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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).*

HEADLINES & POLITICS

MindaNews.com, 02.08.2015

UN Special Rapporteur wants IP rights in law protecting IDPs

By Antonio L. Colina IV

DAVAO CITY – The United Nations Special Rapporteur on the human rights of internally displaced persons, has called on legislators to include the rights of indigenous peoples (IPs) in House Bill No. 4744, a measure that seeks to protect the rights of Internally Displaced Persons (IDPs).

Chaloka Beyani, UN special rapporteur, made the suggestion in his report following his 10-day trip to the country, which included a visit to the Lumads (Indigenous Peoples) who have sought refuge for months now in the Haran compound of the United Church of Christ in the Philippines (UCCP) here. Bayani was in the country from July 21 to 31.

Beyani lamented how the IPs are affected by the long-standing conflicts between military forces and the New Peoples Army (NPA), eventually resulting to their displacement from their ancestral homes.

“This situation clearly demonstrates the massive and potentially irreversible impact of the ongoing conflicts on displacement of such vulnerable communities who are often caught up in the conflict and suspected of involvement with armed groups,” Beyani said in his July 31, 2015 Statement on the human rights of IDPs, on the conclusion of his 10-day visit in the country.

Beyani said Lumads’ cultures and ways of life are part of rich and diverse heritage of the country that if not protected from displacement caused by conflict or development will be “otherwise lost, perhaps forever.”

At least 700 Lumads from Talaingod and Kapalong in Davao del Norte and San Fernando in Bukidnon fled their homes after they were allegedly displaced by military operations.

Last July 23, an interagency group was formed to return the Lumads to their respective areas, leading to a confrontation between Lumad leaders and law enforcers. The Lumads refused to leave, alleging militarization in their communities has not stopped.

The interagency group was composed of the Commission on Human Rights (CHR), National Commission on Indigenous Peoples (NCIP), Department of Social Welfare and Development (DSWD), and Davao City Police Office (DCPO).

Davao City Police Office (DCPO) spokesperson Senior Insp. Milgrace Driz said Mayor Rodrigo Duterte provided 10 buses and 12 trucks coming from the local government units where the Lumads came from.

“Deeply affected”

INSTITUTIONS

GMA News, 15.07.2015

AFP exec tagged in Jonas Burgos disappearance named new Army chief

Major General Eduardo Año, who was linked to the disappearance of activist Jonas Burgos in 2007, is the new chief of the Philippine Army, defense and military officials said Wednesday. The confirmation was made by Defense spokesman Peter Galvez and Army spokesperson Lt. Col. Noel Detoyato. President Benigno Aquino III will preside at the change of command ceremony at the Philippine Army headquarters in Fort Bonifacio in Taguig City Wednesday morning.

Año will fill in the post of Army chief after [Lt. Gen. Hernando Iriberry took over the post of chief of staff](#) of the Armed Forces of the Philippines last week. Iriberry and Año both belong to the Philippine Military Academy class of 1983.

Human Rights Watch, 12.08.2015

Human Rights News August 2015

Beyani added that the Lumads are poorly equipped to survive away from ancestral lands “and therefore deeply affected by displacement.”

“I heard from the AFP its assertion that it is seeking to protect the communities and provide services to them in conflict regions; however the displaced IPs made it clear that it is their presence and that of the paramilitary groups in their communities that continues to create anxiety amongst the indigenous communities,” he said.

Beyani noted that the Lumads stressed that they want to return to their communities but only if the military forces are pulled out and they are guaranteed “safety, dignity, and protection.”

“They described to me their concerns including their alleged forced recruitment into paramilitary groups, known as Alamara, under the auspices of the AFP and harassment in the context of the ongoing conflict between the AFP and the NPA,” he said.

Beyani added that existing legislations such as the Indigenous Peoples Rights Act (IPRA) and other institutions cannot provide the IPs protection from displacement unless fully implemented in practice.

The rapporteur added that since the country has long faced the threats of disasters and effects of long-standing conflicts, it is necessary that the bill, stalled for at least a decade already, be passed.

Wrong**signal**

In his statement, he discussed that the measure has been adopted in 2013 but was vetoed by President Benigno Aquino III allegedly on the grounds of unconstitutionality that need clarification.

“As the technicalities concerning this proposed law seem to have been resolved, it is urgent to pass this Bill into law at the earliest opportunity without further delay,” he added.

“Not to do so sends a wrong signal about the commitment of the Government to ensuring the rights of IDPs, whether displaced by natural disaster, conflict or development and withholds essential legal protection from them,” he said.

If passed into law, he said the measure will set a clear cut provisions on the rights of internally displaced individuals.

“It would help to remove existing administrative gaps, obstacles and uncertainties and establish criminal responsibility for acts of arbitrary displacement by both State and non-State actors,” he said.

At the time of his appointment, Año was the commander of the 10th Infantry Division. [His most recent accomplishment was the killing of New People's Army leader Leoncio Pitago, alias Kuman-der Parago, in Davao City last month.](#)

Año was also the former head of the Intelligence Service of the Armed Forces of the Philippines (ISAFP).

He is also one of the respondents in the case about the alleged abduction of activist Jonas Burgos. However, he was cleared for lack of evidence.

Año's promotions in the military ranks have been repeatedly blocked by Burgos' mother, Edita, before the bicameral Commission on Appointments, saying the Army official had a hand in her son's disappearance. Año, however, has repeatedly denied the allegation. [...]

Philippines: Fast-Track Congress Probe on Rights Abuses

The [Philippine](#) House of Representatives should fast-track its investigations of alleged human rights abuses by state security forces, Human Rights Watch said today. Congress is only now acting on the 22 resolutions that legislators have filed with its Committee on Human Rights since 2013 that call for investigation of specific allegations of human rights violations by the military and police.

Congress is convening on August 13 and 14, 2015, an "initial omnibus legislative inquiry" into human rights abuses that is designed to jumpstart congressional attention to those resolutions. The inquiry, which will gather more information about the cases in each resolution by interviewing victims and witnesses, will take place on the southern Philippine island of Mindanao where many of the alleged human rights violations, including extrajudicial killings, enforced disappearances, and torture, have occurred.

The inquiry will result in a report detailing its findings and recommendations that it will then submit to Congress. It can recommend the filing of cases before the courts or the Office of the Ombudsman, which is empowered to pursue separate investigations and prosecutions of human rights-related cases. Congress must initiate these proceedings before it adjourns in June 2016 or it will have to refile the resolutions and start all over again.

"Years of apathy by the Philippine Congress toward human rights violations by security forces just makes it easier for perpetrators of abuses to literally get away with murder," said [Phelim Kine](#), deputy Asia director. "The House of Representatives can and should send a powerful message against impunity by making this week's inquiry in Mindanao an opportunity to jumpstart long-overdue congressional scrutiny of serious human rights abuses."

[...] Three privilege speeches were also delivered by different representatives, all calling for congressional investigation of these cases.

The outstanding congressional resolutions on alleged human rights abuses by elements of the security forces relate to cases that include killings on:

- [July 3, 2012](#), of Wilhemus Johannes Geertman, a Dutch missionary in Pampanga province;

- [August 26, 2013](#), of anti-mining activists Anting Freay and his 16-year-old son Victor in Davao del Sur;
- [December 6, 2013](#), of tribal leader Pedro Tinga in Compostela Valley province;
- [March 15, 2014](#), of Romeo Capalla, a former political prisoner and fair-trade activist in Panay province; and
- [March 26, 2014](#), of human rights defender William Bugatti in Ifugao province.

Separate congressional resolutions since 2013 have also called for the investigation into the torture of detainees at a police facility in Laguna, as well as the [harassment](#) of members of grassroots groups such as [Pamalakaya](#), which represents small-scale fisherman known as "[municipal fisherfolk](#)." Two other resolutions call for investigations into the enforced disappearance on August 21, 2013, of [Bryan Epa](#), an organizer for Katribu, an indigenous peoples group, and [Benjamin Villeno](#), a coordinator for the leftist political party Bayan Muna.

Legislators have also issued resolutions looking into alleged cases of children falsely accused by the military of being child soldiers. They also want to investigate the so-called [Tagum Death Squad](#), which was allegedly financed and controlled by police and local government officials.

Calls for accountability by government officials have not brought an end to the extrajudicial killing of activists and journalists, torture, or enforced disappearances. Although the number of such cases has decreased since 2010, when President Benigno Aquino III took office, they still occur fairly frequently. President Aquino had made several commitments in the past to address these abuses, but his administration has to date produced few significant results.

A "[superbody](#)" that Aquino created in 2012 to resolve extrajudicial killings has not made significant progress. [Torture](#) by the police and other security forces remains routine and elements of the military continue to be [implicated](#) in serious abuses. Police have been linked to [summary killings](#), particularly "death squad" operations carried out in complicity with local officials in [Tagum City](#) and [other urban areas](#).

