



## Action Network Human Rights- Philippines

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**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).



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HEADLINES & POLITICS

ManilaToday.net, 13.10.2014

### Luisita peasants to Palace: Challenge Accepted

By Divine Marie Endriga

Luisita Watch a network of advocates for the land and justice campaign of Hacienda Luisita farmers, declares 'challenge accepted' after Presidential Communications Secretary Herminio Coloma asked those who are accusing members of the Cojuangco-Aquino family of several crimes in the vast Luisita estate to prove their claims.

On October 10, farmworkers from four out of ten barangays in Hacienda Luisita trooped to the Department of Justice to file 41 separate complaints against the Cojuangco-Aquino family, officials of the Department of Agrarian Reform (DAR) and local police after a series of violent assaults since 2013 when DAR commenced implementing what the peasants call as 'faulty and minimal land distribution' in the sugar estate.

In April 2012, the Supreme Court reiterated its earlier November 2011 ruling ordering the distribution of around 5,000 hectares of the 6,453-hectare sugar plantation to more than 6,000 farmers-land reform beneficiaries of Hacienda Luisita. "

Complaints of attempted murder, arson, child abuse, physical injuries, theft, illegal arrest and arbitrary detention, robbery and malicious mischief, were filed for Hacienda Luisita farmworkers led by Alyansa ng Manggagawang Bukid sa Asyenda Luisita (AMBALA) by a team of lawyers from the Sentro para sa Tunay na Repormang Agraryo (SENTRA), National Union of People's Lawyers (NUPL), Public Interest Law Center (PILC) and Pro-Labor Legal Assistance Center (PLACE).

In its online statement, Luisita Watch said "These abuses were committed despite, or in cruel retribution for the Supreme Court

decision on total land distribution in Hacienda Luisita." Furthermore, that the abuses detailed by Luisita farmers in the complaints before the DOJ were committed by hired thugs, private security personnel, and armed state forces under the employ or with direct orders from the Cojuangco-Aquinos through their TADECO.

Among the respondents are the President's sister, Maria Elena "Ballsy" Aquino-Cruz and uncle Jose "Peping" Cojuangco Jr., both board members of the Tarlac Development Corporation (TADECO). Other respondents include the rest of TADECO board members, former Land Transportation Office Chief Virginia Torres, Tarlac PNP Provincial Director Alex Sintin, and former Tarlac City PNP Chief Bayani Razalan. [...]

In a dialogue held January this year, DOJ Undersecretary Francisco Baraan III promised Luisita farmers that the department will form a special panel to investigate cases of violence in the hacienda. However, Atty. Jobert Pahilga of SENTRA said that DOJ is yet to fulfill its promise and the panel has not been created since.

In a statement broadcast on state-run radio, Coloma said that the Cojuangcos have long been accused of atrocities but concrete evidence is yet to be presented.

In a statement, AMBALA Chairperson Florida S. Sibayan said that harassment suits lodged by the Cojuangcos against farmers are piling up in local courts in Tarlac City while the farmers continue wait in vain for the DOJ to act on their legitimate complaints. [...]

MindaNews, 21.10.2014

### Massive land grabbing reported in SouthCot town

GENERAL SANTOS CITY - Officials of Tantaran town in South Cotabato have raised alarm over the alleged massive land grabbing activities in two of its villages that is reportedly backed by an armed group.

Tantaran Mayor Benjamin Figueroa Jr. disclosed the problem on Tuesday as he sought the intervention of the Provincial Peace and Order Council (PPOC) in resolving the matter, which already forced some residents to abandon their lands. [...]

The area is composed largely of irrigated rice lands that stretch to the banks of Lake Buluan, which is shared by Maguindanao and Sultan Kudarat provinces.

The mayor said the affected lands are all privately-owned and properly titled, making the claims and their annexation illegal.

"These land grabbers are very aggressive because they are protected by an armed group and they would just immediately claim the lands that they want," Figueroa said.

He said they confirmed the presence of the armed group last week following verification made by local government personnel. [...]

The municipal government, in coordination with the local police personnel, is currently establishing the identities of the members of the armed group and their possible affiliations, he said.

"We have to resolve this as soon as possible and before the situation in the area would worsen," the mayor said.

South Cotabato Gov. Daisy Avance-Fuentes, who chairs the PPOC, advised the municipal government to assist residents who were affected by the land grabbing activities to file the necessary charges against the perpetrators.

"This problem actually started in the '90s and has not been resolved up to now because nobody was filing charges against these land-grabbers," she said.

She acknowledged the need to pursue law enforcement activities in the area but noted that such action needs legal basis through the formal filing of charges. [...]

Two years ago, tension gripped communities in barangays Poblacion, Magon and the neighboring villages adjacent to the boundaries of the three municipalities due to the rising land grabbing activities.

The municipal government of Tantaran earlier reported that it already lost a total of 143 hectares of titled private lands due to alleged illegal occupation by claimants from the neighboring Lutayan and Mangudadatu towns. [...]

Some farmers in the area had been forced to leave their lands supposedly due to threats of violence from the claimants.

Philstar.com, 20.10.2014

### Solon says foreign land ownership may affect food security

By Patricia Lourdes Viray

MANILA, Philippines - Valenzuela City Rep. Sherwin Gatchalian expressed his concern on altering constitutional provisions on land ownership, noting that foreign ownership would affect the country's food security.

"Eleven of the 17 land deals in the Philippines involving foreign investors are concentrated on harvesting crops for biofuel, not

food," Gatchalian said.

The lawmaker, a member of the House Committee on Trade and Industry, said that he is in favor of amending economic provisions of the 1987 Constitution to improve the country's economic performance but noted that altering the current 60-40 provision that allows 40 percent foreign ownership and allowing 100



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percent foreign ownership may entice farmers to sell their farmlands.

"Instead, the government must look at small farmers as partners to reaching that goal. It should safeguard our farmers' right to till their land and not allow big-time foreign corporate individuals and firms to claim our land," Gatchalian said.

According to a report from the United Nations' Food and Agriculture Organization (FAO), nine out of 10 of the world's 570 million farms are managed by families which produce 80 percent of the world's food.

Products of these family farms affect over 800 million people, making it vital to the solution of the hunger problem, said FAO

InterAksyon.com, 20.10.2014

### Palo folk stand to lose homes, cultural landmarks, to Pope's visit

By Lottie Salarda

PALO, Leyte -- When super typhoon "Yolanda" struck Leyte province, it damaged the ancestral home of the Almadro family, built in 1924 along Barangay San Salvador Street in Barangay Buri, Palo town.

Since then, the family has been working to repair their home.

However, what Yolanda failed to do the government may succeed in doing, not only to the imposing wooden house of the Almadros but several more houses and structures - many also still under repair - to widen the highway leading to the seat of the Palo archdiocese in time for Pope Francis' visit in January.

And among the structures that face destruction is the Palo public library, which is in a historic 200-year-old house that was also severely damaged by Yolanda.

The homeowners are not the only ones for whom the papal visit poses more harm than good, ironic considering that Pope Francis himself asked to personally visit the areas most devastated by the powerful storm so he could personally witness and reach out to the victims.

Earlier, homeless Yolanda survivors who have been staying in a bunkhouse village near the Palo government center were also told they would have to move out before the papal visit, with those not yet assigned permanent relocation to be transferred to another bunkhouse settlement several kilometers from the town center where the children go to school and the parents work.

The Department of Public Works and Highways, which plans to expand the road by 10 meters from the center line, has already begun demolishing some of the homes in Barangays Arado and Buri. [...]

HRonlineph.com, 25.10.2014

### TEN Facts that People should know about LGBTQ and Hate Crime in the Philippines

By Darwin Mendiola

The recent murder of a 26 year old Filipino transgender woman named Jennifer Laude by a U.S. Marine once again ignited public protest and renewed a call for wider recognition and better protection of the rights of lesbians, gays, bisexuals, transgenders and queers in the Philippines. [...]

#1 According to 2011 [study of the United Nations](#), LGBTQ people are becoming increasingly vulnerable to crimes because of their sexual orientation and gender identity (SOGI). [...] The report identifies homophobia, biphobia and transphobia as the major motivations for hate crimes against LGBT people.

#2 Still, 76 plus countries around the world considered homosexuality illegal. According to the [International Lesbian, Gay, Bisexual, Trans and Intersex Association \(ILGA\)](#), there are at least 99 people around the world who are currently in prison [...]. [...]

#3 As a response to the alarming global situation, the United

director-general José Graziano da Silva.

Gatchalian cited Southeast Asian neighbors Thailand, Indonesia and Vietnam as having similar land ownership provisions with the Philippines but have higher foreign direct investments (FDIs).

The Valenzuela City lawmaker said that there are alternate ways to increase the country's FDIs, aside from opening land ownership to foreigners.

Farmers belong to the top three sectors with high poverty incidence, according to the Philippine Statistics Authority. FAO recommended that there should be policies to increase farmers' access to markets, credit, seeds and fertilizers.

The homeowners said they began receiving orders to vacate early this year, when most survivors were still reeling from the storm. [...]

But not everyone is resigned to losing their homes.

Palo native Ramon Pedrosa, a lawyer who now lives in the US and who owns the house where the public library is located, is fighting back and has written both to President Benigno Aquino III and the National Historical Commission of the Philippines.

Last month, the NHC wrote Sia asking the DPWH to coordinate with them.

The NHC's Maria Serena Diokno, in the latter, said although the Pedrosa house has neither a marker or been declared a historical landmark, it nevertheless falls under the category of "Important Cultural Property" under Republic Act 10066, or the National Cultural Heritage Act of 2009, because it is more than 50 years old and is one of the oldest "*bahay na bato*" in Palo.

It also served as the municipal hall and school during the Spanish colonial period and was the headquarters of US troops after General Douglas MacArthur and President Sergio Osmena returned to the country at the beginning of the campaign to liberate the Philippines from Japan.

But with the first anniversary of the deadly storm just around the corner and the papal visit not far behind, time could be running out, not only for some of Palo's cultural landmarks but, just as important, for Yolanda survivors who believed they could rebuild their lives after weathering the storm only to literally lose everything again, this time, it seems, to ease the way for a man who had said he was coming to be with them.

Nations Human Rights Council has passed this year a [landmark resolution](#) condemning violence and discrimination against LGBTQ people. [...]

#4 Even the Catholic Church is now considering reviewing its conservative stance on homosexuality as Pope Francis [called](#) on the Church to welcome gays and lesbians in the community, who "must be accepted with respect, compassion and sensitivity." [...]

