Bicol.

Two generals considered "notorious" by rights groups - but exceptional if you ask the troops - will take over these commands early next month when [...]. Their appointments were confirmed to Rappler by Armed Forces chief of staff General Gregorio Pio Catapang Jr [...] Tuesday, August 26.

On September 5, Major General Aurelio Baladad is expected to assume his post as Eastmincom chief, and Major General Ricardo Visaya as Solcom chief on September 8.

Their appointments are to complete the [major shake-up](#) in the Armed Forces of the Philippines (AFP) this year.

Baladad and 'Morong 43'

Baladad, who will be replacing Lieutenant General Rainer Cruz, will be at the helm of the Eastmincom area, currently the center of gravity for the communist insurgency. It is host to about 2,000 New People's Army (NPA) members or about half of the estimated strength of the armed wing of the Communist People's Party (CPP), based on military estimates.

Baladad gained notoriety when he was commander of the 202nd Brigade based in Rizal, and ordered the arrest of the "Morong

43" - a group of people tagged by the military as NPA members but who, according to human rights groups, turned out to be health workers. The military however maintains that they are [communist rebels](#).

Baladad and other soldiers involved in the arrest were accused of human rights violations before the Commission on Human Rights. But Congress eventually confirmed the promotion of Baladad. He is currently the commanding general of the 3rd Infantry Division based in Capiz province.

Visaya's controversial stint

The Solcom, on the other hand, is where NPA operations used to be concentrated. Intensified military operations - which rights groups claim to be questionable - have forced many of them to flee.

The job of Visaya, who will be replacing Lieutenant General Caesar Ordoño, is to make sure that the NPA does not reclaim the region. [...]

Rights group [Karapatan](#) has likened Visaya to detained retired Major General Jovito Palparan Jr - tagged as the *berdugo* or "the butcher" by leftist groups - because of his alleged disregard for human rights. When Palparan was commander of the 7th infantry division in Central Luzon, Visaya served as one of his brigade commanders. [...]

InterAksyon.com, 27.08.2014

ICRC chief urges end to plight of Zamboanga's displaced

MANILA, Philippines -- The president of the International

Committee of the Red Cross ended his first visit to the Philip-



Action Network Human Rights- Philippines

Wednesday by underscoring the need for a “durable solution” for the thousands of persons who remain displaced in Zamboanga City almost a year after the month-long fighting between government forces and the Moro National Liberation Front.

“During my meetings with government officials in Manila, I reiterated the need for a durable solution for displaced people in Zamboanga, who are still living in difficult conditions nearly a year after the fighting came to an end in the city,” Peter Maurer said in a statement.

“I also underlined the ICRC’s commitment to help communities in different parts of the country to recover and rebuild amid

long-standing cycles of violence and poverty,” he added.

During his three-day visit, Maurer met with President Benigno Aquino III and other officials to discuss the humanitarian situation in the country, particularly the displaced of Zamboanga.

Maurer also visited Samar and met with survivors of super typhoon Yolanda. [...]

Maurer also followed up on an initiative started by the ICRC and Philippine officials in 2007 to tackle overcrowding and improve health conditions in prisons, and pledged the humanitarian organization’s continued support to decongest overcrowded jails.

CALAMITIES & CLIMATE CHANGE

Rappler.com, 02.08.2014

Yolanda rehab plan: Gov't to relocate 940,000 survivors

Paterno Esmaguél II

MANILA, Philippines – The government will relocate up to 940,000 survivors of Super Typhoon Yolanda (Haiyan) under its newly finished master rehabilitation plan, Rehabilitation Secretary Panfilo Lacson said.

In a statement, Lacson said the rehabilitation plan “includes, among others, the relocation of some 200,000 families displaced by the surge or inhabiting unsafe zones in the Yolanda corridor to safe zones in newly built permanent houses.” [...]

One possible problem [is the lack of land](#) for resettlement, but the government had said it is on its way to solve this problem.

Lacson submitted the plan to President Benigno Aquino III on Friday, August 1, and pegged the cost of rehabilitation at P170.7 billion (\$3.93 billion*). [...]

Shifting to 'high gear'

In his statement, Lacson said the plan also specifies “shelter

assistance for some one million homeowners whose houses were either partially or totally damaged.”

Other contents of the rehabilitation plan cover the following:

- Livelihood and training assistance for affected farmers, livestock raisers, and fishermen, as well as alternative livelihood programs
- Repair and reconstruction of health facilities
- Construction of more resilient government facilities such as classrooms and evacuation centers

Lacson said he is hoping “to achieve at least 80%” of these priority projects before Aquino's term ends in June 2016.

Several long-term projects under the rehabilitation plan “entail the support of succeeding administrations,” he added. [...]

INSTITUTIONS

ManilaStandardToday.com, 02.08.2014

Almonte: Oust oligarchs in govt

By Francisco Tuyay

THE former national security adviser of the late President Cory Aquino called for the removal of oligarchs in government Thursday night, saying only this would improve the lives of the majority of poor Filipinos.

Speaking at an assembly calling for the establishment of a “National Transformation Council,” Jose Almonte said oligarchs were the main reason the poor continue to be deprived and the political system remains unstable.

[...] He said because the oligarchs controlled national policies in both their formation and implementation stages, it is their interests that are served.

Asked how the oligarchs could be removed, Almonte said this could be done by election reform, where the process is not defined by those who control the resources.

Almonte said he supported the establishment of a “National Transformation Council,” being pushed by church leaders, academicians, politicians, and professionals aimed at overhauling the country’s political system.

The council has been linked to the “Bayan Ko” group, which supports immediate and drastic reform in the wake of the corruption surrounding the pork barrel scam and the Disbursement

Acceleration Program.

[...] On the other hand, Bishop Ramon Arguelles said corrupt officials, particularly those involved in PDAF and DAP and other anomalies, should repent as he urged Filipinos to unite for the transformation.

“The 2016 election does not give any promise of a better future for our country. We have to move for total change of our systems,” Arguelles said.

“We should change the mentality of people and little people must have a greater voice in national issues,” he added. [...]

Among the council’s priorities is the drafting of a new constitution.

Also present during the launching of the NTC were former Armed Forces chief of staff, Hermogenes Esperon, former Defense chief Norberto Gonzalez, former senator Francisco Tatad, Bishop Fernando Capalla, President Aquino’s aunt, Margarita Cojuangco, Pastor Art Corpuz of the United Church of Christ of the Philippines, Volunteers Against Crime and Corruption chairman Dante Jeminez, Rep. Glenn Chong, and Carmen Kilayco, chairperson of Tanggulan ng Demokrasya.

Sun.Star, 05.08.2014

House approves Magna Carta for the Poor

By John Carlo Cahinhinan

THE House of Representatives approved on third and final reading the proposed Magna Carta for the Poor, the same measure that President Benigno Aquino III vetoed last year for being “unrealistic.”

House committee on poverty alleviation chairperson Salvio Forturo expressed his confidence that Aquino will finally sign House Bill 4629 into law.

He said lawmakers have carefully addressed the Chief Execu-

Action Network Human Rights- Philippines

tive's concerns in the new bill, which ensures access to basic rights: food, employment, quality education, shelter and health services.

Fortuno said that the House version has adopted most of the provisions contained in the Malacanang-draft of the bill. [...] House Bill 4629 consolidates four Magna Carta bills [...].

Fortuno said the measure seeks to "uplift the standard of living and quality of life of the poor" by providing them with sustained opportunities for growth and development.

Fortuno said it also fulfils the Millennium Development Goal of eradicating extreme poverty and hunger.

He said the amended bill stipulates that government will implement the provisions in accordance with a system of "progressive realization" over time.

InterAksyon.com, 12.08.2014

Women activists say govt policies jacking up maternal death rate

By Arthur L. Allad-iw, Northern Dispatch

BAGUIO CITY, Philippines -- Government policies and the low priority given to basic health services are worsening the incidence of maternal death in the Cordillera region, the activist women's group Innabuyog said.

Ricca Llanes, deputy secretary-general of Innabuyog, which is the regional chapter of Gabriela, said the low budget allotted to health, coupled with such policies as "no home-birthing" and the public-private partnership, are denying poor women and their families access to basic but potentially life-saving services.

Data from the Cordillera Administrative Region office of the Department of Health, there are currently 79 maternal deaths per 100,000 live births, a far cry from the Philippine Millennium Development Goal of 59 per 100,000.

Llanes also noted that the region has only one doctor for every 17,020 patients, and "there are only 96 health centers and only 566 health stations (in) the 1,176 barangays," a situation bound to worsen because of the "no home-birthing policy" adopted by the Aquino administration through DOH Administrative Order 2008-0029 will only make things worse.

