



Secretary Leila de Lima
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Cologne, April 10, 2014

Trumped-up charges against Roy Velez and Amelita Bravante

Honorable Secretary Leila de Lima,

The Action Network Human Rights – Philippines is writing you today to express its support of Roy Velez and Amelita Bravante who both face murder charges in front of the Regional Trial Court, Branch 14, of Lagawe, Ifugao. According to the information we received, there is strong evidence that these charges were fabricated and therefore ask you to order their immediate reconsideration.

Roy Velez, regional chairperson of the KMU, and Amelita Bravante, of Defend Job Philippines are known urban poor and trade union leaders helping urban poor communities in Metro Manila, notably in the Silverio Compound in Parañaque, from being forcibly evicted.

On September 26, 2012 Roy Velez and Amelita Bravante and 18 other persons were charged before the RTC of Lagawe, Ifugao with the offense of killing ten soldiers and a civilian in an ambush which supposedly took place on April 25, 2012 in Barangay Gumbang, Tinoc, Ifugao. The two were also charged in a separate incident for the murder of four soldiers before the RTC in Camarines Norte which issued an arrest warrant against them on October 18, 2012.

In both cases against them, standards of due process were violated. They were not informed of the charges and they did not receive subpoenas for the preliminary investigation. They only learned about the arrest warrants against them when Randy Vegas and Raul Camposano, two fellow trade union and urban poor leaders, who were charged in the same cases were arrested on December 3, 2012. Thus, neither of them were able to submit counter-evidence including affidavits to show that they had alibis for the time of the incidents. Furthermore, in both cases the prosecution relied on dubious witness testimonies. Thus, in the case in Lagawe neither the testimony of Capt. Robert Belandres nor the one of Pfc Ruben Salingbay clearly identified the victims as the ones that carried out the ambush.

In the meantime, the case in Camarines Norte has been dismissed by the Provincial Prosecutor which we take to be evidence that the charges were indeed fabricated. However, the case in Lagawe is still ongoing.

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



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On July 26, 2013, the presiding judge of the RTC Lagawe issued an order in which he recognized the violation of due process and subsequently recalled the arrest orders. He did, however, not accept the prayer for the quashal of the information. A motion of reconsideration of this resolution was filed to your office on January 2, 2014 but has not been acted upon as of yet.

We take the cases of Roy Velez and Amelita Bravante to be examples of an increasing trend of legal harassments against human rights defenders and political activists. We observe that all over the country trumped-up or fabricated charges are filed against such activists, criminalizing them and thereby sabotaging their work. This strategy has a disastrous effect on the civil society as a whole in that it carries the implicit warning that everybody who stands up for his or her rights might too be targeted.

The Action Network Human Rights – Philippines thus calls upon the Government of the Republic of the Philippines:

- In the case of Roy Velez and Amelita Bravante, to speedily decide on the Petition for Review on the Lagawe prosecutor's resolution finding probable cause for charging them with murder which was filed to the Department of Justice on January 2, 2014.
- To order a review of the murder charges against the other accused in both cases, especially the charges against Randy Vegas and Raul Camposano.
- To cease the practice of incriminating political activists and human rights defenders with fabricated charges.
- To ensure that standards of due process are respected. Prosecutors need to conduct proper preliminary investigations which include the consideration of counter-evidence. It therefore needs to be ensured that subpoenas are served and that all accused have an opportunity to file counter-evidence when investigations against them are opened.
- To subject prosecutors who pursue manifestly fabricated charges to disciplinary proceedings.

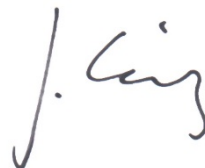
We kindly ask you to keep us informed about the measures taken by you.

Yours sincerely,

For the Action Network Human Rights Philippines:



Elmar Noé
Chair of the Action Network Human Rights - Philippines



Johannes Icking
Coordinator

Copy to:

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Chair
Commission on Human Rights Philippines

Maria Lourdes P.A. Sereno

Chief Justice
Supreme Court of the Philippines

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Margaret Sekaggya

United Nations Special Rapporteur on human rights
defenders

Stavros Lambrinidis

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Commissioner for Human Rights Policy and
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Barbara Lochbihler, MEP

Chair of the Subcommittee on Human Rights
European Parliament

Michael Brand, MP

Chair of the Committee on Human Rights and
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Ranieri Sabatucci

Head of Division
Asia and the Pacific Department
European External Action Service

About the Action Network Human Rights - Philippines

The Action Network Human Rights - Philippines (Aktionsbündnis Menschenrechte – Philippinen, AMP) was formed in August 2007 to promote lobby- and information work in Germany and the EU 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 Organisations of the AMP are Amnesty International Germany, Bread for the World - Church Development Service (EED), International Peace Observers Network (IPON), Misereor, Missio Munich, philippinenbuero Inc. in Asia House and the United Evangelical Mission (UEM). The main focus of the network lies on the core human rights issues of extrajudicial killings and enforced disappearances, as well as trumped up charges.

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



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