"Congress needs to demonstrate that it's on the side of rule of law and the victims of human rights violations by supporting thorough and transparent investigations into such abuses," Kine said. [...]

Karapatan.org, 18.08.2015

EO 546 legitimized paramilitaries and illegal arrests, revision will worsen rights abuses in PH - Karapatan

"Instead of revoking Executive Order 546, a policy that legitimized the creation of paramilitary groups and private armies, the BS Aquino administration is now using it to further the proliferation of these armed dogs of the Armed Forces of the Philippines. Instead of junking a policy that supports a counter-insurgency program that infringes on basic human rights, BS Aquino enhanced it to worsen the human rights situation in the Philippines with the use of force multipliers," Karapatan secretary general Cristina Palabay said.

The EO 546 was signed by Gloria Macapagal Arroyo in 2006, at the height of the extra-judicial killings in the country. The revised implementing rules and regulations of EO 546 was reportedly signed on August 14 by the AFP, Philippine National Police, Department of National Defense and the Department of Interior and Local Government (DILG). The occurrence of the Ampatuan massacre in November 2009 has been attributed to the promotion of the climate of impunity through this EO. The United Nations Human Rights Council and the European Union Parliament have previously expressed their call to the Philippine

government to revoke the said policy, citing Aquino's "promise" to do so in his first State of the Nation Address as President in 2010.

Karapatan cited the continuing operations of the Alamara, a paramilitary group in Davao del Norte and Bukidnon, that has already killed several civilians including couple Reynaldo and Teresita Intal, Songkok Asero and daughter Diane in 2015 alone. "The Alamara has been widely known in all Mindanao to be connected with the Armed Forces of the Philippines, doing combat operations with them serving as guides and goons," Palabay said.

In Cabanglasan and Malaybalay City, Bukidnon, the Dela Mance paramilitary group are terrorizing the residents which led to the evacuation of some 100 Higaonons. Attached with the 26th IB, the Dela Mance group was involved in the killing of Frenie Landasan, chairperson of Dalacutan - Higaonon Tribal Association, on March 28, 2015, and the frustrated killing of Rosella Cahanggan and four minors. The killings were then followed by threats and harassments against community members. The Dela

Mance brothers are all barangay officials in Cabanglasan. Italian missionary priest Fr. Fausto Tentorio was killed by elements of the paramilitary Bagani Force and the 5th Special Forces of the Philippine Army in October 17, 2011. The killing of Aklan Municipal Councilor Fernando Baldomero and fair trade activist Romeo Capalla are also being attributed to the paramilitary RPA-ABB in the Panay Island.

Palabay said this so-called revision is also the government's way to legitimize its gross violations of its peace agreements with the National Democratic Front of the Philippines. "The policy enhances the AFP-PNP joint operations to illegally arrest NDFP

peace consultants and persons suspected as CPP/NPA members, despite direct violations on the right to due process and other fundamental rights," Palabay said.

"The illegal arrest of NDFP consultants for the peace process was all committed jointly by the PNP and the AFP, in total disregard of the Joint Agreement on Safety and Immunity Guarantees and the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law. With the revisions, more violations of previous agreements with the National Democratic Front may be committed," Palabay concluded.

Asian Human Rights Commission, 24.08.2015

HONG KONG/PHILIPPINES: Guilty Prosecutors run free but innocent victims are jailed

By Danilo Reyes

Temogen (Cocoy) Tulawie, a rights advocate from Sulu, walked out of prison on July 20 after a court in Manila acquitted him of charges of murder and possessing explosives.



Photo: Temogen "Cocoy" Tulawie

His acquittal ended nearly four years of imprisonment. But the remaining question is: Why was he charged, arrested, detained and prosecuted in the first place?

Tulawie's acquittal from fabricated charges validates his and other

human rights campaigners' claims, including those of the Hong Kong-based Asian Human Rights Commission, that he was innocent in the first place.

However, as with innocent victims before him, prosecution on fabricated evidence comes as no surprise.

For any human rights advocate in the Philippines, suffering such ordeal is pretty much inevitable.

Tulawie was charged with masterminding and plotting the assassination of Abdusakur Tan, the former governor of Sulu, in a bomb attack on 13 May 2009. Tan and his convoy were ambushed and seven of his security escorts and four other people sustained injuries.

Since Tulawie was arrested on 13 January 2012, the Asian Human Rights Commission has consistently appealed to the Department of Justice, which is under the executive and has power over the affairs of prosecutors, to withdraw the charges against him to avoid the "accused being subjected to a trial in court over evidence that is completely fabricated."

The Commission cited two grounds – the evidence was taken by forced confession; and to prosecute a case on evidence gained through a forced confession is a breach of the prosecutor's duty to protect innocent persons.

The Department of Justice ignored the Commission's appeals and proceeded to bring Tulawie and his co-accused, Abner Salahi and Juha Alihdin, to court.

In the Philippines, the power of prosecutor cannot be underestimated.

The decision to prosecute or not to prosecute is an executive privilege – which means public prosecutors are an extension of the president's power and authority.

In fact, if the accused is not satisfied, or questions the prosecutor's judgement, only the president can make a decision on any appeal.

This means that any person, whether they are Filipino or not, could be deprived of liberty as a result of the executive's exercise of its power.

In Tulawie's case, the Department of Justice, through its prosecutors, chose to exercise the power of the executive – not to protect it – by perpetuating his arbitrary detention and deprivation of liberty.

They did so because they knew full well that the evidence was fabricated in the first place.

But why do we call this arbitrary?

The United Nations Working Group on Arbitrary Detention defines the deprivation of liberty as arbitrary when the person is deprived of liberty as a result of their exercise of rights or freedoms.

This was the case with Tulawie.

He was indicted and had to endure a trial, not because he had committed a criminal offence, but because he had exposed a variety of human rights violations in Sulu.

To portray human rights defenders or advocates as terrorists, like Tan and the police did with Tulawie, is a common practice. The police, the military and public officials, who are critical of human rights and political activists or advocates, do this routinely.

The Asian Human Rights Commission observed this phenomenon emerging early in 2008 and the practice still thrives to this day.

In the past, human rights advocates were targeted for killing; at present, not only are they extra-judicially murdered, but they are also jailed on fabricated charges. [...]

Tulawie is one of hundreds of innocent individuals who have suffered and still are suffering a similar ordeal in Philippine jails.

Even after Tulawie was cleared of the charges, the Department of Justice could not be held legally liable. Prosecutors are not accountable for their wrongdoing.

There must be a review, if not investigation, into the abuse of powers by our public prosecutors. Prosecutors put people in jail, but when they abuse their power or knowingly commit illegal acts, they themselves are not put in jail.

Holding them liable is a matter of immediate judicial urgency.

Manila Standard Today, 28.08.2015

FOI bill still a priority, Belmonte says

By Maricel Cruz

SPEAKER Feliciano Belmonte Jr. said on Thursday the House of Representatives will exert its best effort to pass the proposed

transparency measure that has been languishing in Congress for several years.

"The FOI bill is still a priority of the House," Belmonte said, stressing that there is still time for pass the law – "a last window of opportunity, to make a greater difference in the lives of our people" – during the third and last session of the 16th Congress. Earlier, Parañaque Rep. Gus Tambunting, one of the principal authors of the FOI bill in the House, earlier expressed belief that President Aquino III's renewed urging to Congress to pass the FOI bill would boost its passage in the 16th Congress.

"I think the President's endorsement will make the FOI bill pass for sure. As one of the principal authors of this bill, I really hope my colleagues will see the value in the FOI bill," Tambunting told The Standard.

If passed into law, Tambunting said the measure would strengthen the right of citizens to information held by the government as well as give the public access to information necessary in the exercise of the people's right to "effective and reasonable participation at all levels of decision making affecting the lives of the Filipinos."

"Only the corrupt should be afraid of the FOI bill. This is a must for a more transparent government," Tambunting said.

Misamis Occidental Rep. Jorge Almonte, chair of the House committee on public information which deliberated on the FOI bill, said he is confident the bill will be passed in the 16th Congress.

"Chances [of the bill's passage] have improved with the President's open support to the FOI. Both President Aquino and Speaker Feliciano has given their positive response to the proposed transparency measure. I do not see any reason now why the bill will not pass," Almonte said.

The Makabayan Bloc, comprised of activist lawmakers, earlier welcomed President Aquino III's support to the FOI bill, but the group ALSO cautioned Congress against passing a 'watered-down' version of the bill which may contain more restrictions.

"We hope we will be able to pass an effective FOI law which effectively allows access to information instead of a law which makes it difficult for the people the media to access public information," Bayan Muna party-list Rep. Neri Colmenares said.