#5 The United States of America is one of the countries that recognizes and addresses the issue of Hate Crimes. President Barack Obama signed in 2009 the [Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act](#), which expands the existing United States federal hate crime law to gender, sexual orientation, gender identity or disability. [...]

#6 In the Philippines, a [study](#) backed by the UN has found that LGBTQ people have become more accepted in the Philippines.

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[...] But according to Ladlad, one of the LGBTQ groups in the Philippines discrimination against LGBTQ still persists and they are becoming increasingly vulnerable to hate crimes. The UN study found hate crimes remained a big threat among the LGBTQ community in the Philippines. It cited that there were at least 28 LGBT people reported killed in the first half of 2011.

#7 The Commission on Human Rights performs a function of a Gender Ombud. The Commission on Human Rights (CHR) [announced](#) in 2013 that the Commission will look into cases of hate crimes [...].

#8 Hate Crime is not yet a distinct crime in the Philippines. [...]

#9 Just recently, Sen. Bam Aquino filed the Senate [Bill No. 2122 or the Anti-Discrimination Act of 2014](#), which seeks to combat discrimination of any forms. The bill seeks to prohibit and penalize discrimination on the basis of ethnicity, race, religion or belief, gender, sexual orientation, civil status, HIV status and other medical condition, among others. Among the acts that will be prohibited are inflicting stigma; denial of political civil, and cultural rights [...]. [...] A similar bill was filed by Rep. Teddy Casino of Bayan Muna, last June 26 [...].

#10 Quezon City, Philippines' largest city has approved [ordinance that bans anti-gay discrimination](#).

The ordinance is the first of its kind in the Philippines expands the 2003 City Resolution which only centered on discrimination of homosexuals in terms of employment. [...]

### CALAMITIES & CLIMATE CHANGE

HRonlineph.com, 02.10.2014

## People's Walk for Climate Justice, 40-day Climate Walk to Tacloban kicks off in Luneta

MANILA, Philippines, 2 October 2014 – Climate change advocates from various sectors urged world governments to “walk their climate talk” as they launched the Climate Walk, dubbed as “A People's Walk for Climate Justice.”

From the starting point at “Kilometer Zero” in Rizal Park, Manila, the groups will walk 1,000 kilometers in 40 days to arrive in Tacloban, ground zero of Yolanda (Haiyan), on November 8, exactly a year since the super typhoon first made landfall.

The festive send-off program for the Climate Walk included Manila Vice Mayor Isko Moreno, National Youth Commissioner Jose Sixto 'Dingdong' Dantes III, Climate Change Commissioners Heherson Alvarez and Yeb Saño, running priest Fr. Robert Reyes, representatives of a broad group of civil society organizations [1], and the Catholic Church [2]

“The Climate Walk is dedicated to all people in the Philippines and around the world who confront the reality of climate change. It aims to empower communities and help them become resilient to the impacts of disasters and climate change,” Saño said before they departed from Luneta.

The advocates called on governments to do their fair share in keeping global warming below the tipping point to save the Filipino people, and all others who are most vulnerable to climate change. [...]

The Walk was launched a week after two landmark events in New York: The People's Climate March, in which 400,000 people marched to call for urgent climate action, followed by the United Nations Climate Summit, wherein over 160 world leaders announced their commitments to solve the climate crisis.

“This walk is about fighting back! We need to unite as a people

### Unqual US-PH military agreements license to violate people's rights

“The killing of transgender woman Jennifer Laude by a US serviceman is the most recent vivid violation of people's rights, a consequence of lopsided military agreements between the US and the Philippine governments. The US-RP Military Bases Agreement to the Visiting Forces Agreement and the US-GPH Enhanced Defense Cooperation Agreement have become licenses for numerous gross transgressions, especially on the rights of Filipino women and children,” said Cristina Palabay, Karapatan secretary general.

An online US-based news site, [www.marinecorpstimes.com](#) cited an internal US Navy memorandum identified the perpetrator as a US Marine deployed to the Philippines as part of the Balikatan joint military training exercise. The suspect [...] and three other Marines are in the custody of US Navy officials since Sunday.

The Balikatan joint military exercise is a component of the Visiting Forces Agreement which in effect ensures the permanent, albeit rotational, presence of the US troops in the country. [...]

Palabay warned that the “issue of jurisdiction and custody over the case may go the way of all previous cases where criminal accountability of US soldiers in Philippine territory were exonerated under the pretext of the MBA and the VFA.”

She stated that in 1987, a US serviceman stationed in the US base on Olongapo and accused in the rape of 12-year old Rosario Baluyot was “whisked out of the country to avoid prosecution.” The child later died from sepsis because parts of a vibrator that was inserted in her vagina remained stuck for seven months.

The rape of “Nicole” by US Marine Daniel Smith in 2005 was the first case where a member of the US military was tried, convicted and sentenced for a crime on Philippine territory. However, the local court ruling on the landmark case was overturned when Smith was secretly transferred from the Makati City Jail to the US Embassy's custody in 2006.

“In both cases, the issue of US government custody on the perpetrators from the US military was invoked,” Palabay added.

“We call on the Filipino people to assert the country's sovereignty and jurisdiction over the case, including custody and investigation of the perpetrator, and his prosecution. We demand justice and accountability. We call for the immediate junking of the VFA and the EDCA, which are threats to the Filipino people's liberty and security,” she concluded.

Karapatan - Press Statemet, 14.10.2014

While immediate focus should be on resolving the significant rise of alleged Hate Crime, much attention should also be given to any forms of discrimination against LGBTQ community. [...]

and demand a climate treaty that will give justice and compensation to countless families, communities and municipalities that are already being severely affected and devastated by climate change impacts. We must reclaim our people's rights to a safe, secure and sustainable future.” Von Hernandez, Executive Director of Greenpeace Southeast Asia stated.

“[...]We need to fundamentally change the way we live, and the way things work in our planet. We need to galvanize public actions towards solutions to fight climate change,” said Nityalila Saulo, musician and core member of the artist group, Dakila. “It is time for a climate revolution and switch the power from world leaders to the people to decide our survival.”

### Climate Walk

[...] On November 8, the participants will cross San Juanico Bridge towards Tacloban City. The Walk is also expected to continue on to communities in Cebu, Negros, Panay Island, and Palawan, provinces that were likewise heavily damaged by Yolanda.

Climate and disaster resilience toolkits, a set of resources which can be used to enhance community planning for climate change and assist in the protection of communities from climate disaster risks, will be handed over to LGUs and communities in the areas reached by the Climate Walk. Along the path of the walk, events will also be held in select towns to highlight the different issues of climate change affecting these areas, including (and not limited to) deforestation, mining, and renewable energy. This can help form the narrative of the concrete demands that can define the Walk. These events will be educational as well as creative and celebratory and will include concerts, film showings, mural



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painting, prayer sessions, dance and music festivals. [...] "While we support the Climate Walk's global call for climate action, we also challenge the Aquino administration to walk its own climate talk," said Melvin Purzuelo, convener of the civil society network Aksyon Klima Pilipinas. "We hope that this initiative to roll out local climate plans will only be the start of concerted efforts to make local and national policies coherent, particularly in adaptation, energy, and finance."

### INSTITUTIONS

InterAksyon.com, 01.10.2014

## Advocates to Congress: Pass ASAP Freedom of Information bill

By Lira Dalangin-Fernandez

MANILA, Philippines -- Advocates of the Freedom of Information (FOI) bill on Wednesday exhorted the House of Representatives to approve the FOI bill and thwart attempts of some lawmakers to include the right-to-reply (ROR) provision in the measure.

According to the National Union of Journalists of the Philippines (NUJP), an online poll was conducted posted at the House website (<http://congress.gov.ph/>) asking the public if they want the ROR provision in the bill. [...]

As of Wednesday, 1 October 2014, the survey shows 326 Votes (71.18 percent) against the ROR and 124 Votes (27.07 percent) for

Rappler.com, 23.10.2014

## PH ethnic groups want bill recognizing conservation rights

By Pia Ranada

MANILA, Philippines -- Philippine indigenous peoples want a bill that will strengthen their rights to conserve and protect natural resources inside their ancestral domains.

On the second day of the National Conference on Indigenous Communities Conserved Areas on Wednesday, October 22, tribal leaders applauded plans for such a bill to be sponsored by Ifugao representative Teddy Baguilat Jr.

"The bill will see to it that indigenous initiatives, indigenous systems in conservation will be strengthened and will be given a legal face, [...]" said Datu Migketay Saway of the Talaandig tribe in Bukidnon, Mindanao.

Some 85 tribal leaders attended the two-day event, representing 39 indigenous groups.

The so-called Indigenous Communities Conserved Areas (ICCA) bill is said to strengthen the Indigenous Peoples Right Act (IPRA) of 1997, the law that first recognized the rights of IPs to their ancestral domains, the preservation of their indigenous practices, knowledge systems and way of life.

But the IPRA, though revolutionary, does not address new concerns of IPs, especially with regards to the protection of ecologically-important areas within their ancestral domains. [...]

### Culture, conservation

Still, an ICCA Act would put IP conservation methods on the same level as government methods already formalized in a law. [...] Concretely, this means the law will respect, not only ICCAs,

"The government should step up by demanding deep emissions cuts from the US and developed countries, by demanding from them real solutions that would ensure concrete adaptation programs and projects on the ground and by abandoning its bias for corporations and businesses in the entire rehabilitation process and put the people at the center," said Gerry Arances, National Coordinator, Philippine Movement for Climate Justice (PMCJ), a national grassroots movements advancing climate justice.

the ROR, with only eight undecided votes, the group said. [...]

"We challenge the members of the House, particularly public information committee chair, Rep. Jorge Almonte, to immediately resume the legislative advance of the FOI bill or drop the pretense of being the representatives of a people whose rights you continue to ignore and whose wishes you continue to spurn," it added.

Last September 2, after close to a year of work, the technical working group of the public information committee approved the final version of the FOI bill. The panel is expected to approve it when Congress returns to work on October 20. [...]

but the methods by which IPs protect and conserve them, which are so closely associated with their indigenous beliefs. [...]

Other IPs say an ICCA law would give the kind of protection from natural resource exploitation that the IPRA cannot.

"The ICCA law has a more impressive ring to it than just the IPRA law because it involves the participation of the DENR and will call the attention of the environmental movement, not just groups advocating for IP rights," said Apo Edwardo Banda of the Ubu Manobo tribe in North Cotabato.

