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

The Action Network Human Rights – Philippines advocates the sustainable improvement of the human rights situation in the Philippines. Members are: Amnesty International, Bread for the World – Church Development Service, Misereor, Missio Munich, philippinenbüro e.V., the International Peace Observers Network (IPON) and the United Evangelical Mission (UEM).



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HEADLINES & POLITICS

philstar.com, November 19, 2013

SC declares PDAF unconstitutional

By Camille Diola

MANILA, Philippines - MANILA, Philippines - The Supreme Court en banc on Tuesday declared the Priority Development Assistance Funds (PDAF) or congressional pork barrel unconstitutional.

Voting 14-0, the magistrates ruled in favor of a slate of petitions, among which was filed by losing senatorial candidates Greco Belgica and Samson Alcantara challenging the discretionary funds' legality.

"The court hereby declares as unconstitutional the entire 2013 PDAF article (and) all legal provisions of past and present congressional pork barrel law such as previous PDAF articles, various insertions unrelated to the power of congressional oversight," Supreme Court spokesman Theodore Te said in a press conference on Tuesday.

Associate Justice Presbytero Velasco Jr. abstained from the case, citing a possible conflict of interest with the congressional post of his eldest son, Marinduque Rep. Lord Allan Jay Velasco.

With the ruling, the standing restraining order on the Department of Budget and Management's PDAF releases is made permanent.

The law's provisions allowing legislators to determine the funded projects and related practices deemed to be an abuse of legislative and executive powers have also been declared unlawful.

Headlines (Article MRec), pagematch: 1, sectionmatch: 1

The high court, voting 13-0, similarly ruled that the Malampaya fund to be used solely for energy-related government projects, barring the president from using the fund's discretionary provi-

sion to divert the fund to other purposes.

The court also found releases of the Presidential Social Fund for infrastructure projects without constitutional basis.

President Benigno Aquino III, meanwhile, would prefer to receive a copy of the Supreme Court decision first before issuing a comment, Presidential Communications Operations Office Secretary Herminio Sonny Coloma Jr. said.

Senate President Franklin Drilon welcomed the high court's ruling, issuing a statement right after the announcement.

"The highest court's decision is moot and academic insofar the Senate is concerned," Drilon said.

House Speaker Feliciano Belmonte Jr. said that Congress is still studying the latest decision and is looking to issue a resolution to transfer the remaining 2013 PDAF to calamity funds for the victims of super-typhoon Yolanda.

Senior Associate Justice Antonio Carpio had said during the oral deliberations on the petitions in October that the PDAF is "facially unconstitutional" as it allows the executive disbursing the funds to breach its separation from the legislative.

The pork barrel has been met with public outrage following the Commission on Audit (COA) special report citing gross misuse of lawmakers' funds.

The Department of Justice, tracing the COA report, has filed plunder charges against several lawmakers alleged to be involved in the PDAF scam believed to be masterminded by detained businesswoman Janet Lim Napoles.

Inquirer, November 30, 2013

Post-'Yolanda' rebuilding to take five years

MANILA, Philippines—Rebuilding areas devastated by Super-typhoon "Yolanda" (Haiyan) that killed thousands mostly in Eastern Visayas will take up to five years and cost more than \$2 billion, officials said Saturday.

The comments came as the death toll from "Yolanda", one of the most powerful typhoons to ever hit the country, continued to rise.

The National Disaster Risk Reduction and Management Council said 5,632 people had been confirmed dead while 1,759 were still missing following the category five storm earlier this month.

"The total rehabilitation will take three to five years, depending on the pace of our support system and the projects we implement," Eduardo del Rosario, executive director of the NDRRMC, said.

He told reporters that President Benigno Aquino did not want to merely repair the damage but wants the new structures to be better than those that were standing before the storm.

"Our President wants the rehabilitation to be 'build-back better communities,'" so they can withstand future storms," del Rosario said.

Public Works Secretary Rogelio Singson said: "We are looking at over P100 billion (\$2.2 billion) of reconstruction, from livelihood, commerce, social services," as well as infrastructure and power facilities.