CURRENT CASES OF HR VIOLATIONS

Task Force Detainees of the Philippines – Urgent Appeal, 09.07.2015

Harassment; red tagging of Emily Fajardo, a community organizer assisting the Federation of Lamao Concerned Citizens, Inc. (FLACCI) in Barangay Lamao, Limay, Bataan

Dear friends,
Task Force Detainees of the Philippines (TFDP) writes to inform you about the harassment of Emily Fajardo, a community organizer assisting the Federation of Lamao Concerned Citizens, Inc. (FLACCI) in Barangay Lamao, Limay, Bataan.

CASE DETAILS:
Emily Fajardo is a community organizer assisting the Federation of Lamao Concerned Citizens, Inc. (FLACCI) in their fight against the Philippine National Oil Company (PNOC) in Barangay Lamao, Limay, Bataan. Fajardo and the other FLACCI organizers were invited by a barangay councilor who was supportive of the group's cause to two Barangay Council sessions last May to give talks to Barangay officials about the harmful effects of coal plants to the environment. However, they were not allowed to continue with the talk as this was allegedly the time that the issues regarding PNOC's project was being decided upon. Among the issues were PNOC's land ownership claim, the proposal for the conversion of the nearby river to a commercial

port for use of PNOC, Petron and San Miguel Corporation, and the alleged absence of a barangay hosting resolution. The resolution was one of the legalities needed for PNOC's coal refinery project, but which would also mean that PNOC and the Barangay had to have had public consultations and dialogues before their project could continue - but no public consultation was ever done.

Fajardo was later informed that some of the Barangay Council members were reluctant to let the group speak because they were "communists". She was told that they were termed "pulahang" [reds] by some of the council members.

CASE BACKGROUND:
In 2009, Emily Fajardo received death threats in relation to her then work with the Nuclear Free Bataan Movement (NFBM). The death threat was sent via text which also tagged Fajardo as "communist". Some NFBM members, along with Fajardo were also followed by policemen whenever they were doing public addresses, fora, etc. According to Fajardo, this incident has been previously documented

Sun.Star Cebu, 14.08.2015

Lawyers shot; 1 dead, 2 hurt

By Rebelander S. Basilan, Justin K. Vestil

A FEMALE lawyer was killed while former Mandaue City administrator Briccio Boholst and their companion were wounded in an ambush in Barangay Looc, Mandaue City last night.

Amelie Ocañada-Alegre, 35 [...] died on the spot after two unidentified men riding a black motorcycle fired at them at 6:51 p.m.

Boholst, 55, also a lawyer, was sitting beside Alegre, while Antonio Pino, an accountant, was in the backseat. The two were rushed to the UC Medical Center.

Alegre and Boholst are senior lawyers of Bohr & SC Law Office in Barangay Tipolo, Mandaue City.

According to an initial investigation, Alegre suffered five gunshot wounds, including two on her jaw.

SPO4 Marcos Noval Jr. said Boholst sustained a gunshot wound on his leg while Pino suffered one on his stomach, but these have yet to be verified.

Boholst was Mandaue City administrator from 2007 to 2010. He was once president of the Integrated Bar of the Philippines Cebu City Chapter. [...]

[Supt. Mariano] Natuel [chief of the Mandaue City Police Office] said they have yet to find out the motive of the attack, but he said Alegre was the likely target since she owned the car and the gunman fired at the driver's side.

"We have initial findings, but we cannot divulge it to you," he said in an interview with reporters. [...]

He said they have identified witnesses from the crime scene.

Alegre's mother Marietta Ocañada told reporters that her daughter was separated from her husband Ryan, a businessman from Guadalupe, Cebu City.

The couple married in 2004 and split after four years, she said. She said she believes the gunmen were hired killers.

Lawyer Dwight Remedio, a colleague and friend of Alegre, said he had no idea who orchestrated the attack.

"She's my best friend and she hasn't mentioned any threats," he told reporters. Remedio also said that Alegre was not handling "sensational cases."

"It's really a shock to us. We're facing a blank wall right now," he said.

Natuel said they will check the closed-circuit television camera on one of traffic lights that may have captured the assailants as they trailed Alegre's car. [...]

Asian Human Rights Commission – Urgent Appeals, 23.08.2015

PHILIPPINES: Detainees threatened, tortured and their religion disrespected

Dear Friends,

The Asian Human Rights Commission (AHRC) writes to express concern regarding the disrespect of the religion and dignity of 20 prisoners presently detained in General Santos City Jail. Tortured detainees were prevented from complaining due to threats to their families.

CASE DETAILS: (Based on the testimony of 20 prisoners of General Santos City Jail, Lanton)

At 2:15 p.m. on 2 June 2015, while the prisoners were having their dinner in the dining area, the jail marshal supervised by Bureau of Jail Management and Penology personnel SJO4 Ferdinand Suelan suddenly conducted a search operation of their cells. None of the prisoners were allowed to witness the search.

According to Damie Mokiding, when they went into their cells after the search operation was completed, "We were shocked at what happened to our clothes, which were mixed with our food and trampled on the floor. The worst thing was that the Qur'an was thrown in the trash can. Our feelings were of regret and anger, because they openly showed discrimination and disrespect."

The names of the detainees whose prison cells were searched are: Angel Avenido, Ericson Dalisay, Argie Noro, Kervin Balasi, Noli Taer, Asrap Kusain, Lorenzo MonteDeramos, Nasser Makil, Michael Asumbra, Jomar Soliman, Ricky Asparagoza, Baset

Center for Media Freedom & Responsibility, 24.08.2015

Press Club President shot dead in the Philippines

The International Federation of Journalists (IFJ) joins its affiliate the National Union of Journalists of the Philippines (NUJP) in expressing concern following the murder of a journalist in Tagum City, in Davao del Norte on Mindanao Island, in the Philippines. The IFJ calls on the Philippine authorities to thoroughly investigate the killing and bring those responsible to justice.

On August 18, Gregorio Ybanez was shot three times in the chest and once in the arm out the front of his house by unidentified assailants. Ybanez was the president of the Davao del Norte Press and Radio-TV Club (DNPRC) and worked for local newspaper *Bagting sa Katilingban*, he was also a member on the Board of Directors of the Davao del Norte Electric Cooperative. He was immediately rushed to hospital following the attack, but died in hospital on August 19.

In an interview following Ybanez's murder, Boy Conejes, vice-

Karapatan Press Release, 25.08.2015

Trumped-up charges filed vs torture victim by military torturers

"[...] The victim was not only tortured, trumped-up charges were also filed against him", said Cristina Palabay, Karapatan secretary general, on the case of tortured farmer Ruben Wating.

On April 5, 2015, Wating was tortured by soldiers from the 73rd Infantry Battalion-Philippine Army (IBPA) during their military operations in civilian communities in Brgy. Upper Suyan, Malapatan Sarangani Province. He was forced by the military to drink two gallons of coconut wine, then he was kicked in the neck, his left thumbnail clipped with pliers, and then punched. A soldier aimed his gun at Ruben's forehead, and when he was ordered to drop to the ground, the soldiers repeat-

edly stepped on Ruben's legs on to his back. Later, they instructed him to stand up and run. Ruben refused to follow for fear that soldiers would shoot him. The soldiers then brought Ruben to a neighbor's house where he was again punched; his hands smashed with a bamboo stick. After some time, the soldiers allowed Wating to go home but even before he could leave, one of the soldiers hit his back with a belt.

Wating was among the 500 residents of the said community who forcibly evacuated on May 18, 2015 due to human rights violations by the 73rd IBPA in the course of their operations and encampment. They sought refuge in Sitio Sufan, Brgy. Pag-asa,

Noval of the MCPO Investigation and Detection Management Branch said the attackers wore jackets and crash helmets, based on accounts of witnesses.

No one was able to jot down the motorbike's plate numbers. Noval said there are several angles that they have to look into, including work-related conflicts and personal grudge. [...]

Damie, Nasser Kamid, Suharto Guiwan, Damie Mokiding, Antonio David, Ian Tan, Dennis Mauna, Stephen Tingson and Vinzon Moreno.

Mokiding also said that their relatives were only allowed to visit with them for 10 minutes, sometimes less, and sometimes not at all. Even during the visits, their handcuffs are not removed. Furthermore, "our female visitors sometimes encountered degradation" by the jail guards.

Dennis Mauna and Antonio David stated that they had complained about the prison food, that it is "sometimes musty, but the jail guard Ferdinand Suelan and Jay Chris Abanilla got angry and beat us, and told us that we have no right to complain". They then filed a complaint against the jail guard and the jail warden to the Commission on Human Rights. "After the perpetrators found out that we have complained to them, they threaten us and told they will personally kill our family if we continue the case."