[...] In a region where it takes hours or even days of walking to get from one village to the next, traditional birth attendants should be trained regularly to upgrade their skills and enable

Funding requirements will also be taken from the existing anti-poverty appropriations of the different departments and agencies implementing pro-poor programs.

"The bill stresses that any funding deficiency in the implementation of pro-poor programs by the different departments and agencies will be included in the General Appropriations Act of the year as soon as the measure is enacted," said Fortuno.

He added that the proposed Magna Carta of the Poor provides for five fundamental rights of the poor - food, employment and livelihood; relevant and quality education; shelter and basic health services and medicines.

The measure also defines the poor as those families or individuals whose income falls below the poverty threshold as defined by the National Economic and Development Authority.

them to address the needs of birthing mothers, Llanes said.

Higher budget allocations for health should also be institutionalized under the General Appropriations Act, she added, noting that the World Health Organization observed the Philippine government allocates the equivalent of less than two percent of Gross Domestic Product to health, way below the WHO's recommendation of five percent.

Nongovernmental organizations in the region also warned that privatizing government health institutions could end up denying the poor and marginalized access to affordable health services.

A study by the Community Health Education, Services and Training in the Cordillera, or CHESTCORE, said at least 15 government hospitals have been targeted for privatization by the Aquino administration [...].

[...] Instead of allowing the privatization of public health institutions, Llanes said President Benigno Aquino III "should increase the budget for primary health care, provide functional and efficient facilities in rural areas along with sufficient medical supplies," and raise the salaries of public health workers and traditional birth attendants.

InterAksyon.com, 25.08.2014

ARMM pursues responsible mining law in the region

By Dennis Arcon

COTABATO CITY -- Officials of the Autonomous Region in Muslim Mindanao (ARMM) are pursuing the passage of a law that they said adheres to the principles of "responsible mining." Since Mujiv Hataman's appointment as ARMM governor in 2011, his administration has earned P140 million for ARMM, mostly from nickel mining in Tawi-Tawi province.

Additional revenue from mining will fund more projects for the poorest region in the country, said ARMM Environment and Natural Resources Secretary Kahal Kedtag.

Last week, ARMM-DENR met with various civil society groups to talk about the possible effects of enacting a mining law in the region. The meeting was also called as seven companies have expressed their intention to mine in the region.

ARMM is said to be rich in gold, silver, oil, and other minerals, largely unexplored.

In relation to this, the town Sultan sa Baronggis is reportedly rich in natural gas, the amount enough to power the entire province of Maguindanao, said former ARMM Executive Secretary and former legal counsel of MNLF (Moro National Liberation Front) Chairman Nur Misuari, Atty. Randolph Bong Parcasio.

Many are hopeful that poverty and conflict will end, especially in the islands of ARMM, when the mining law in the region is passed.

Kidnapping as a source of livelihood will go down when people are able to have three square meals a day, said Parcasio.

In this light, ARMM-DENR Secretary Kedtag said the regional government wants to pursue only "responsible mining," that is, "mining while caring for the environment."

DavaoToday.com, 29.08.2014

Photographers' group slams HB 4807, claims it suppress press freedom

By Mart D. Sambalud

DAVAO CITY - An organization of the country's photojournalists on Friday slammed House Bill 4807, or the Protection against Personal Intrusion Act, saying it "suppresses press

freedom."

The Photojournalists' Center of the Philippines (PCP) said House Bill 4807 is targeting the "journalists and other people



Action Network Human Rights- Philippines

who are working in the media industry.”

Mike Alquinto, chairman of the Photojournalists' Center of the Philippines, said that some provisions in the bill are vague and could be subjected to various interpretations.

HB 4807 defines “intrusion of personal privacy” as “any person who willfully intrudes into the personal privacy of another, without the consent of that person and with the intent to gain or profit therefrom, shall be civilly liable to the offended party.”

“The phrase ‘intent to gain or profit’, must be clearly defined because media outfits are basically for profit organizations,” Alquinto said.

“There must be clear provisions that specify that news gathering must be exempted from this section,” Alquinto said [...].

The Philippine Star, 30.08.2014

Drilon confident Senate will pass anti-dynasty bill

By Christina Mendez

MANILA, Philippines - The anti-political dynasty bill has a good chance of being passed by Congress, especially now that President Aquino has expressed support for it, Senate President Franklin Drilon said yesterday.

“We could pass the anti-dynasty bill in the Senate. In my view, my colleagues in the Senate would support its passage since it will improve the state of our country’s politics,” Drilon said.

Drilon also said he expects his fellow senators “to give the bill a fighting chance” and uphold the democratic interests of the people during deliberations on the anti-political dynasty bill.

He noted that the House of Representatives’ version of the anti-political dynasty bill, HB 3587, has already been sponsored before the plenary last May, and is steadily gaining support

[...] Bayan Muna Party-list Rep. Carlos Zarate said House Bill 4807 “curtails the freedom of information and expression of the public especially the members of the media.”

“HB 4807 will create a chilling effect on media and would especially affect citizen journalism. It would punish with civil suit taking photos, video or even audio recording anything claimed as a personal/ family matter [...],” he said.

“We maintain that the Philippine Constitution already guarantees the right to privacy. A person can claim protection even without this proposed law. Jurisprudence has settled that there are exceptions to the right to privacy which exceptions are not specified in this bill,” Alquinto said.

House Bill 4807 is [...] now up for 3rd reading in the plenary.

CURRENT CASES OF HUMAN RIGHTS VIOLATIONS

Bulatlat.com, 21.08.2014

3 indigenous people killed in a week

By Dee Ayroso

Three indigenous peoples were killed in separate incidents from August 9 to 14 in Agusan del Sur and Bukidnon, based on reports from church and non-government organizations.

Among the suspects were a paramilitary group under the Phil. Army’s 4th Infantry Division, and an official of a palm oil company.

Agusan del Sur

On August 9, Armando Campos, a 42-year-old Manobo, was shot dead [...] in Ebro village.

The killing was condemned in an August 15 joint statement by Archbishop of Cagayan de Oro Antonio Ledesma, Fr. Edwin Gariguez, the executive secretary of the Catholic Bishops’ Conference of the Philippine-NASSA, and Bishop Efraim Tendero, the national director of the Philippine Council of Evangelical Churches of the Philippines.

The statement said Anecito Ortiz, the manager of the Filipinas Palm Oil Plantation Inc. (FPPI), was one of the suspects. Since July, the FPPI had reportedly been harassing farmers in the area, after the latter served a notice of termination of the lease contract with the corporation.

Campos was among the farmers who wanted to reclaim the 4,000-hectare palm oil plantation being leased to FPPI. In 1990, members of the NDC Guthrie Estates Inc. Multipurpose Cooperative (NGEI-MPC) who were beneficiaries of the Comprehensive Agrarian Reform Law signed a lease contract with FPPI. Under the contract, which is effective until 2032, FPPI rented the land at P635 per hectare. Some 60 percent of the beneficiaries are indigenous peoples.

The church leaders’ statement called for an investigation in the killing. They also called on their diocese, parishes and civil society organizations “to lend solidarity to our farmers who are struggling for land and justice.”

among congressmen. [...]

“Once the House of Representatives finishes and passes their version of the anti-political dynasty bill, we in the Senate will immediately pick up and start our discussions towards the passage of the version in the upper chamber,” Drilon said.

“I would like to believe that my colleagues in the Senate understand how important the end of political dynasties would be to the progress of Philippine governance. Support for the measure among senators would not be hard to achieve,” he added.

The Senate President stressed that the country has waited long enough to pass the enabling law that will completely ban political dynasties from Philippine governance, as stated in the 1987 Constitution. [...]

Bagani Force

Still in Agusan del Sur, on August 10, Datu Roger Alaki was shot dead by a certain Berting Aldo, identified as a member of the Bagani Force. The Bagani Force, along with soldiers of the 26th Infantry Battalion had been harassing residents of sitio Mintakei, Lydia village, La Paz town, said the Kalumbay Regional Lumad Organization.

Jomoroto Goaynon, Kalumbay chair, said in a statement [...] that after Alaki was killed, some 30 Talaandig and Manobo families fled from their homes. [...] Alaki’s body had not been retrieved, said Goaynon.

