



Action Network Human Rights- Philippines

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

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HEADLINES & POLITICS

Philstar.com, 02.02.2013

Lady mayors: 'End political killings'

MANILA, Philippines -- Members of the Lady Municipal Mayors Association of the Philippines (LMMAP) has called for an end to all political killings in the country.

The appeal came after the killing of Maconacon, Isabela Mayor Erlinda Domingo who was gunned down recently in Park Villa Apartelle in Barangay West Avenue, Quezon City.

"The Lady Mayors condemn the killing of Mayor Erlinda Domingo, a colleague and public servant. There is no sense to this kind of killings, let us not use the barrel of the gun in governance or in politics it is the cowards way," said LMMAP National President Annabelle Tangson.

Inquirer.net, 05.02.2013

Senate sets inquiry on Philex mining spill

By Matikas Santos

MANILA, Philippines—The Senate has set an inquiry into the "unprecedented" mine spill that occurred at a mining site of Philex Mining Corporation in the province of Benguet last August 2012.

"On August 2012, the country witnessed a mine tailings leak of unprecedented proportions," Senator Sergio Osmeña III said in a privilege speech Tuesday.

Mine tailings are a form of waste from the process of extracting the valuable minerals or metals from rocks or ore.

"The penstocks of the only operational mine-tailings pond or Pond 'C' of Philex in Benguet had collapsed, causing the discharge of over 20.6 million metric tons of mine wastes," Osmeña said.

He said that the amount of wastes spilled in the incident was "20 times more than the infamous Marinduque Mining Disaster that left Boac River dead over a decade ago."

Inquirer.net, 05.02.2013

Another petitioner loses fight vs political dynasties

By Tetch Torres

MANILA -The Supreme Court on Tuesday dismissed another petition that sought to ban political dynasties in the Philippines. In an en banc (full court) session, high court justices said they cannot compel the House of Representatives and Senate to pass a law that would define "political dynasties."

"[Ricardo]Penson petition for mandamus on political dynasties denied for same reason as the Biraogo petition," the high court's Public Information Office said in a text message.

The high court last month threw out Louis "Barok" Biraogo's petition asking that it compel the Commission on Election to enforce the prohibition against political dynasties.

The high court said, since there is no enabling law, Comelec cannot be compelled to enforce the prohibition.

Senatorial candidate Ricardo Penson, on the other hand, wants the high court to compel both the Senate and the House of Representatives to enact a law that would prohibit political dynasties.

Inquirer.net, 06.02.2013

SC affirms dismissal of fund misuse case vs Arroyo

By Tetch Torres

MANILA, Philippines—The Supreme Court affirmed the Office of the Ombudsman's decision dismissing the criminal case against former President Gloria Macapagal-Arroyo and several others in connection with the alleged misuse of P530-million funds intended for overseas Filipino workers (OFWs).

In a two-page minute resolution released Wednesday, the high court denied the petition filed by former Solicitor-General Fran-

cisco Chavez for failure to show any reversible error committed by the Ombudsman.

Aside from Arroyo, the Ombudsman also ordered the dismissal of case against former President and CEO of the Philippine Health Insurance Corp. [PHIC]Francisco Duque III; former Executive Secretary Alberto Romulo; and former Chairman of the OWWA Board of Trustees Patricia Sto. Tomas, and former

Tangson said the killing of Domingo has put another black mark in the political and electoral system in the Philippines.

Tangson also lamented that the spate of political killings in the Philippines for decades now have placed the country at the top list of the United Nations' human rights watch.

The LMMAP is an association of 280 Lady Mayors in the country.

There have been no official findings yet from the government on the exact details of the spill such as the toxicity of waste, the accurate amount of waste spilled, as well as the effect on all those living near the Balog and Agno river systems, Osmeña said.

Various Non-Government Organizations (NGOs) have written to him calling on the Senate to conduct an investigation into the incident, he said.

"We owe it to our people, the country and ourselves to know the truth about the massive leak, its impact to the affected communities, the Local Government Units, and our ecosystem," Osmeña said.

"In the interest of transparency, fairness, and justice, I strongly and respectfully request that the appropriate committees of the Senate initiate proper inquiry, in aid of legislation, even while the Senate is on recess," he added.

In a 20-page petition, Penson said while the 1987 Constitution, particularly Section 26 prohibits political dynasties, such provision is not self-executing thus there need to be a law enacted to define "political dynasties."

However, Penson said it has been over 20 years since the Constitution took effect, but the chambers of Congress have yet to enact a law against political dynasty.

But still, the high court, in reiterating its ruling on Biraogo, said mandamus is not applicable on the Penson petition. It noted that mandamus is applicable only to ministerial duties. Ministerial duties refer an act or duty which an officer or tribunal performs in a given state of facts, in a prescribed manner, in obedience to the mandate of a legal authority.

"Essential, therefore, to its issuance is a clear legal right of petitioner to the thing demanded and an imperative duty on the part of the respondent to perform the act required, which do not obtain in this case," the high court said.



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OWWA Board of Trustees Members Virgilio Angelo, Manuel Imson, Rosalinda Baldoz, Mina Figueroa, Caroline Rogge, Victorino Balais, Gregorio Oca and Virginia Pasalo.

Aside from plunder and violation of the Anti-Graft Law, the Ombudsman also dismissed the complaint for malversation of public funds, qualified theft and violation of the Code of Conduct and Ethical Standards for Public Officials and Employees against the respondents for lack of evidence.

The Ombudsman, in its June 14 and October 12, said that the OWWA funds were properly distributed to its beneficiaries and its graft investigators found no evidence that the fund was misused.

But Chavez, in his petition, asked the high court to reinstate the

original charge of plunder Arroyo and the other co-respondents. Chavez argued that the DOJ and the Ombudsman "committed reversible error in not finding probable cause against respondents" for the crime of plunder.

The high court agreed with the Ombudsman in dismissing the complaint against Arroyo and her co-respondents and in saying that the transfer of Overseas Workers Welfare Administration (OWWA) funds were used legally.

"Unless tainted with grave abuse of discretion, the judgments and orders of the Ombudsman shall not be reversed, modified or otherwise interfered with by the court," the high court, in its resolution stated.

ELECTIONS

Akbayan Press Release, 21.02.2013

Akbayan slams NPA's "Permit-to-Campaign" scheme in 2013 polls

Akbayan party-list today slammed the New People's Army's "permit-to-campaign scheme" saying it is as oppressive as the intimidation schemes perpetrated by political warlords and their private armies.

The party-list group issued the statement a week after the formal start of the election campaign for the national and party-list elections.

"The NPA's PTC scheme involves the same kind of extortion and violence being perpetrated by political warlords and their private armies. It is patently undemocratic and an assault on the human right to suffrage and the exercise of free elections," Akbayan Spokesperson Barry Gutierrez said.

"It is no different from how a gang of thugs extracts money for "protection," using threats and intimidation, except that it is committed by supposed freedom fighters," Gutierrez added.

Gutierrez who is also a UP law professor and former Director of the UP Institute of Human Rights cited numerous reasons why the PTC violates human rights particularly the right to suffrage.

"Aside from being a blatant form of extortion, the PTC is deplorable because it violates the candidates' and political parties' right to mobility and to participate freely in the conduct of elections. The scheme denies candidates and parties who do not pay for the "protection" offered by a PTC entry to certain areas allegedly under NPA control, through threats, or worse, actual violence," Gutierrez said.

Gutierrez added that the PTC also runs counter to the idea of free and open participation in elections. "The PTC puts an additional monetary burden on candidates and parties to exercise their right to participate in the conduct of elections. It thus encourages corruption and patronage politics," Gutierrez said.

Gutierrez said the NPA's PTC is also a

Communist Party of the Philippines, 18.02.2013

Abide by people's government guidelines regarding election campaigns

Without exception, all candidates and their political parties participating in the May elections who plan to conduct their political activities within territories under the authority of the People's Democratic Government must abide by all prevailing guidelines and secure the permission of the duly authorized revolutionary committees.

These guidelines seek to ensure that the reactionary elections are conducted in a way that do not violate the people's rights and interests and in a manner that is peaceful, orderly and beneficial to the people.

Candidates and their representatives shall be allowed access to territories of the People's Democratic Government to conduct their political campaign as long as they comply with the guidelines governing the conduct of their political campaigns related to the reactionary elections.

They shall be prohibited from bringing along their private armed goons or military, police or paramilitary escorts. They shall not be allowed to intimidate, threaten or coerce the people or employ violence against opposing political camps.

They shall not be allowed to conduct vote-buying activities or to bribe community leaders in exchange for votes.

They shall abide by the schedules to be determined by the local committees in order to prevent overlapping with schedules of other candidates and cause the least disruption to the economic, political and cultural activities in the area. They will be encouraged to conduct face-to-face dialogs with the people in order to provide them an opportunity to hear the people air their grievances and express their opinion and lay out their programs of action.

The People's Democratic Government reserves the right to restrict the entry of candidates who are guilty of serious crimes against the people and the revolutionary movement. These include the incorrigibly corrupt government officials, those guilty of grave abuses of human rights, drug lords and people running and protecting criminal syndicates. Candidates who use the election campaign to facilitate the entry of military and police intelligence agents will likewise be prohibited entry in areas under the jurisdiction of the revolutionary authorities.

[...] Reactionary elections have never been about democratic discourse, but about the use of armed might and wealth to force and bribe themselves into power. Once in power, these reactionary politicians use the bureaucracy and its coercive apparatus to further the oppression and exploitation of the people.

[...] By enforcing its guidelines, the People's Democratic Government has effectively reduced incidents of violence related to the conduct of the reactionary elections within its areas of jurisdiction.

Over the past several years, the reactionary regime and its armed forces have disparaged the guidelines governing reactionary elections inside areas of jurisdiction of the People's Democratic Government. Such a derogatory campaign seeks to undermine the fact that the revolutionary movement effectively exercises state power and that such state power is widely recognized and respected.

Despite such counter-revolutionary propaganda, candidates and political parties participating in the reactionary elections continue to approach the revolutionary authorities in order to seek compliance with the guidelines and policies of the People's Democratic Government. Meetings are conducted freely at the national, regional, provincial and local levels in order to discuss the problems of the people, the programs of action of the candidates and the program and policies of the revolutionary movement.