One detainee, Vinzon Moreno, also complained that he has tuberculosis due to sleeping on the cement floor and the prison was congested. The water will flow only in the morning and evening. "I tried to inform the infirmary about my condition and ask for some medicine, but they didn't take any action," Vinzon said.

president of the DNPRC, said that in 2012 Ybanez had received death threats.

Ybanez is the fifth media worker killed in the Philippines this year, and if the motive for his murder is found to be related to his work as a journalist, he will be the 37th journalist killed under President Aquino's administration.

The IFJ said: "We express condolences to Gregorio Ybanez's family, friends and colleagues following his death. The safety situation facing journalists in the Philippines is deeply worrying and the culture of impunity for crimes against journalists across the country continues to weaken the Philippines' media freedom."

"We call on the government to take immediate action to end the culture of impunity and ensure the safety and welfare of journalist across the country."

Alabel Sarangani Province and on May 23, human rights groups, people's organization and church workers facilitated their transfer to the United Church of Christ in the Philippines (UCCP) Compound in General Santos City, where they stayed until June 18. The illegal arrests and torture, economic and food blockade, indiscriminate firing and bombing, which destroyed crops, animals and the source of water prompted the Blaans to flee. The evacuees held dialogues with the 73rd IBPA and the local government to reiterate their call for the immediate pull-out of troops in Malapatan.

On June 17, more than 19 individuals, mostly Blaans and leaders of human rights and people's organizations, including pastors of the United Church of Christ of the Philippines, were charged of attempted murder and violation of Republic Act 9851. Wating's name was included in the names of respondents to the said charges, and a warrant of arrest came out later.

"It is the members of the 73rd IBPA who should be charged for the torture of Ruben Wating. The false charges against him were filed to stop him from holding the perpetrators accountable for the gross violations against his person and his community," Palabay said.

Other human rights advocates included in the charges against Wating are: Ryan Lariba of Bayan Socskargen; Sadrach Sabella, Secretary General of Karapatan Socskargen; Rev. Allen Bill Veloso, Chairperson of Karapatan Socskargen; Lorna Mora, Secretary General of Kaluhhamin; Anelfa Gemilo, Chairperson of Kaluhhamin; Lorencio Teo, Secretary General Makasdal; Bert Padayao, Kilusang Magbubukid ng Pilipinas; Rev. Roger Rafalez, UCCP; Mercedes Arlene P. Alonzo, Executive Director of Clans; Marlo Magramo of Bayan Muna; Borning Mangan-yong, Sitio Chairman, Sitio Akbual; Alfredo Manganyong; Ar-

Karapatan - Press Release, 27.08.2015

Massacres and extrajudicial killings committed amid early campaigning of Aquino party

"Thirteen massacres, 46 victims, seven of them are minors. These all happened under Commander-in-chief BS Aquino since 2010 up to the present," Karapatan secretary general Cristina Palabay cried out in front of the Department of Justice today. Karapatan joined Bayan and other people's organizations in a protest action on the continuing extrajudicial killings in the country.

"In the month of August alone, there are two documented cases of massacre, in Masbate and Bukidnon, killing nine civilians, two of them are children. All were tagged as NPA members and supporters," Palabay said. "But, instead of going after the army killers, Pres. Aquino is busy campaigning with Mar Roxas and the Liberal Party," Palabay said.

Karapatan said that the Inter Agency Task Force, led by the Department of Justice, which is tasked to investigate extrajudicial killings, has nothing to show in terms of effective and immediate prosecution of foot soldiers and high military officials who perpetrate human rights violations. "We call on Justice Secretary Leila de Lima to extricate herself from these early election campaign activities of the Liberal Party and heed the cries for justice of the victims and their families," Palabay said.

Among those recently killed was **Teodoro "Ka Tudoy" Escanilla**, Karapatan Sorsogon spokesperson, who was killed on August 20, 2015 purportedly by elements of the 31st Infantry Battalion of the Philippine Army. In February 2015, Sgt. Rene Enderia of the 31st Infantry Battalion-Philippine Army arrested, tortured and then offered a resident of the same barangay where Escanilla lived Php50, 000 and a .45 caliber gun to kill Escanilla. The person, whose name cannot be disclosed for security purposes, immediately reported the incident, and other human rights violations committed by the 31st IB-PA in their community, to Karapatan-Sorsogon.

Solon clueless of charges against him

By Rhealyn C. Pojas

BAYAN Muna Representative Carlos Isagani Zarate, who was among those charged with illegal detention and child abuse in relation to the UCCP Haran evacuees' issue, cannot connect the dot as to why he is included in the charge sheet when he was not even present when the alleged incident happened at the evacuation center.

"[...] Why would they file charges against me when I was not even present during the incident at UCCP Haran," Zarate said during the Kapehan sa Dabaw held at SM City on Monday.

Zarate said he is unfazed and will face the charges, which he described as "trumped-up charges."

He said he has not yet received the subpoena.

Zarate also called on authorities not to file charges against anyone if there is no basis.

Zarate, together with the seven members of different progressive groups including a tribal chieftain, have been charged with serious illegal detention and violation of Republic Act 7610 (Special Protection of Children Against Abuse, Exploitation and Discrimination Act) which was filed by a teenage lumad girl who used to stay at UCCP Haran evacuation center together with her family.

In her complaint affidavit, the victim alleged that they were prevented by the members of the progressive group from going back to their community even when they wanted to go home.

Sun.Star Davao, 25.08.2015

mand Teo; Marmar Cawan, Volunteer of Clans; Bulahing Masalon; Hermis Tuco; Nestor Masalon of Kafye de Lagad; Rodel Lumayas; Junard Cayamba of Kaluhhamin.

"Wating's case is one of the horrendous experiences suffered by civilians in communities where the AFP conduct their operations. They are tortured, threatened, and then treated as criminals. One cannot blame the people in poor communities, often victimized by state security forces and big business projects, for fighting back against this repressive regime," Palabay ended.

On August 3 in Masbate, three habal-habal drivers and a nephew of a barangay captain of Del Carmen were asked to help the wounded soldiers who were ambushed by the New People's Army. "Instead of showing gratitude, members of the 9th Infantry Division (ID) and 96th Division Reconnaissance Company (DRC) took the lives of these people with revenge," Palabay said. The victims were **Adam Fajardo**, **Jobert Badillo**, **Gary Vistar** and **Rogelio Abelida**.

On August 19, in Sitio Mandum, Brgy. Mendis, Pangantucan, Bukidnon, 27 residents, including barangay councillor Isabero Sulda found five dead bodies at the Samia residence. Around the corpses were 22 soldiers of the 3rd company of 1st Special Forces Battalion. The residents' faces were photographed and their names were listed down as they were ordered not to look at the soldiers' faces. Then they were told to carry the bodies of their dead neighbors.

Herminio Samia, 70, a blind man was found near a tree; his intestines exposed and his back badly damaged. **Emer Somina**, 17, Herminio's nephew, was found near the door. **Norman Samia**, 13, Herminio's grandson, was found a few steps away. Norman's right ear was removed and his jaw was dislodged. The left hand of **Welmer Somina**, Emer's brother, was removed from his wrist and had a gunshot on his nose, disfiguring his face. **Jobert Samia**'s body, son of Herminio was found near Welmer's.

A 15-year-old eye-witness who escaped the massacre recalled that the day before, soldiers of the 3rd company of 1st Special Forces Battalion told them, "[...] You NPAs inside the house, get out and get down!" Even Herminio, who was blind, was forced to step down from their house and walk towards a coffee tree. There he was shot. Then the soldiers shot Emer. The witness was

the next target but he was able to run and hide behind big rocks. He told his father what happened but a few days after, he could no longer speak.

"The soldiers are still at the barangay hall and day care center up to now!" Palabay said. "The soldiers even had the audacity to stay in the community where they killed its residents like they were proud of what they did!"

InterAksyon.com, 28.08.2015

Lumad decry airborne 'abduction' of 14 in Bukidnon but military says operation targeted 'NPA'

MANILA, Philippines -- Indigenous people's organizations in Bukidnon decry what they called the "abduction" of 14 of their leaders and members from a hinterland village of Kitao- tao town even as northern Mindanao media reported a massive military operation that netted suspected members of the New People's Army.

A statement from the *Kahugpong sa Mag-uuma sa Kitao- tao* (KMK, Kitao- tao Farmers' Organization) said the military has also threatened to burn down the tribal school and a health center run by the Mindanao Interfaith Services Foundation Inc. in Barangay White Culaman.

Controversy has hounded the tribal schools, mostly set up and run by religious groups in *lumad* communities that used to have no access to basic education, which the military and even some local education officials have accused of advocating support for communist rebels.