That figure does not include the huge amounts already spent on immediate relief for the millions of people who were injured or left without food, water or shelter.

About P15 billion to P20 billion will go to providing shelter with some 60,000 to 80,000 families to be re-settled in two to three years, said Singson.

This will include the people whose homes were destroyed by the storm as well as those who will have to move out of a recently-declared 131-foot "no-build zone" from the coastline, Singson added.

The zone is intended to prevent a repetition of the large number of deaths that occurred after "Yolanda" brought massive storm surges that flattened seaside communities.

Earlier this week, Economic Planning Secretary Arsenio Balisacan said Haiyan would cut 0.3-0.8 percentage points from gross domestic product growth in the final quarter of 2013.

The United Nations made an initial humanitarian appeal for \$301 million in aid for the typhoon victims just days after Haiyan hit. The UN will make another appeal for more funds in December.

A spokeswoman for the local UN office, Orla Fagan, told a news conference on Friday that donors had forked out \$164 million so far.

GMA News, November 20, 2013

UNICEF warns of sexual violence, trafficking among children after super typhoon

By ROUCHELLE R. DINGLASAN

A representative from the United Nations Children's Fund (UNICEF) on Tuesday warned that children who were victims of Super Typhoon Yolanda are at risk from sexual violence and

trafficking.

"Children also face the risk of separation to their parents or caregivers. This is a huge concern for us. Not only in the immediate



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aftermath of the crisis but parents are on the move looking for food for survival for their families and leaving children behind. And this is where children are at risk from [sexual violence and] trafficking," Sarah Norton Staal, UNICEF-Philippines chief of child protection, said Tuesday.

"In other natural disasters, we have seen about a 10 percent rise in trafficking," Staal explained. "So we are very concerned."

According to the United Nations, about 4.6 million children were affected by Super Typhoon Yolanda. Out of this number, about 1.6 million children were internally displaced.

To address this, Staal said that UNICEF was prioritizing the building of temporary shelters, which will also have a play area for children.

"It is important for them to feel some normalcy especially after undergoing some psycho-social trauma. They have seen the destruction of their homes, communities," she noted.

Also, parents and guardians should be aware of "predators" and should immediately report any suspicious activities against children.

Health situation

After dealing with trauma-related injuries, medical workers are

now facing other serious ailments among the typhoon victims, said Dr. Julie Lyn Hall, World Health Organization country representative.

"The first phase after such a disaster, you see a lot of trauma so a lot of fractures, cuts and other injuries cause by things falling on top of people or drowning," explained Hall.

"So, 70 percent of cases we see for the first week to ten days, were trauma-related... Now, we are seeing in-patients with infected wounds, and an increase in the number of patients presented with heart conditions, uncontrolled diabetes and with other conditions that result from a lack of access to medicines in the past two weeks," she noted.

Hall added that water-borne diseases such as diarrhea and leptospirosis are also becoming an imminent threat because most people had no access to clean water.

To date, there are 43 foreign medical teams and 44 local medical teams deployed across the affected areas.

Yolanda has killed more than 4,000 people, and injured more than 18,000, with 1,602 listed as missing, the latest tally from the National Disaster Risk Reduction and Management Council said.

INSTITUTIONS

Rappler.com, November 4, 2013

Reshuffle in key AFP posts

by Carmela Fonbuena

MANILA, Philippines — A Marine general is taking over command of the Zamboanga City-based Western Mindanao Command (Wesmincom), one of the most crucial and coveted posts in the Armed Forces of the Philippines.

Lt General Rustico Guerrero, former Marine commandant and ex-chief of the Jolo-based anti-terrorism unit Task Force Comet, will be replacing Army Lt General Rey Ardo, who played a key role during the Zamboanga City siege. The turnover ceremony is scheduled on Saturday, November 9.

Guerrero will be plucked from his current command at the Western Command (Wescom) in Palawan.

"He is very qualified and has experience in the area. He is among our best officers in the area," said AFP chief of staff General Emmanuel Bautista, who confirmed Guerrero's new post in an interview with reporters on Monday, November 4.