Such meetings also provide the opportunity to explore areas of possible cooperation and coordination including the promotion of agricultural production, raising rural income and advancing educational, literacy, cultural, health care and other programs of the People's Democratic Government.

[...] Within the areas of jurisdiction of the People's Democratic Government, such a system of democratic governance is being exercised and developed where the people conduct genuine democratic elections to select their officials and representatives from their ranks, and where they can fully engage in political and state activities.



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form of "vote denial" as it effectively prevents voters based in the NPA's alleged territories from freely and fully exercising their right to suffrage.

"Because of the PTC scheme, eligible voters are denied the right to receive important information that will guide them in making their decisions come Election Day. It also denies them the right to meet and know all the candidates and political parties who are participating in the election," Gutierrez explained.

Gutierrez called on all candidates and political parties to reject the NPA's PTC scheme. He also called on the Commission on Elections (Comelec), Department of Interior and Local Government (DILG) and the Commission on Human Rights to work together and guarantee the free and full exercise of candidates and political parties' exercise of their right to participate in the conduct of the country's elections.

"We call on all candidates, political parties and party-list groups

to reject the intimidation and extortion schemes of the NPA. Likewise, we call on the government to ensure that a peaceful, pluralist and safe political climate exist for the full and democratic participation of citizens in this important political exercise," Gutierrez said.

In the 15th Congress, Akbayan Reps. Walden Bello and Kaka Bag-ao filed House bill No. 2191 otherwise known as the Anti-PTC bill to stop the NPA's unlawful implementation of its PTC operation.

It was the only progressive party-list group that filed a legislative measure to oppose the PTC scheme.

In 2010, the human rights body then under CHR Chairperson Leila De Lima issued an advisory describing the PTC as a form of extortion which is "repugnant to valued human rights principles and standards."

INSTITUTIONS & LAWS

Philippine Daily Inquirer, 05.02.2013

Senate passes tighter gun control bill

By Norman Bordadora

MANILA, Philippines—The Senate has approved on third and final reading Sen. Panfilo Lacson's comprehensive bill on guns and ammunition that again imposes Marcosian penalties such as imprisonment of at least 30 years for illegal possession of firearms.

Sen. Gregorio Honasan, the sponsor of Senate Bill No. 3397 and chairman of the Senate committee on public order, expressed confidence that the measure would pass Congress before the official start of the campaign period next week.

[...] The stiffer penalties on illegal acquisition and possession of guns and ammunition came in the wake of gun-related incidents such as the stray bullet killings of children in Navotas and in Mandaluyong during the New Year's Eve revelry, the Kawit gunplay that killed eight and the Atimunan massacre.

[...] Congress in 1997 enacted a law that brought down the penalties for illegal possession of firearms. Lacson said it was about time the penalties were brought back up.

[...] "But more than that, the reason why [the proposed bill] is comprehensive is that even the safety features of how to use and how to possess guns are provided for. For instance, having a vault [for keeping the gun] at home. It also provides for which persons are authorized to possess and carry firearms," Lacson added.

According to Honasan, public hearings on the proposed meas-

ure have shown that while there are 600,000 to 800,000 registered firearms in the Philippines, there are as many unlicensed guns across the country.

Aside from the stiffer penalties on illegal acquisition and possession of guns, Honasan said the bill would punish illegal distributors and manufacturers of firearms.

"It's like [our strategy] in the dangerous drugs law, we intend to hit the source and go for supply reduction and, at the same time, demand reduction," Honasan said.

[...] The bill passed on final reading in the Senate provides that only small arms may be registered by licensed citizens of licensed juridical entities for ownership, possession and concealed carry.

It further provides that a light weapon shall be lawfully acquired or possessed exclusively by the Armed Forces, the Philippine National Police and other law enforcement agencies authorized by the President, "provided that private individuals who have licenses to provide Class A light weapons upon the effectivity of this act shall not be deprived of the privilege to continue possessing the same and renewing the licenses therefor."

Arm smuggling and the unlawful manufacture, importation, sale or disposition of firearms and ammunition would be punished with as many as 30 years in prison.

Rappler.com, 13.02.2013

Aquino signs expanded anti-human trafficking law

by Angela Casauay

MANILA, Philippines - President Benigno Aquino III has signed a bill expanding the Philippines' existing law against human trafficking.

Signed on Wednesday, February 6, Republic Act No. 10364 or the "Expanded Anti-Trafficking in Persons Act of 2012" amends the list of acts considered as promoting human trafficking to include:

- destroying or tampering with evidence
- influencing witnesses in an investigation
- using public office to impede an investigation or execute lawful orders

RA 10364 also increases funding for government agencies involved in the fight against human trafficking.

Philippine Daily Inquirer, 18.02.2013

Gov't hopes to end 'disappearances'

By Christine O. Avendaño

Human trafficking persists in the country despite continued efforts to curb it.

The Trafficking in Persons (TIP) report prepared by the US State Department lists the Philippines under Tier 2 of the 3-tier watchlist.

Tier 2 countries are defined as "countries whose governments do not fully comply with the TVPA's (Trafficking Victims Protection Act) minimum standards, but are making significant efforts to bring themselves into compliance with those standards."

Presidential Spokesperson Edwin Lacierda on Wednesday, February 13, said the government hopes the new law would boost the Philippines' standing in the watchlist. [...]



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MANILA, Philippines—To stop people simply disappearing into thin air, the government is now required to maintain an up-to-date registry of persons under detention and to regularly submit a list of detainees beginning in six months.

This is one of the requirements of the Implementing Rules and Regulations (IRR) of Republic Act No. 10353, or the Anti-Enforced Disappearance Act, which was signed by President Aquino in December last year and went into effect on Jan. 13, according to Justice Secretary Leila de Lima.

De Lima led the promulgation last week of the IRR, which was completed in “record” time, or a month after the law went into effect.

The IRR will guide government agencies “on how to promote, protect and fulfill the rights of victims of enforced disappearance,” according to a statement from the Department of Justice.

The 18-page IRR states that detainees have a right to immediate access communication, to medical care and rehabilitation, to restitution of honor and reputation, as well as to seek and be awarded compensation (of not less than P10,000) for the victim and his relatives to the fourth degree.

The rules also require government agencies, including the police

and military, to immediately reply in writing to a person or group inquiring about a disappeared person.

State prosecutors and judicial or quasijudicial officers and employees are also required to inform the family if a person brought for inquest is a victim of involuntary disappearance.

The rules also call for the maintenance of an official up-to-date register of all persons under detention or confinement, who shall be held in “officially recognized and controlled places of detention or confinement.”

The register should include the name of the detainee and description and the date, time and location where they were picked up, as well as the authority and reason behind the deprivation of liberty.

The victims’ families, lawyers, Commission on Human Rights (CHR) and interested parties shall have access to the registers.

“The registry shall be available to the public (or those persons with legitimate interest),” the IRR states.

The information in the registers shall be reported to CHR regional offices twice a month—within the first five days and in the middle of the month.

Bulatlat.com, 25.02.2013

Survivors of martial law laud signing of compensation bill

By Ronalyn V. Olea

MANILA — After more than four decades of arduous struggle for justice, victims of martial law finally saw a ray of light.

On the 27th anniversary of the People Power 1 uprising, President Benigno Aquino III signed into law the Human Rights Victim Reparation and Recognition Act of 2013.

The law, the first of its kind in the world, provides \$246 million in compensation for those who were persecuted by the dictatorship of Ferdinand E. Marcos.

The Samahan ng Ex-Detainees Laban sa Detensyon at Aresto (Selda), which led the filing of the historic class suit by the martial law victims against Marcos before a Hawaii court, welcomed the passage of a law confirming the atrocities and human rights violations under martial law.

“We dedicate this small victory to all martial law martyrs and heroes who have gone before us. We will continue to honor them, as we ensure that this law shall be implemented to the best interest of the victims and the Filipino people who survived martial law,” Selda said in a statement signed by its chairwoman Marie Hilao-Enriquez and its vice chairman Bonifacio Ilagan.

Enriquez, then a student activist, was arrested in October 1974 and imprisoned for two years. Her sister, Lilosia Hilao, was raped, severely tortured and killed by state agents. Ilagan, on the other hand, was also detained for two years during martial law. His sister, Rizalina, along with nine fellow student activists, was abducted by alleged state agents in July 1977. Rizalina and some of her colleagues have never been found to this day.

[...] Selda gave credit to all martial law survivors who never

gave up in the face of difficulties. “Scores of members of the Philippine Congress, in cahoots with the Marcoses and the military who vehemently opposed the passage of the law, tried to block its passing. In some instances, they deliberately delayed the process or watered down the bill.”

The group also thanked progressive legislators who supported the victims, particularly Bayan Muna Representatives Neri Colmenares and Teddy Casiño, for “pursuing the most pro-victim provisions and consistently pushed for the approval of the bill.” They also thanked the support of Senators Francis Escudero and TG Guingona, and Representatives Edcel Lagman and Eril Tañada. [...]

Vigilance

Selda said the HRV Victims Claims Board should be composed of individuals who, in one way or another, know and can feel with the victims and have been involved in the struggle against the Marcos dictatorship.

The group challenged the government to ensure that the 9,539 complainants in the class suit will be included in the list and those who will consequently file their claims are those who were genuinely part of the struggle against martial law.

The group warned against unnecessary bureaucratic processes and scams.

For its part, the National Union of Peoples’ Lawyers (NUPL), an organization of human rights lawyers, vowed to closely monitor the implementation of the law. [...]

CURRENT CASES OF HUMAN RIGHTS VIOLATIONS

Bulatlat.com, 07.02.2013

Arrest of 7 activists ‘illegal’ says urban poor group

By Janess Ann J. Ellao

MANILA - Urban poor group Kadamay said the arrest of their seven members last Feb. 4 was illegal.

“The action of the MPD (Manila Police District) is tantamount to illegal arrests and abuse of authority,” Gloria Arellano, Kadamay national chairperson, said.

Members of Kadamay were about to hold a candle lighting protest in front of the gate of Malacanang Palace when they were arrested even before they started their program. The arrested activists are Rodel Adiao, 17 years old; Jonaliyn Adiao,

19; Harley Largo, 21; Christian Concepcion, 22; John Dick Austria, 22; Val Jayson Dimayuga, 26; and Rudy Aparil, 26.