Recent incidents of *lumad* evacuations, including hundreds of Manobo from Davao del Norte and Bukidnon who have sought refuge at a Protestant church in Davao City, have been blamed on the military's occupation of their communities and tribal schools, a fact noted by United Nations special rapporteur on the human rights of internally displaced persons Chaloka Beyani when he visited the country last month.

The military has maintained the refugees are "manipulated" and victims of "trafficking," even using excerpts from Beyani's exit brief for security officials to bolster its claims but earning a sharp rebuke from the UN expert who called the move a "gross distortion" of his observations.

But Colonel Jesse Alvarez, commander of the Army's 403rd Infantry Brigade, was quoted in news reports as saying the "law enforcement operation," which involved around 200 soldiers and police personnel, was covered by a search warrant issued by

a regional trial court and, aside from the alleged rebels, also led to the seizure of "sacks" of weapons and improvised explosive devices.

The suspects were flown by helicopter to the headquarters of the 8th Infantry Battalion in Maramag town, the military said.

The reports also quoted a government prosecutor and a freelance journalist who the military brought along as saying the operation was in order and people's rights were respected.

But KMK claimed the purported evidence had been "planted" by hundreds of soldiers from the 8th and 23rd IBs who, it said, had arrived and deployed to the White Culaman sitios of Mid- sayap, Dibisyon, Hindangan, Sagasaan Malinaw, Dao and Poblacion on August 22.

On the evening of August 25, the organization said, troops occupied the barangay hall, health center and stage and, early the next day began searching houses and rounding up the suspects who KMK identified as its chairperson, Elen Manlibaas; Camilo Asunan, council member of the *lumad* organization *Tinananon Kulamanon Lumadnong Panaghiusa sa Arakan*; Rudolfo Tambog, council member of the *Nagkahiusang Mag-uuma sa Barangay White Culaman*; and members of the organizations Felizardo Labadan, Jun Pillisar, Noyda Manlumaray, Lolok Manlipay, Selmo Manlumaray, Ariel Manlumaray, Josie Labaninay, Lucenio Labadan, Ar-ar Manlumaray, Dieno Manlibaas and Loling Maasin.

KMK said the hands of the 14, who included a few minors, were bound with plastic twine and they were detained overnight at the daycare center before being flown out on Thursday as the military called a village assembly. It was during the assembly, the group said, that the alleged plan to torch the school and health center was supposedly raised.

Asian Human Rights Commission, 31.08.2015

Former teacher of the Rural Missionaries illegally arrested and detained by military

Dear Friends,

The Asian Human Rights Commission (AHRC) writes to inform you of the illegal arrest and detention of the Lampusay siblings. One of the victims is a former volunteer educator of the Rural Missionaries of the Philippines - Northern Mindanao (RMP-NMR). The Lampusay siblings were accused of being members of the New People's Army (NPA). The victims were arrested without any arrest warrant.

CASE DETAILS: (Based on the documentation by Rural Missionaries of the Philippines (RMP))

On 3 August 2015 at Sitio Kibungkol, barangay Hindangan, Gingoog City, Misamis Oriental, Daniel Lampusay, 22 and his brother Ejun, 18 were illegally arrested and detained by the elements of 58th Infantry Battalion. Daniel Lampusay was a former volunteer teacher at the Rural Missionaries of the Philippines - Northern Mindanao Region (RMP-NMR), under their Literacy-Numeracy program.

According to RMP-NMR, the siblings were first held at a local daycare center of the said barangay (village) which the military forces used as their detachment, then transferred to Medina

town police station and finally detained at the Misamis Oriental Provincial Jail. The victims were arrested without any arrest warrant.

This incident is part of the continuing attacks on the Lumad indigenous people and the RMP initiated alternative learning schools in Northern Mindanao, Southern Mindanao, South Cotabato, Cotabato, Sultan Kudarat, Sarangani and General Santos City (Soccksargen) and Agusan del Norte, Agusan del Sur, Surigao del Norte, Surigao del Sur and Dinagat Islands (Caraga) regions. These schools have been tagged by the Armed Forces of the Philippines (AFP) as communist-led schools, due to which they often harass the teachers and students with their continuous military operations.

According to Sr. Francis Añover, it is sad that the military accuses the siblings as members of the New Peoples' Army (NPA) when they are deeply impoverished farm workers in a coconut grove. "We, as missionaries, know the plight of the rural poor and their aspiration only is the upliftment of their family from poverty and starvation."

Bulatlat.com, 31.08.2015

2 peasants killed, 400 families evacuate in Surigao del Sur

By Dee Ayroso

MANILA – Suspected soldiers and members of a paramilitary group killed two peasants, closed a community school and triggered the evacuation of hundreds of families in San Miguel town in Surigao del Sur province.

In the past three weeks, a total of 420 families have left the two villages of Siagao and Bolhoon in the municipality of San Miguel, for fear of soldiers of the Philippine Army's 36th Infantry Battalion and members of the tribal paramilitary group Bagani.

On Aug. 28, at past 6 p.m., peasant brothers Crisanto, 39, and Ely "Loloy" Tabugol, 34, of Siagao village were shot dead by "armed men with long firearms" suspected to be paramilitary men, said Karapatan-Caraga in its factsheet. The next day, Aug. 29, all 332 families of the village left because the armed men threatened that "they will be massacred."

In Bolhoon village, on Aug. 9, all 45 families of Purok 16, sitio Nalindog, left their homes, hours after being roused from their sleep and gathered for interrogation by another group of paramilitary men. The Bolhoon evacuees had risen to 81 families, as of writing.

The evacuation halted classes in the Nalindog Tribal Community School, affecting 76 students from Grades 1 to 5.

A "peace dialogue" held on Aug. 18 by Surigao del Sur Governor Johnny Pimentel came to naught as the local government tried to convince the evacuees to return home, but gave no assurance about their safety.

The Alliance for the Advancement of People's Rights (Karapatan-Caraga) urgently called for the dismantling of paramilitary groups, which they said should be held accountable, along with soldiers who were implicated in the killings, disappearances, torture and harassment of communities.

The evacuees from the two villages are staying in two evacuation sites: at the Tina Elementary School in Tina village, and at the San Miguel municipal gym.

Killed in their own home

According to the Karapatan-Caraga factsheet, in the morning before the Tabugol brothers were killed on Aug. 29, at around 9 a.m., residents had been on alert after seeing a composite unit of 30 men composed of known members of the Hasmin group of the Bagani Force and uniformed soldiers of the 36th IB, in the banana orchards and outskirts of Siagao.

At around 6 p.m., Loloy had just returned to the village after bringing his sister and mother to San Miguel town proper, as advised by his elder brother Crisanto, to keep them safe. As soon as he got to his house at around 7 p.m., he was confronted by armed men, who shot him in the foot. Witnesses heard Loloy plead for his life, saying, "Please sir, we know nothing and did nothing wrong, we are only civilians." The armed men shot him

in the forehead and kept firing. He sustained nine gunshot wounds.

Witnesses said Crisanto tried to run but was shot three times and died on the spot.

On Aug. 30, San Miguel Mayor Alvaro Elizalde visited the evacuees, but failed to convince them to board the two dump trucks that were supposed to transport them home.

"Despite the military's presence, they were unable to stop the killing and no arrests were made after the incident, despite reassurance from the mayor that the threat has been lifted," Karapatan-Caraga said.

'Do you want to eat bullets?'

In the early morning of Aug. 9, a dozen armed paramilitary men of the Magahat/Bagani led by Marcos Bocales and Calpit Egua roused the residents of the whole sitio (subvillage) of Nalindog and forced them out of their homes. The residents described the men as "carrying M16 rifles and backpacks, and in military uniform."

The residents were then gathered at the waiting shed where the men were segregated from the women and children. The armed men alleged that the residents were supporters, if not members of the New People's Army (NPA), and proceeded to interrogate and harass them.

Angel Vocales, a five-month pregnant resident who was carrying her sick child, tried to assert her right and told the paramilitary men that it was illegal to forcibly enter people's homes. Karapatan-Caraga said one of the suspects then told her at gun point: "No one can prevent us because this is our law! Do you want a sample to believe us?"

The paramilitary men also confiscated three cellphones of the teachers of the community school, supposedly to prevent them from informing the NPA of the Magahat's presence.

Regine Tejero, a teacher of the Tribal Filipino Program of Surigao del Sur (Trifpss), tried to refuse to give her cellphone, was threatened by one of the men: "Ma'am, do you want to eat bullets?"

The Magahat men asked about officials of Trifpss and of the Alternative Learning Center for Agriculture and Livelihood Development Inc. (Alcadev). They then threatened the teachers: "Are you aware, Ma'am, Sir, of our rules? If we catch teachers inside the cottage, we will burn the cottage along with the teacher inside."