Wesmincom commands troops dealing with the breakaway Bangsamoro Freedom Fighters (BIFF) in central Mindanao and the Abu Sayyaf Group and Moro National Liberation Front (MNLF) operating in Basilan, Sulu, and Tawi-Tawi.

"He has a big responsibility," added Bautista. Guerrero takes the helm after the 20-day Zamboanga City standoff in September when followers of Moro National Liberation Front founder Nur Misuari attacked the city. The government vowed to secure the area to prevent the attack from happening again.

Rappler.com, November 24, 2013

Palace keeping open mind about anti-political dynasty bill

By Angela Casauay

In a historic move, the House committee on suffrage and electoral reforms approved for the first time in almost 20 years a bill seeking to ban political dynasties.

Communications Secretary Herminio Coloma Jr. on Sunday, November 24 said Malacañang is keeping an open mind about backing the measure.

"Opo dahil batay nga po ito sa mga pagbabago sa lipunan na bunsod ng EDSA People Power Revolution. At atin naman pong

Bautista and Guerrero are classmates at the Philippine Military Academy (Class 1981).

Reshuffle

Guerrero's Wesmincom appointment triggers a reshuffle in two other posts.

Air Force Lt General Roy Deveraturda will be replacing Guerrero at Wescom in Palawan. The turnover ceremony is scheduled on Friday, November 8. "In Wescom, we usually appoint a navy or air force officer. General Deveraturda is very familiar with the situation there having been former J5 (deputy chief of staff for plans and programs). He is very aware of the strategic situation," Bautista said.

Wescom oversees the Kalayaan Group of Islands (Spratlys) in the West Philippine Sea (South China Sea), a territory where 6 countries including the Philippines and China having overlapping claims.

Maj General Bonafos, on the other hand, will take over the post of Deveraturda as chief of the Cebu-based Central Command (Centcom).

Bonafos is currently the chief of the Special Operations Command based in Fort Magsaysay, Nueva Ecija. As Socom chief, he supervises the elite troops of the Armed Forces, the Scout Rangers and the Special Forces.

kasalukuyang administrasyon ay tumatalima sa mga prinsipyo at reporma ng EDSA People Power," Coloma said in an interview over state-run DZRB. (Yes, because this is based on changes in the society brought by the EDSA People Power Revolution. And our current administration adheres to the principles of the EDSA People Power.)

The statement is a small progress from Malacañang's earlier pronouncements. In the last Congress, the Palace declined to



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take a stand on the measure. Back then, presidential spokesperson Edwin Lacierda said they would rather leave the decision to pass the bill to Congress.

Coloma said the proposed anti-dynasty law has long been awaited and has a clear basis in the 1987 Constitution – a product of the EDSA People Power revolution which toppled the Marcos regime and propelled into power President Benigno Aquino III's mother, Corazon Aquino.

Article II Section 26 of the 1987 Constitution of the Philippines states: "The State shall guarantee equal access to opportunities for public service, and prohibit political dynasties as may be defined by law."

The provision has not been fully implemented due to the lack of an enabling law. (READ: How politicians skirt anti-dynasty laws)

But Palace still has its reservations.

"Kaya malinaw naman po ang batayan niyan, ito ay kasama sa mga reporma ng EDSA People Power na nakalagay sa 1987 Constitution. Kaya lang po, kailangan ding maringig natin ang tinig ng mga mambabatas na siya namang hinalal din ng ating mga mamamayan para makita 'yung magiging final na hugis nitong anti-dynasty bill," Coloma said.

(That's why its basis is clear, it is part of the reforms of the EDSA People Power under the 1987 Constitution. But we also have to hear the sentiments of the lawmakers elected by the people to see what the final shape of the anti-dynasty bill would be.)

Salient points

Under the House version of the bill, relatives up to the second degree of consanguinity will be prohibited from holding or

running for both national and local offices in "successive, simultaneous, or overlapping terms."

Meanwhile, the Senate version of the bill filed by Sen JV Ejercito, son of former president and now Manila Mayor Joseph Estrada, has a more specific definition of political dynasties.