Goaynon said five members of the Bagani Force were seen on August 8 threatening sitio residents who had refused to sign the Memorandum of Agreement with the Malampay mining company. They also threatened the teachers of the RMP’s literacy numeracy school in the area, branding them as rebel supporters. Earlier, on August 1, leaders of the Bagani Force identified as Benhur Mansulunay and Balbino Andaya sent a letter to community leaders of the local tribal group Pigdiwatahan, and threatened to launch a “pangayaw,” or armed campaign against them if they do not sign the MOA. The paramilitary threatened that the pangayaw will also cover the nearby sitios of Libon and Liwangwangan whose residents had rejected the MOA, Goaynon said.

Bukidnon

In Impasug-ong, Bukidnon, on August 14, Marcel Labon was at a store waiting to have his crops milled when he was shot dead by bonnet-masked men. Labon, a resident of Sitio Olayanon, Calabugao village, was a member of Pigyayungan, a local organization of Kalumbay.

“We would like to ask the military officers, how many more lumads will Oplan Bayanihan kill before it is terminated?” asked



Action Network Human Rights- Philippines

Goaynon.

"Even with the capture of notorious Gen. Jovito Palparan recently, his butcher mentality and his bloody human rights record have been well-entrenched in the AFP's bureaucracy and is

carried on by no less than his protégé, Maj. Gen. Ricardo Visaya. The continuing Palparan-like killings and tactics is proof of that." Goaynon said. Visaya is the commander of the 4th Infantry Division. [...]

Rappler.com, 23.08.2014

NPA: We killed Misamis Oriental councilor

By Karlos Manlupig

DAVAO CITY, Philippines - The New People's Army has claimed responsibility for the death of Opol town Councilor Cecilio Abuhan, who was ambushed on Thursday, August 21.

Ka Allan Juanito, spokesperson of the NPA's North Central Mindanao Command, said in an emailed statement to the media that the operation was conducted at around 4 pm on Thursday, in the village of Bagooboc in Misamis Oriental.

Juanito said Abuhan was killed because of his alleged abuses against communities and his active role in the counter-insurgency drive in the province.

He accused Abuhan of the murder of two people whom he did not name, involvement with cattle rustlers, and allegedly collecting money from mining and logging operations.

Juanito said the death of Abuhan should serve as further "warn-

ing" against politicians who are against the communist movement. [...]

Last month, NPA snipers [killed Impasug-ong town mayor Mario Okinlay](#) in Bukidnon for alleged involvements in counter-insurgency activities.

The military, however, remains skeptical that the hit on Abuhan was perpetrated by the NPA.

"We are still trying to look at other possible angles. Anyone can just claim that they are NPA. We are doubting it because we have not monitored any presence or movements of the NPA in the area," said 4th Infantry Division spokesman Major Christian Uy.

Uy said it is possible that the killing was motivated by personal or political grudges.

Sun.Star Davao, 23.08.2014

Arrest of IP leader hit

By Ivy C. Tejano

A TRIBAL group based in Mindanao hit the Aquino administration on Friday for the arrest [...] of a Manobo tribal leader, who is facing three counts of frustrated murder, in Surigao City.

Indigenous People's (IP) alliance Kalumaran said Genasque Enriquez was about to leave after a press conference on their campaign against pork barrel, when members of the Surigao City Police Office, Army's 30th Infantry Division, and Criminal Investigation and Detection Group (CIDG) arrived to arrest him. Enriquez is a member of the Kalumaran executive committee and was a second nominee for the Katribu Party-list in 2013 elections. He is also the Kahiusahan sa mga Lumadnong Organisasyon secretary-general in Caraga Region.

Dulphing Ogan, secretary general of the Kusog sa Katawhang Lumad Mindanao, in his statement [...] said the arrest of the tribal leader is "a smack of made up criminal charges from the government that wants to silence an ally of the anti-mining and anti-Oplan Bayanihan critic."

"The Army's 4th Infantry Division chief Brigadier General Ri-

cardo Visaya desperately wants to see Enriquez behind bars. Earlier false charges filed against him before these recent charges have been dismissed due to lack of evidence," Ogan said.

Ogan said the accused could have been informed of the accusation so that he can have completely rebut and exposed them as lies before it was resolved by the government prosecutor. But the accused have no idea on the matter, he added.

"This government has no regard for due process and that the rule of law and the stealth it employed only emphasizes the falsity of the charges. The slapping of false criminal charges against indigenous leaders is consistent with the design of the government's Oplan Bayanihan," Ogan said.

Although the accused was released Saturday on bail, Ogan said their group along with other human rights advocates will continue to demand the government to drop the charges filed against Enriquez, who is also a victim of intimidation and harassment.

ANC, 26.08.2014

Lawyer shot dead by riding-in-tandem gunmen

Four gunmen on motorcycles opened fire on a campsite in Taytay, Rizal killing a lawyer and injuring two others.

The slain lawyer, Atty. Rodolfo Felicio, had been sleeping inside a tent along with two caretakers of the land owned by his client, the Mejia family.

Felicio handled the land dispute cases concerning the family's vast property in Taytay, which is said to span several hectares.

Felicio, who was shot close to the heart in the early hours of

Sunday, died before he got to the hospital. Meanwhile, caretakers Rolando Andaya and Antonio Arcilla were wounded. [...]

Francisca Mejia, one of Felicio's clients, said her camp would seek justice for Felicio.

Meantime, the National Union of People's Lawyers is condemning Felicio's murder. Atty. Edre Olalia, NUPL Secretary General, says that they will conduct their own investigation to help speed up the process.

ManilaStandardToday.com, 27.08.2014

Broadcaster shot over drug exposé

By Florante S. Solmerin

An exposé on illegal drugs could be the motive behind the attempt to kill broadcaster Orly Navarro who was attacked by a still unidentified gunman Tuesday in Dagupan City, Pangasinan, according to the police.

"Police already had a lead about the possible motive of the attempt to kill Mr. Navarro. We are still trying to get more in-

formation to find out if it was a personal grudge or work-related," said Senior Supt. Reynaldo Biay, newly designated Officer-in-Charge of the Pangasinan Provincial Police Office.

The 55-year-old Navarro, manager of the dwIZ 89.3 FM, was shot in the back at around 1 a.m. while talking to a neighbor a few meters away from his house in Pantal West, Biay said.

Action Network Human Rights- Philippines

"The victim suffered a lone gunshot wound in his left shoulder. He will undergo operation," Biay said.

Dagupan police chief Supt. Christopher Abrahanon said three persons who were seen in the vicinity during the attack were invited for questioning. "Initially, Mr. Navarro told me he was hitting hard lately in his radio program against a drug pusher in their place," Abrahanon said.

The National Press Club condemned the shooting involving Navarro. "Like any other attacks on members of the press, we consider this incident as an affront to press freedom," said Joel Sy Egco, NPC president.

Navarro may have escaped the attempt on his life but the bullet wound on his chest will serve as an indelible reminder of this grim chapter in the history of press freedom," the NPC said, calling on law enforcers to send the perpetrators to jail.

Hronlineph.com, 27.08.2014

False charges were filed against two (2) labour leaders after they held a picket protest condemning the unfair labor practices of a supposed workers' cooperative.

Dear friends,

The Task Force Detainees of the Philippines (TFDP) is forwarding to you an appeal regarding the harassment done by officers of a cooperative/recruitment agency by filing false charges against human rights defenders from the workers sector, and the anti labour practices done to their workers.

[...] Edcil Bacalso of NAGKAISA, a coalition of labour groups and Wilson Fortaleza of Partido ng Manggagawa (Workers Party), were both charged with libel, illegal assembly, and alarm and scandal, by officials of the AsiaPro Cooperative. The charges were filed at the Office of the Prosecutor in Pasig City. [...]

On April 25, 2014, at 9:30am in [...] Barangay Kapitolyo, Pasig City, Nagkaisa led a peaceful rally outside the building, where the AsiaPro central office is located. The activity was attended by around 200 participants coming from various labor groups including the Partido ng Manggagawa, Associated Labor Unions-Trade Union Congress of the Philippines (ALU-TUCP), SENTRO, Bukluran ng Manggagawang Pilipino (BMP), and the Philippine Airlines Employees Association (PALEA). [...] the demonstrators criticize AsiaPro for their anti-labour union activities.

According to Bacalso, the charges filed against them are mere harassment. It clearly shows that AsiaPro will do anything to conceal their non-compliance to labor standards and to impede efforts in advancing the rights and welfare of its workers,

Karapatan.org, 28.08.2014

Four-month old child hit by soldiers' bullets, 14-year old boy abducted with father at a military checkpoint in Maguindanao

[...] On the evening of June 7, 2014, in Barangay Dapiawan, Datu Saudi, Maguindanao province, **Mohammad Panigas** and his family was preparing to go to bed when they heard several gunshots fired. Mohammad's wife hurried to pick up their baby, **Ali**, from the cradle when she saw her baby wounded in his left thigh. Ali's mother immediately called Mohammad for help. Both cried out to their neighbors for help and rushed Ali to the nearest hospital.