The seven urban poor activists were brought to the Manila Police District along United Nations Ave.

Kadamay was protesting the deplorable conditions of affected residents of Typhoon Pablo that hit Mindanao two months ago.

The arrested members of Kadamay were held for more than four hours at the police headquarters. Supporters from other progressive groups held an indignation rally outside. They were

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released at around 1:00 p.m. and no charges were filed against them, Carlito Badión, vice chair of Kadamay, told *Bulatlat.com*.

"Our members were treated like criminals, handcuffed and forced to enter into a police mobile car while the real criminal lurks in the Palace," Arellano said, adding that the government should be held responsible for the deaths of some 2,000 Filipinos from Typhoon Pablo.

Means to silence

Kadamay, in its statement, said the arrest of their members is part of the Aquino government's counterinsurgency program Oplan Bayanihan that "aims to silence critics of the administration to maintain a positive image to prop up its *daang matuwid* (straight path) – good governance political gimmickry."

"Authorities cannot silence militants who tried to expose Aquino's direct involvement in the outcome of the Pablo tragedy," Arellano said, adding that the arrest of the members of Kadamay is no different from the filing of charges against organizers of the protest rally of typhoon victims in Compostela Valley last Jan. 15.

Davao Today reported that Police Senior Superintendent Camilo Cascolan, PNP Provincial Director in Compostella Valley, filed a case against Barog Katawhan's (People Rise Up) leaders Grace Corso, Bello Timdasan and Carlos Trangia; Balsa-Mindanao's Prof. Mae Fe Ancheta-Templa; environmental rights group Panalipdan's Juland Suazo; Bagong Alyansang Makabayan's (Bayan) Sheena Duazo; peasant group Kilusang Magbubukid ng Pilipinas' Tony Salubre; and Leny

Camino, apparently for leading the protest action demanding for the distribution of relief goods and to put a stop to the large scale mining in their area.

Charges include unlawful appearance, public disturbance, and obstruction of traffic under the Revised Penal Code.

The filing of charges against the victims of Typhoon Pablo was earlier criticized by several progressive groups. Vencer Crisostomo, chairperson of Anakbayan, said the Aquino government is merely protecting the interests of logging and mining companies in Mindanao by shifting the blame on the people.

"These companies and the local government should be the ones charged, not the residents who hunger for relief," Crisostomo said.

Kadamay supported their call to put a stop to these large-scale mining and logging operations, adding that the Aquino administration should be held accountable. In their statement, the group said foreign, large-scale mining operations intensified under Aquino through his Executive Order No. 79.

"Massive land use conversion under the Aquino administration, which turned farmlands and forests into big banana and coconut plantations for export, has also diminished the capacity of Mindanao terrains to withstand natural calamities," the statement of Kadamay read.

"How many thousands of lives more will be lost due to Aquino's puppetry to foreign capitalists who plunder our natural resources?" Arellano said.

Bulatlat.com, 11.02.2013

Soldiers detain charcoal maker in Abra

By Aldwin Quitasol

BAGUIO CITY – A 25-year-old charcoal maker in Lagangilang, Abra was taken and held by soldiers for nearly three days.

According to the Abra Human Rights Movement (AHRM), Meymar Alcantara, a charcoal maker, went to a nearby forest of Kayapa village to gather firewood for charcoal on January 30 and only came back home on February 2.

Alcantara sustained bruises on the lower part of his eyes and an "X" laceration mark on his chest.

Irene Timbreza of the AHRM said they tried to invite Alcantara for further interview but they were told by his relatives that he was afraid to talk about what happened to him.

"He was traumatized by what was done to him," Timbreza added.

The AHRM reported soldiers held four other residents from Kayapa village on January 30. The men were identified as: Ceferino Poclani, Anacleto Tugadi, Jimmy Bageng, and

Bonifacio Bagang.

The report said that the men went to the forest of Kayapa to collect honey when they met the military. AHRM added that they were able to go home only at 1:00 PM of February 2. No added details were given.

According to Timbreza, the soldiers in the province have started to hold residents they chance upon after an alleged encounter on January 30 between the military and the New People's Army (NPA). "They are now suspicious of anyone," Timbreza said.

The Agustin Begnalen Command (ABC) of the NPA-Abra through an online statement said an encounter occurred between the fighters of the Procopio Tauro Front and troopers of the 41st Infantry Battalion of the Philippine Army in Manipit, Kayapa at around 9:00 a.m. on that day.

The NPA command stated they did not suffer any casualties while two soldiers were wounded in the encounter.

MindaNews, 14.02.2013

Marking of suspected drug pushers' houses in Davao stalled

By Lorie Ann Cascaro

DAVAO CITY – The city police's plan to spray paint today, Wednesday, houses of suspected drug pushers here with "X" was stalled by an order from higher headquarters as it is a violation of human rights.

City police chief Ronald dela Rosa [...] said his superiors learned about his plan that was supposed to be done this morning that would involve 40 houses in Mini-Forest and 37 houses in Isla Verde, Barangay 23-C here.

[...] Dela Rosa said that his team instead did a house-to-house visit to the suspects, who range from teenagers to senior citizens.

"They admitted that they had been selling illegal drugs but promised not to do it anymore," Dela Rosa said.

He mentioned that the 77 suspects were mostly "small time," while those considered "big time," including 16 of the barangay chairman's relatives, had already relocated.

[...] Dela Rosa said they are now in Marawi City in Lanao del

Sur, noting that they remain in the city police's wanted list.

The police chief earlier told reporters that he was confident to do the marking of drug pushers' houses, saying, [...] "Let there be war!"

Sought for comment before Dela Rosa issued the statement, lawyer Carlos Isagani Zarate, Bayan Muna partylist second nominee, said the plan will infringe on the suspect's right to be presumed innocent until proven guilty by a competent court as it is tantamount to the police convincing him without filing a case.

"If they spray paint the house of a person without his consent, that in itself is an offense, and a violation of a person's right to privacy, and right to be secured in his residence," Zarate stressed.

Vice Mayor Rodrigo Duterte, on the other hand, said he support the police's plan.



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In his regular television program, "Gikan sa Masa, Para sa Masa", last Sunday, Duterte pushed for the practice of citizen's arrest in ridding the city of illegal drug pushers.

MindaNews, 15.02.2013

Policeman under investigation for killing of Moro peace advocate

By Carolyn O. Arguillas

DAVAO CITY – A policeman is presently under investigation as one of the suspects in the February 10 shooting of a Moro peace advocate in Pagadian City who died early Thursday morning in a private hospital there.

Prof. Alber Husin, 36, a Tausug anthropologist who served as Program Officer of the Indigenous Peoples and Muslim Education Program of the Department of Education in Western Mindanao, died at 4 a.m. at the Pagadian City Medical Hospital where he was confined and operated on.

A total of four bullets were reportedly fired at Husin at Hiker's Place, Purok Bahada, Dao, Pagadian City at around 8:30 pm. Sunday, a family friend of the Husins told MindaNews.

The friend said Husin dodged the three bullets as he managed to run about 500 meters away. [...]

Pagadian City's OIC police chief Julius Munez neither confirmed nor denied reports that a policeman was among the suspects.

When MindaNews asked Munez on Thursday if it was true that one of the suspects is a policeman, he replied: "[...] None yet. We are still investigating."

[...] But Supt. Jalilul Bandahala, Deputy Provincial Police Chief of Zamboanga del Sur, confirmed to MindaNews in a telephone interview Friday morning that a policeman is under investigation for the killing. He said a paraffin test had been conducted.

[...] Senior Supt. Tom Abellar, Zamboanga del Sur police chief, told MindaNews only one policeman was under investigation. He said the paraffin test yielded a negative report.

Asked if the policeman has been ruled out as a suspect, Abellar replied that the city police "is in charge of investigation" and that it is "up to the investigator."

Police report

[...] Initial investigation showed that before the shooting incident, Husin "received a call from a certain Cyril Tormis, a teach-

er of Aurora in Zambonga del Sur (who) told him that they need to meet a talk at Rotonda Hills, Bulatok."

Husin's friend said he left the house on board a motorela.

The police report said that when Husin reached Rotonda Hills, he received a text message from Tormis that he was at the Hiker's Place a few meters away.

The report said Husin went to Hiker's Place and "saw Cyril Tormis standing at the stairs of Hikers' Place."

Tormis, the police report added, told Husin, "I'm sorry, 'tol (brother) dito ako nakababa" (I got off here).

The report added that "an unidentified suspect appeared at his behind (sic)" and "without any word, shot the victim several times."

[...] Secretary Teresita Quintos-Deles, Presidential Adviser on the Peace Process, told MindaNews she would "ask our Senior Police Adviser to check on it."

She also said she would ask an undersecretary of the Department of Interior and Local Government to "check on the case.

[...] Husin was a member of the Institute for Autonomy and Governance (IAG)'s Senior Advisory Board.

Intense lamentations

[...] According to his profile at the IAG website, Husin was a "social anthropologist, research consultant and a recognized expert in conflict studies and analysis" who served as Field-based Consultant of the Philippine's Response to Indigenous Peoples and Muslim Education (PRIME), a project being implemented by GRM International in cooperation with the Department of Education and AusAid.

[...] Husin was a Fellow at the Mindanawon Initiatives for Cultural Dialogue in Ateneo de Davao University and a member of the Human Development Network. [...]

Task Force Detainees of the Philippines, Press Release, 15.02.2013

Warrantless arrest of fourteen farmers and six other persons in Mindanao

[...] Fourteen (14) tenant farmers and six (6) of their relatives were arrested without warrant on November 13, 2012 and November 14, 2012 allegedly by members of the Philippine National Police (PNP) based in Kiamba headed by Police Inspector Rexor Canoy, members of the Criminal Investigation and Detection Group (CIDG) based in General Santos City headed by Jose Tajonera and members of the 73rd Infantry Battalion of the Philippine Army headed by Sgt. Magalad in the Yabes Farm in Barangay Lebe, Kiamba and Purok Maligaya, Sison, Maitum, Sarangani Province.