The law would ensure protection at least of forests and water bodies ahead of formal recognition of the entire ancestral domain in the form of a Certificate of Ancestral Domain Title (CADT). Applying for and getting CADTs has become a long, arduous and frustrating process for some IPs.

The ICCA law may help hasten the process of recognizing IP jurisdiction over, at the very least, ecologically-important areas which are often also the IPs' sacred sites.

### Sacred to nature and IPs

DENR Undersecretary Demetrio Ignacio said the bill is "something that we are not going to object to."

[...] The tribal leaders during the conference already agreed to pass a resolution asking Congress to pass the ICCA bill. A committee of all stakeholders has to be formed so the drafting can begin.

### CURRENT CASES OF HUMAN RIGHTS VIOLATIONS

InterAksyon.com, 06.10.2014

## Tribe council: Murder of Teduray chieftain 'meant to silence lumad struggle for rights'

MANILA, Philippines -- The murder of a Teduray chieftain in Maguindanao province on October 2 was "not an ordinary crime but an attempt to silence tribal leaders who persevere in standing for their rights," the supreme council of the tribe said Monday.

Lencio Arig, a member of the Minted sa Inged, or council of leaders of the Timuay Justice and Governance, was shot dead in Sitio Keninan, Barangay Ramongaob, South Upi town by at least two gunmen as he walked home with his wife and young

daughter.

In a statement, the TJG, which is the indigenous political structure of the Teduray and Lambangian tribes in Maguindanao, said Arig was actively involved in campaigning for the full recognition of the rights and ancestral domain of indigenous people, including the Dulangan Manobo, within the prospective autonomous homeland to be created with the enactment of the Bangsamoro Basic Law. Timuay Labi (supreme chieftain) Sannie Bello, and his deputies -



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- Timuay Santos Unsad and Letecio Datuwata -- who signed the statement, said Arig was also one of the most outspoken tribal leaders against mining exploration within the Teduray's ancestral claims in Sitio Datar Bulawan, Ranao Pilayan in Upi town. TJG said Arig's murder "proves that justice continues to be elusive for the Teduray, Lambangian and Dulangan Manobo within the Autonomous Region in Muslim Mindanao, which is now the core area of the [prospective] Bangsamoro." At the same time, it urged leaders of the tribes to "persevere and intensify the work we have started" and for which Arig was murdered, to ensure that his death would not be meaningless.

Sun.Star Cagayan de Oro, 08.10.2014

### PNP urged to protect threatened Bulacan TV journalist

By Jigger J. Jerusalem

THE National Union of Journalists of the Philippines (NUJP) has called on the Philippine National Police (PNP) and the provincial government of Bulacan to intervene in the safety of GMA news stringer Rommel Ramos who was threatened by a security detail of Bulacan Vice-governor Daniel Fernando recently.

In a statement, NUJP said Ramos was invited to have a dialogue on October 1 with Fernando to settle their previous differences.

Fernando (born Cesar Ramirez) was a former actor [...].

During their dialogue [...] Fernando's bodyguard Datsun Fulgar reportedly pulled out a gun and challenged Ramos to a fight.

Another one of Fernando's security, a uniformed policeman, pacified Fulgar and brought him outside the restaurant.

In his October 7 letter to Senior Superintendent Ferdinand Divina, Bulacan police provincial director, Ramos has requested for a security detail as he wanted to have Fulgar investigated for his behavior [...]. His letter also detailed the threats he received following the heated encounter with Fulgar. [...]

Ramos said that after the encounter with Fulgar, he was attacked on Facebook, through comments and posting by some individuals, specifically from Corsini Reyes and Omar Padilla, identified as alleged followers of Fernando, who "pictured me as a total villain and have cast doubts on my integrity as a media man."

Karapatan Press Statement, 10.10.2014

### "Arrest 'em then charge 'em of whatever" is the name of the game for BS Aquino, AFP

"The filing of trumped up criminal charges poses a serious threat to the liberties of the Filipino people," Cristina Palabay, Karapatan secretary general, said on the arrest of Lito Lao, a peasant leader in Southern Mindanao. Lao was arrested on October 7 at the ABC Hall in Kapalong, Davao del Norte while facilitating a dialogue between farmers and a land grabber in the area.

Lao faces fabricated charges of qualified theft. He was arrested through a warrant of arrest on the case filed against him and 12 other farmer-activists by a landlord, Ms. Vivien Jubac, in 2012.

According to a news report on *DavaoToday*, the case started when conflict between Jubac and tenant Arnando Diones arose. Lao, along with other co-accused in the case, were those who helped Diones keep his land. Jubac's 52-hectare land was subject for land distribution under the Comprehensive Agrarian Reform Program (CARP) but the family found a way to keep the land. Diones, instead of receiving his part of the land and cash share, was evicted by Jubac with the backing of the police and the members of the 28<sup>th</sup> Infantry Battalion of the Philippine Army (IBPA). The family also demolished Diones's house, destroyed his hut and fenced off a 10-has. farm which was up for distribution. Also, with the help of the military, the Jubacs were able to harvest 40 sacks of rice from the field that Diones worked on.

Lao, who helped in the appraisal of Diones's crops, did not know how he ended up in the list of those in the warrant of

MindaNews, 14.10.2014

The leaders challenged authorities to give justice to Arig by ensuring his killers are made to account for the crime. "If democracy and justice truly exist in our country, prove it by solving the case as soon as possible," it said. They also called on the peacemaking mechanisms within the Bangsamoro, "particularly the Transitional Justice and Reconciliation" under the Comprehensive Agreement on the Bangsamoro "to seriously address the lack of justice for indigenous people within the Bangsamoro to ensure that everyone enjoys genuine peace based on justice."

"Reyes and Padilla admitted on their Facebook account that they were responsible for the dialogue between the Vice-governor and me to take place and eventually lambasted me on the outcome of the dialogue," he said. [...]

On Tuesday (October 7), he received a text message from the cellphone number 09433996412 saying: "[...] You son of a b\*\*\*\*. Your days are numbered, boy! You are too brave, it will bring you to your grave."

Because of this series of incidents, NUJP said: "It is clear that the continued threats against Ramos pose a clear danger to his safety that have gone beyond whatever differences he may have with Fernando."

"We thus support his request for a security detail to ensure his safety as well as his call for the immediate recall of whatever license has been issued to Fulgar to bear firearms and to investigate Fernando's bodyguard and file appropriate charges against him. The same goes for all those who may be found to be behind the threats against Ramos," the group said.

NUJP said it will support any other legal action Ramos may take to seek redress for his ordeal, just as we are confident all our colleagues in Bulacan will do likewise. [...]

arrest. Jubac first filed cases of grave coercion, grave threat and theft against Diones. All the cases however were dismissed. Later, she filed new charges against Diones that included Lao and 11 others.

In Central Luzon, Lourdes Quioc, 68, and Reynaldo Ingal, 66, were arrested on October 1 in Tenejero, San Antonio, Pampanga using a warrant of arrest for alleged NPA leaders "Eugenia Magpantay" and "Agaton Topacio".

"This is another case of "mistaken identity" where the AFP and the police earn millions. Said top NPA leaders had a total of Php 10.6 million bounties under the reward system put up by the Department of Defense and the Department of Interior and Local Government," Palabay said.

Ingal and Quioc are detained in Bulacan Provincial Jail. "This is no different from the case of security guard Rolly Panesa, Olegario Sevas, and Eduardo Esteban who were arrested using warrants of arrest with names of supposed high-ranking CPP-NPA officials with reward money. Such a desperate act, if not an entirely money-making venture of the AFP and the police," Palabay cited.

[...] There are currently 504 political prisoners in the country, all facing false criminal charges. Of the 504, 53 are sickly, 42 are elderly and seven are minors.

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### Police probe killing of former Sarangani vice mayor

GENERAL SANTOS CITY – Police have launched a deeper investigation into the killing on Monday of a former vice mayor of the coastal town of Maasim in Sarangani Province.

Insp. Rodel Javison, Maasim police chief, said Tuesday they are looking at several angles as possibly behind the murder of long-time municipal councilor and ex-vice mayor Eulogio Benitez, who was gunned down at his farm in [...] Barangay Colon [...] Monday.

He said the 82 year-old victim was just visiting his farm when he was shot three times by a still unidentified assailant.

Witnesses reportedly saw a lone gunman hastily leaving the scene aboard a motorcycle, he said.

Jolita Albero, the victim's live-in partner, said she was working inside a nearby farmhouse when she suddenly heard three

gunshots.

She immediately checked on Benitez and saw that he was already lying on the ground and had some gunshot wounds. [...]

"We don't have any idea as to who would want to do this to him as he had no known enemies," Albero said in the vernacular.

Javison said they are already focusing on several possible motives regarding the case but refused to give any details.

He said they are also working on the identification of the gunman and the possible masterminds of the killing. [...]

Benitez served as municipal councilor of Maasim for three straight terms from 1988 until 1998 when he was elected vice mayor. He ran for mayor in 2001 but eventually lost.

He last ran for mayor of Maasim as an independent in the 2010 local and national elections.

DavaoToday.com, 14.10.2014

### Mandaya father, son killed by soldiers in New Bataan

Davao City - A father and his son who were on their way home were reportedly killed by army soldiers last Sunday in Tubod, Manurigao, New Bataan, Compostela Valley.

According to a statement released Monday by the Comval Davao East Coast Subregional Command of the New People's Army, "while on the road early morning Sunday, combat troops of the Alpha company, 66<sup>th</sup> Infantry Battalion, Philippine Army, mercilessly killed farmer Rolando Dagansan, 43 years old, and his son Juda, 15."

"The two Mandaya lumads came from harvesting [...] when the soldiers attacked them. Their bodies were badly disfigured with so many gunshot wounds; their heads were defaced while Rolando's arm was amputated," said Roel Agustin, spokesperson of the NPA.

This was also confirmed by the brother-in-law (name withheld) of Dagansan.

According to the brother-in-law [...] around 60 soldiers of the 66<sup>th</sup>IB travelled to Barangay Manurigao at 10 pm last Saturday to have a medical mission in the community.

Dagansan, together with his son, paid a visit to his farm located in Sitio Cabetian, Barangay Manurigao on that day. "On their way home, Sunday, they encountered the soldiers at around 3 am," he said.

"We were informed of their deaths by Barangay Captain Francisco Aldueso of Barangay Andap," he added. [...]

The spokesman of the 10<sup>th</sup> Infantry Division has also confirmed the incident. In a text message sent to Davao Today, Captain Ernest Carolina said that "the incident looks accidental in nature by the way it is described, transpiring in pitch black darkness during a security patrol."