Mohammad said the soldiers who fired at his house belonged to the 22nd Mechanized Brigade, Philippine Army. Its detachment is located near Panigas' house.

A month after, on July 3, 2014 **Mohammad Abdulkarim** and his son **Mehad Mohammad** were stopped by members of the 45th Infantry Battalion at a checkpoint in Brgy. Meta, Datu Unsay, Maguindanao. Witnesses reported that the two were taken into military custody soon after they were stopped at the check-

Pangasinan Broadcaster attacker faces frustrated murder rap

By Third Anne Peralta

POLICE arrested on Tuesday the suspect who attacked a local broadcaster in Pangasinan, hours after he committed the crime.

Two eyewitnesses positively identified Rolando Lim Jr. as the man who allegedly shot and wounded [...] Orlando "Orly" Navarro.

Dagupan Police Station chief Christopher Abrahano said Lim was subjected to paraffin casting on both hands at the Philippine National Police (PNP) Crime Laboratory in Lingayen, Pangasinan [...].

"In the background investigation conducted by the police to the suspect revealed that he was also allegedly involved in illegal drug activities," PNP Public Information chief Reuben Theodore Sindac said.

A criminal complaint for frustrated murder was filed against Lim who is temporarily detained at the Dagupan City Police Station. [...]

Sum.Star. 28.08.2014

Bacalso added. He claimed that AsiaPro is actually a manpower agency that hides under the guise of a cooperative.

Based on Nagkaisa's statement, AsiaPro is a supplier of contractual workers of several large corporations and consequently as a violator of labor rights of its members and employees due to their non-payment of wages and other mandatory benefits such as the Social Security System.

Furthermore, AsiaPro invokes its cooperative nature to evade compliance to labor laws. And besides, its executives already made this admission during public hearings conducted by the Provincial Board of Bukidnon in 2010 and in its many pleadings before the courts. AsiaPro is Bukidnon's biggest contractual labor supplier, with 5,000 of its workers deployed in the province's banana and pineapple plantations.

Finally, Bacalso said that AsiaPro is already resorting to the filing of trump up charges, and they are now trying to coerce and intimidate their group to weaken their campaign against exploitation of workers.

Additional Information:

[...] The Supreme Court already ruled that AsiaPro must comply with core labor standards and other labor-related laws (G.R. No. 172101).

Nagkaisa had been pushing for the passage of the security of tenure bill in Congress to deter the plague of contractualization in the country.

point.

Abdulkarim's relative went to the Army's detachment and inquired about the father and son. But the military claimed they already released the two. The whereabouts of Mohammad Abdulkarim and Mehad Mohammad are still unknown as of writing.

A few days after the abduction, soldiers of the 45th IB were seen near the home of Mohammad. The family believes that the military may be conducting surveillance activities in their community.

"In both incidents, the affected families hesitated to elaborate on the killing and abduction for fear of retaliation from the military. The military's presence in their communities has intimidated the victims to speak up," said Palabay.

Karapatan has documented 18 children who were killed because of military operations conducted by the Aquino regime especial-

Action Network Human Rights- Philippines

ly in remote barangays. [...].

Fask Force Detainees Philippines – Urgent Appeal, 28.08.2014

A union member of the Albay Labor Employees Organization (ALEO) was illegally arrested and harassed by police authorities in Albay Province. -TFDP

[...] A union member of the Albay Labor Employees Organization (ALEO) and Albay Electric Cooperative (ALECO) was illegally arrested and harassed by police authorities in Albay.

Rommel Barcelon, an active member of ALECO, was arrested and detained on July 16, 2014, allegedly on charges of violating the Anti-Pilferage Law (Republic Act 7832 or an act penalizing the pilferage of electricity and theft of electric power transmission lines and or materials).

Barcelon was cleaning the area near the picket line of the ALEO when he was approached by Francisco Hoazel. Barcelon was requested by Hoazel to fix the drop wire (electrical wiring) in a nearby lamppost that was detached due to the recent typhoon Glenda in order to avoid accident.

Having a background of being an electrical lineman, Barcelon generously attempted to do the work when a certain Paulino Belga, the private chief security of Albay Power Energy Corporation (APEC) – who fully assumed the management and operation of ALECO, accused Barcelon of pilferage. Barcelon decided to discontinue his work and went down with the drop wire and his tools.

After about ten minutes, a police mobile car with Senior Police Officer Velasco and Police Officer Taduran passed by the area. Belga asked the police for assistance, claiming that Barcelon committed pilferage.

Police Officers Velasco and Taduran invited Barcelon [...] [...] when they arrived at the police station in Legazpi City, a police blotter was immediately executed against Barcelon. [...]

Fortunately, several of Barcelon's colleagues and friends [...] argued that the arrest was illegal because there was no evidence [...]. Eventually, the police released Barcelon.

On July 17, 2014 [...] Legazpi Police Chief Alex S. Pederio, a certain Officer Castuera, and seven other police in plain clothes arrived at the ALECO/ALEO picket protest area and grabbed Barcelon. They immediately handcuffed him and accused him as an escapee.

Ephraim De Vera, Aleco Labor and Employees Union secretary, talked to Pederio and pleaded to release Barcelon since they do not have an arrest warrant. Pederio replied and threatened De Vera to be arrested for obstruction of justice if they insist [...].

Bicol labor leader freed on bail

By Janess Ann J. Ellao

MANILA – Human rights group Karapatan-Bicol assailed the arrest and detention of Hernan Certeza, spokesperson of Kilusang Mayo Uno – Albay on Aug. 25 after joining an anti-pork barrel rally.

Certeza was released after posting bail amounting to P12,000 (\$272) today, Aug. 26.

"[...] The arrest and detention of Hernan Certeza is a clear manifestation that there is no genuine freedom in the country [...]," Vince Casilihan of Karapatan – Bicol said.

Certeza was charged with grave coercion for a rally he joined last Feb. 24.

Casilihan, however, maintained that there was no crime committed as Certeza and other protesters were merely expressing their grievance in the impending privatization of Albay Electric Company (Aleco). He added that those who joined the protest were questioning what they perceive as an "anomalous" concession deal involving the electric company and San Miguel Energy Corporation. [...]

During the Feb. 24 rally, Casilihan said he was the one being arrested by the police. When Certeza came to his aid, he, too, was grabbed, pushed to the ground and was handcuffed by the police.

Their lawyer Bartolome Rayco, who is also the chairperson of National Union of Peoples' Lawyers-Albay, and a 17-year-old member of Kaboronyogan Cultural Network were [also arrested with them](#).

Rayco, Casilihan and Certeza were charged with grave coercion and malicious mischief while the 17-year-old youth artist was transferred to the City Social Welfare and Development (CSWD). [...]

Bulatlat.com. 26.08.2014

Finally, Barcelon was brought to the precinct and was detained. Atty. Riche Regala, the lawyer of the labor union [...] asserted that there is no basis or hard evidence of the alleged violations or crime. [...] Later that day, Barcelon was released.

[...] Rommel Barcelon is one of the active members of ALECO/ALEO previously on strike and in dispute with San Miguel Energy Corporation (SMEC) who fully assume the management and operation of ALECO, which later on changed its name to Albay Power Energy Corp (APEC).

The Department of Labor and Employment (DOLE) has ordered the employees (including Barcelon) of Albay Electric Cooperative (ALECO) to return to work to bring back normal operations and transactions. This was issued in January 2014, but without any reason, APEC ignored the order and allegedly banned Barcelon and other workers [...].

The DOLE has intervened in the labor dispute at the cooperative as tension escalated frequently. [...]

Karapatan - Urgent Alert, 29.08.2014

Two youth volunteers arbitrarily arrested in Carranglan town, Nueva Ecija province

Gerald Salonga and Guiller Cadano are members and organizers of Kabataan Partylist and Anakbayan. They are volunteers of the Alyansa ng mga Magbubukid sa Gitnang Luzon (AMGL) conducting research on the life and plight of farmers in Carranglan, Nueva Ecija. [...]

On August 7, 2014 Cadano returned to Brgy. TL Padilla, Carranglan, Nueva Ecija after visiting his family in Metro Manila. He had fever and a skin boil, but he wanted to finish his research for the AMGL's documentation. Both Cadano and Salonga stayed with a local farmer known to them as "Kuya Jeffrey."