Under Ejercito's bill:

- Spouses and persons related within the second degree of consanguinity or affinity shall not be allowed to hold or run for any elective office in the same province in the same election.
- For national officials, spouses and persons related within the second degree of consanguinity shall be disqualified from running only within the same province where the national official is a registered voter.
- Candidates related to one another within the second degree of consanguinity including their spouses shall be disqualified from holding or running for any local elective office within the same province in the same election only.
- No person within the second degree of consanguinity shall immediately succeed his or her relative in the same position except for punong barangays or members of the Sangguniang Barangay.

Although the bill's passage in the House committee level was described by proponents as historic, the measure will face a tougher challenge when it is tackled on the floor by a chamber that has traditionally been dominated by political clans. (READ: Only 1 in 7 lawmakers are fresh faces.)

Inquirer, November 25, 2013

PNP inks implementing rules on 'Marcosian' gun law

By Jamie Elona

MANILA, Philippines—The Philippine National Police signed Monday the Implementing Rules and Regulations of the Comprehensive Law on Firearms and Ammunition and Providing Penalties for Violations as it intensifies the campaign against gun-related crimes.

The law imposes Marcosian penalties such as imprisonment of at least 30 years for illegal possession of firearms.

Police Senior Superintendent Reuben Theodore Sindac, PNP-Public Information Office chief, said the IRR was signed by PNP chief, Director General Alan Purisima, during the flag raising ceremony at the PNP Headquarters in Camp Crame, Quezon City.

In a statement, Purisima said the move was made not only to standardize the regulation of firearms, but also to "curb gun-related crimes and establish effective firearm control."

"I believe that the time and effort that we provided to attain our

goal will be worthwhile not only in supporting the RA 10591 but also in aiding the country with stiffer penalties on violations of its provisions, as well, a better understanding of the qualifications to legally possess a firearm," Purisima added.

Sindac said various meetings and consultations with stakeholders from the government and private sector were conducted prior the signing of the IRR so as to ensure that the contents of the IRR is fair and transparent.

"Even before the passage of RA 10591, the PNP has always been in forefront in enforcing laws under the regulation of firearms. Crafting this IRR will ensure that the law will be observed and enforced properly," Police Director Gil Meneses, Director of Civil Security Group said.

Police Senior Superintendent Wilben Mayor, PNP spokesman, said the IRR will be published in two publications and will be implemented after 15 days.

CURRENT CASES OF HR VIOLATIONS

Bulatlat.com, November 3, 2013

Luisita farmers group sees foul play in death of colleague

By Ronalyn V. Olea

MANILA – A farmer was found dead in the morning of November 1 at Balete village in Hacienda Luisita, Tarlac, Tarlac.

The body of Dennis dela Cruz, a member of Alyansa ng Magbubukid sa Asyenda Luisita, was found at the Ambala's pilot area of its bungkalan (cultivation) program in Balete village.

Florida Sibayan, Ambala chairwoman, told Bulatlat.com in a phone interview that Dela Cruz sustained head concussions from a heavy wooden post. Ambala suspects foul play.

"Days before the incident, security guards of Tadeco [Tarlac Development Corporation] went to the hut three times and

threatened Dennis [Dela Cruz] against rebuilding the Ambala's hut," Sibayan said.

Tadeco, a corporation owned by Cojuangco-Aquinos, has been claiming ownership of some 800 hectares of land in Balete, Cutcut and Mapalacsiao villages. Ambala's cultivation site is located within the land being claimed by Tadeco.

Dela Cruz had been repairing the hut at the cultivation site, which was damaged by typhoon Santi.

According to Sibayan, Dela Cruz spent the night at the Ambala's hut on October 31. "Days before his death, Dennis [Dela Cruz]



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told us he was afraid to stay at the hut because Tadeco security guards would come to him in the wee hours of the night. Still, he continued to stay there for the bungkalan [cultivation].”

Sibayan said they have yet to investigate further the death of Dela Cruz. Asked whether the local police investigated the incident, Sibayan said, “They came but instead of investigating, they accused Dennis [Dela Cruz] of stealing nuts and bolts of the electric post. We know Dennis. He would not do such a thing.”

“Who would benefit from his death?” Sibayan said.