But the relatives of the Dagansans believed otherwise.

"We believe that it is not an accident. They could have asked them first if they are civilians or NPAs," Dagansan's brother-in-law said.

"They have their identification cards with them including vot-

#### Army orders probe on killing of 2 civilians

By Ivy C. Tejano

EASTERN Mindanao Command (Eastmincom) chief Lt. General Aurelio B. Baladad ordered the Philippine Army's 10th Infantry Division to look into the death of two civilians who were allegedly killed by troops belonging to 66th Infantry Battalion in New Bataan town in Compostela Valley.

The victims were identified as Lando Sabado Dangasan, 40, and his 16-year-old son Felix [...]. The two were reportedly unarmed when the incident happened.

Baladad ordered Tuesday the 10th Infantry Division commander Major General Eduardo Año to conduct a no-nonsense investigation on the incident that took place at sitio Taytayan in Andap on October 12 at around 4 a.m. following the complaints by Dangasan family and human rights advocates.

Eastmincom Public Information Office head Captain Alberto Caber, in a phone interview yesterday, said the investigating team will be led by the 10th division along with the New Bataan Municipal Police Station and Eastmincom.

"He [Baladad] also directed all military commanders on the strict compliance to the Rule of Engagement, Rule of Law, protection of human rights, and adherence to Internal Humanitarian Law in the conduct of combat and non-combat operations in line with Internal Peace Security Plan Bayanihan," Caber said.

Caber said the Armed Forces of the Philippines (AFP) will not tolerate any violation of the human rights committed by the soldiers. He also said the soldiers involved on the incident are already under the custody of the division for further investigation. [...]

Sun.Star, 17.10.2014

er's ID and Philhealth ID. My brother-in-law is also a member of the Barangay Defense System (BDS) which is also under the AFP," he said.

He said a member of the 66<sup>th</sup>IB also sent him a text message apologizing for the incident.

"But we want the media to get a live footage here and see how they killed our relatives. The face of my nephew was totally blown up," he said.

Carolina, on the other hand, assured that the perpetrators will be held accountable. [...]

Sun.Star Davao, 21.10.2014

### Arrest of suspected NPA leader denounced

By Ivy C. Tejano

THE Rural Missionaries of the Philippines in Southern Mindanao (RMP-SM) denounced the arrest of a suspected New People's Army (NPA) leader last week, calling on President Benigno Simeon Aquino III to release the latter.

Dominiciano Daungcay Muya, alias Marco or Atoy, an alleged member of the NPA Southern Mindanao Regional Command executive committee, with P4.8 million reward for his arrest, was nabbed Thursday at a joint military and police checkpoint in Tagum City.

Arrest warrants had been issued against Muya after he was charged with robbery with double homicide and damage to properties, multiple murders, and double frustrated murder before Regional Trial Court (RTC) Branches 7 and 10 in Bayugan, Agusan del Sur, and RTC Branches 8 and 10 in Malaybalay, Bukidnon.

In an RMP statement [...] [RMP] said the accused had been its consultant and later became one of their staff in Sustainable Agriculture Program. He was chief agriculturist and in-charge of

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the indigenous school's construction during his arrest, the statement said.

The RMP said Muya is an agriculturist by profession with a degree of Bachelor of Science in Agriculture major in Soil Science at the University of Southern Mindanao.

"We denounce the illegal arrest and detention of our staff. He is not an NPA but an agriculturist we employed to ensure food, environmental and livelihood sustainability for indigenous communities that have requested for our schools," the RMP said.

"Coming from an indigenous tribe himself made him an invaluable program implementor [...]," the RMP said.

The RMP said Muya was not only deprived of his legal rights

while being arrested but was also robbed off the money and personal belongings [...]. The group claimed that Muya was slapped with false charges.

"[...] he did not possess the pistol and the hand grenade that were shown by the military," the RMP said.

It also said: "Muya's arrest wrought a deep trauma to his family dislocating his wife and children, as they seek for a safe sanctuary because they felt threatened [...]"

"We also worry about his health situation because he has a pulmonary disease and is also hypertensive. [...]" it added.

The RMP appealed to the government to release Muya and drop all the charges filed against him as the members of the RMP [...].

HRonlineph.com, 25.10.2014

## Help us in our campaign to upgrade or close Reception and Action Center Manila (RAC)



This week Bahay Tuluyan sent copies of this photo to the President of the Philippines, Mayor of Manila, Secretary of Justice, Secretary of DSWD, Chairperson of the Commission on Human Rights and various media outlets.

It was taken inside a

government shelter for children, Reception and Action Center Manila, better known as 'RAC', on 12 October 2014.

Since 2008 Bahay Tuluyan has repeatedly called for the horrific treatment of children inside RAC to be stopped. Nothing has happened. The child in this photo is clearly severely malnourished, unwell, completely naked and lying on a cement floor, outdoors. At the date this photo was taken he had been in the care of RAC for seven months. He had not received any medical treatment. On release to Bahay Tuluyan he had a black eye and initial medico legal examinations indicated he had 'multiple injuries secondary to mauling'.

The letter we sent accompanying the photo included the following:

'The conditions inside RAC are abysmal. Children are detained in this center without charge yet are treated worse than criminals. They are denied the most basic rights - adequate food, clean water, bedding and even clothing. Moreover not only are children denied contact with their families but their families are often not even notified that they are being held inside RAC.

Children inside RAC are brought there by government officials, police or barangay tanod, often after having been beaten or mistreated. Most of the time the children do not even know why they are being taken to RAC, with workers there citing various reasons for admission; 'rescue', curfew or commission of an offence. Accordingly, children accused of committing offences are detained in the same quarters as those who have supposedly been 'rescued' for protective purposes. The beating and abuse continues inside RAC with children being both physically and sexually abused by both staff and fellow children.

Bahay Tuluyan, along with its many partners, has been advocating for better conditions in RAC since 2008 [...] and has involved the Manila City government, DSWD and CHR in various discussions about the above mentioned concerns [...]. Despite this there has been no change in the conditions in RAC during that time.

This horrific treatment of children can not continue. Adequate policies and laws exist in the Philippines to regulate the running of child caring institutions to appropriate standards yet this institution, run by government, falls far below those standards.

We request you to IMMEDIATELY SUSPEND the operations of RAC until it meets DSWD standards of accreditation and can assure that children will be treated with the dignity they deserve.'

We call on all supporters of children everywhere to stand with us as we battle to ensure that all children are given the care, dignity and love they deserve. [...]

PS. We are pleased to say that through our intervention the child in the photo is now in the care of an excellent institution working with sick children and we are hopeful he will be on the way to recovery very soon.

Bulatlat.com, 26.10.2014

## 2 Lumads killed, 2 missing in Caraga region

By Dee Ayroso

Soldiers and paramilitary men are suspected in the killing of two people, including a Manobo leader, and disappearance of two farmers in the bordering provinces of Agusan del Sur and Surigao del Sur in the Caraga region, which are undergoing massive military operations. [...]

Urgent Alerts sent by Karapatan Caraga on Oct. 26 identified the suspected perpetrators as operating troops of the 2nd Scout Ranger Battalion based in St. Christine, Lianga, Surigao del Sur under Lt.Col. Jesus Durante, the 36th Infantry Battalion, the 3rd Special Forces Battalion under the 401st Brigade, members of the Citizens' Armed Forces Geographical Unit (Cafgu), and members of the paramilitary group of Calpit Egua.

The Urgent Alert said that in the early morning of Oct. 24, villagers saw soldiers of the 2nd Scout Ranger Battalion on foot patrol in Upper Oregon, Logdeck, San Isidro, Lianga. Around 17 of them, including paramilitary men under Datu Calpit Egua

proceeded to the adjacent sitio Cabalawan, still in San Isidro.

At around 7 a.m., Henry Alameda, 44, resident of sitio Cabalawan and council member of the Malahutayong Pakigbisog Alang sa Sumusunod (Mapasu), had just finished breakfast when three men armed with M14 and M16 rifles forced their way in and dragged Henry out toward the forest. As they passed by a waiting shed, Henry tried to hold on to a post and refused to go with the men. One of the men then shot him in the chest, while another shot him in the head. Later that same day, at 8 p.m., in San Lorenzo village, Prosperidad, Agusan del Sur, around 15 armed men arrived. Eight of them went to the house of village chairman Alejandro "Undo" Dumaguit. The men ordered Dumaguit to come out of the house, then after a moment, opened fire.

Dumaguit's 13-year-old daughter Elejen was hit on the stomach. Her brother Aldren, 21, tried to cover her, and he, too, was hit



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and instantly killed. Dumaguit identified one of the shooters as Waway Blandres, a member of the paramilitary group of Calpit Egua.

Meanwhile, seven of the armed men went to the adjacent houses of Alfredo and Victor Undayon and opened fire. Alfredo's son Enggoy, 16, opened the window upon hearing gunshots and one of the men fired at him but missed. He then dragged his sister Lynlyn, age eight, to safety.

Alfredo, who was outside with his neighbour Arsenio, tried to run to safety but he was hit on the elbow. After five minutes of indiscriminate shooting, the men left the village.

Soldiers are also suspected in the disappearance of abaca farm-

ers Elde Martinez, resident of sitio Sangay, Libas Sud village, San Miguel town, and Jojo Tejero, resident of sitio Logdeck, San Isidro village, Lianga town. Both towns are in Surigao del Sur.

On Oct. 22, soldiers were seen in Sitio Kapatagan, San Roque, San Miguel, Surigao del Sur. On Oct. 23, the two men went to Sitio Kapatagan to harvest abaca and were not seen since. Their families feared that they were forced as guide by the soldiers, or were already killed.

Karapatan-Caraga said that Mapasu is a Lumad organization strongly protesting against mining operations and land conversion and plantations. [...]

InterAksyon.com, 26.10.2014

## Tacloban broadcasters get death threats over govt rebuild efforts post-Yolanda

By Lottie Salarda

TACLOBAN CITY, Philippines -- Two veteran broadcasters in Tacloban City recently received death threats that they believe are related to their reportage and commentary on various issues, including issues raised against the Leyte provincial government and the efforts to rebuild areas devastated by super typhoon Yolanda.

Danny Requez, station manager of station dyDR Thunder FM, said the first threat was texted [...] to his mobile phone on October 13.

The station is operated by the Philippine Collective Media Corp. [...].

Although it mainly mentioned his colleague, Lulu Palencia, it also targeted Requez.