On August 9, 2014, [...] soldiers forcibly entered the house and held the two at gunpoint. [...] Salonga and Cadano were dragged into separate vehicles. [...] Salonga was taken to an undisclosed location and was

forced to admit, out of fear, that he and Cadano had firearms. The military asked Salonga several questions such as where the NPA members were, where their firearms were deposited. Later, Salonga's interrogators brought him to another place. His blindfold was removed and was photographed with firearms, papers and bullets in front of him.

[...] Cadano did not know where his captors took him. He was also interrogated about the NPA in the areas they went to in Carranglan. [...] Fearing he will be tortured or killed, Cadano made up answers to tell the military. About 10 hours later, Cadano and Salonga were brought to the Provincial Public Safety Company (PPSC) headquarters of the Philippine National Police in Cabanatuan City, where their blindfolds were removed. At around 4:00 a.m. of August 10, the two were brought to General Hospital [...] for a medical check-



Action Network Human Rights- Philippines

up. Cadano's boils were also treated. They were returned to the jail afterwards. In the morning of August 10, 2014, their families, accompanied by members of Karapatan-Central Luzon Quick Reaction Team (QRT), proceeded to the PPSC Jail. Only the families were allowed to see them. The arrest of Cadano and Salonga was warrantless. The PNP officials and those from the 3rd IB and 7th ID of the Philippine Army claimed in their affidavits that standing warrants of arrest were issued by the Regional Trial Court (RTC) Branch 39 in San Jose City for murder; and RTC branch 38 also in San Jose City for attempted murder. But said warrant was issued against a certain Ely Agbaliw Taray. [...] Later in the

Karapatan – Press Statement, 29.08.2014

Two relief workers and two other peasant leaders killed in August

"There is no let-up in the extrajudicial killings with BS Aquino's Oplan Bayanihan. The killing of typhoon relief workers and peasant leaders further exposes the contempt of this regime against those who are genuinely working for poor communities," said Cristina Palabay, secretary general of Karapatan.

An average of one person is killed every week as shown in the documented cases of extrajudicial killing this August.

Jefferson A. Custodio, 25, a member of the Municipal Farmers Association in Carigara (MUFAC) was shot dead in August 23 at Brgy. Punong, Carigara, Leyte by two men on motorcycle. The perpetrators wore bonnets. [...] He died on the spot.

The MUFAC is involved in the rehabilitation of communities affected by typhoon Yolanda/Haiyan, providing farmers with shelter materials, seeds and seedlings, and farm tools.

In July 2, when soldiers from the 78th Infantry Battalion and police from the Regional Mobile Group arrived in Capocan, Leyte, they immediately sought out members of the MUFAC. While these soldiers encamped in the barangay hall, tanod outpost and chapel, they also held meetings with the residents and prohibited them from joining rallies.

Earlier, another relief worker, Gildegardo Hernandez, was gunned down in August 6, along the Candelaria-San Juan Diversion Road in Candelaria, Quezon province.

Hernandez was waiting for a ride when a man got off his motorcycle and shot him. Another man who served as backup was onboard another motorcycle. Hernandez fell on the ground but the assailant fired more shots. Hernandez, who died on the spot, sustained gunshot wounds on his head, chest and face.

Like Custodio, Hernandez, was working on the preparations for the Relief Delivery Operation (RDO) for the survivors of ty-

phoon Glenda. The RDO was scheduled on the following day, August 7, by the Southern Tagalog People Corpse (STPC) and Kalipunan ng Samahang Magbubukid ng Timog Katagalugan (KASAMA-TK) in cooperation with the Pamatid- CQ, a peasant organization led by Hernandez.

In August 26, Bayan Muna coordinator in Baao, Camarines Sur, Librado Adoptante Sr. was gunned down by motorcycle-riding men in bonnets. Adoptante came from the hospital for a check-up was on his way home with his wife, Gemma and 12-year old daughter Sally when the men stopped them.

The gunman shot Librado who fell on the ground. Not contented, the gunman went fired two more shots on Librado's head. Librado died on the spot, sustaining gunshot wound on his chest, right temple and on the crown of the head. The police arrived 30 minutes later with members of the village council. [...]

Since 2006, members of the 42nd IB-PA and CAFGU had been to the house of the Adoptante family, looking for Librado Sr. The military wanted Adoptante to "clear" his name as he was suspected to be a member of the NPA.

Earlier, in August 14, Marcel Lambon, a council member of a Lumad organization in Impasug-ong, Bukidnon was shot by a member of the Special Civilian Armed Auxiliary (SCAA) under the Army's 8th Infantry Battalion. Lambon was an active campaigner against the expansion of an oil palm plantation in their town.

Like Adoptante, Lambon also had his share of frequent "visits" from the military; like Custodio, he was also summoned by the military for questioning. All three victims were suspected as members or supporters of the New People's Army.

UPDATES ON CASES OF HUMAN RIGHTS VIOLATIONS

Freekimgargar.org, 09.08.2014

Scientist Gargar recounts experience in Jail, seeks Justice for persecution under Aquino

Groups and family showed support to physicist Kim Gargar who was arrested, detained and released on bail as he relate his case and calls on the dropping of made-up charges against him in a press conference today. Kim Gargar, a former UP professor and PhD candidate of Groningen University in the Netherlands was arrested by elements of the 67th Infantry Battalion of the Philippine Army on October 1, 2013 at Brgy. Aliwagwag, Cateel, Davao Oriental while conducting a rehabilitation study on typhoon-Pablo devastated areas. He was then accused of being part of the armed group that the military fought with in a nearby village to where Gargar stayed.

"I owe my release to the groups and individuals who tirelessly campaigned and gave their support in various ways," Gargar said. [...]

Gargar was detained at Baganga jail, charged with illegal possession of explosives, several counts of attempted and frustrated

murder and violation of Comelec gun ban. The Baganga Regional Trial Court found the testimonies of witnesses against him to be "full of material inconsistencies" and on August 1, 2014, Kim Gargar was granted bail and released after 10 months of imprisonment.

[...] He [Gargar] lamented that, "The situation inside the prison cell is no different from the situation that led me to Mindanao in the first place. Almost two years after typhoon Pablo, people were left to recover by themselves without government help and are still seeking rehabilitation. [...]"

"After my ordeal, I now understand why there are increasing number of Filipinos who are critical of the government. But what I find hard to understand is why Aquino had to suppress and vilify those who want genuine change if he is really for the welfare of the country." Gargar vowed, "to seek justice for my fellow inmates at the Baganga and Mati jails, express solidarity to other political



Action Network Human Rights- Philippines

prisoners all over the country and continue struggling for the survivors of typhoons and disasters in the country. " He expressed his support to the calls for the resumption of GPH-NDF peace talks in order to address the socio-economic problems besetting the nation. Task Force Justice for Environmental Defenders (TFJED) spokesperson Leon Dulce emphasized that "the case of Kim is an example of the hostility of the Aquino government towards people who are either pushing for genuine reforms or opposing

the current policies and projects of the state." Dulce cited, "We have monitored at least 37 killings of environmental defenders and development workers who until now have not been granted justice." [...]

In the press conference of the Free Kim Gargar (FKG) Alliance, the group said while colleagues, family and friends welcome Kim's release on bail, the call on the court to drop all trumped-up charges against Kim still stand. [...]

Development and Cooperation (dandc.eu), 11.08.2014

"Incidents must be investigated"

By Tiffany Jenkins

Zara Alvarez is a Filipino human-rights activist who was arrested in October 2012 and has only recently been released on bail. Civil-society organisations from various countries demanded that she should be set free and that her case be considered without bias. It is well known that trumped-up charges are often used to silence human-rights activists. Tiffany Jenkins visited and interviewed Zara Alvarez in jail.

Please tell me about your activities as a human-rights campaigner.

I am a member of several human-rights NGOs. Before my arrest, I was doing research on human-rights violations in far-flung areas of Negros Occidental, a province of the Philippines. [...]

I did fact-finding missions in order to inform government officials, the national Human Rights Commission and the International Committee of the Red Cross. I also did my best to help victims of human-rights violations to bring their cases to court. [...] **You were called a terrorist and communist. Such labelling often serves to demonise political activists. How did it affect you?**

Well, I knew the labelling was wrong [...]. In one barangay [...] I was declared persona non-grata because of an alleged connection with the NPA. The AFP demanded that all visitors of this specific barangay enter their names in a logbook, and inhabitants were encouraged to inform the AFP, should I enter the area. Pictures of me were posted online, along with the warning: "She is with the NPA". [...] the local people knew me. One of them even made a counter-statement online, arguing against military demonisation. [...] That helped clear my name at the local level.