According to Norlie Basuel, one of the victims, it was about 2:30 PM of November 13, 2012 when the alleged perpetrators arrived at the tenants' compound along with Kiamba Mayor Raul Martinez and Maitum Mayor Lucille Perret. They cordoned the area by aiming firearms at the farmers and their families.

After, one of the security forces made a call using his hand held radio for Danilo Yabes to go to the tenants' compound.

When Danilo arrived, he pointed to certain farmers and accused them of killing his brother, Victor Yabes who was killed in the morning of the same day. Those who were handpicked were Rodolfo Agoot, Armando Española, French Mark Marquez, Noel Pardillo, Nicholas Pardillo and Kernep Española. The six (6) men were arrested and brought to the Kiamba Police Station.

At around 10 PM, Leonila Española, Elna Pardillo, and Noemi Española went to the station to see their husbands who were

arrested. At the station, they saw a member of the Yabes Family, a certain Vincent who commanded the police to arrest them. The three women were arrested and only Elna was released the next day.

Also on November 14, at about 7 AM, members of the PA headed by Sgt. Magalad, and members of the CIDG namely, Jose Tajonera, Ed Pineda, Ronald Macadagum, and Jose Don Lagdamen raided the house of Norlie and Ferdinand Basuel, who were also tenant farmers of the Yabes farm. CIDG Lagdamen threatened them to get out of their house or else they will be massacred. When Ferdinand came out of the house, he was pulled from the hair by CIDG Tajonera while CIDG Pineda aimed his gun at Norlie and confiscated her phone before they were brought to the police station.

Norlie's sisters, Cheryl and Aileen, who were also inside the house, were also arrested. Cheryl demanded for arrest warrant and search warrant but was reprimanded by the government agents. They also confiscated her phone. A security guard of the Yabes family, Rolly Estrobillo was presented to them who identified them as alleged participants to the killing. They were led outside the house and brought to the Kiamba police station at 8:30 AM.

Other relatives were also arrested on the same day. [...] The Crisologo's house, also located inside the Yabes Farm was also raided. Emma, who was 8 months pregnant, her children Ed-

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mar, Edwin, and Shalane were also brought to the station. Edwin is only 8 years old and Shalane is only 2 years old. Emma was brought later to the hospital when she started to have a bleeding. No relative was allowed to accompany her.

The Agoot's house, also within the Yabes Farm were also raided, Marlon Agoot and his neighbors, Jermin and Elna were also brought to the station. Later, the police freed Marlon and Jermin but Elna remained in custody.

After their arrests, the Yabes family immediately fenced the whole farm.

At 12:30 PM, the victims were transferred to the CIDG Station in General Santos City. Edmar, Edwin and Shalane were left and later freed.

On November 16, they were brought for inquest to Fiscal Paulo Aquino's office but they refused the offer of facilitation from the Public Attorney's Office (PAO)

According to the victims, they were hardly given food and water during their 21 day stay in the CIDG cell.

On December 3, they were remanded to the Sarangani Provincial Jail in Baluntay, Alabel, Sarangani Province.

BACKGROUND OF THE CASE

Spouses Melanio and Aurora Española, Armando's parents have been tenants of Valentin and Marciana Yabes since 1956. In the death of the Yabes, George Yabes became the heir of the estate and continued having the Española's as tenants.

On March 1988, Barangay Agrarian Reform Committee (BARC) Chairman, Norberto Corpuz issued certificates to the Espanola's,

Agoot, and the Marquez's as shared tenants since 1958. In March 2010, BARC Chairman, Benito Ducusin, also issued a certificate of Tenancy to the Espanola's as legal tenants of the Yabes' Farm. It also acknowledged that Aida Marquez, William Española, Armando Española and Noemi Agoot are the beneficiaries.

On October 19, 2010, the Yabes Family filed a petition in the Department of Agrarian Reform Adjudication Board (DARAB) to oust the Española family from the land. [...]

On February 28, 2012, the Españolas filed a petition for recognizing their occupation as legitimate tenants and Comprehensive Agrarian Reform Program (CARP) Beneficiaries [...].

However, DAR Adjudicator Henry Galacio made the following judgement on the case: declaring Armando Española as not de jure tenant, ordered the eviction of the Españolas, ordering the Espanola Family to peacefully vacate and return the land to the Yabes Family, and that the Department of Agrarian reform will supervise in harvesting the crops.

On March 15, 2012, Armando Española filed a motion for reconsideration declaring further their legitimacy as tenants but was denied by Galacio on August 16, 2012.

On September 14, 2012, through the Española's legal counsel Atty. Benjamin Cuanan presented their consolidated appeal memorandum for the reversal of the decision.

Prior to their arrests, the farmers were still occupying the areas of the Yabes farm. They were still waiting for the decision of their appeal. [...]

Bulatlat.com, 19.02.2013

Break-ins targeting govt critics increasing

By Ronalyn V. Olea

MANILA - There is a new form of attack against groups and individuals, who are deemed by the government and the Armed Forces of the Philippines as "enemies of the state." Members of progressive organizations and NDFP consultants have been victimized by 'burglars' who appear to be more interested in computers and USB flashdisks rather than money and other valuables.'

On February 14, at around 2 p.m., two men forcibly entered the office of Bagong Alyansang Makabayan-National Capital Region (Bayan-NCR), Karapatan-NCR, Ugat Lahi Artist Collective and Sining Bugkos in Arayat street, Cubao, Quezon City.

Five cellphones, two laptops, one flash disk, one Flip video camera, a tax identification number card and an adaptor for laptop were taken by the burglars. [...] Other appliances were left untouched.

The progressive groups deemed it is not ordinary robbery.

Paulo Quiza, spokesman of Bayan-NCR, believes that the break-in is part of the comprehensive attack against activists under the counterinsurgency program Oplan Bayanihan. Quiza cited the filing of murder charges against Bayan-NCR chairman Roy Velez and KMU-NCR deputy secretary general Amelita Gamara, the arrest of two organizers of Courage, a federation of government employees unions, among others.

"This is a direct attack against progressive organizations that are critical of the Aquino administration's anti-people policies," Quiza said.

The incident is not an isolated case.

On June 18, 2012, the office of party-list group Gabriela Women's Party was broken into by unidentified persons.

The men took two desktop computers, monitors and a laptop but did not bother to touch other appliances and valuables [...]. Gabriela believed that the men were after the organization's files.

Attacks on NDFP consultants, staff

On the night of February 9, Rey Claro Casambre, one of the NDFP consultants, and his wife, arrived home to find the lock of

their house door broken. His laptop computers and one old USB flash drive were stolen, together with some cash.

A similar form of harassment was experienced by lawyer Rachel Pastores, NDFP legal consultant. On September 2012, her house was broken into and her laptop computers and USB flash drives were taken.

In a statement, the NDFP deemed that the hostile actions against persons connected with the NDFP Negotiating Panel "have all the inklings of a military intelligence operation."

"Though the appearance of robbery may be given, it lacks credibility in the stealing of USB flash drives which are of no monetary value," Luis Jalandoni, chairman of the NDFP panel, said in a statement sent through email.

On the same day, Rosie Tumbagahon, an independent nominee to the NDFP Joint Secretariat (JS), boarded a jeepney[...]. [...]

The man sitting in front of Tumbagahon suddenly pulled a gun from his waist, and shouted [...] "Don't anybody move!" He pointed the gun, first at the driver, then to the other passengers, and then pointed it to Tumbagahon's forehead and declared [...] "This is the only one I need."

According to the account of Tumbagahon, the man slightly rose from his seat, stuck the gun to her forehead and grabbed her shoulder bag, which contains keys to the Office of the NDFP Nominated Section of the Joint Secretariat, cellphone, papers and USB sticks.

The JS was formed as part of the Joint Monitoring Committee for the implementation of the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL). Signed by both parties, CARHRIHL is the first of the four substantive agenda laid down by The Hague Joint Declaration, which sets the framework for peace talks between the GPH and the NDFP.

Tumbagahon said the man did not get anything from the other passengers and did not bother to get the paper bag she was holding. [...]

No immunity



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Jalandoni asserted that all there are covered by the Joint Agreement on Safety and Immunity Guarantees (Jasig). Pastores and Casambre are publicly known to participate in the GPH-NDFP peace negotiations and had been to Oslo several times for the peace talks. Tumbagahon, meanwhile, has been issued a Document of Identification as a staff member of the NDFP-

Nominated Section of the JS.

Jasig is a bilateral agreement providing immunity guarantees to all participants in the peace talks.

[...] At present, at least 14 NDFP consultants have been arrested and detained. The GPH has been adamant in refusing to release them.

Inquirer Southern Luzon, 24.02.2013

Land recipients' get threats, says NGO

By Delfin T. Mallari Jr.

LUCENA CITY – What good will the farmers' certificate of land ownership be if it would only expose them to danger?

Janssept Geronimo, campaign officer of the Quezon Association for Rural Development and Democratization Services (Quardds), said they had to rush to Bondoc Peninsula on Friday afternoon after receiving reports that most recipients of certificates of land ownership award (CLOA) in Hacienda Reyes given on Feb. 6 were being subjected to harassment and death threats. Other farmers were warned their water lines would be cut and their houses fenced off from the rest of the village [...].

He said the threats and intimidation were aimed at instilling fear among the other tenants who have yet to receive their CLOA.

Geronimo said they would report the incidents to the police to determine the culprits behind them.

Quardds has been helping the Bondoc Peninsula farmers in their decades-old struggle to own the land they till.

Geronimo said they would immediately map out contingency plans to ensure the safety of farmer-leaders who received death threats.

"It is ironic that most CLOA beneficiaries are still hiding in fear from the warrants of arrest after the landowners slapped them with concocted charges. And now, here comes another new batch of fearful farmers who would probably join the rest in hiding," he said.

Geronimo called on President Benigno Aquino III, the Commission on Human Rights (CHR) and the Department of Justice to

stop the wave of harassment against farmer-leaders and CLOA beneficiaries in Bondoc Peninsula.

Records of the Kilusang Magbubukid ng Bondoc Peninsula (KMBP) showed that 303 criminal cases, mostly qualified theft of coconuts, had been filed against 223 tenants by several landlords in Bondoc Peninsula.

Maribel Luzara, KMBP president, said less than 50 wanted farmers could not go near their village and help their families cope with the harassment.