The message, in Waray, said: "[...] Tell the fair one that I have hired the person who'll kill her. Let us see how brave she is against a bullet. Be sure to tell her. You are next."

The second threatening message was also a text message from the same number that Requez received the afternoon of October 22, the day after the commemoration of the 70th anniversary of

the Leyte Landings in Palo town.

The message sender, again texting in Waray, claimed he had waited for Palencia at MacArthur Park, expecting her to cover the commemoration, at which President Benigno Aquino III was guest of honor, in the hopes "she would die then." [...]

Requez said the messages were only the latest threats he has received since early this year. [...]

He also said the threats would not dissuade them from tackling controversial issues.

"[...] Even if I am no longer here, there will surely be others who will follow my footsteps. If they want to sue me, then let them sue me, I will answer them. But this will not stop me from broadcasting the truth," he said.

Palencia, who has been threatened before, was also unfazed.

"[...] In the long time I've been in broadcast, I'm used to this," she said.

Both Requez and Palencia have been working in local broadcasting for more than 20 years [...].

HRonlineph.com, 28.10.2014

## Death Threat against an Anti-Mining Advocate and A Human Rights Defender in Zambales Province -TFDP

Dear friends,

The Task Force Detainees of the Philippines (TFDP) is forwarding to you an appeal regarding the death threat received by a human rights defender due to his involvement in the efforts for the cancellation of mining operations in the province of Zambales. [...]

### Account of the Incident:

An expert in forensic medicine and an anti-mining advocate, Doctor Benito E. Molino received a death threat via private message to his Facebook account which was posted by a certain Dexter Movilla, also known as Mark Minimo, on October 15, 2014 at 10:35 a.m.

The message was (in Tagalog dialect), "You're a meddler. People lose their jobs because of you. Keep in mind that one bullet can kill you. Beware, one day you're dead."

Another message was sent on October 12, 2014 at 8:08 p.m. It said, (also in Tagalog), "People lose their jobs because you coerced the mining company to stop. Do you know, because of what you did, many are angry with you, you will not have peace because of what you did, you stopped all mining operations."

Dr. Molino, fondly called as "Doc Ben", 57, is at the center of the struggle against mining operations in Sta. Cruz. Currently, he has been at the receiving end of criticisms from supporters of mining companies in the province. Mine workers have blamed Doc Ben for the suspension of mining activities that cost them their jobs.

Doc Ben is the chairperson of the Concerned Citizens of Sta.

Cruz, Zambales (CCOS). CCOS is of the active anti-mining groups in the province that has been strongly campaigning for the cancellation of mining operations due to the vast amount of destruction in the environment that would eventually affect the health and livelihood of the people. According to Doc Ben, nickel laterite (soil layer rich in nickel compound) has clogged the natural flow of water from rivers, creeks, fishponds, shorelines and farmlands. Apparently, more than 300 hectares of farmlands have already been destroyed which has caused farmers of Sta. Cruz and Candelaria millions worth of income.

On July 15, the Mines and Geosciences Bureau (MGB) regional office in Central Luzon suspended the operations of four mining companies that extract nickel laterite in the province, citing their "unsystematic mining or stripping method." Doc Ben claimed that the suspension order was only an initial victory for Sta. Cruz residents who, they say, have been struggling to revive their sources of livelihood, which are mostly farming and fishing.

Recently, mine workers appealed to the provincial officials of the Department of Environment and Natural Resources (DENR) to lift the suspension order against four mining companies in Sta. Cruz, Zambales such as the Diversified Metals Corporation, Benguet Corporation Nickel Mines Inc., Eramen Minerals Inc., and LNL Archipelago Minerals Inc.

Aside from his activities in the anti-mining movement, Doc Ben is currently working with the Medical Action Group (MAG), in partnership with the Task Force Detainees of the Philippines



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(TFDP) for the protection of human rights defenders in the

country.

[...]

Bulatlat.com, 30.10.2014

### 'Military attacks those who protect the environment'

By Janess Ann J. Ellao

MANILA — Jude Baggio, public information officer of the Cordillera People's Alliance, finds it hard to comprehend why those who are at the forefront of the struggle in protecting the environment are the ones being attacked by the military. [...]

"Is it wrong to help those in need and empower them with services? Is it wrong to organize people's organizations? I cannot comprehend it, really. There is nothing wrong with us. There is something wrong with them," Baggio told *Bulatlat.com*, referring to the military.

Baggio is among those who trooped to Camp Aguinaldo on Oct. 29 to express their rage on the rampant killings of indigenous peoples in the country. [...]

In a statement, Piya Macliing Malayao, spokesperson of the Kalipunan ng mga Katutubong Mamamayan ng Pilipinas (Kamp), said that under the Aquino administration, they have documented 50 indigenous peoples killed as of Oct. 24.

The "killing frenzy" and human rights violations, according to Kamp, is a result of the arming of indigenous peoples into paramilitary groups backed by the AFP. Kamp said there are at least 14 paramilitary groups that sow terror in indigenous peoples' communities.

During the protest action, Baggio said activists are not spared from the vilification campaigns and that he, himself, is among those included in the target list of the military. [...]

The CPA has also received reports of massive recruitment of CAFGU in the area. Those who finished their training, according to Baggio, would receive at least P3,600 to P5,000 salary (\$8p to \$111).

Hundreds of kilometers from Cordillera, Dulphing Ogan, secretary general of Kalumaran down south in Mindanao, said communities of indigenous peoples are also being terrorized by military-backed armed groups. [...]

HRonlineph.com, 31.10.2014

### Arrest of Cebu labor leader denounced -PM

The Partido ng Manggagawa (PM) today condemned the arrest of the union leader at the Carmen Copper Corp. in Toledo City, Cebu, one of the biggest mines in Asia. Tony Cuizon, president of the Panaghiusa sa Mamumuo sa Carmen Copper (PAMCC-AGLO), was arrested last October 25, 2014 in Cavite on the strength of warrants for illegal possession of firearms and explosives.

Renato Magtubo, PM national chairperson, called for the release of Cuizon, a PM national council member, as the arrest warrants, criminal cases and police raids were in violation of existing guidelines in the conduct of police during labor disputes.

"Once again the Philippines rivals Colombia as the most dangerous place for unionists with numerous cases of labor leaders killed, injured or harassed. Cuizon's arrest and incarceration illustrates the double standard of justice in our country. A politician gets the privilege of hospital arrest and a US soldier gets special treatment but a worker, even if ill and elderly, has to endure the bad conditions of a city jail," Magtubo added.

Dennis Derige, PM-Cebu spokesperson, stated that on Cuizon's first day at the Toledo jail, the latter had a high blood attack and was only brought to a clinic. "Cuizon is a senior citizen who suffers from severe hypertension, diabetes and arthritis, arguably work-related illnesses borne out of decades working in the copper mines of Toledo," he insisted.

Derige averred that "The arrest of Ka Tony is part of Carmen

Indigenous peoples, he added, are being attacked to pave way for mining and logging businesses. The AFP serves as "investment defense force" protecting projects from the NPA "who stand in the way of development particularly in the rural areas," according to former president Gloria Macapagal-Arroyo. [...]

The arming of Lumad groups and pitting them against other Lumads who are for the protection of their ancestral domains, is bastardization of their culture and causes grave human rights violations in their communities, according to Malayao. [...]

Kamp said the government should immediately scrap Executive Order No. 546 that allows the military to create paramilitary groups as force multiplier in its counterinsurgency program.

#### Scrap IPRA, NCIP

Asked if concerned government agencies such as the National Commission on Indigenous Peoples (NCIP) extend assistance, Ogan said they have received none.

Kamp, in a statement, called for the scrapping of the Indigenous Peoples' Rights Act and its implementing agency NCIP for its failure to "deter the plunder of our national patrimony and exploitation of our indigenous territories."

The law, according to the group, has instead "legalized the plunder and ancestral land-grabbing of capitalist corporations" and played no role in stopping these projects despite clear pronouncements of indigenous peoples resisting it.

The NCIP has also remained silent on the issue of killings, enforced disappearances, forced evacuations, and militarization of communities, according to KAMP.

Malayao said, "The encampment of military troops is a violation of international humanitarian law. We demand the AFP to get out of our lands. Human rights violators and war criminals are not welcome to stay in our communities."

Copper management's continuing effort to bust the genuine union at the mine and leave the workers defenseless in the face of attempts to downgrade wages and benefits, and impose contractualization among mine workers. The police and the courts are being used as instruments of capitalists."

PM insists that the warrants were flawed since they were the product of illegal raids conducted in March 2013 on the PAMCC office, and the houses of Cuizon and the union treasurer. The union avers that the firearms and a grenade allegedly found in the raid at the PAMCC office were planted by the police.

Derige explained that Cuizon's arrest followed on the heels of the decertification of PAMCC as the sole and exclusive bargaining union at the mine, and the formation of a management-backed yellow union.

Carmen Copper has recently been hit by spate of labor disputes as mine workers resist corporate attacks on working conditions. Last February, PAMCC filed a notice of strike for management's unfair labor practices and violation of the collective bargaining agreement. Also this year, workers contracted to haul and dispose of Carmen Copper's mine wastes were derailed in forming a union because of the intervention of the huge manpower contractor Asiapro but the case remains pending at the Labor Department. Unions have condemned Asiapro as an illegal labor-only contractor.

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UPDATES ON CASES OF HUMAN RIGHTS VIOLATIONS  
DavaoToday.com, 06.10.2014

### Former Tagum mayor linked to killings announces 2016 mayoralty bid

By Mart D. Sambalud

TAGUM CITY – Former Tagum Mayor Rey Uy announced his mayoralty bid in 2016 elections, saying he was alarmed by the escalating crimes in the city.

His announcement came nearly five months after the international rights watchdog, Human Rights Watch (HRW), linked him to the 298 incidents of unsolved killings in Tagum City between 2007 to 2013.

In a 71-page report released last May, HRW detailed the killings as the handiwork of a death squad masterminded by Uy, an accusation denied by the former mayor.

In an exclusive interview Sunday, Uy said, "Definitely I will run as mayor this coming 2016. As a lumad [native] of Tagum, I just cannot simply ignore the deteriorating peace and order of Tagum city. The people should be secured from the rising criminalities."

Bulatlat.com, 18.10.2014

### 3 years after Fr. Pops' murder, justice remains elusive

By Janess Ann J. Ellao

MANILA – [...] Fr. Antonio Abuan recalled how people felt a huge loss in reaction to the killing of Italian missionary priest Fausto "Pops" Tentorio three years ago.

