



Action Network
Human Rights - Philippines

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Supreme Court of the Philippines
Chief Justice
Maria Lourdes P.A. Sereno
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Annex, Padre Faura St., Ermita
1000, Manila,
Email: sc.judiciary@gov.ph
pio@sc.judiciary.gov.ph

Essen, 26.09.2012

LETTER OF APPEAL TO THE SUPREME COURT OF THE REPUBLIC OF THE PHILIPPINES

Honorable Chief Justice,

The Action Network Human Rights Philippines was informed by reliable resources about the Supreme Court's Order Nos. (07-09) 1648-3 and (07-09) 1649-3 entitled "People of Philippines vs. Temogen "Cocoy" Tulawie" which will transfer the venue of trial from Davao City to the Regional Trial Court in Manila.

We understand that this decision contains a high risk for the life of Mr. Temogen "Cocoy" Tulawie, as there are rumours about plans by Mr. Tulawie's opponent Governor Sakur Tan, to slay Mr. Tulawie upon arrival in Manila.

We are deeply concerned for the life of Mr. Tulawie and appeal to you to make all necessary precautions to guarantee the physical and psychological integrity of Mr. Tulawie in connection with the transfer of the venue of the trial.

Furthermore, we would like to express our concern that the transfer of venue will cause another delay to the disadvantage of the defendant.

Mr. Tulawie is the former Provincial Chairperson of the Consortium of Bangsamoro Civil Society (CBCS) in Mindanao, province of Sulu. He is well-known by the international Human Rights community for his longstanding work including the monitoring and documentation of human rights violation cases affecting Muslim communities in the Autonomous Region of Muslim Mindanao, especially in the province of Sulu. We must assume that Mr. Tulawie is a victim of fabricated charges, precisely "multiple frustrated murder" and "attempted murder" brought forward by Governor Tan in July 16th 2009 in order to muzzle the outspoken Human Rights Defender. The evidences against him were based on forced confessions, which are meanwhile recanted.

We appeal to the Supreme Court to:

Members: Amnesty International, Brot für die Welt – Evangelischer Entwicklungsdienst, Misereor, Missio, philippinenbüro e.V., Vereinte Evangelische Mission

AMNESTY
INTERNATIONAL



Brot
für die Welt

MISEREO
IHR HILFSWERK

missio
glauben leben geben



VEM
United Evangelical Mission

- guarantee, in all circumstances, the physical and psychological integrity of Mr. Temogen "Cocoy" Tulawie;
- reverse your Court Orders for the safety of the defendant;
- start a thorough investigation on the assumed fabricated charges brought forward against Mr. at the Regional Trial Court Davao City;
- afford a speedy and fair trial for Mr. Tulawie who is now already nine months in detention without any remarkable progress
- comply with all the provisions of the Declaration on Human Rights Defenders, adopted on December 9, 1998 by the United Nations General Assembly, in particular its Article 12.2 which provides that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration."

We hope that the Supreme Court will do everything in his executive capacity to comply with international legal standards and to save the life of Mr. Tulawie and guarantee a fair and speedy conclusion of the trial.

Yours sincerely,



Dr. Jochen Motte
Chairman

Copy to:

- Hon. Leila de Lima, Secretary, Department of Justice (DOJ), DOJ Bldg., Padre Faura, 1004, Manila, Fax: +63 2 521 1614, Email: soj@doj.gov.ph;
- Hon. Loretta Ann P. Rosales, Chairperson, Commission on Human Rights, SAAC Bldg., UP Complex, Commonwealth Avenue, Diliman, Quezon City, Philippines. Fax: +632 929 0102. Email: chair.rosales.chr@gmail.com / mtm_rodulfo@yahoo.com;
- H.E. M.C.R. Natividad, Ambassador of the Republic of the Philippines, Philippine Embassy Berlin, Uhlandstr.97, 10715 Berlin, Germany;
- H.E. Dr. J. Heidorn, Ambassador of the Federal Republic of Germany, German Embassy Manila, 25/F Tower 2, RCBC Plaza, 6819 Ayala Ave, Makati City, Metro Manila;
- Mr. M. Löning, Federal Government Commissioner for Human Rights Policy and Humanitarian Aid, Federal Foreign Office, Werderscher Markt 1, 10117 Berlin, Germany;
- Mrs. M. Moltmann, Desk Officer Philippines, Federal Foreign Office of Germany, Werderscher Markt 1, 10117 Berlin, Germany;
- Mr. Philipp Woschitz, Political and Human Rights Officer, Delegation of the European Union to the Philippines, 30/F Tower II RCBC Plaza; 6819 Ayala Avenue, Makati City, 1200, Philippines, Email: Philipp.WOSCHITZ@eeas.europa.eu

The Action Network Human Rights - Philippines was formed in August 2007 to promote lobby- and information work in Germany regarding the human rights situation in the Philippines. Through its office, the network coordinates publications, events and lobby activities. Target groups are political decision makers, human rights defenders and social activists as well as the media in Germany and Europe. Member organizations are Amnesty International Germany, Bread for the World - Church Development Service, Misereor, Missio, Philippinenbüro and United Evangelical Mission (UEM). The main focuses of the network are extrajudicial killings and enforced disappearances.

Members: Amnesty International, Brot für die Welt – Evangelischer Entwicklungsdienst, Misereor, Missio, philippinenbüro e.V., Vereinte Evangelische Mission