Geronimo said farms in the Matias estate in San Francisco town were being fenced off by the landowners to stop agrarian reform beneficiaries from taking possession of the land awarded to them.

The CHR said affected farmers "are now being prevented from reaping the fruits of their crops, consequentially, disconnecting them from their source of food and livelihood."

On February 6, the Department of Agrarian Reform, led by Secretary Virgilio de los Reyes, distributed CLOA for 480 hectares of some 2,000-ha Hacienda Reyes, owned by the scions of the late Don Domingo Reyes in San Narciso, Buenavista and San Andres.

De los Reyes said more land in Bondoc Peninsula would be distributed even after the end of the Comprehensive Agrarian Reform Program next year because the government is determined to end the decades-old agrarian conflict in the province's third district.

InterAksyon.com, 25.02.2013

PNoy prods PNP to get Boracay Ati leader's killers

By Lira Dalangin-Fernandez

MANILA - President Benigno Aquino III has ordered the Philippine National Police to act swiftly in hunting down the killer of Ati tribe leader Dexter Condez, a lawmaker said on Monday.

[...] Baguilat said the President told him in a text message that he was "pressing them (PNP) to effect the arrest."

Condez, 26, spokesperson of the Boracay Ati Tribe Organization (BATO), was shot dead over the weekend after attending a meeting with the group's members in Barangay Balabag in Malay town in the Boracay Island.

He was on his way to Barangay Manoc-Manoc, the site of the 2.1-hectare land awarded to the organization through a Certificate of Ancestral Domain Title (CADT) awarded in January 2011.

Despite the CADT, only 12 of the 42 Ati families in the island have occupied the land due to the opposition of private claimants and the lack of support from the local government.

Baguilat, chairman of the Committee on Indigenous Peoples in the House of Representatives, said, "the mastermind of the crime

thinks that by killing Dexter, they can cow the Atis to just mope and leave the land. But the response will be opposite. The Atis are getting more militant and are willing to fight for their ancestral land through the barrel of the gun if pushed to the brink."

[...] The Baguilat panel has conducted hearings on the Ati ancestral domain problems. The same issue involving the Boracay settlers was among the grounds for the invitation extended to the United Nations special rapporteur for indigenous people's rights, he said.

The Assisi Foundation Development Foundation, which has Viel Aquino-Dee, the President's sister as its vice chairperson, is helping set up the Ati community in the land and has plans of making it a tourist attraction to help the tribe members earn a living.

The Boracay Ati Community has set up a Facebook page that seeks to inform the public that "'the world's #1 island' is not just a tourist destination, but our home since the beginning of time." It also seeks justice for the murder of Condez.

UPDATES ON CASES OF HUMAN RIGHTS VIOLATIONS

Sunstar.com, 07.02.2013

18 suspected Sayyafs cleared of role in abductions

By Virgil Lopez

MANILA (Updated) -- Prosecutors have sought the release of 18 suspected Abu Sayyaf bandits after an investigation showed they were erroneously arrested for involvement in the 2002

kidnappings of six people in Sulu, officials said Thursday.

The Department of Justice (DOJ) did a reinvestigation on the murder and kidnapping for ransom cases, where some of the



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accused said they were randomly arrested by military officers based on erroneous intelligence data.

The case is still under trial at the Pasig City Regional Trial Court branch 266 as state prosecutors will soon ask Judge Toribio Ilaos Jr. to come up with a release order for these individuals who had been wrongly accused.

In a 12-page resolution, the DOJ said 13 of them should be released from Camp Bagong Diwa in Taguig City since they were not "positively identified" by prosecution witnesses Amily Mantec and Roland Ulla.

[...] "There appears to be no proof of their participation in the kidnapping much less evidence of their purported membership in the Abu Sayyaf Group," stated the resolution signed by Prosecutor General Claro Arellano.

Meanwhile, lack of probable cause was the reason behind the impending release of Jumlie Orie, Jul Ahmad Ahadi, Arabi Sali, Sonny Boy Barakim and Abdulwahab Hamja.

"In every criminal prosecution, the prosecution must prove two things: 1) the commission of the crime and 2) the identification of the accused as the perpetrator of the crime. cursory identi-

cation does not suffice to convict the accused. What is needed is positive identification made with moral certainty as to the person of the offender," the DOJ resolution stated.

Seven prosecutors said in a joint report that the men were either mistakenly identified as Abu Sayyaf bandits, or may have been members of the al-Qaeda-linked group but played no role in the kidnappings, based on available evidence.

Membership in the Abu Sayyaf and other suspected terror groups is not outlawed in the Philippines.

At least two of the suspects have been detained for more than two years, while most others were captured last year, said Peter Ong, a prosecutor who recently carried out a new investigation after many suspects insisted on their innocence.

A judge must now approve the release of the suspects.

While the Abu Sayyaf committed the kidnappings and beheadings, "we note the indiscriminate arrests of alleged members of the ASG, even those who did not participate in the kidnappings," the prosecutors said.

ASG is an acronym for the Abu Sayyaf Group. [...]

Inquirer Visayas, 08.02.2013

Negros rebels face 'war crime' raps

By Carla P. Gomez

BACOLOD CITY – The police on Thursday filed an amended complaint against the communist rebels for violating the International Humanitarian Law for the killing of nine persons and wounding of 12 others in an ambush staged in La Castellana town, Negros Occidental, about 82 kilometers south of this city.

This was the first time that the provincial police accused the New People's Army (NPA) of violating the law on what constitutes "war crime" • as defined in Republic Act No. 9851, said Senior Supt. Celestino Guara, acting director of the Negros Occidental Police Provincial Office (NOPPO).

RA 9851, which took effect in 2010, penalizes war crimes, genocide and other crimes against humanity.

The police earlier filed murder complaint against 30 NPA communist insurgents who were involved in the ambush on Jan. 27 in Barangay Puso.

But only one of the respondents was identified in the complaint filed by the NOPPO at the prosecutor's office.

Magno Flores was allegedly the squad leader of the 30 NPA rebels, who fired at the government-owned Isuzu Fuzo Canter truck loaded with more than 30 people, mostly civilians, who were heading home after attending the village fiesta at about 3:45 a.m.

Additional charges of 12 counts of frustrated murder would also be filed against respondents once the the survivors and witnesses executed sworn affidavits, said Guara.

But the complaint was amended following consultation with the lawyers of the Office of the Presidential Adviser on Peace Process, who went to La Castellana and interviewed survivors of the ambush and family members of the nine fatalities.

With the filing of "war crimes" charges, Guara said the Communist Party of the Philippines-New People's Army-National Democratic Front faced more difficulties in attaining a belligerency status in the eyes of the international community with the massacre of civilians.

Guera said more than 30 NPA rebels had been implicated in the complaint, including those who planned, staged and executed the ambush.

He said that based on their investigation, the ambush was staged by members of the 2nd squad of Casimba platoon of the Larangan Gerilya I, headed by Flores.

The Leonardo Panaligan Command, in a statement signed by its spokesperson, Ka JB Regalado, claimed responsibility for the ambush and apologized to the families of the civilian casualties.

InterAksyon.com, 12.02.2013

Gunman in Ortega slay fears for life, too

MANILA - Marlon Recamata, the shooter who was captured just minutes after pumping a bullet into the head of Palawan broadcaster Gerardo Ortega on January 24, 2011, said he fears ending up like Dennis Aranas, the lookout during the hit who died last week under suspicious circumstances in the Quezon district jail in Lucena City.

Like the families of Aranas and Ortega, Recamata doubts Aranas committed suicide, as claimed by the Bureau of Jail Management and Penology and bolstered by an autopsy by the National Bureau of Investigation.

Recamata told Radio Mindanao Network's Palawan station dwAR he had known Aranas for a long time.

[...] The station is the same one Ortega last broadcasted from.

[...] "I don't think he would have killed himself, especially since he was near them," Recamata said, referring to the family of Aranas who, like the other members of the hit team, hailed from Quezon province.

He also said Aranas' family had long been talking of death threats against him.

On Monday, the Public Attorney's Office released the findings of its own post-mortem examination and said that, contrary to the claim of suicide, the injuries sustained by Aranas indicated that he had been beaten up, held down and strangled by at least four persons.

Aranas had been detained at the Lucena jail since last year, when he was discharged from the government's Witness Protection Program for what the Department of Justice said was another murder case and because a panel of prosecutors had dismissed his testimony as "dispensable."

However, Ortega family lawyer Alex Avisado Jr., who called Aranas' death part of a "series" of "cover-ups," said the murder case was "trumped up" and designed to get the suspect-turned-witness out of the WPP.

He also said there was no panel of prosecutors handling the



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Ortega murder case, only one government lawyer in Palawan and a team of private prosecutors.

Avisado also warned that, like Aranas, there has also been an attempt to get state witness Rodolfo "Bumar" Edrad Jr., who personally tagged former Palawan governor Joel Reyes as the alleged mastermind of the Ortega murder, out of the WPP and transferred to Quezon on a different murder charge.

Aranas is the second suspect in the Ortega murder to die. Last year, Valentin Lecias, who bought the murder weapon from Romeo Serratubias, a close aide of Reyes, died of a liver disease in a Palawan hospital.

Like Aranas, Recamata says he, too, has a pending criminal case in Quezon, albeit one for direct assault, not murder, and fears it may be used as a pretext to transport him from Palawan, where he has been detained for the past two years, and set him up for the kill.

"Even the (Palawan) police don't want me to attend hearings there," he told dwAR, adding that the threat to his life is the reason he wants to be enrolled in the WPP.

Although he admitted unfamiliarity with the situation at the

Lucena jail where Aranas died, Recamata said: "I know there are hired killers there so it won't be hard to rub out someone if there is an offer."

Although Recamata did not personally identify the former governor as the one who allegedly ordered the hit on Ortega, he confirmed that the members of the team that killed the broadcaster were recruited by Edrad.

"It was only Bumar I talked to, but I knew he was in the inner circle" of Reyes and his brother Mario, the mayor of Coron town. The brothers fled the country in March last year, just days before the Palawan court trying the case issued a warrant for their arrest.

Recamata also pointed out that in the original statement he gave authorities, he said that Bumar told him at the time of the hit, "Finish the job so he is dead before the boss returns to the Philippines."