Fr. Abuan, in his homily, said he found it unacceptable, even embarrassing, that a foreign priest who went all the way to Mindanao to serve and preach was killed.

In a statement, Rev. Marie Sol Villalon of the Promotion of Church People's Response said that people still clamor for justice for Fr. Tentorio.

"Three years is too long for justice to be delayed. We will not accept this complacently; we fear that without public pressure, the case will remain unresolved, similar to the thousands of extra-judicial killings," Villalon said.

#### At standstill

Villalon said that the "wheels of justice appear to be at a standstill in the Department of Justice (DOJ), with apparent ineptness, both in holding perpetrators accountable and in protecting witnesses."

The killing of Fr. Tentorio was among the cases brought before the attention of Justice Undersecretary Francisco Baraan III in a

dialogue on Oct. 16. Nardy Sabino, secretary general of PCPR said that in a recent case conference on Fr. Tentorio's killing, DOJ undersecretary Baraan told families of victims and human rights advocates that a name of a new suspect cropped up.

Sabino, however, told *Bulatlat.com* that he was not optimistic on how the dialogue would really help hasten the proceedings, since several meetings with officials for the past three years were fruitless.

He said Fr. Tentorio's killing is even among the high-profile cases being handled by a task force formed through the Administrative Order No. 35 to investigate cases of human rights violations.

The issue at hand, Sabino added, is not just about the resolution of the case but also how human rights violations continue unabated.

"If they can afford to be indifferent with Fr. Tentorio's killing, how much more with ordinary citizens?" he said. [...]

Asian Human Rights Commission, 20.10.2014

### Two military sergeants, one captain and others indicted for torture

[...] UPDATED INFORMATION: (Based on the documentation by the Task Force Detainees of the Philippines (TFDP)) In our appeal in September 2011, we reported that Abdul-Khan Balinting Ajid, a baker belonging to an indigenous Yakan tribe, was tortured and set on fire after soldiers forcibly took him from his home in Sumisip, Basilan. The soldiers who arrested him were attached to the Special Operation Task Force Basilan (SOTF-B) of the 39th Scout Rangers under its commanding officer, Colonel Alexander Macario. [...]

On 8 February 2012, a criminal complaint for violation of the Anti-Torture Act of 2009 was filed against the perpetrators. Previously, in January 2013, the Office of the Ombudsman for the Military and Other Law Enforcement Offices (MOLEO) concluded in a Joint Resolution recommending for the prosecution of two military sergeants, a captain and others. They did not, however, include the commanding officers.

In the Philippines, the National Prosecution Service (NPS) is required to submit their findings for review and approval by the MOLEO regarding charges against members of the military, whether or not there is probable cause. In the case of Ajid's

complaint of torture, the Joint Resolution issued by the MOLEO, dated 16 January 2013, confirms the NPS found probable cause to prosecute the accused soldiers. [...]

However, it was only on 17 July 2014, over a year after the MOLEO concluded that the accused soldiers should be indicted, that they were charged at the Regional Trial Court (RTC) in Isabela City, Basilan.

[...] The AHRC is please and welcomes the indictment of the soldiers for violation of the Anti-Torture Act of 2009; however, it is troubling that the commanding officer of these perpetrators, Col. Alexander L. Macario and Sgt. Edgardo B. Santos, have avoided legal culpability for their crime of torture. The failure to pursue legal action against Col. Macario and Sgt. Santos has undermined the principle of "Command Responsibility" in this case, which is embedded in the Anti-Torture Act. [...]

Also, the AHRC is deeply concerned with the lack of transparency in the process of the investigation of this case, both by the NPS and the MOLEO. First, although the case was resolved by the MOLEO in January 2013, it was only made known to the TFDP and families of the victims sometime in June 2014 despite



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repeated attempts at follow-up. According to the TFDP, follow-up was conducted on 16 June 2014 at the office of the MOLEO so they could get copy of the Joint Resolution; however, the TFDP staffs were told to return because the MOLEO staffs were still looking for the copy.

Philippine Daily Inquirer, 20.10.2014

### Appeals court gives go-ahead to 'Morong 6' suit vs GMA

By Jerome Aning

MANILA, Philippines—The Court of Appeals has upheld the Quezon City regional trial court's order to conduct a full-blown trial of the P15-million damage suit filed against former President Gloria Macapagal-Arroyo by six of the "Morong 43," the group of health workers suspected to be communists who were arrested in Morong, Rizal, four years ago.

In a ruling released Friday, the appellate court's Special Eleventh Division affirmed the resolution issued by QC RTC Branch 96 Judge Afafe Cajigal that denied the motion filed by Arroyo to immediately dismiss the complaint for damages with application for a writ of preliminary attachment.

The complaint was filed not only against her but also against several military and police officials. [...]

#### House raid

The case stemmed from the complaint filed by medical practi-

tioners and volunteer health workers Dr. Merry Mia Clamor, Dr. Alexis Montes, nurse Gary Liberal, Ma. Teresa Quinawayan, Reynaldo Macabenta and Mercy Castro, who were among the 43 individuals arrested by soldiers and policemen in a raid at the Silungan Seminar House on Feb. 6, 2010.

The authorities said they confiscated firearms and bomb-making components at the seminar house.

The health workers said they were held incommunicado and detained at Camp Capinpin where they were subjected to physical and psychological torture.

The complainants said they learned that the raid was carried out pursuant to the National Internal Security Operation Plan or Oplan Bantay Laya, a counterinsurgency program allegedly approved by Arroyo.

Philippines News Agency, 21.10.2014

### Ex-Davao del Sur governor accused in journalist slay surrenders

DAVAO CITY - Former Davao del Sur governor Douglas Cagas on Monday surrendered to the Police Provincial Office (PPO) after being tagged as the mastermind behind the killing of a journalist in 2010.

Cagas surrendered around 7:30 a.m. Monday after having been served a warrant for his arrest in connection with the death of Nestor Bedolido Sr. in Digos City in 2010.

Cagas was brought to the Bureau of Jail Management and Penology.

In a brief statement, Cagas asserted his innocence, and claimed that his arrest was due to politics.

Supporters of the ex-governor, including his wife, First District Representative Didi Cagas, and cousin, Board Member Tracy Cagas, accompanied him in his surrender.

A warrant of arrest was issued by the Department of Justice (DoJ) against Cagas and Matanao town Mayor Vicente Fernandez almost four months when the murder charges were filed against them. Also charged were co-suspects Ali Ordaneza and Bado "BadoBaritua" Sanchez.

The DOJ also ordered the withdrawal of information (charge sheet) against Voltaire Mirafuentes and Artemio "Dokdok" Timosan Jr.

Mirafuentes was admitted to the government's Witness Protec-

tion Program (WPP) after he surrendered to the police and admitting his participation in the crime. Timosan was dropped from the charge sheet for lack of enough evidence that he conspired with other respondents.

Bedolido, who was a consultant for the weekly Kastigador at the time of his death, was shot dead in Digos City in Davao del Sur on June 19, 2010 by one of two motorcycle-riding men.

One of the witnesses in the murder, Ritchie Manapol, was shot dead in this city on July 31, this year.

In a report from the Center for Media Freedom and Responsibility, Mirafuentes tagged Cagas and Fernandez as the alleged masterminds while Ordaneza and Sanchez in the planning to kill Bedolido.

Mirafuentes, in his testimony, said Cagas, through Ordaneza, called him and his brother Henry at the governor's house where the murder was allegedly planned.

He said it was agreed that he would be the triggerman while Sanchez would identify Bedolido.

DoJ Secretary Lelila De Lima said Mirafuentes's statement was positive and categorical and sufficient to form reasonable belief that murder was committed and that "Cagas, Fernandez, Ordaneza and Sanchez are probably guilty thereof."

Bulatlat.com, 21.10.2014

### Palparan petitions for bail as court denies plea for civilian jail transfer

By Janess Ann J. Ellao

MALolos, Bulacan — A Malolos Court denied the petition of the mothers of Sherlyn Cadapan and Karen Empeño to transfer retired Maj. Gen. Jovito Palparan to a civilian detention facility [...]. [...] At the court hearing today, Oct. 20, the Department of Justice (DOJ) did not conform with the motion to transfer Palparan to civilian detention, which was filed by the families of the victims, the private complainants, through the National Union of Peoples' Lawyers (NUPL) on Sept. 25.

Judge Teodora Gonzales of the Malolos Regional Trial Court Branch 14 said that, as a result, the court would not act on the said motion. [...]

The public prosecutors's non-confirmation was inconsistent with

the commitment given by DOJ Undersecretary Francisco Baraan III to the victims' families in the [Oct. 16 dialogue](#) with Karapatan and other sectoral groups. [...]

"The DOJ's non-conformity with the NUPL's motion has given Palparan's lawyers a convenient argument in opposing the motion to keep Palparan in jail," Palabay [secretary general of Karapatan] said. [...]

Palparan, the highest military officer ever indicted for a human rights violation case, was transferred to the Philippine Army Custodial Center in Fort Bonifacio, citing security risks. [...]

#### Petition for bail

In the case of Palparan, who is facing a capital offense, bail is not

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a right but a matter of discretion, according to Olalia, secretary general of the NUPL.

Palparan, in his prepared two-page petition for bail, cited the absence of conformity of public prosecutors and that the issue has already been discussed.

He added that no special treatment was accorded to him and that the detention facility under the supervision of the Bureau of Jail Management and Penology (BJMP) is overcrowded.

Olalia countered Palparan's motion during the hearing saying that they have raised new points in their motion for Palparan's transfer, citing the mandate and capacity of BJMP to secure a high-risk detainee like Palparan.

Olalia added that Palparan's mere transfer to a military jail is already special treatment given that he is already retired and he is not charged with violation of the Articles of War. [...]

"Gen. Palparan, after three years on the lam and holding almost everyone by the nose to get undeserved special treatment, has

the audacity and impudence to ask that he be freed on bail," Olalia said.

He also found it ridiculous that Palparan's camp would ask to be transferred away from the court and now they want to transfer the venue of court because the detention facility was far from the court.

Mrs. Concepcion Empeño, Karen's mother, told Bulatlat.com that said she is confident that the petition for bail would eventually be denied.

"There are strong evidences against Palparan. We have eyewitnesses who have positively identified him," Mrs. Empeño said.

As the court proceeded to the introduction and marking of documentary evidence as part of the preliminary conference, Palparan's lawyer Narzal Mallares protested, saying that they are not ready. But Judge Gonzales insisted that the marking of evidence would, in fact, help them with the bail hearings. [...]