Ambala said that since October, Tadeco and another Cojuangco-Aquino corporation, Luisita Realty Corporation, have put up fences in Cutcut and Balete villages. The company guards have also put up several “No trespassing” signs around agricultural lots tilled by farmers since 2005.

Tadeco recently filed trespassing charges against 81 farmers in Cutcut village.

Tadeco guards have also occupied four houses in Balete village and prevented its owners from repairing their homes damaged by the typhoon, according to Ambala. In Mapalacsiao village, Tadeco personnel threatened residents against planting rice and vegetables.

The company also issued eviction notices to hundreds of farmers who are supposed to be beneficiaries of the 2012 Supreme Court decision ordering the distribution of land in Hacienda Luisita.

Ambala said the hundreds of hectares cordoned off by Tadeco are all prime agricultural lands, with the area in Cutcut near the newly-opened Tarlac-Pangasinan-La Union Expressway (TPLEX) while the rest are all near the Subic-Clark-Tarlac Expressway (SCTEX).

The Alyansa ng Magbubukid sa Gitnang Luzon (AMGL) deemed that the Cojuangco-Aquino family is doing everything to keep their control over the vast lands of Hacienda Luisita as it would bring about billions of pesos in profits. “Land valuation around the Subic-Clark-Tarlac Expressway (SCTEX) and Tarlac-

Pangasinan-La Union Expressway (TPLEX) ranges from P1 million to P6 million per hectare or P100 per square meter to P600 per square meter. Thus, reclassifying these lands would obviously bring in unimaginable amounts of profits,” the AMGL said.

Ambala said the 811.28 hectares of land being claimed by Tadeco should be included in areas for distribution to the farmers.

Ambala has called on the Department of Agrarian Reform (DAR) to investigate Tadeco for its “landgrabbing” efforts.

Agrarian Reform Secretary Virgilio de los Reyes said the SC decision does not include Tadeco’s land.

Ambala noted however that Delos Reyes himself affirmed that it is the DAR’s duty to send out a notice of coverage for land distribution once they confirm that these Tadeco lands are indeed agricultural in nature.

[...]

Last month, the DAR declared that the land distribution in Hacienda Luisita is complete. The DAR distributed copies of Certificate of Land Ownership Award (CLOA) to farmworker-beneficiaries in all ten villages.

[...]

“Distribution of photocopied titles is not equal to physical land distribution. That is a mere paper, not land. This means that farmers must pay for the amortization even though they have yet to see where their land is,” Sibayan said.

The AMGL condemned the “reign of terror” in the hacienda controlled by the Cojuangco-Aquino clan for more than 50 years.

“The Cojuangco-Aquinos are notorious in violently attacking the farm workers. It was under martial law during the Marcos dictatorship, de-facto martial law during Hacienda Luisita massacre and Oplan Bantay Laya, they are now again waging terror against the farm workers,” Joseph Canlas, AMGL chairman, said.

[...]

Press Release, International Federation for Human Rights (FIDH), November 15, 2013

Killing of Ms. Elisa Lascoña Tulid

The Observatory has been informed by Task Force Detainees of the Philippines (TFDP) about the killing of Ms. Elisa Lascoña Tulid, a human rights defender in the agrarian reform sector and a leader of the peasant group Samahan ng Magsasaka sa Barangay Tala at Camflora, in Sitio Kumbenyo, Barangay Tala, San Andres, Quezon Province.

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), requests your urgent intervention in the following situation in Philippines.

Description of the information:

According to the information received, on October 29, 2013 at 2 pm, Ms. Lascoña Tulid was walking along with her husband and her four-year-old daughter when she was shot point-blank by a man who was identified as Mr. Rannie Bugnot, trustee of an alleged land grabber in the area, Mr. Edwin Ausa. Ms. Tulid, who suffered gunshot wounds in the nape, mouth, left eye and left thigh, was pronounced dead on the spot. Her husband and daughter both managed to run away. Her husband ran to the military camp in Barangay Tala to seek help and report the incident. The military called the police, who arrested Mr. Bugnot on the same day at his private house and charged him later.