At the time of the murder, the former governor was in Switzerland, although Bumar has claimed he and Reyes were in constant communication until Ortega was killed.

Inquirer.net, 12.02.2013

NBI files murder raps vs Pangasinan governor, 2 officials

By Tetch Torres

MANILA, Philippines—The National Bureau of Investigation (NBI) on Tuesday filed a complaint for murder against Pangasinan Governor Amado Espino Jr. and Pangasinan 1st District Representative Jesus Celeste for the death of Infanta Mayor Ruperto Martinez.

Martinez was killed in front of his house on December 15, 2012 at Barangay Cato in Infanta. The alleged killers Ricardo "Kardo" Legarda and Richard Manuel are currently detained in Pangasinan Provincial Jail in Lingayen.

In a transmittal letter by NBI Director Nonnatus Rojas, a 16-year-old witness gave a detailed testimony about the death of Martinez.

The witness, who is the child of a close associate of the governor said he was present at a meeting in El Pescador Beach Resort

Bolinao, Pangasinan where he overheard the discussion about allegedly killing Martinez because of his knowledge about the "itim na bato" (black rock).

The "itim na bato" reportedly refer to nickel found in the area.

The witness has been accepted in the government's witness protection program. He executed his affidavit in the presence of representatives of the Department of Social Welfare and Development. The witness said he left his home because he suffers from physical abuse from his father.

He said he also has knowledge about the death of Kagawad Jovencia Gasmin of Barangay San Juan, Alcala, Pangasinan and Kagawad Nato Sabangan of Bayambang, Pangasinan.

Respondents have not yet received a copy of the complaint.

MindaNews, 17.02.2013

CHR to sue military for killing of tribal leader's wife, 2 sons in Tampakan

By Bong S. Sarmiento

KORONADAL CITY —The Commission on Human Rights (CHR) will file a case against the soldiers involved in the operations that resulted to the death of three civilians last October in the tenement of foreign-backed Sagittarius Mines, Inc. (SMI).

CHR chair Loreta Ann "Etta" Rosales announced the move Saturday during a dialogue with the Diocese of Marbel headed by Bishop Dinualdo Gutierrez and several B'laan tribal members opposed to the Tampakan copper-gold project of Sagittarius Mines, Inc.

Rosales said the autopsy the agency conducted on Juvy Capion, who was killed last October 18 along with her two children, would dispute the claims of the military that there was an encounter.

The autopsy, she said, "determined that one bullet was fired at close range. Definitely there was a violation (of the rules of engagement)," she told MindaNews after the dialogue.

Details of the autopsy report were not divulged during the dialogue which was also attended by regional officials of the National Commission on Indigenous Peoples (NCIP).

Juvy was the wife of Daguel Capion, the leader of the B'laan armed men opposing the mining project of Sagittarius Mines, which is controlled by Xstrata Copper, the world's fourth largest copper producer.

Mulling surrender

Before the death of Juvy and her two young sons, Rosales said that through an intermediary, she was able to talk to Capion, whom she described as "a man fighting for a cause and did not sound like an NPA (New People's Army) member."

Rosales said Capion, who claimed responsibility for the ambush-slay of three workers of a construction company hired by Sagittarius Mines for a road project in March 2011, had indicated he wanted to surrender and face the charges against him.

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The death of Capion's wife and the two young children, which gained widespread condemnation locally and internationally in anti-mining circles, led to the suspension of a junior military officer and 12 other soldiers. They were recommended to undergo a military court martial trial. Also as a result, Lt. Col. Alexis Bravo, the commander of the soldiers, resigned as battalion commander of the 27th Infantry Battalion.

Lawyer Christina Hawtay-Jovero, CHR Region 12 director, said they have not filed a complaint at the prosecutor's office due to insufficient testimonies.

The Social Action Center agreed to help provide the CHR with the signed affidavits of witnesses next week.

Worsening

Rosales said the CHR is concerned over the worsening violence within the Tampakan project area and that steps would be undertaken by the agency to help defuse the situation.

Last week, two militiamen were killed allegedly by the armed B'laan members opposing the mining project, apparently in retaliation for the killing late January of Kitari Capion, who was also opposing the mining venture.

Last Saturday, a habal-habal driver was injured when unidentified gunmen fired at them while traveling within the mines development site.

The CHR will also conduct a national inquiry where tribal members, the military, police and other concerned government agencies, and likely including the mining company, would be called for their take on the Tampakan project issue, which Rosales described as "obviously a very complex problem."

Dia Capion, matriarch of the Capion clan opposing the Tampakan project, blamed the heavy presence of soldiers in the area to the violence marring their community.

"We are afraid to (return) to our community because of the presence of the soldiers there," said Dia, who fled their community in Bong Mal and is now under the care of the diocese.

Military officials have repeatedly said that the deployment of soldiers, which intensified in the last two years, was to protect the "people and the area from communist insurgents."

In a February 3 dialogue in Tampakan town with local Catholic leaders, military officials headed by Maj. Gen. Ariel Bernardo, 10th Infantry Division chief, vowed to reposition the soldiers "not near but also not far from Bong Mal."

As of Saturday, February 16, however, several residents attending the dialogue alleged that they saw soldiers still scouring the community.

Passionist Fr. Rey Ondap criticized the heavy deployment of soldiers in the Tampakan project area.

"We have not heard of reports of encounters between the military and communist rebels there since the heavy deployment of

Bulatlat.com, 18.02.2013

Too many matters considered as 'confidential' in Olalia-Alay-ay murder hearings

By Marya Salamat

MANILA - The trial of former soldiers accused in the murder of labor leader Rolando Olalia and driver Leonor Alay-ay is circling some military secrets or "confidential" matters. These matters concern the state policy toward suspected communists in legal peoples' organizations, and military presence in civilian

SMI should stop funding gov't forces in Tampakan mining site - Bayan Muna

By Lorie Ann Cascaro

DAVAO CITY - Bayan Muna Rep. Neri Colmenares urged Saturday the national government to order the Armed Forces of the Philippines (AFP) and the local government units (LGU) to stop accepting money from foreign-backed Sagittarius Mines, Inc. (SMI) to fund the deployment of government forces in the mining tenement.

In a statement, Colmenares said that Mayor Marivic Diamante of Kiblawan in Davao del Sur and Col. Marcos Norman Flores of the 1002nd Infantry Brigade admitted in a congressional hearing early this week in Koronadal City that the company is allegedly giving between P180,000 to P850,000 a month for the deployment of soldiers and militiamen in the mines development site.

Diamante has expressed her support to the mining project of SMI.

"Now the cat is out of the bag. This explains why the Army and its CAFGUs (Citizens Armed Forces Geographical Unit) are so obsessed with eliminating the opposition to mining because they will lose millions if SMI-Xstrata's operations [will] stop," Colmenares said.

Xstrata Copper, the world's fourth largest copper producer, owns majority of the controlling equity at SMI.

John Arnaldo, SMI external communications and media relations manager, initially admitted that SMI is helping fund the logistics of government forces in the mines development site.

"The CAFGUs are funded by the Community Peace and Security Programs (CPSP) instigated and run by the municipalities of Kiblawan (in Davao del Sur) and Tampakan (in South Cotabato)," he said in a text message.

Arnaldo said that both SMI and the LGUs contribute funds to the CPSP.

Pressed how much is the contribution of SMI, Arnaldo said "he is not aware" of the amount.

But Arnaldo clarified later that "SMI contributes fund to the LGUs as per their request and that it is the LGUs' discretion to allocate the money."

Colmenares said one of the issues that surfaced during the hearing was whether SMI's funding of the Army is legal or constitutes a form of bribery on public officials.

"Congress is allocating a budget for the CAFGUs each year, so why is there a need to get funds from private companies doing business in the area?" he asked, urging the Commission on Audit to look at the matter.

"The LGUs should not receive any monetary consideration from SMI considering that they have a hand in the granting of the permit or approval of SMI's mining operation. This could constitute bribery and graft under the Anti-Graft and Corrupt Practices law," Colmenares said.

The congressional hearing was called to investigate the killings of Juvy Capion and her two young children last October in the tenement of SMI.

[...] The congressional hearing was conducted by the Committee on Cultural Communities headed by Ifugao Rep. Teddy Baguilat based on a resolution filed by Gabriela Rep. Luz Ilagan. [...]

MindaNews, 24.02.2013

soldiers in the last few years," he said, adding that encounters lately have been between the soldiers and the armed tribal members opposing the mining project.

Call for truce

For his part, Bishop Gutierrez called on the military and the armed tribal group to observe a ceasefire.

"To prevent the escalation of hostilities, the military should reposition outside Bong Mal and the armed tribesmen should also stay put. SMI will not enter the area either," he proposed.

Gutierrez said the dialogue with the CHR was called purposely to stop the escalation of killings in Bong Mal, a crucial artery for moving within the mines development site.

Rosales said the CHR will conduct continuing consultations with the tribal community members and government forces to put an end to the hostilities in the mines development site.

branches of the government even under the people-power-installed Cory Aquino administration.

In the past two hearings this February, the workings of some influential elements of the Armed Forces of the Philippines were discussed as the state witness tried to detail the how's and why's



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of the murder of Olalia. But further examination of these military workings was barred from time to time by the lawyer of former Air Force Col. Eduardo Kapunan, who cited confidentiality. There were times the court agreed to not pursue some of the offered proofs and claims of the state witness.

Still, the recent hearings further showed how under the defense department at the time of Olalia's murder, members of the Armed Forces of the Philippines and Philippine Constabulary, who were also members of Reform the Armed Forces of the Philippines (RAM), were in a Special Operations Group (SOG) tasked to do surveillance resulting in apprehension of suspected communists and their agents.

Warrantless arrests, ultra-rightist soldiers in the justice department

Baretto had been asked by lawyer Kapunan in last month's hearings: Your function was not only surveillance but to catch those elements connected with or considered as CPP-NPA. He had answered, "yes, ma'am, before they're apprehended we conduct surveillance."

Asked this month how the SOG apprehended elements of CPP-NPA at the time, Baretto disclosed he doesn't remember their group serving warrants of arrest to those they apprehend.

[...] He said warrantless arrests were common under then Col. (Eduardo) Kapunan. The defense objected to discussing this.