The paramilitary men later distributed leaflets printed with the "Bagani" logo to the residents. They forced brothers Lawrence and Berios Bocales to guide them out of the community. The Bocales brothers were able to return after an hour, with the confiscated cellphones.

UPDATES ON CASES OF HR VIOLATIONS

Rappler.com, 01.08.2015

Two policemen relieved over Negros politician's slay

By Marchel P. Espina

BACOLOD CITY, Philippines (UPDATED) – Two policemen were relieved from their posts after being linked to the killing of 5th district Board Member Renato Malabor and his bodyguard Leody Jomilla [who were [gunned down](#) outside a cockpit in Barangay Guintubhan, Isabela town on June 28].

Senior Supt. Samuel Nacion, acting director of the Negros Occidental Police Provincial Office, said that Police Officer 1 (PO1) Robert Chloe Rito and PO1 Ariel Ansag were now assigned to the provincial headquarters after they were relieved from their post at the Isabela Municipal Police Station on Monday, August 3.

Rito, who was placed by the witnesses at the scene of the crime as the gunman, took a leave from June 22 to August 2. Nacion

confirmed that Rito returned to work on Monday. Ansag, on the other hand, was relieved after a minor witness claimed in his affidavit that the Ansag allegedly kept the wallet of Rito that was recovered from the crime scene. Nacion said that the wallet remains missing, and they do not know where it is. Nacion also said that Rito and Ansag are now assigned at the base camp and were disarmed.

He added they were still waiting for the resolution from the Office of the Prosecutor's Office, where the two murder complaints were filed last week.

Earlier, 3 witnesses in the murder of 5th district Negros Occidental Board Member Renato Malabor and his bodyguard Leody Jumilla said that it was a police officer who fired the shots.

[...]On July 29, charges were filed against two of 10 suspects in the murder at the Office at the Bacolod City Hall of Justice, on Wednesday, July 29.

Jacklyn Villaquer, 26, of Moises Padilla town, was arrested on July 9 for illegal possession of firearms. Felipe Juntarciego of Himamaylan City, meanwhile, was collared on July 25 for illegal drugs and gunrunning.

Villaquer allegedly revealed that he was one of the lookouts in the murder of the board member and his bodyguard. (READ: [Murder raps filed in Negros politician's slay](#))

DavaoToday.com, 05.08.2015

Missing massacre survivor surfaces, recounts ordeal to Davao city councillors

By Zea Io Ming C. Capistrano

DAVAO CITY - Aida Seisa, the farmer leader from Paquibato District here who owned the house [raided by the military on June 14 midnight](#), surfaced and came to the city council's regular session to give her account of the incident.

Seisa, who is the secretary general of the Paquibato District Peasant Alliance (Padipa), broke down in tears during her speech, prompting Councilor Karlo Bello, the chairperson of the committee on human rights, to ask for a recess.

Bello said it was the first time he saw Seisa. Councilor Jimmy Dureza asked Seisa to calm down as the councilors "cannot understand her."

Three farmers were killed after the military raided Seisa's residence in Purok 7, Paradise Embac village, Paquibato District.

The victims included tribal leader Datu Ruben Enlog who headed the Nagkahiusang Lumad Mag-uuma sa Paquibato (United Lumad Farmers of Paquibato or Nagkalupa), and farmers Randy Carnasa and Oligario Quimbo.

Seisa said her 12-year old daughter was hit on her arm.

"[...] My 12 year-old daughter was hit on her arm, the 69th IB was heartless," she cried.

She narrated that on June 13 she came home from Davao (Davao poblacion) at around 8 p.m.

"[...] My mother called us for dinner but we didnt have any viand so I bought dried noodles and sardines from our neighbor's store," she said.

Seisa said after she cooked, Enlog along with his nephews, and Carnasa, who is the godfather of her daughter, arrived.

Seisa said her mother and her children were also inside the house.

She said she prepared their visitors coffee. She said Enlog cooked the chickens brought by Carnasa.

She said the firing started at the back of their kitchen.

"[...] A fire came from the drier approaching my house. Then my husband and Carnasa both shouted 'stop, all of us are civilians'," she said.

She said their broiler chickens were also hit by the bullets.

"[...] I would not have left the house because of my mother.. But my husband dragged me out with my daughter because Randy was already hit on his arm, Randy kept on shouting "stop firing, we are all civilians here!"," she said.

Seisa said it took them more than 30 minutes when they fled from their house.

She said her husband tried to drag Carnasa that time.

But Carnasa told her husband "[...] do everything to get out so that there will be someone who will tell what really happened here."

She said they ran towards the road leading to the house of her cousin who just gave birth during the time of the incident.

"[...] But then I heard at the doorway from where the men who fired at us shouted 'there goes the object, make sure to get the object'," Seisa said adding that after which the men fired at the sodium light near their house.

She said they jumped in a ravine, dragging with her their

Rito was allegedly seen outside a cock fighting ring in Barangay Guintubhan, Isabela, hours before the incident, the affidavit said. The witness was a participant in the cockpit.

According to the witnesses, the police officer shot Leody Jumilla in the back before shooting Malabor.

Nacion, however, won't confirm if Rito is among the 10 suspects charged in the double murder complaint.

According to Nacion, police are still in the process of identifying the other unknown suspects.

daughter who at that time was trembling and couldn't even walk.

She said her daughter even said "[...] Ma, maybe will die."

She said the rosary she's wearing proves that God didn't left them. She said they traversed five rivers just to escape from the area.

She said the next morning they arrived at their relatives house and heard from them the news that her mother was still alive.

'Legitimate encounter'

Officials from the 69th Infantry Battalion, who were involved with the incident, also appeared during the city council session.

Lieutenant Colonel Rodney G Intal, commanding officer of the 69th Infantry Battalion said the incident was a legitimate encounter after members of the NPA fired at them.

"We went in the area just to respond (to reports) that there were armed groups in the house of Seisa," Intal said.

He said they were to serve a warrant of arrest against Leoncio Pitao aka Kumander Parago and Nelson Anggoy aka Felimon or Upaw.

Bello said the warrant should have been served by the Philippine National Police.

He said the Army should have promptly coordinated with the police for the execution of the warrants.

Bello's committee report also said they were informed "that the military received reliable information around 6 p.m. on June 13, 2015 that the persons who subjects of warrants were spotted within an area. The PNP was only informed of the encounter when it was over around 1 a.m. of June 14. This put in serious doubt the real intention of the military."

Double celebrations

However, Seisa said the incident was a massacre against her family.

Seisa told Davao Today that Enlog and Carnasa were even drunk as they were celebrating the birthday of her 12-year-old daughter and their wedding anniversary.

"[...] They were even drunk, they cooked chickens because there was an occasion that time)," she said.

She said there is no member of the New People's Army inside their home when the Army attacked.

"Why would an NPA stay inside our house when we are near the road, we are all civilians," she said.

Seisa said the military is angry at her because she is a spokesperson for the Kilusang Magbubukid ng Pilipinas (KMP) in Southern Mindanao region and Padipa.

She said until now she feels the trauma.

"I could not believe the Army can do that. Now I know that they really are butchers," she said.

"Now I don't have a house to go to, they already destroyed it," she said.

Seisa also said that she is worrying for her security and the security of her family.

Seisa said the Army is accusing her to be a member of the NPA.

Unsatisfied

Councilor Bello and second district Councilor Danilo Dayanghirang said they were not satisfied with the reports from the police who responded to the incident.

"I am not satisfied, the police investigation is very poor," Dayanghirang said after Police Senior Inspector Nolan Genova of the PNP crime laboratory said that he is not sure who cordoned the area when the Soco arrived nine hours after they received the report at 2 a.m. on June 14.

"The problem is the area where the Army positioned was not

covered by the (police) investigations," Bello also said.

The discussion of the city council on the alleged massacre in Paquibato lasted for more than six hours. The session was adjourned after the council lacked quorum at around 4 p.m.

Dayanghirang said they would like to hear from Paquibato Police station commander Police Senior Inspector Jesus Estrada Castañeda to shed light on the matter.

He also proposed to return the report to the committee on human rights.

InterAksyon.com, 06.08.2015

Rights group laments delay in case vs Palparan with judge's inhibition

MANILA, Philippines -- The human rights group Karapatan on Wednesday said the inhibition of the judge trying retired Army general Jovito Palparan and two other soldiers for the abduction and disappearance of University of the Philippines students Sherlyn Cadapan and Karen Empeno would "inexcusably" delay justice.

Judge Teodora Gonzales of Regional Trial Court Branch 14 in Malolos, Bulacan inhibited herself in an order dated June 13 granting the motion filed by lawyer Bonifacio Alentajan, counsel of Palparan's co-accused, Army Staff Sergeant Edgar Osorio. [...] The third accused is Colonel Felipe Antonado Jr. All three are detained at Army headquarters in Fort Bonifacio.