Did you fear for your own safety?

Oh yes, I did. There were death threats. [...]

I prepared myself mentally for an extrajudicial killing, or enforced disappearance, but I was not prepared for the trumped-

up charges I am facing now. Trumped-up charges began to rise when international awareness of extrajudicial killings and disappearances started to grow.

Your arrest was conducted under the so called Jane and John Doe laws. These laws allow prosecutors to file charges against unknown individuals or groups and then subsequently add any number of alleged suspects to the list of accused.

It is a huge legal problem that the authorities in this country do not have to file a charge against you in your name. They file a case and add names later. My particular case was filed in 2010, but my name was only added to the list of accused in 2012.

Today, the list of accused amounts to 43 individuals. [...] Basically, the Jane and John Doe system allows the authorities to lock up people as they please.

You want this system to be abolished.

Yes, it should be abolished completely. Before an arrest, a complete and detailed identity of an accused person needs to be provided. [...]

Has international attention made a difference in your case?

Yes, certainly. For example, I am in touch with the International Peace Observers Network (IPON), the EU and a German civil-society network called Aktionsbündnis Menschenrechte Philippinen. Such international attention has made the national Commission for Human Rights and the Department of Justice in Manila take notice of my case. The higher national institutions give instructions to the lower level, how my case should be treated and investigated, which helps to ensure due judicial process is followed. International organisations can also help to draw attention to the issue of trumped-up charges against other human-rights defenders in the Philippines. Personally, I am really grateful for this massive international support. [...]

Inquirer Visayas, 18.08.2014

Failure to nab trade exec's killers hit

By Nestor P. Burgos Jr.

OTON, Iloilo—International fair trade organizations have decried the failure of Philippine authorities to arrest those behind the March 15 killing of Panay fair trade executive Romeo Capalla.

"I am not just frustrated. I am shocked. I am angry," said Rudy Dalvai, global president of the World Fair Trade Organization (WFTO), on the lack of progress in the case and the inability of police and local officials to pinpoint those behind the killings of Capalla and farmer Dionisio Garete.

The Netherlands-based WFTO is the global organization of more than 200 fair trade groups, including producers, marketers, exporters, importers, wholesalers and retailers.

"Romeo and Dionisio were killed by professional killers. Their assassinations had been planned in detail," Dalvai said in a press conference after a four-day international fact-finding and solidarity mission.

He said the killings of Capalla and Garete were meant to sow fear in fair trade organizations, farmers and communities host-

ing muscovado mills. [...]

Capalla, 65, was the chair of the board of directors of Panay Fair Trade Center (PFTC) and its general manager for more 12 years.

[...] An hour after Capalla's killing, unidentified persons also burned a truck and other equipment of a muscovado sugar mill operated by the farmers' organization Katilingban sang mga Mangunguma sa Dabong (Kamada), a partner organization of PFTC in Janiway town in Iloilo.

PFTC [...] buys organic muscovado sugar and bananas at prices higher than in the mainstream market from farmers and exports these to fair trade organizations in Europe and Asia.

In May, armed persons shot dead Kamada member Garete in Barangay (village) Mangil in Janiway.

Police on March 28 filed a murder complaint against Julie Cabino and four other unidentified persons but no arrests have been made. Investigators have also not determined the motive behind the killing.

But in a letter dated May 23 and in response to a query of a



Action Network Human Rights- Philippines

member of the German parliament, Maria Cleofe Natividad, Philippine Ambassador to Germany, cited a report of the Criminal Investigation and Detection Group and the Philippine National Police stating that Capalla was killed by the breakaway Revolutionary Proletarian Army-Alex Boncayao Brigade (RPA-ABB).

The killing was allegedly in "retaliation" □ to last year's gunning down of RPA-ABB leader Demetrio Capilastique. The New People's Army (NPA) has claimed responsibility for the killing of Capilastique.

Rappler.com, 28.08.2014

Aquino: 'Developments' in hunt for Reyes brothers, Ecleo

By Natashya Gutierrez

MANILA, Philippines – President Benigno Aquino III on Thursday, August 28, cited "developments" in the pursuit of high-profile fugitives that are hoped to lead to their arrest.

In an interview on Bombo Radyo, Aquino said authorities have reported "developments" in tracking down some of the country's most sought-after fugitives, such as [former Surigao del Norte Representative Ruben Ecleo Jr, and former Palawan officials Joel Reyes and Mario Reyes](#).

[...] Ecleo was found guilty of killing his wife in 2002, while former Palawan governor Joel Reyes and his brother, former Coron Mayor Mario Reyes, are implicated in the murder of broadcast journalist Gerry Ortega in January 2011.

Bulatlat.com, 29.08.2014

Southern Tagalog groups demand justice for missing, slain colleagues

By Dennis Espada

SANTA ROSA CITY, LAGUNA – People are searching everywhere for labor leader Benjamin "Ben" Villeno but has not found any sign of him.

Ben is a former president of Lakas Manggagawang Nagkakaisa sa Honda (LMNH or United Workers' Strength in Honda), a workers' union in Honda Cars Philippines based in this city, and the Organized Labor in Line Industries and Agriculture (OLALIA), a labor federation affiliated with Kilusang Mayo Uno (KMU or May First Movement).

His last communication was via a text message sent to and received by a fellow labor leader. The message revealed that he was on his way home to Cavite, and suspicious men who look like military soldiers were following him. He was last seen last August 27, 2013.

According to Nhed Lagunias, LMNH spokesperson, they already sought the help of the Commission on Human Rights and repeatedly demanded military authorities to surface him. "We've done everything to find Ben...but still nothing came out of it," he lamented during a protest rally organized by the regional labor center Pagkakaisa ng Manggagawa sa Timog Katagalugan (PAMANTIK or Unity of Workers in Southern Tagalog) and other groups.

One of the speakers in the rally [...] was Justin Villeno, Ben's 17-year old son. Holding back tears, he expressed [...] anguish from not knowing the whereabouts of his father and admiration for his father's selflessness. [...]

InterAksyon.com, 29.08.2014

SC asked to order habeas corpus hearing on arrest of 'bodyguard' of alleged rebel A. Rosal

By Brian Maglungosod

MANILA - The alleged bodyguard of the daughter of the late communist rebel leader Gregorio "Ka Roger" Rosal on Friday asked the Supreme Court (SC) to nullify the Court of Appeals ruling dismissing his petition for the issuance of a writ of habeas corpus.

In his petition, Edward Dimalaluan Lanzanas said the appellate

The RPA-ABB broke away from the Communist Party of the Philippines and the NPA in the 1990s over ideological differences. On Dec. 26, 2000, it entered into an interim peace agreement and a cessation of hostilities with the government [...].

Capalla, a former political detainee, has been repeatedly tagged by the military as a top NPA commander in Panay but all cases against him have been dismissed for lack of evidence. [...]

The Seoul-based iCOOP Korea also demanded justice for the killing of Capalla and Garete. [...]

Aquino said authorities are pursuing other high-profile fugitives with the same resolve that led to the [arrest of retired Major General Jovito Palparan](#). The president said there had been sightings of Palparan for a while, and it took several months of continuous surveillance before he was finally arrested on August 12.

Aquino gave assurances that the government will find the remaining fugitives. [...]

The president made a [similar pronouncement in March](#), when he said he expected the arrest of a high-profile personality. Five days later, communist leaders [Benito Tiamzon and wife Wilma were nabbed in Cebu](#). [...]

PAMANTIK believes that Ben is a victim of [...] the Aquino government's counterinsurgency program which, the group said, seeks to decapitate the people's movement for change by carrying out illegal arrests, detentions and extrajudicial killings of activists and trade unionists in the region. [...]

Ten years after: Impunity

In the same rally, the multi-sectoral alliance [...] MSRK3 or People of Santa Rosa for Welfare, Development and Peace Toward a Good Future, denounced the culture of impunity over the killing of Melita "Tita Mely" Trinidad-Carvajal, a known urban poor rights defender and anti-corruption advocate.

[...] As Gabriela Women's Party coordinator and MSRK3 chairperson back then, she led a city-wide campaign to implement the "six-point program": free hospitalization; free education from basic to tertiary level; employment for the youth and people; assistance for small and medium-sized businesses; decent and affordable housing; and respect for people's rights. [...]

Unfortunately she did not live to see the day when the city council enacted the six-point program into a law [...].