[...] Aside from former Col. Kapunan, further revelations in the murder of Olalia threaten to implicate now Senate President Juan Ponce Enrile and Senator Gringo Honasan. Enrile was

defense minister at the time, Honasan was acknowledged as the commanding officer of other soldiers who participated in "the Olalia job," or the abduction and murder of Olalia and Alay-ay in 1986.

Preventing more disclosures

State witness Medardo Dumlao Barreto [...] "built-in" fear of Kapunan began when Kapunan ordered them to kill one of their fellow operatives in "the Olalia job," a certain Ramirez whom he said was about to divulge to investigators what he knew.

[...] Lawyer Kapunan had repeatedly asked the court to strike this revelation off the record, saying the trial was not about Ramirez, but at least one statement of the state witness about Kapunan ordering them to kill this Ramirez had been allowed.

[...] When Baretto was asked how Capt. Ricardo Dicon, the "operational command" in "the Olalia job," was being given directives by the higher-ups that included Kapunan, Honasan and Legaspi, lawyer Kapunan barred discussion of it, saying it is "confidential."

When the prosecutor asked the witness if there were other forms of "command" or "operational control" in the military or RAM at the time, and what these were, the defense likewise objected to discussing it. The court, for reasons it did not explain, agreed that it "doesn't want to hear about other forms of control in the military operation."

In the next hearing, prosecutors are set to hear the testimony of another state witness.

Open Letter from the Asian Human Rights Commission to Ms. Leila De Lima, Secretary of the Department of Justice (Dof), 21.02.2013

Release investigation report of boy's killing during demolition to his mother

Dear Secretary De Lima:

The Asian Human Rights Commission (AHRC) is writing on behalf of Glenda Leonor, mother of 17-year-old Arnel Leonor, who was killed during a demolition in Silverio compound in April 23, 2012 in Paranaque City. Her son's death and the wounding of other villagers had been the object of an investigation by the National Bureau of Investigation (NBI), a special investigating body under your supervision.

In our discussion with Ms. Leonor, we have learned that even though the NBI's investigation report was completed in May 17, 2012, as she also mentioned in her letter to you dated January 24, 2013, she was not given a copy of the report nor informed of the result. [...]

At the time of writing, Ms. Leonor and other complainants have been unable to obtain copies of the NBI investigation report. Nine months after the incident, none of the policemen and government officials who were involved have been charged. We are deeply concerned by the delay in the filing of charges against those involved in the demolition, which killed one boy and injured several others. This delay is due to the lack of transparency in the investigation.

Mindanews, 22.02.2013

NPA raids home of environmental activist in Surigao Sur

By Erwin Mascariñas

BUTUAN CITY – Some 20 fully armed men who claimed to be members of the New People's Army (NPA) raided Tuesday morning the home of an environmental activist in Carmen, Surigao del Sur and carted away high-powered firearms.

Dr. Isidro Olan, executive director of Lovers of Nature Foundation, Inc., who survived a near-death assassination attempt October last year, was again confronted with fear after fully armed men appeared outside his house in Barangay Puyat around 7:30 a.m.

"I was afraid that what happened last year was going to happen

As you are fully aware, in any investigation and prosecution of crime, it is a fundamental right of the complainants, in this case the family of the dead, to know the result and progress of the investigation for which they are pursuing a remedy. To ignore Ms. Leonor's repeated requests for the NBI investigation report to ascertain what happened to her son is a complete disregarding of her, both as a mother of the victim, and as a complainant pursuing remedy.

Also, to ignore Ms. Leonor's request not only prolongs a mother's suffering in ascertaining what action she should be taking, but also denies her the right to truth in knowing what caused her son's death.

Thus, the AHRC expects that you act on Ms. Leonor's request by giving her copies of the NBI's report promptly. I trust that you will also ensure that she is afforded with adequate legal assistance that she requires in pursuing the case.

Yours sincerely,
Md. Ashrafuzzaman
Programme Officer
Urgent Appeals Programme
Asian Human Rights Commission, Hong Kong

again," he said. The environmentalist narrated that his wife Olive, together with their helpers, was cooking outside when the armed men suddenly appeared.

She was close to the door so she was able to run inside and lock the door, but the helpers were left outside, said Olan.

The staunch environmental advocate pointed out that the group claimed they were NPA members and that they meant no harm and only wanted his firearms. [...]

When the armed men threatened to burn down Olan's vehicle, he said he was afraid that they might harm his family, and so he



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gave in.

Olan added that while the entire situation was going on, his wife managed to call the police and the nearby detachment of the Special Cagwu Active Auxiliary (SCAA) stationed about 250 meters from their house.

"But the NPA realized that we asked for help, so they told us to ask those we called to back down or else they would be forced to use bombs. I then called the SCAA not to proceed since I feared there might be further bloodshed on my behalf. I just want everything to end peacefully," he added.

The day after, Olan said he managed to talk to the NPA through mobile phone and aired his disbelief regarding the incident.

"They claimed that they raided my home because of the complaints of others that I was very strict in not allowing people inside the 40-hectare reforestation project area. I explained to them that these people are cutting trees illegally. I worked so

hard to reforest these areas, planted different varieties of trees and yet these people will just come and cut them down," said Olan.

He then asked that they should have at least verified the complaints before rushing into conclusions.

The NPA, according to Olan, then promised on the phone never to bother him again. Senior Insp. Dominador Plaza stated that they are closely investigating the incident.

"We can confirm that it was the NPA who raided his home. But we believe that they were just after the firearms. We wanted to file charges against the group but Dr. Olan requested not to pursue with the filing. The provincial police director already advised him to transfer his residence away from the hinterlands of Barangay Puyat and closer to the town proper," said Plaza.

Bulatlat.com, 27.02.2013

DOJ urged to review Geertman murder case

By Ronalyn V. Olea

MANILA - In black, Maria Aurora Santiago went to the Department of Justice (DOJ) yesterday morning to file a petition for review of the prosecutor's resolution on the killing of her fiancé, Dutch missionary Willem Geertman.

Last December 27, 2012, the Office of City Prosecutor in San Fernando, Pampanga recommended in a resolution the filing of robbery with homicide charges against two suspects and John and Peter Does.

Geertman was shot dead by two assailants in front of the Alay Bayan Luzon Inc. (ABI) office in Telabastagan village, San Fernando, Pampanga on July 3, 2012. One of the suspects took his shoulder bag which contained cash and documents.

But Santiago, 47, told Bulatlat.com "It is not a simple case of robbery." She said she knows who had intentions to kill Geertman, her partner for four years.

Santiago was aware of the threats and harassment against Geertman. "At one time, an Army officer publicly tagged him as a supporter of the NPA [New People's Army] during a meeting in Aurora village called for by the military," she related. "Wim was there and he protested."

Santiago was disappointed at the way the case is going. "I appeal to Secretary Leila de Lima to review the case and consider the killing of Wim [Geertman] as one of the cases of extrajudicial killing under the Aquino administration," she said.

Contrary to evidence

In the Petition for Review, the National Union of Peoples' Lawyers (NUPL), counsel for Santiago, argued that the investigating prosecutor failed to appreciate the facts and the evidence that the main purpose of the perpetrator was to assassinate Geertman and not to rob him.

[...] The lawyers further said that the two crimes, murder and robbery, have no direct relation under the specific facts and circumstances, and it negate the conclusion that the killing was carried out to facilitate the robbery.

The NUPL is asking the DOJ to set aside the prosecutor's resolution and file two separate charges of murder and robbery against the two suspects and several John and Peter Does.

Santiago also appealed to authorities to arrest the two suspects – Harold Dela Cruz and Marvin Marsan.

[...] The NUPL called on Justice Secretary De Lima to act immediately on the case.

"This is not merely about an investigating prosecutor's error in the appreciation of the facts and the pieces of evidence before him," Edre Olalia, NUPL secretary general, said. He concluded that as in this case, "The bigger picture is the propensity to ignore and cover up state responsibility in extrajudicial killings, and that contributes to the impunity and obscures the political nature of the attack."

MAGUINDANAO MASSACRE

Sunstar.com, 09.02.2013

Gov't forces shot dead Maguindanao massacre suspect, arrest another

CAMP SIONGCO, Maguindanao -- A suspect, who once served as member of the Maguindanao Civilian Volunteer Organization (CVO) of former Maguindanao Governor Andal Ampatuan Sr., was shot dead by lawmen after he resisted arrest on Friday.

The fatality was identified as Maguid Amil, 42, a resident of Barangay Iginagampong, Datu Unsay, Maguindanao, who was one of the more than 100 people linked to the 2009 Maguindanao massacre, according to the operatives of the PNP-Criminal Investigation and Detection Group (CIDG) and the Army's 1st Mechanized Infantry Battalion.

Senior Superintendent Melecio Mina, CIDG chief in the Autonomous Region in Muslim Mindanao (ARMM), said Amil resisted and tossed a hand grenade at lawmen who surrounded his home around 2 p.m.

When the grenade did not explode, Amil opened fire at lawmen

[...] which forced lawmen to fire back [...].

Relatives rushed Amil to the Maguindanao provincial hospital, but he was declared dead on arrival.

[...] Friday, another suspect, who was included in the warrant issued by Quezon City Regional Trial Court (RTC) Branch 221 Judge Jocelyn Solis-Reyes, was arrested in Datu Odin Sinsuat, Maguindanao, according to Army Colonel Dickson Hermoso.

Hermoso, speaking for the military's 6th Infantry Division, said CIDG operatives and soldiers arrested Nasser Guia, 45, at the town's public market. He did not resist arrest, but denied involvement in the 2009 carnage.

Guia, who carries a P250,000 reward for his arrest, was also a member of the Maguindanao CVO.

[...] The slain and the arrested suspects were the 100th and 101st men linked to the carnage that are now into government hands.

Philstar.com, 27.02.2013

3 more accused in Maguindanao massacre enter not guilty pleas

By Mikae Frialde



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MANILA, Philippines - Three more accused in the Maguindanao massacre, including a police colonel, on Wednesday afternoon pleaded not guilty to multiple murder charges filed against them during their arraignment before the Quezon City Regional Trial Court (RTC).

[...] Accused Police Superintendent Baharin Kamaong, Police Officer 1 Sandy Sabang and Theng Sali alias Abdullah Hamid entered their not guilty pleas when the charges against them were read by the clerk of court.