In his motion, Alentajan accused Gonzales of "by manifest partiality, evident bad faith, and gross inexcusable negligence" for denying his motion to quash the information against Osorio.

He also claimed Gonzales' comments during the June 1 presentation of witness Adoracion Paulino showed "partiality towards the prosecution." [...]

While denying Alentajan's allegations, "... nevertheless, to preserve and promote public confidence in the integrity and respect for the judiciary, the presiding judge is voluntarily inhib-

iting herself from further taking cognizance of the instant case," Gonzales said in her order.

Reacting to Gonzales' decision, Karapatan secretary general Cristina Palabay said her inhibition had "inexcusably delayed" the indictment of Palparan and his co-accused "while the mothers and fathers of Cadapan and Empeno remain anguished, the witnesses' lives and security remain in danger."

Karapatan had earlier decried Gonzales' decision to allow Palparan's transfer from the Bulacan provincial jail to Army headquarters September last year, calling his detention there a "stay-cation."

Empeno and Cadapan were abducted along with farmer Manuel Merino in Bulacan in June 2006.

Accused of masterminding their enforced disappearance, the Malolos RTC ordered Palparan arrested in 2009.

However, he went into hiding and was captured in Sta. Mesa, Manila only in August last year.

Dubbed the "Butcher" by human rights advocates, Palparan has been blamed for human rights violations, including summary executions and enforced disappearances, in the areas he was assigned to as an Army commander.

Inquirer Central Luzon, 25.08.2015

Pemberton admits he choked Laude

By Allan Macatuno

OLONGAPO CITY, Philippines – US Marine Lance Cpl. Joseph Scott Pemberton on Monday admitted in court that he choked and killed transgender woman Jeffrey "Jennifer" Laude in a motel room here on Oct. 11 last year because he found out that his sex partner that night was a man, not a woman, the victim's lawyer said.

Testifying at the continuation of his murder trial at the Olongapo City Regional Trial Court, Pemberton said he killed Laude to defend himself, said lawyer Harry Roque, lead counsel for the Laude family.

The court has barred reporters from covering the trial but has allowed lawyers of contending parties to provide details of the day's hearing.

During a break in the trial, Roque told reporters that Pemberton cited suffering from "gay shock syndrome," also known as "homosexual panic."

He was referring to a line of defense in some American courts called the "gay panic defense," which LGBT (lesbian, gay, bisexual and transgender) organizations now want to be outlawed in the United States and other countries. Those who make this assertion usually claim they suffered a psychotic break triggered by a revulsion for homosexual advances.

But the homosexual panic defense is not present in Philippine criminal law, Roque said.

Defense lawyer Rowena Flores said Pemberton told the court that he fought with and subdued Laude in self-defense, but denied murdering her.

Pemberton admitted he and Laude fought after oral sex because Laude did not have a female organ, Flores said.

Pemberton, 22 at the time, said Laude, 26, slapped him, causing

him to respond "in defense," Flores said.

"After some time, to subdue Jeffrey, Joseph Scott Pemberton held [Laude's] head under his armpit. Jeffrey stopped moving. Joseph Scott Pemberton tried to revive [her]," Flores added.

Still alive

But Flores said Pemberton told the court he left his adversary "alive in the bathroom."

Citing Pemberton's account, Roque said the American soldier was outraged when he discovered that Laude had a penis, and had also become fearful that he would be raped by another man. "He was furious that he was deceived. He felt that he was raped. His testimony was he wanted to grope his partner but he discovered that the latter was not a woman," Roque said.

Pemberton said these circumstances provoked him into attacking Laude, Roque said.

"We were already expecting from Pemberton's camp that they would use the gay shock syndrome as their defense," he said.

Roque, however, cited a study of the American Psychiatric Society that stated that this syndrome was not a scientifically established mental condition.

On Aug. 17, Pemberton's mother, Lisa, gave the first testimony for the defense, stressing that her son was a good, tolerant man who had gay friends and who has a lesbian sister.

During his testimony, Pemberton also admitted having had a sexual encounter with Laude, saying he joined "two women" at the motel room, who both gave him oral sex.

Arm lock

Roque said Pemberton identified the two women as Laude and a prosecution witness named "Barbie," another transgender and Laude's friend. Barbie, however, left the two after the tryst.

Roque said that when Pemberton discovered that Laude was a man when they were about to have sex, "he pushed her and Jennifer fell off the bed."

Pemberton said Laude retaliated by slapping him, prompting the soldier to punch Laude twice.

Pemberton, Roque said, then held Laude's neck in an arm lock until she fell unconscious.

"Pemberton said he dragged Jennifer into the bathroom to sprinkle water [on her face, hoping to revive her]," Roque said.

But Pemberton said he could not find water so he left Laude in the bathroom.

Demonstration

Laude was found dead by a motel employee minutes after Pemberton left the establishment.

Roque said Pemberton demonstrated to the court how he held Laude, as well as how he dragged her into the bathroom.

"Pemberton also described the position in which he left Laude on the floor," he added.

Laude's mother, Julita, said she was enraged as she listened to Pemberton's testimony.

"He's a liar. Why did he have to strangle my child if she just slapped him?" Julita said.

InterAksyon.com, 29.08.2015

On birthday of slain journalist Gerry Ortega, petition demands capture of Reyes brothers

MANILA, Philippines -- The family of murdered Palawan journalist, environmentalist and good governance activist Gerry Ortega has mounted a petition urging the Supreme Court, Justice Secretary Leila de Lima and Interior Secretary Manuel Roxas II to make good on government's pledge to capture the alleged masterminds.

The [Change.org petition](#) was launched Friday, Ortega's 52nd birthday, when his family and friends also commemorated in Puerto Princesa, Palawan, where he was assassinated on January 24, 2011.

The petition notes that almost five years since the murder, the principal suspects, former Palawan governor Joel Reyes and his brother Mario, former mayor of Coron, remain at large despite the Aquino administration's oft-repeated promise to haul them in.

The Reyes brothers -- Joel using a fake passport in the name of "Joseph Lim Pe" -- fled the country in March 2012 with the aid of crooked immigration officers and have since been declared among the country's "most wanted" and included in Interpol's "red list."

"The continued failure to apprehend the suspects has placed the country's law enforcement capability and the administration's political will, in question," the petition said.

It also blasted "the dismal failure of the justice system to prosecute the Reyes brothers," calling this "an embarrassing testament to the notoriety the country has gained as one of the most dangerous places in the world for journalists."

As the petition noted, "the Gerry Ortega murder case is one of the few cases of media killings in the Philippines that have material evidence directly linking the mastermind to the murder ... But despite the evidence and public clamor, the Reyes brothers continue to evade justice to this day."

"The successful apprehension and prosecution of the Reyes brothers will change this perception and, more importantly, provide hope for the families of all media killings," it said.

Inquirer Visayas, 29.08.2015

Court told: Don't treat rebels as common criminals

By Nestor P. Burgos Jr.

KALIBO, Aklan—Alleged communist rebel leader Maria Concepcion Araneta-Bocala on Friday pleaded not guilty to a mur-

"If he left Jennifer unconscious in the bathroom, why didn't he ask for help from the bellboy?" she asked.

Last witness

Roque said the defense would be presenting Dr. Raquel Fortun, a forensic pathologist, as its last witness when the trial continues Tuesday.

Government prosecutors did not immediately respond to requests for comment.

Earlier, they said Pemberton and Laude had left a bar in Olongapo and checked in at a nearby motel, where they alleged the American strangled the victim.

Pemberton, who had just taken part in joint US-Philippine military exercises nearby when the alleged murder occurred, was taken to the Olongapo trial court on Monday by an armed escort from his detention cell at Camp Aguinaldo.

He was the second witness for the defense.

His mother, Lisa, took the stand a week ago, when lawyers said she identified letters from family friends and relatives attesting to his good character.

The judicial proceedings are expected to continue until December.

Scores more journalists have been murdered since Ortega was killed, including the 32 who died in the November 23, 2009 Ampatuan massacre.

Over the past two weeks alone, three journalists were killed -- Gregorio Ybanez, president of the Davao del Norte Press and Radio-TV Club, gunned down in Tagum City, Davao del Norte on August 18; human rights activist and radio host Teodoro Escanilla in Sorsogon the next day; and broadcaster Cossem Diez Maestrado, who was shot dead in front of a mall on a busy street in Ozamiz City on August 26.

Their deaths, if proven to be work-related, would bring the total number of media practitioners killed under the current administration to 30, and to 176 since 1986, when democracy and freedom of expression were supposed to have been restored, according to a count kept by the National Union of Journalists of the Philippines.

Except for a handful of gunmen who have been convicted and jailed, most of the cases remain unsolved and not a single mastermind has ever been successfully prosecuted.