The Observatory firmly condemns and expresses its deepest concern about the killing of Ms. Elisa Lascoña Tulid, and considers it as an attempt to criminalise her efforts to defend human rights in the country and discourage other defenders working

for the same cause.

Ms. Elisa Lascoña Tulid had had several confrontations with Mr. Edwin Ausa and his group when trying to prove her community’s rights to the land. She also filed a complaint in 2012 before the Barangay Council against them when the group took crops cultivated by Ms. Lascoña Tulid’s family without their consent. Ever since then Ms. Elisa Lascoña Tulid and her family have been threatened and harassed by Mr. Ausa and his group. One of the most serious threats they received was posed by Mr. Ausa when he said that he would kill all the Tulids if they kept fighting for the land concerned.

The Observatory urges the Philippine authorities to conduct an immediate, thorough, effective and impartial investigation into the facts reported above in order to identify all those responsible, bring them before an independent and impartial tribunal and apply the sanctions provided by the law.

Background information:

[...]

In 1988 the Government launched the Comprehensive Agrarian Reform Program (CARP) through which it bought all lands exceeding seven hectares and sold them to the landless farmers although frequently peasants did not want to apply for agrarian reform coverage due to fears to landowners.

In 2004, settlers requested to be covered by the CARP. Farmer tenants working on Reyes’ lands boycotted and stopped giving the 60 per cent share of the harvest when Ms. Elisa Lascoña



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Tulid and other settlers learned that the lands claimed by Mr. Reyes had been declared as public land and timberland by the Department of Environment and Natural Resources (DENR). Ms. Lascoña Tulid was at the forefront of the fight to claim the lands declared as public.

It has been alleged by some sectors that Mr. Edwin Ausa and Mr. Rannie Bugnot are supporters of Mr. Reyes' clan and have been trying to instill fear in the communities to prevent them from claiming their land rights.

MindaNews, November 30, 2013

Broadcaster gunned down in Valencia City

By Walter I. Balane

MALAYBALAY CITY – A radio “block timer” was shot dead Friday night by four attackers in Valencia City.

Joash Dignos, who ran the commentary program “Bombardeyo” at DXGT Radyo Abante in Maramag town, Bukidnon died around 9:30 p.m.

The program aired from 7:30 to 8:30 a.m. from Monday to Friday.

Pacifico Estore, Jr, radio anchor of the UMBN Radyo Ukay in Valencia, told MindaNews Saturday morning Dignos obtained 28 gunshot wounds.

The victim was with a group of friends in a watering hole in front the CAP Building along Sayre Highway. When he went to the rest room, one of the assailants followed him and started shooting, Estore said.

Dignos was reported to have run towards his car but was met with more bullets from three other assailants on the way out.

Estore, who is also president of the Bukidnon chapter of the National Union of Journalists in the Philippines, condemned the killing.

He reminded media practitioners however to be responsible. He said that Dignos earned many enemies because of the way he handled his program.

Dignos, he added, was known to be a harsh and hard-hitting commentator.

Mars Downy Ben Medina, program director of Radyo Abante said Dignos had been receiving death threats.

In June, Medina told this reporter Dignos had resorted to taping some of his radio programs to avoid having to go to the station regularly due to the death threats.

He had attacked politicians and other government officials on air.

Some residents who participated in a focus group discussion in Maramag and Quezon towns in April this year said Dignos' program was their top choice for exposing alleged irregularities by politicians. Others, however, said they avoided the paid

program for being too “noisy” and for being “too harsh.”

In 2010, according to a report in Cebu Daily News, Dignos publicly apologized to the Ouano family for commentaries he made in 2006, when he accused former Mandaue City mayor Thadeo Ouano of having an illicit affair with his daughter-in-law, Cheryl.

The report quoted Dignos as saying the commentaries he made on July 12, 13, 14, 17, 18, 19 and 21 in 2006 which were aired over radio dyHP were all “untrue.”

He admitted in a press conference he that the accusations were baseless.

The report cited that Dignos was facing seven counts of libel filed by Ouano then pending at the Mandaue City Regional Trial Court.

Quano was quoted to have said he was ready to withdraw the cases after the apology.