The pretrial conference is scheduled on Oct. 27

ManilaStandardToday.com, 21.10.2014

### De Lima to review Ortega resolution

By Rey E. Requejo

The Court of Appeals has paved the way for Justice Secretary Leila de Lima to review a resolution clearing former Palawan Gov. Joel Reyes and his brother former Coron Mayor Mario Reyes in the killing of broadcaster Gerry Ortega on Jan. 24, 2011. In a decision, the CA's Special First Division junked the petition of the fugitive former governor seeking to prohibit the De Lima from taking up petition for review filed by the heirs of Ortega.

"Granting, for the sake of argument, that the SOJ (Secretary of Justice) had been less than impartial because of her public statements in connection with the Ortega murder case, this does not necessarily make the entire OSJ (office of the Secretary of Justice) or the DOJ also partial," the CA decision penned by Associate Justice Apolinario Bruselas Jr. ruled.

The appellate court upheld the power of the Secretary of Justice to review, revise, reverse or modify the resolutions of her prosecutors who conducted preliminary investigations.

"For the Court to curtail the exercise by the SOJ of her primary

jurisdiction to review and supervise preliminary investigations, the petitioner will have to plead much more and not simply rely on his fears, apprehensions and suppositions," the CA stressed.

"The SOJ is not the DOJ. Should the SOJ voluntarily inhibit from the case, the petition for review of Patty Ortega would still be resolved by the assigned undersecretary pursuant to Department Circular No. 66."

Associate Justices Amny Lazaro-Javier and Samuel Gaerlan concurred with the ruling.

Another CA division earlier denied the appeal of De Lima to reverse its decision issued on March 19, 2013 that cleared former the Palawan governor of murder charges over the ambush-killing of Ortega two years ago.

It ruled that that de Lima failed to observe procedural protocols governing investigations of cases in recommending Reyes's indictment.

Asian Human Rights Commission – Urgent Appeals Programme, 23.10.2014

### Four political activists and five poor farmers indicted for murder

[...]CASE DETAILS: (Based on the documentation by Alliance for the Advancement of Peoples Rights (KARAPATAN) and Citizens Alliance Unified for Sectoral Empowerment - Davao del Sur (CAUSE))

At 5:30am, on 10 March 2014, Renante Orot, Christopher Sales, Julito Sales, Laudemer Gama, Rufo Boy Gama, Joel Alberca, Noel Maranggit, Roger Natonton and Johnrey Pabillo, were on four motorcycles going to Barangay Savoy, Matanao, Davao del Sur, to participate in a town feast.

At 6:30am, the soldiers attached to the 39th Infantry Battalion, Philippine Army, arrested them, alleging they are members of the rebel group, the New People's Army (NPA). The soldiers accused them of being the persons who attacked the Matanao Police Station at 4:30am the same day. Two policemen were killed and three others wounded.

According to Grace Orot, wife of Renante Orot, her husband is not an NPA member and did not participate in attacking the police station. Grace said of her husband: "We have been living together for 16 years now." "There is no day that he does not come home. So, how can he be an NPA member?" she asked. Another wife of the accused, Vivian Gama, recalled that her husband Laudemer was so frightened that he was still shaking when she saw him after his arrest. Her husband told her that when they were arrested, the soldiers did not explain the reasons for their arrest and did not show them the arrest warrants. Their voter ID's, and driver's licenses were confiscated by the soldiers. [...]

On July 4, Prosecutor II Christopher Roy S. Cabardo, concluded in his [Resolution](#) against the nine accused men that he recommended an indictment on two counts of murder, three counts of frustrated murder, robbery in band and malicious mischief. In his Resolution, Cabardo argued that although the accused tested negative for powder burns in the paraffin test, "that fact alone does not ipso facto prove they were innocent."

[...] Renante Orot is a member of PISTON, an organization of public transportation drivers and public transportation operators, advocating the protection and interests of drivers. Laudemer Gama is the secretary-general of Nagkahiusang Maguuma sa Davao del Sur (NAMADDS). He is also the regional coordinator of Anakpawis Partylist, a political party representing the marginalized farming sector. He has since been involved in campaigning for increase of shares for farm tenants, increase of prices of farm products, and genuine land reform. Rufo Boy Gama and Noel Maranggit are members of South Cotabato Farmers Association for Development (SOCFAND), an association of farmers. SOCFAND had introduced sustainable agriculture in the community, and advocates the interests of farmers—like competitive farm prices and land reform among others.

The farmers, namely Julito Sales, Joey Alberca, Roger Natonton, John Rey Pabillo, Christopher Sales, are residents of North Cotabato province. They earn their living by tapping rubber in plantations and driving. All of them are the breadwinners of



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their families.  
The five are also members of the Free Tappers Federation (FTF), an association of small rubber planters and tappers. The FTF are

engaged in campaigns to increase the prices of rubber products, and negotiations with the entrepreneurs.

Bulatlat.com, 25.10.2014

## Military charged with International Humanitarian Law violations in Abra killings

By Dee Ayroso

MANILA – Families of the civilians and rebels slain in Lacub, Abra filed on Oct. 24 complaints of violations of the Comprehensive Agreement on the Respect for Human Rights and International Humanitarian Law (CARHRIHL) committed by the Phil. Army's 41st Infantry Battalion in its military operations on Sept. 4 to 6.

The complaints were directed against the 41st IB's violations of Part 4 of CARHRIHL pertaining to Respect for International Humanitarian Law. Named as head of the alleged perpetrators was 2nd Lt. Jose Mari Landicho of the 41st IB, under the 503rd Brigade of the 5th Infantry Division.

Edith Wayas of the secretariat of the Government of the Philippines Monitoring Committee (GPH-MC) received the complaints. When asked by the families what happens after their filing, she explained that the secretariat will submit a copy to the Monitoring Committee, headed by lawyer Efren Moncupa, which will validate the cases with the concerned unit of the Armed Forces of the Philippines (AFP). [...]

Formed in 2004, the Joint Monitoring Committee (JMC) of the Government of the Philippines (GPH) and the National Democratic Front of the Philippines (AFP) monitors violations of the 1998 CARHRIHL by the two parties, and is tasked to recommend actions to the concerned party. The JMC has not been meeting, but the secretariat of each monitoring committee continue to accept complaints.

As of Oct. 24, the government side has received 4,080 complaints, while the NDF side has received 1,922. [...]

On Oct. 1, the National Solidarity Mission led by the Cordillera Human Rights Alliance (CHRA) reported violations during the Sept 4 to 6 military operations, such as: extrajudicial killing of civilians, killing of hors de combat members of the New People's Army, mutilation and desecration of their remains, use of civilians as human shields, and violation of the free, prior and informed consent of the indigenous communities.

### Tortured?

Among the complainants were: Nelson Salvador, husband of [Engineer Fidela "Delle" Salvador](#), and Paulynn Viste, sister of Noel Viste. Delle and Noel were the two civilians who were killed during the operations.

Delle, a staffmember of the Cordillera Disaster Response and Development Service (CorDis RDS) and the Center for Development Programs in the Cordillera (CDPC, Inc), was in Lacub to monitor their projects when she was caught in the military operations.

Bulatlat.com, 30.10.2014

## 7 years since Jonas' disappearance: 'My son is still missing' - Edita Burgos

By Janess Ann J. Ellao

MANILA – Mrs. Edita Burgos, mother of missing activist Jonas Burgos, took the witness stand at the first trial hearing of Maj. Harry Baliaga Jr. who is charged with arbitrary detention.

"My son Jonas is still missing," Mrs. Burgos said during the hearing at the Quezon City Regional Trial Court Branch 216.

Jonas, a farmer activist and son of late press freedom fighter Joe Burgos, was abducted and disappeared on April 27, 2007.

An eyewitness positively identified Baliaga as among the armed men who abducted Jonas.

On Mar. 27, 2013, the Court of Appeals issued a resolution recognizing that Jonas' abduction is a case of enforced disappearance and that the military should be held accountable [...].

Noel was a peasant resident of Lacub who was [among the 24 civilians who helped retrieve the bodies of the rebels, and were used as human shields by the soldiers](#). He was separated from the group and was later found dead.

Nelson said that the result of the autopsy on Delle's remains made him suspect that she was tortured before she was killed. He said Delle's primary cause of death were the gunshot wounds that damaged her heart and lungs, and killed her instantly. But she also had contusions, lacerations and hematoma all over her body, which wouldn't occur if she was already shot dead during an encounter, as the military claims.

Her skull was also broken into pieces from a "blunt traumatic injury," which was the contributory cause of death. [...]

The human rights workers described that Delle's body was "still soft" and blood was still fresh. Nelson said a doctor told him that rigor mortis sets in two to six hours after death. If Delle was killed at midnight on Sept. 5 as claimed by the 41st IB, the body should have gone in rigor mortis when the CHRA staff saw it 18 hours later.

Nelson said that adding insult to their injury was that the military spread lies about [...] Delle [...]. The AFP's Northern Luzon Command, in its Sept. 11 Facebook post branded Delle as an NPA member and that she was killed in a legitimate encounter.

Rebecca Monte and her husband Noel also came to file a complaint for the killing of their daughter, 33-year-old Recca Noelle Monte, an NPA member. Autopsy showed that she died from "blunt traumatic injuries in the head, face and chest," which means she wasn't killed in the armed fighting.

"Her skull resembled that of a crushed egg and her brains were missing," Recca's elder sister Jang described in a Facebook post. She also had massive hematoma in her torso, her legs had multiple fractures, with some parts of the bone shattered. Congressional investigation

On Oct. 22, the Lacub martyrs' families, who were mostly from the Cordillera region, also went to the House of Representatives to meet with legislators from the Makabayan bloc, and Quezon City 6th District Rep. Jose Christopher "Kit" Belmonte.

The lawmakers filed a resolution for a joint investigation of the congressional committees on human rights and national cultural communities on the human rights violations by the military in Lacub. [...]

They filed a complaint with the International Committee on the Red Cross on the same day. [...]



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But now that he is president, she said that he became busy with "other things" and "forgot about disappearances."

Then congressman and now US president Barack Obama were also among those whom she had asked for help. They were told that they would see what they can do.

Mrs. Burgos said she spent nearly every day searching for Jonas during the first three or four years. This, she said, has ran dry her retirement benefits and resources of the family.

But the impact of losing Jonas, she added, could never be quantified. No amount of money could ever equate the pain of a "bro-

ken heart and a broken family for losing a son."