The petition calling for the capture of the Reyes brothers makes the following demands:

1. *The speedy resolution by the Supreme Court on the petition to reverse the decision of the Court of Appeals which decided in favour of the Reyes brothers to deem the creation of the second DOJ panel as illegal, effectively setting aside the administrative finding that Joel T. Reyes was the mastermind in the January 24, 2011 murder of Dr. Gerry Ortega;*
2. *For the DOJ Secretary Leila De Lima to immediately resolve the Petition for Review and declare that there is probable cause against the Reyes brother, notwithstanding the current petition before the Supreme Court;*
3. *For DILG Secretary Mar Roxas to launch an all-out drive to flush out the Reyes brothers from their hiding places, putting to bear all the power and resources of government to achieve results.*

der case filed 34 years ago. [...]

Lawyer Janne Baterna, lead counsel of the eight-member defense

team, said Bocala is not a common criminal or murderer, but a "rebel or revolutionary."

Bocala is among the accused in the killing of Metodio Inisa on Sept. 17, 1975, in Barangay Panipiason in Madalag town in Aklan.

The murder case was filed in 1981 against Bocala and other suspected leaders and members of the Communist Party of the Philippines (CPP) and New People's Army on Panay Island.

Bocala, who turned 65 on Aug. 26, is allegedly the head of the CPP's Panay regional committee.

She was arrested in a house in Molo District in Iloilo City on Aug. 1 and carries a P7.8-million bounty on her head.

Baterna, of the National Union of Peoples' Lawyers, said the defense team would push for the dismissal of the case.

He said the charge against Bocala's co-accused Ruben Saluta had been dismissed for lack of evidence and witnesses.

Bocala is also facing a rebellion case filed in Antique and sepa-

rate cases of illegal possession of firearms and ammunition and illegal possession of explosives at the Iloilo RTC.

She has denied the charges, insisting that these were trumped up and the evidence "planted." [...]

[...] Bocala arrived nearly an hour early for her arraignment.

Security for her arraignment was tight.

At least 100 policemen, soldiers, jail guards and anti-riot team members guarded the Hall of Justice, where the court is, and areas nearby.

Policemen were also posted on the route of the convoy carrying Bocala, according to Senior Supt. Iver Apellido, Aklan police director.

Court security guards barred journalists from entering the two-story Hall of Justice, citing security reasons. [...]

The court set the start of Bocala's trial in marathon hearings on Oct. 6 and 7, according to Baterna.

MAGUINDANAO MASSACRE

Rappler.com, 27.08.2015

Maguindanao massacre trial hearings to finish by yearend - Chief Justice

MANILA, Philippines – Trial hearings of defendants accused of the massacre of 58 people in Maguindanao will finish by the end of the year, Supreme Court Chief Justice vowed on Thursday, August 27.

Prosecution and defense lawyers will finish presenting evidence by the end of 2015, after which the judge has 90 days to issue a verdict, Chief Justice Maria Lourdes Sereno told reporters.

"It is excruciatingly slow for the victims' families. That is not debatable, it is painful, there must be closure," Sereno said.

The trial involves members of the influential Ampatuan clan, which allegedly ordered the slaughter of 58 people, including 32 journalists, in the conflict-wracked province of Maguindanao in November 2009 in an attempt to crush a rival clan's election challenge.

The brutal massacre, one of the world's deadliest attacks against media workers, saw some shot in their genitals before they were buried in a hilltop grave using an excavator.

The slow pace of the trial has angered the families of the victims and frustrated President Benigno Aquino III, who has promised a verdict before he steps down from office in mid-2016.

Widows of victims spoke out in July after one of the principal

accused, Andal Ampatuan Sr, died of liver cancer while under hospital guard. [...]

Sereno said the High Court has resolved most of the bail petitions that caused much of the delays in the 6-year long proceedings.

Two sons of Andal Ampatuan Sr – Andal Jr and Zaldy – are among 100 people on trial for one of the world's most shocking mass murders.

The Ampatuans ruled Maguindanao for over a decade under the patronage of then-President Gloria Arroyo, who had tolerated the clan's private army as a buffer against Muslim separatist rebels.

Widow Merly Perante, whose journalist husband Ronnie was among those slain, said she was cheered by Sereno's announcement but stressed that getting justice was still her priority.

"I accept that the process can be lengthy, as long as we are not disappointed with the result, as long as they get convicted and get the right punishment," she told Agence France-Presse.

Court cases in the Philippines sometimes take decades to finish, weighed down by a shortage of judges and courthouses and legal technicalities that can be used to delay a case.

PEACE PROCESS

Rappler.com, 10.08.2015

DOCUMENT: Marcos submits overhauled Bangsamoro bill

MANILA, Philippines – Senator Ferdinand "Bongbong" Marcos Jr made good on his promise to submit a substitute version of the Bangsamoro Basic Law (BBL) on Monday, August 10, with 80% of the provisions amended.

The chairman of the Senate local government committee filed a committee report with the signature of 17 senators. The report is Marcos' own version of the measure that is a key component of the government's peace process with the Moro Islamic Liberation Front (MILF), the Philippines' largest Muslim rebel group.

Marcos will sponsor the bill on Wednesday, and answer senators' questions during the interpellation period.

Even if the bill got the signature of majority of the 24 senators, several lawmakers signed the committee report with reservations and amendments.

The original version of the bill aims to create an autonomous political entity with greater powers and resources than the current Autonomous Region in Muslim Mindanao (ARMM) to end 4 decades of conflict and poverty in the southern Philippines. The government and the MILF agreed on the passage of the law under a historic deal signed in March 2014.

In June, [Marcos rejected the bill](#), saying it was unconstitutional, and will "lead us to perdition."

Last week, the senator said about 80% of the original version of the bill was amended, with 115 "major and minor" changes.

The senator said that the composition of the Bangsamoro Transition Authority (BTA) is among the changes. The BTA will serve as the interim government once the BBL is ratified in Congress and through a plebiscite.

In the original version, the MILF will lead the body, with non-Moro indigenous peoples, women, settler communities, and other sectors included in the BTA. Yet Marcos said this provision was amended.

"So, what we tried to do is to make the membership of the BTA more inclusive. We have tried to include, as I said, all the stakeholders we have identified during the hearings," he said.

Marcos also said that the substitute bill deleted some of the provisions that the House of Representatives also omitted from its own version.

The MILF has said that the [report of the House's Ad Hoc Committee](#) on the BBL was "50% bad."

The BBL was initially set to be passed by March, but a [clash between elite police and Moro rebels](#) in January endangered the peace process.

The Mamasapano tragedy killed 67 Filipinos include 44 commandos on a mission to arrest terrorists in the MILF stronghold of Maguindanao. The MILF said that the operation violated coordination mechanisms under the peace process. The encounter drew public outrage, and sparked strong opposition to the bill.

MILF won't accept diluted BBL

Called Senate Bill 2894 under Committee Report 200, Marcos' version is 100 pages long, with 17 articles and 215 sections.

Like the House's amended version, it is titled "Basic Law for the Bangsamoro Autonomous Region."

The Senate substitute bill was the product of 12 public hearings, one briefing, and two separate hearings of Senate constitutional amendments committee chairperson Senator Miriam Defensor Santiago. Santiago's committee was among the 3 panels tackling the bill, along with the local government and peace committees. Marcos conducted hearings in Cotabato, Marawi, Tawi-Tawi, Jolo and Zamboanga.

Congressional leaders had extended the deadline to pass the bill by September, before the filing of certificates of candidacy for the 2016 polls in October.

Marcos though could not commit to a timeline to pass the measure. The senator said he cannot even assure the public that the bill will pass within the current administration.

In [an editorial in July](#), the MILF warned against watering down and delaying the bill.

It said that beyond October, it is unlikely for the bill to pass as politicians focus on campaigning.

The rebel group said it will not accept a "diluted BBL," like the House report on the measure.

"Many quarters are beseeching the MILF to compromise. We do not know where to compromise. The BBL has passed through various levels of review and decision-making. Changes have already taken place during this process: first by the Office of the President (OP), then back to the Bangsamoro Transition Commission (BTC), then to the GPH-MILF peace panels and then back to the OP and finally by the President and Chairman Murad during their meeting in early September 2014," it said.

Here is the full text of the substitute bill:

[Senator Marcos' substitute BBL](#)

FURTHER READINGS

Karapatan.org, 07.07.2015

2014 Karapatan Year-End Report on the Human Rights Situation in the Philippines

Dear friends,

We are pleased to inform you that the [2014 Karapatan Year-End Report on the Human Rights Situation in the Philippines](#) is now available for downloading and sharing. You may copy-paste this link on your web browser, or click: <http://www.karapatan.org/2014+Human+Rights+Report>