In August 27, 2004, Tita Mely was shot to death by unidentified motorcycle-riding men in front of her house in barangay Dila in this city. Members of progressive organizations asserted that military intelligence agents were behind the crime as part of a failed attempt to foment violent attacks against them and sow terror among local citizens. [...]

court's ruling legitimized his allegedly illegal arrest in Caloocan City by a composite team from the National Bureau of Investigation and military intelligence units last March 17. Arrested with Lanzanas was [...] Andrea [Rosal], who is detained at Camp Bagong Diwa, Bicutan, Taguig City, and village chief Ruben Gatchalian of Caloocan's Barangay 169. The latter



Action Network Human Rights- Philippines

was charged with obstruction of justice for harboring Rosal and Lanzanas.

The habeas corpus petition, filed by Lanzanas' mother Nimfa, argued that his arrest was illegal as his name did not appear in the arrest warrant issued by Branch 64 of the Mauban, Quezon Regional Trial Court. [...] Authorities had claimed that Lanzanas' real name was Rafael de Guzman, alias Ka Jomel, an alleged NPA member and bodyguard of Rosal, who was also described as an NPA ama-

zon.

Lanzanas said his right to due process was violated by the CA's dismissal of his plea for habeas corpus last April, and his motion for reconsideration a month after, without affording him the chance to present his side. The petitioner asked the SC to remand his petition to the CA, and to order another hearing on the habeas corpus plea so he can present his side.

Sun.Star Cebu, 29.08.2014

'Conspired' to kill

By Kevin A. Lagunda and Princess Dawn H. Felicitas

THREE former Highway Patrol Group (HPG) 7 members "conspired" to kill lawyer Noel Archival in Barangay Coro, Dalaguete last Feb. 18, according to a prosecutor.

Acting Provincial Prosecutor Jesus Rodrigo Taga-an found enough evidence to indict or charge Senior Supt. Romualdo Iglesia, Senior Insp. Joselito Lerion and PO1 Alex Bacani with multiple murder and frustrated murder.

Chief Insp. Eduardo Mara, former HPG Cebu Provincial chief, and SPO4 Edwin Galan were spared from the indictment.

Taga-an said there was no direct evidence to prove conspiracy but "conspiracy need not be proved by direct evidence of prior agreement to commit the crime."

The National Bureau of Investigation (NBI) 7 gathered circumstantial evidence and testimonies of witnesses. [...]

History

"It also appears that Atty. Archival already had for several times squared off with HPG 7 officials including Iglesia and Lerion. In some of those cases, the names of Iglesia and Lerion are prominent among those that were charged by Atty. Archival on behalf of his clients.... [...]" said Taga-an.

He said, "Worth considering is the fact that the firearms used in the attack [...] was determined to include a [...] a standard government issue for the military and the [...] Police."

The other evidence that Taga-an considered [...] is the assailants' use of vehicles with plate numbers belonging to other cars, as well as the presence of gun powder nitrates and empty shells of

an automatic rifle inside the red Toyota Vios. [...]

Aside from Archival, the other casualties were his aide Candido Miñoza and his driver Alejandro Jayme. [...]

However [...] Taga-an dismissed the complaints against Mara and Galan, saying there is lack of evidence to establish that they were part of the conspiracy to kill Archival. [...]

DOJ

The resolution came after the Cebu City Police Coordinating and Advisory Council (PCAC) passed a resolution urging the Department of Justice to fast track the filing of complaints against the HPG officers, if there is enough evidence against them.

Prosecution lawyer Democrito Barcenas said they will file a motion asking Taga-an to reconsider his decision in dismissing the complaints against Mara and Galan, saying the NBI 7 have gathered sufficient evidence against the two police officers. [...]

'Not fabricated'

[...] In their counter-affidavits, Iglesia, Lerion, and Bacani denied they killed Archival.

[...] The prosecutor was also not swayed by the defense's assertion that the NBI 7 framed the police officials to get back at them. They claimed that Monsanto is mad at them after they charged the agent with criminal and administrative cases before the Supreme Court and Ombudsman over a past incident involving his wife's car.

InterAksyon.com, 29.08.2014

De Lima orders raps vs ex-Davao del Sur gov, mayor for journalist's murder

By Brian Maglungso

MANILA, Philippines -- Justice Secretary Leila de Lima has ordered the filing of murder charges against former Davao del Sur Governor Douglas Cagas and a town mayor for the killing of a journalist in Digos City in 2010.

De Lima's order reversed last year's findings of the Prosecutor General and earlier decisions by the investigating prosecutor clearing Cagas, Matanao Mayor Vicente Fernandez and two other suspects -- Ali Ordaneza and Bado Sanchez -- and indicting only the three alleged gunman, among them brothers Voltaire and Henry Mirafuentes for the murder of Nestor Bedolido, a reporter for the weekly tabloid Kastigador, who was gunned down in July 2010.

The Justice secretary said the prosecutors erred when they declared Voltaire Mirafuentes' extrajudicial conference insufficient to indict Cagas and the other respondents [...].

De Lima said Voltaire's confession and the subsequent statement of his brother Henry "corroborate each other in material points

to establish conspiracy among respondents Cagas, Fernandez, Ordaneza and Sanchez in the murder of Bedolido and that there appears to be no collusion when their statements were executed."

Voltaire surrendered in October 2010 and confessed to being one of the three gunmen who carried out the hit on Bedolido. He claimed Cagas and Fernandez ordered the killing over Bedolido's 'exposés' on the former governor.

Both officials denied the accusations and blamed political opponents, with Cagas saying Bedolido was not even a journalist.

In May this year, authorities arrested Henry Mirafuentes in Davao City.

However, late last month, an eyewitness to the murder, Ritchie Nacao Manapol, was gunned down, also in Davao City. [...]

Since 1986, the National Union of Journalists of the Philippines has recorded 171 media killings in the country.

Sun.Star Cebu, 30.08.2014

BJMP admits PH jails, including those in Metro Cebu, are congested

By Kevin A. Lagunda

FAILING to address congestion in jails is a violation of some rights of criminals and crime suspects awaiting trial, according

to a Commission on Human Rights (CHR) 7 official.

"They (inmates) are subjected to harsh conditions in jail," said



Action Network Human Rights- Philippines

CHR's Leo Villarino.

"They are exposed to unnecessary risks. Those who are not sick will eventually get sick inside."

He said a person who is arrested for committing a crime must not be neglected. "They are still entitled to other basic human rights," he said in a phone interview.

In a forum on jail congestion yesterday, Bureau of Jail Management and Penology (BJMP) legal services acting chief Roy Valenzuela said major jails in Metro Cebu have a current population of 4,959 inmates, way beyond the ideal 1,366.

He said the country's major jails – including those in the cities of Lapu-Lapu, Cebu, Mandaue and Danao – are congested.

Decongest

MAGUINDANAO MASSACRE

InterAksyon.com, 01.08.2014

Private prosecutors protest move to rest case vs 28 accused

By Tricia Aquino

MANILA - Four months after the panel of public prosecutors rested their case against 28 of the accused in the 2009 Ampatuan massacre, two private prosecutors are protesting the action, saying it was "unprocedural" and could "close (the) door against securing a conviction."

In a press conference Thursday, lawyers Nena Santos and Prima Jesusa Quinsayas, who represent 25 private complainants including Maguindanao Governor Esmel "Toto" Mangudadatu, and the families of 17 media victims, respectively, bemoaned their public counterparts' manifestation in March before the Quezon City Regional Trial Court. Here, the public prosecutors said they were no longer presenting witnesses or evidence before the court.

[...] Quinsayas explained that in such cases, the burden of proof – and proof beyond reasonable doubt, at that – rested on the prosecution.

"It is not easy to establish proof beyond reasonable doubt," she said. All the defense had to do to get an acquittal was to create reasonable doubt. Once the accused were acquitted, she said, there was no re-filing the case because one could not be tried twice for the same crime. [...]

Case might be rendered weak

"Resting our case before the bail is resolved is not only unprocedural, but closes our door to securing a conviction. We have so much to lose if we rest the evidence-in-chief without at least waiting for the rebuttal evidence of the accused with petitions for bail," said Quinsayas.

[...] "We cannot understand why you would close the oppor-

[...] The SC initiated the Justice on Wheels program (mobile court) and Judgment Day, which is an event when courts hear and decide cases on the spot. Both programs aim to decongest jail facilities.

Marquez said they also plan to create a committee in Cebu that will monitor the cases of detainees.

Overcrowding in prisons poses health risk to inmates, according to the International Committee of the Red Cross.