The arraignment of three more accused [...] did not push through as they remain in the custody of the Criminal Investigation and Detection Group (CIDG) in its regional office in Region XII.

In the last hearing of the case, Sukarno Badal, a former ally of the Ampatuan clan who has turned state witness testified as having personally witnessed how accused Ampatuan Jr. shot dead the victims, including the wife of now Maguindanao Governor Esmael "Toto" Mangudadatu at the massacre site in Sitio Masalay, Ampatuan town.

A total of 58 victims were killed in the 2009 massacre, including 32 print and broadcast journalists

PEACE PROCESS

Philstar.com, 25.02.2013

Communist rebels told to be sincere in peace talks

By Alexis Romero

MANILA, Philippines - The military on Monday renewed its call for communist rebels to be sincere in working for peace after Malacañang had bared plans to resume the negotiations with the National Democratic Front (NDF).

[...] The NDF represents the rebels in the peace negotiations with the government. The NPA serves as its armed unit while the Communist Party of the Philippines is its political arm.

Burgos said the insurgents can prove their sincerity by refraining from attacking civilians and other soft targets. The rebels should also stop their extortion campaigns, he added.

[...] The military previously admitted that the NPA extorted more than P25 million from individuals and businesses last year. Sources said among the main sources of the extortion revenues are plantations and mining firms.

Burgos also called on the rebels to stop using landmines, saying the use of such explosives violates international law.

[...] President Aquino assured the Norwegian facilitators that the government is determined to advance the peace process with the rebels. [...]

State negotiators remain confident that a final negotiated political settlement would be completed within the Aquino administration.

One of the issues that stalled the talks is the Joint Agreement on Safety and Immunity Guarantees (JASIG), which provides im-

Rappler.com, 11.02.2013

Dealing with an angry Misuari

by Voltaire Tupaz

MANILA, Philippines - Two days before President Benigno Aquino III's visit to a Moro Islamic Liberation Front (MILF) territory, a fuming Nur Misuari arrived in Manila, again accusing the government of derailing peace treaty agreements with the Moro National Liberation Front (MNLF).

[...] The MILF, a breakaway group of MNLF, signed the historic Framework Agreement on the Bangsamoro (FAB) with the

who joined the convoy to cover the filing of Mangudadatu's certificate of candidacy.

'Stop sabotaging peace talks,' OPAPP told

MANILA - Members of progressive organizations held a picket protest in front of the Office of the Presidential Adviser on the Peace Process (OPAPP) in Ortigas this morning. Cristina Palabay, secretary general of human rights alliance Karapatan, accused OPAPP of "sabotaging the peace process" with the latter's non-compliance to previously signed agreements, particularly the Joint Agreement on Immunity and Security Guarantees (Jasig).

Palabay said the harassment, arrest and detention of 13 peace consultants of the National Democratic Front of the Philippines (NDFP) are clear violations of the Jasig, an agreement that supposedly provides immunity to all participants in the peace talks.

Speaking during the rally, Niki Gamara, daughter of detained NDFP consultant Renante Gamara [...] said when her father was arrested in April 2012, the authorities did not honor his Document of Identification (DI) that proves that he is Jasig-protected. "They said they would check it with OPAPP and confiscated his identification document."

Gamara lamented that up to now, his father - despite being granted supposed immunity - is still detained at the Philippine National Police (PNP) Custodial Center in Camp Crame. After almost nine months in jail, Gamara said, no hearing has taken place on the case of her father.

[...] Palabay recalled that two years ago, the GPH committed to release most, if not all, peace consultants but until now, Palabay said, they remain in detention.

She cited Ramon Patriarca, another NDFP consultant, who is detained in a military camp instead of a civilian detention facility.

Patriarca who has been in jail for four years started a protest fast today that will last until February 26.

Other detained peace consultants are: Alan Jazmines, Tirso Alcantara, Eduardo Serrano, Edgardo Friginal, Eduardo Sarmiento, Leopoldo Caloza, Emeterio Antalan, Jaime Soledad, Danilo Badayos, Pedro Codaste and Alfredo Mapano. Eleven other NDFP consultants and staff have been abducted and remain missing under the Aquino government.

In a statement, Patriarca said the Aquino government "is effectively stalling the peace talk's regular course, and the signing of the Comprehensive Agreement on Socio Economic Reforms (Caser). Caser is the second substantive agenda laid down in The Hague Joint Declaration, which sets the framework for peace talks between the GPH and the NDFP.

[...]Karapatan also pointed out the escalating violations on the Comprehensive Agreement on the Respect of Human Rights and International Humanitarian Law (CARHRIHL).

The group said the Aquino government's counterinsurgency program Oplan Bayanihan has resulted to 137 victims of extrajudicial killings, 154 cases of frustrated extrajudicial killings and 498 individual victims of illegal arrests. [...]

Bulatlat.com, 21.02.2013

munity from arrest to NDF peace consultants.

The NDF has demanded the release of several jailed rebels who are facing criminal cases but are said to be covered by JASIG.

In July 2011, negotiators from the communists and the government went to The Netherlands to determine if the NDF's jailed consultants were covered by the JASIG.

They agreed to open a sealed envelope stored in a safety deposit box kept by the parties eight years ago in a bank. [...]

The envelope, however, did not contain actual photos of alleged NDF consultants using their aliases, but only diskettes allegedly containing photos that could not be decrypted.

The Office of the Presidential Adviser on the Peace Process (OPAPP) said the NDF's failure to comply with the terms of the verification mechanism rendered the JASIG inoperative.

Earlier, OPAPP spokesperson Polly Cunanan said they are looking into the release of alleged political consultants of the NDF in line with legal processes. [...]

Aquino government in October 2012. [...]

Peace obstacles

Aquino took a swipe at critics of his government's peace efforts with the MILF, but stressed that his government is determined not to commit the same mistakes that his predecessors made.

[...] President Aquino and MILF chief Al Haj Murad Ebrahim met in the rebel group's territory to roll out *Sajahatra Bangsamoro*,



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a package of socio-economic programs that will hasten the transition of MILF communities following the signing of the peace accord.

Undersecretary Lesley Cordero of the Office of the Cabinet Secretary encouraged the MNLF to join the government in addressing gut issues in war-torn Mindanao.

"It's time for us to come together to work for peace. Services like health, education and livelihood are very basic. Communities of MNLF also need those services," Cordero said in an interview with Rappler.

In the framework agreement, the government and MILF agreed "to intensify development efforts for rehabilitation, reconstruction, and development of the Bangsamoro, and institute programs to address the needs of MILF combatants, internally displaced persons, and poverty-stricken communities."

More people in Mindanao support the framework agreement, the annexes and the proposed basic law of Bangsamoro, Cordero claimed.

Diminished power

Cordero said that *Sajahatra Bangsamoro* seeks to empower people in MILF territories and nearby communities, but suggested that it also weakens the legitimacy of MNLF's claims.

[...] Claiming that the MNLF still enjoyed a sizable following, Misuari earlier said that about 17,000 armed MILF forces will rejoin the MNLF following the signing of the framework agreement.

The government refuted the claim, saying that when the peace accord was signed in 1996, the MNLF's strength was nearly 14,000 while the MILF grew into about 12,000 armed troops.

In the 1990's, about 5,000 MNLF forces were integrated into the Armed Forces of the Philippines and the Philippine National Police based on government data. Since then, the group splintered into at least 3 factions.

FURTHER READINGS

Human Rights Watch, 01.02.2013

Philippines: A Year of Pluses, Minuses on Rights

(Manila) - The Philippine government adopted landmark human rights legislation in 2012, but failed to make significant progress in holding the security forces accountable for serious abuses, Human Rights Watch said today in its [World Report 2013](#). To access the chapter on the Philippines, please click [here](#).

InterAksyon.com, 20.02.2013

Govt draws flak over Tampakan ECC as groups warn of more environmental disasters, rights violations

By Lira Dalangin-Fernande

ANGELES City, Pampanga - The government is coming under fire for granting an ECC to Sagittarius Mining Inc., with senatorial candidate Migz Zubiri saying the move 'disregards' concerns for the environment and local stakeholders. To access the complete article, please click [here](#).

Focusonline.ca, February 2013

Canadian mining races to the bottom

By Rob Wipond

A new book provides a shocking analysis of environmental destruction and human rights abuses committed by Canadian mining companies abroad [especially the Philippines]—and how we help them do it. To access the complete article, including the story of Dr. Chandu Claver, Philippine activist and refugee in Canada, please click [here](#).

Bulatlat.com, 07.02.2013

The military's top five ways to harass activists

By Julius D. Mariveles

This is a detailed article on the widespread practice of filing trumped-up charges against political and human rights activists, citing individual cases. To access the complete article, please click [here](#).

Struggling to keep his influence afloat, Misuari is running in May for ARMM governor -- a post he once held -- as an independent. [...]

Asserting influence

[...] Misuari has just arrived from a recently concluded summit of heads of government of the Organization of Islamic Conference (OIC) held in Cairo that called on MNLF and the Aquino government to address unresolved issues related to the autonomous region, revenue sharing, definition of strategic minerals and the transitional mechanism. [...]

Since 1977 MNLF has enjoyed an observer status in the Organization of Islamic Cooperation (OIC), the second largest international organization of states after the United Nations. The Parliamentary Union of OIC Member States (PUIC) also granted MNLF the observer member status in 2012.

Misuari's pride

The 1996 Final Peace Agreement, which OIC brokered, is under review to resolve disagreements on the implementation of sensitive provisions of the peace pact.

"The government is making it sure that everything under previous peace agreements will be upheld if they are beneficial in the long term," Cordero said.

But government assurances would not easily appease Misuari. [...] Rodelio Ambangan, Director of the Institute for Peace and Development Studies of the Southern Christian College in Cotabato said that peace advocates in Mindanao are calling for "unity and solidarity among Bangsamoro stakeholders," including a dialogue between the MILF and the MNLF.

"They are bringing the agenda of the Bangsamoro. They should face the government with one agenda. After all, they both fight for right to self-determination," Ambangan said.

MILF chief Al Haj Murad Ebrahim has already expressed openness to dialogue with MNLF, but Misuari remains combative.