Meanwhile, Maj. Gen. Edgardo Ano, who also implicated in Jonas' disappearance, was sworn in as chief of the Intelligence Services of the AFP (ISAFP) and is currently head of the 10th Infantry Division of the Philippine Army.

"I have no expectations. I will just do what needs to be done. I do not want to set goals because so far, nothing has happened. I will just continue to do what I need to do," she said.

Mrs. Burgos is scheduled for a cross examination on Dec. 4.

MAGUINDANAO MASSACRE

Rappler.com, 24.10.2014

## DOJ mulls changing public prosecutors in Ampatuan case

MANILA, Philippines - The Department of Justice (DOJ) is considering the option to change the roster of public prosecutors handling the Ampatuan massacre cases following payoff allegations against them.

Justice Secretary Leila De Lima told reporters on Friday, October 24, that they are just waiting for the results of the National Bureau of Investigations' (NBI) probe into the bribery allegations against DOJ Undersecretary Francisco "Toti" Baraan and the panel of public prosecutors. [...]

Baraan and the DOJ panel were accused of receiving bribes from the accused Ampatuans to weaken the case. Private prosecutor Nena Santos first revealed that a supposed P300-million bribe offer was made to her. Prosecution witness Lakmodin Saliaw also claimed the Ampatuans bribed Baraan and the panel for P50 million. [...]

Baraan also allegedly held at least two private meetings with Sigfrid Fortun, lead counsel of the Ampatuan clan. Baraan admitted that he met with Fortun in his office, but insisted there was nothing irregular about the meeting. [...]

### Difficult, impractical

[...] She [De Lima] also pointed out that changing the composition of the DOJ panel at this point in the trial would be impractical.

"We already changed the panel three or four times, and I was told there are no more takers. Besides, it would be difficult for a new panel to go back to square one when the trial is already in the defense presentation," she explained.

The plan to change the roster of public prosecutors came more than a year after DOJ received marching orders from President

### ANUBA? NUJP opposes promotion of colonel who ignored security request pre-Ampatuan massacre

The National Union of Journalists of the Philippines wishes to voice its opposition to the promotion of Army Col. Medardo Geslani to brigadier general.

To promote Geslani would be to reward him for his role in willfully failing to prevent one of the most heinous crimes in Philippine history - the Nov. 23, 2009 Ampatuan massacre, which saw 58 persons mercilessly slaughtered, 32 of them our colleagues.

It is a fact that, before the convoy of now Maguindanao Gov. Esmel Mangudadatu set out on its ill-fated journey to Shariff Aguak to file his certificate of candidacy, Geslani and his former commanding officer, then Major General Alfredo Cayton, were among those whose help had been sought to provide security because of the very serious threats of violence that had already been floating about days before. These requests were ignored.

It is also on record that, in the immediate aftermath of the carnage, Geslani and Cayton claimed that they had no inkling that anything was amiss. This could be nothing but a brazen lie since it is also on record that, at least three days before the massacre, the provincial police of Maguindanao, whose leadership was clearly in collusion with those who ordered and carried out the mass murder, had set up checkpoints on the highway through which the convoy was expected to pass. Surely, the vaunted intelligence network that the military never fails to boast of would have known of this.

It is also a fact that an Army intelligence unit that had actually witnessed the convoy being stopped and then taken to the killing grounds in Sitio Masalay had been reporting back to Geslani's headquarters as events developed.

It is clear from all these that there is no way he can claim ignorance and that the only conclusion that can be drawn is that he, too, had a degree of involvement in the Ampatuan massacre. Sadly but not surprisingly, a military investigation cleared Geslani and Cayton and, in fact, Cayton was later promoted to lieutenant general and has since retired.

Confirming Geslani's promotion would add another injustice to the long string of injustices visited on the victims of the Ampatuan massacre and their families. [...]

National Union of Journalist of the Philippines (NUJP), 22.10.2014

Benigno Aquino III to have the suspects in the massacre convicted before his term ends in 2016.

The massacre which killed 58 people on November 23, 2009 [...] was the worst mass killing to be recorded in recent Philippine history. [...]

Critics lament the slow pace of the trial.

PEACE PROCESS

Philippine Information Agency, 14.10.2014

## Independent body to generate initiatives for transitional justice and reconciliation for Bangsamoro

MANILA - The Transitional Justice and Reconciliation Commission (TJRC), a body created by the Government of the Philippines (GPH) and Moro Islamic Liberation Front (MILF) to recommend measures to correct historical injustices and address legitimate grievances of the Bangsamoro people, is set to conduct public consultations from now until June next year to come up with their report.

The Commission will approach its work by considering the culture of the people, multiple narratives of history and ensuring inclusivity among the different stakeholders, TJRC chairperson Mo Bleeker said [...].

Joining Bleeker in the TJRC are its members, Atty. Cecilia

Jimenez (as GPH representative) and Atty. Ishak Mastura (as MILF representative) as well as Jonathan Sisson who serves as senior adviser. The commission's work is part of the normalization process specified in the Comprehensive Agreement on the Bangsamoro (CAB).

GPH panel chair Miriam Coronel-Ferrer said that TJRC's greatest contribution could be in pointing out how the country can effectively have sustainable justice and reconciliation in healing the internal conflict in the south. "The work of the TJRC and its outcome must set off a process that does not control, formalize, bureaucratize nor narrow down the avenues, but rather generates, in addition to the state's, people-driven initiatives to do

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transitional justice and reconciliation." Saying that "justice is political and it is also personal," Coronel-Ferrer underscored that "our efforts must produce the needed state policies and institutions that would be responsive. It must make us more human, with faith and trust in the humanity that is in each one of us, knowing that this is what will unite us whoever we are, whatever identity we self-ascribe to or are other-ascribed. [...]" MILF peace panel chair and Bangsamoro Transition Commission (BTC) chair Mohagher Iqbal, in his message during the launch of TJRC, said that "achieving accountability (of human rights violators), achieving justice and restoration (after conflict) is a tedious process for all." However, he said that other paradigms have to be examined, beyond judicial approach or courts, to realize the goal of healing wounds of conflict towards reconciliation, to not repeat the state-sponsored human rights violations in the past, and lead to the "eventual vanishing of discrimination." [...]

The Philippine Star, 21.10.2014

### Gov't, Reds may resume talks

By Alexis Romero

MANILA, Philippines - Representatives of the government and the National Democratic Front of the Philippines (NDFP) are set to meet in the next few days to discuss ways to resume stalled peace talks.

In a statement issued to the Cordillera Human Rights Alliance, NDF peace panel chairman Luis Jalandoni said the meeting was a product of consultations between the two negotiating teams.

"A series of consultations between the NDFP negotiating panel and a high level delegation of the GPH (government of the Philippines) has resulted in a meeting between the two sides scheduled in Utrecht within the next few days," read the statement.

"The two sides are discussing the possible resumption of peace negotiations after the collapse of talks on truce and cooperation last February 2013."

The statement did not say when the meeting would start and what topics would be covered.

#### FURTHER READINGS

Rappler.com, 23.10.2014

### Philippines fails to implement pro-OFW law - watchdog

By Buena Bernal

MANILA, Philippines - If only national laws were effectively implemented, Filipino migrant domestic workers [...] should not have suffered abuse in the United Arab Emirates (UAE). [...]

The law [[Republic Act 8042 or the Migrant Workers Act of 1995](#)] requires a bilateral agreement between the Philippines and the migrant-receiving country aimed at protecting overseas workers' rights. [...]

"What we are not seeing enough of is a good implementation of these policies," said Human Rights Watch (HRW) researcher

### MNLF, MILF start finding common grounds

By Angela Casauay

MANILA, Philippines - Rival armed fronts in Mindanao have agreed to engage in a forum that will enable them to reconcile differences in a peaceful manner.

The Moro Islamic Liberation Front (MILF) and the Moro National Liberation Front (MNLF) have reactivated the Bangsamoro Coordination Forum, the Office of the Presidential Adviser on the Peace Process said in a statement Wednesday, October 15.

The forum will serve as a venue for the MILF and MNLF to discuss their issues and find common ground between the peace accords they separately signed with the government.

The MILF and the MNLF met on Monday, October 13, under the auspices of the Organization of Islamic Cooperation (OIC) [...].

[...] The MILF delegation, led by its chief negotiator Mohagher Iqbal, included Abhoud Syed Lingga, Abdullah Camlian and Jun Mantawil. MNLF founding chairman Nur Misuari was not present at the meeting but was represented by lawyer Randolph Parcasio, who led the MNLF delegation. [...] During the meeting, the parties agreed on the terms of reference for the Bangsamoro Coordination Forum, which was signed on Tuesday, October 14.

The development comes as the Philippine Congress is in the midst of [deliberating the proposed law](#) seeking to create a new autonomous government in the South to replace the Autonomous Region in Muslim Mindanao (ARMM). [...]

In 2010, the OIC convinced the two groups to create the BCF in a bid to unify them towards peace in Mindanao. No less than MILF chairman Al Haj Murad Ebrahim and Misuari agreed to create ad-hoc groups for the body. But the developments reached a deadlock after Misuari asked the MILF to dissolve their organization and re-join the MNLF. [...]

Efforts to settle issues between the MILF and the MNLF gained ground after both sides agreed to [reactivate the BFC in a meeting in Jeddah](#) on June 16, 2014. [...]

Rappler.com, 16.10.2014

Jalandoni said the Norwegian government has named a new special envoy to the talks, Elisabeth Slattum, who has experience in peace negotiations in Colombia, Nepal and Haiti. [...]

The NDFP is ready to resume formal talks "on the basis of past bilateral peace agreements in order to address the roots of the armed conflict," Jalandoni said.

Talks between the government and the NDFP were stalled last year after the rebels demanded the release of communist leaders facing criminal cases.

The NDFP caimed the jailed communist leaders were working as peace consultants and should be immune from arrest.

The arrest of the peace consultants is a violation of the Joint Agreement on Safety and Immunity Guarantees, the NDF added.

However, government negotiators said they cannot validate the NDFP's claim since some of the jailed rebels are using aliases. [...]

Rothna Begum [...].

Begum noted that the UAE failed in all 4 conditions under the Migrant Workers Act.

Begum presented on Thursday, October 23, the HRW report "I Already Bought You: Abuse and Exploitation of Female Migrant Domestic Workers in the United Arab Emirates." [...]

The abuses she outlined ranged from rape, denial of pay and communication with family back home, to days of isolation and forced confinement. [...] Click [here](#) to read the report.