A United Nations Office on Drugs and Crime (UNODC) report also noted that the health of inmates deteriorate due to overcrowded jails; poor nutrition, exercise and fresh air; and inadequate sanitation. [...]

tunity to present evidence," she said. "Where is that disinclination coming from?" Quinsayas quoted the public prosecutors as saying there were no more witnesses to present. But this was only because the public prosecutors refused to go to Mindanao and meet, vet, and talk to prospective witnesses, she said. [...]

Entire strength of DOJ not enough?

The private prosecutors wondered why the public prosecutors - who had the entire strength of the Department of Justice behind them - could not do their fieldwork when Quinsayas and Santos themselves were able to do so even without security. [...] The prosecution was able to present more than 150 witnesses, including private complainants, police, doctors, state witnesses, and eyewitnesses, against the 111 accused who had already been arraigned, she said. At least 86 other suspects were still at large. [...]

"[...] This is the struggle of the private complainants. The witnesses are not coming from the government. The entire town of Shariff Aguak and Ampatuan are living witnesses. But the problem is, no one will testify because they are scared. [...]" she said.

[...] She [Santos] and Quinsayas [...] remember better days under state prosecutor Leo Dacera III, who passed away in 2010. Back then, they said, the private and public prosecutors consulted with each other and discussed tactics. Now, however, the private prosecutors are often only informed of developments after the fact.

[...] She hinted at plans to file a case against the public prosecutors as soon as Justice Secretary de Lima's term ended.

Rappler.com, 13.08.2014

Malacañang to families of massacre victims: Expose bribe attempts

By Angela Casauay

MANILA - Come out and file the appropriate charges.

This was the call made by Malacañang to families of the victims of the 2009 Maguindanao massacre as reports surfaced anew about alleged bribery attempts made by members of the Ampatuan clan to silence witnesses.

Presidential Spokesperson Edwin Lacierda said those who were offered money should come out so the government can help them.

"We have laws against bribery. Now, it is up to the decision of the person who was bribed to submit a complaint before the courts - before the DOJ (Department of Justice), before the prosecution [...]" Lacierda told reporters. [...]

In an interview with [GMA News](#), Myrna Reblando, widow of *Manila Bulletin* reporter Alejandro Reblando, recounted how members of the Ampatuan clan offered her a bribe of P3 million (about \$680,000) in exchange for her silence.

The late Reblando was one of the 32 members of the media

killed in the deadliest massacre committed in the Philippines in recent history that also claimed the lives of 26 others.

Myrna Reblando was forced to flee the country and move to Hong Kong in 2011 after she received threats to her life when she declined the bribe.

Members of the Ampatuan clan, including clan patriarch Andal Ampatuan Sr and his son Andal Jr, are facing multiple counts of murder before a Quezon City court for allegedly masterminding the Maguindanao Massacre in 2009.

[...] Lacierda also gave assurances that those who will choose to come out will be cared for under the Witness Protection Program. [...]

Complaint vs DOJ's Baraan

Meanwhile, another alleged bribery attempt is threatening to derail the resolution of the Maguindanao Massacre case.

Graft and administrative complaints were filed before the Ombudsman against Justice Undersecretary Francisco Baraan III



Action Network Human Rights- Philippines

and his former secretary Paula Garcia on Tuesday, August 12, for allegedly bribing complainant Jerramy Joson in exchange for the fast-tracking of a case.

Reiterating Malacañang's stand that there was no need for an independent investigation into the charges, Lacierda said the Ombudsman was the best venue to solve the case.

The graft charges against Baraan came weeks after [3 lawyers of private complainants protested the plan of state prosecutors to rest their case](#) in the bail hearings and the primary evidence in support of the cases on the Maguindanao Massacre.

PEACE PROCESS

MindaNews.com, 27.08.2014

Murad to Lumads: "We will not repeat the situation where a majority will oppress the minority"

By Carolyn O. Arguillas

CAMP DARAPANAN, Sultan Kudarat, Maguindanao - The chair of the Moro Islamic Liberation Front (MILF) is assuring Lumads (Indigenous Peoples /IPs) in the proposed Bangsamoro that they will not allow them to experience what the Moro people have gone through because "we have experienced being the minority and we know the situation, we know the hardship of being a minority, of being a victim of oppression."

"We are assuring them that we will not repeat the same situation where a majority will oppress the minority," MILF chair Al Haj Murad Ebrahim told MindaNews on Sunday afternoon. [...]

According to an IP Dev 2013 survey among 80 barangays in 12 towns "with sizeable IP population" in the mainland of the Autonomous Region in Muslim Mindanao (ARMM), the total Lumad population there is 117,189 [...].

The ARMM, part of the core territory of the Bangsamoro political entity that would replace it by 2016, has a population of 4.7 million as of 2013, according to the ARMM website.

Murad said the draft Bangsamoro Basic Law has "so many provisions that are addressing the rights of the indigenous peoples," including a provision for the Bangsamoro government to establish an office or ministry specifically for the IPs, to ensure their concerns are addressed.

Harassment, killings

Complaints have been aired by some Lumad residents in the proposed Bangsamoro about harassments and even killings by armed men identifying themselves as MILF members.

The most recent complaint was aired in a letter sent by Timuay Alim Bandara of the Teduray, Lambangian and Dulangan Manobo Ancestral Domain Claim (TLADMADC) to government peace panel chair Miriam Coronel-Ferrer on August 20, about how an armed group terrified residents of Pmogoyon, a community close to Sitio Bahar in Pandan, South Upi, Maguindanao.

The Philippine Star, 29.08.2014

Attempt to arrest Misuari 'an act of war'

By Perseus Echeminada

MANILA, Philippines - Any attempt of the police and military to arrest fugitive Moro National Liberation Front (MNLF) founder Nur Misuari could be considered "an act of war" after the rebel leader's declaration of independence for the Bangsamoro Republik now pending before the United Nations. Absalom Cerveza, MNLF spokesman, said the petition for the declaration of independence for the Bangsamoro was submitted to the UN committee on decolonization.

He claimed that the petition in the UN would render any criminal case filed against Misuari and other MNLF leaders as "war crimes" under the jurisdiction of the International Court of Justice (ICJ).

One of the lawyers, Nena Santos, also accused Baraan of receiving a bribe in a meeting with former defense counsel Sigfrid Fortun.

In response to the bribery charges made against him, Baraan said he is filing perjury charges against his accuser.

At the height of the squabble between some private lawyers and state prosecutors, the defense team led by Fortun, on Friday, August 8, withdrew as lawyers of principal suspects, Ampatuan Sr and his son Andal Jr and 22 other accused.

The letter, coursed through Froilyn Tenorio-Mendoza, one of two members of the Bangsamoro Transition Commission (BTC) representing the Lumads, said three instances of ambush had been recorded, killing four persons and injuring one, between May 1 and August 10, 2014 in Sitio Behar and that a certain Maliga Alhaj Ali, an alleged MILF member was "consistently behind the disturbance of peace in this area."

The GPH and MILF peace panels have a mechanism aimed at addressing complaints involving their respective military forces - the Coordinating Committee on the Cessation of Hostilities which was created [...] to contain and prevent conflicts from escalation. [...]

"Give us a chance"

In a speech at the Moro-IP Solidarity Event at the EDSA Shangri-la Hotel on May 23, 2014, MILF peace panel chair Mohagher Iqbal, also BTC chair, admitted that the IP issue "has been one of the most difficult and complex concerns I addressed as Chair of the BTC."

"Understandably, groups held on to unshakeable ancestral domain claims backed by clashing interpretation of international and domestic legal and political principles. Yet [...] they made progress "only when we took on a new lens and develop(ed) a new language that will foster unity not division in our communities."

Iqbal added that with the new lens, "we can now imagine a Bangsamoro where all groups equitably and mutually reap what have been gained in our quest for self-determination on top of rights already enjoyed by each and every person or group." [...]

"Give us the chance to prove that in the Bangsamoro, the IPs have a bright future. This we will prove once the Bangsamoro is in place," Iqbal vowed.

Misuari was reacting to the statement of Armed Forces of the Philippines (AFP) spokesman Lt. Col Ramon Zagala urging Misuari to surrender and face the rebellion case filed against him at the Zamboanga City regional trial court. [...]

The Department of Justice (DOJ) filed a case for rebellion against Misuari, Habier Malik and 60 others in connection with the bloody siege of Zamboanga City on Sept. 9, 2013.

The Supreme Court had approved the transfer to the Taguig RTC of the trial of Misuari and his followers who had stormed Zamboanga City to seize city hall.

Misuari had earlier declared the independence of the Bangsamoro Republik on Aug. 12, 2013 in Talipao, Sulu. [...]