Before coming to Bukidnon, Dignos was assigned at the RMN station in Cagayan de Oro City. He was reassigned to the Cebu station in July 2006 as anchor for the program Birada.

In 2006, Dignos earned the ire of Mayor Jose M. Galario Jr. who ordered the closure of Valencia City-based DXVR, one of RMN's stations.

The mayor said he padlocked the station because it has no business permit, but clarified he meant to stop only the commercial and commentary programs of the station. He complained then that his side was not being heard and accused Dignos of using press freedom as a front to attack him.

Dignos was quoted in reports to have vowed to file administrative charges against Galario for allegedly threatening to kill him.

In 2003, Galario also ordered the padlocking of DXMV.

Medina said Dignos did not take extra pre-caution despite the reported threats.

Valencia reporters told MindaNews he had aired the threats he received and told his audience that when it's his time to go, it's time to go.

UPDATES ON CASES OF HR VIOLATIONS

Center for Media Freedom & Responsibility, November 4, 2013

Police officer tagged in radio broadcaster's killing

CMFR/Philippines – The National Bureau of Investigation (NBI) has named the suspects in the 29 August 2013 killing of a radio broadcaster in Iligan City. In its report dated 22 October 2013, the bureau recommended the prosecution of a police officer and said that the other identified suspect was found dead on 2 September 2013.

The NBI reported that witnesses had identified police officer Peejey Capangpangan as the gunman who shot dxLS radio commentator Fernando “Nanding” Solijon.

In a report to the Regional State Prosecutor for preliminary

investigation, the NBI recommended that Capangpangan to be charged with murder, with Solijon's wife as complainant.

In the same report, the NBI also named Capangpangan's accomplice as an Edward Tugahan. But witnesses were only able to tag Tugahan after Tugahan was found dead four days after Solijon's murder.

NBI director Alex Cabornay told CMFR on 30 October 2013 that no warrant of arrest has been issued against Capangpangan, but that the Philippine National Police (PNP) had already ordered the police officer not to leave Iligan City.

MindaNews, November 5, 2013

Group seeks review of case vs soldiers for death of 3 Lumads

MALAYBALAY CITY – A group of human rights lawyers on Tuesday said it will seek a review of the decision of the prosecutor's office of Digos City dismissing the case against 15 soldiers implicated in the death of three Lumads during a supposed

encounter in a mining site late last year.

The soldiers, all coming from the 27th Infantry Battalion, were tagged in the death of Juvy Capion and her sons Jordan, 13, and John Mark, 6, on Oct. 18, 2013 in Sitio Alyong, Barangay Kiblaw-



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is in Kiblawan, Davao del Sur during an operation against Juvy's husband, Daguel Capion.

Daguel Capion, leader of a tribal armed group opposing the mining venture of Sagittarius Mines Inc. (SMI) is facing, among others, murder charges for the killing of three workers of a construction company hired by SMI for a road project in March 2011.

Atty. Emeliano Deleverio of the Union of People's Lawyer in Mindanao (UPLM) said in a statement they firmly believe there is "probable cause to indict respondents for the death and injury of the victims" and will file this week a petition for review at the Department of Justice.

UPLM, the counsel for the Capion family in the case against the soldiers cited the following facts as enough bases to prosecute the respondents:

- Respondents admit that they were in the place of the crime at the time it happened;
- Respondents were armed with M-16 rifles;
- Among the shells recovered from the crime scene were those from an M-16 rifle;
- Three of the respondents admitted having fired their guns;
- Their shots were aimed at the men who hid behind the hut;
- The victims were inside the hut where the shots were directed;
- Respondents admitted that they moved the victims out of the hut— a very unusual thing to do when one seeks to administer first aid as it could be done without moving them and risk further injury;

GMA News, November 8, 2013

SC orders AFP, PNP chiefs to 'personally' supervise probe on disappearance case

By Rouchelle R. Dinglasan

The Supreme Court has ordered military and police heads to "personally" supervise the investigation on the disappearance of activist James Balao, who has been missing since 2008.

In its October 22 resolution, the high court directed the incumbent Armed Forces of the Philippines chief of staff and the Philippine National Police director general to "directly and personally" monitor the operations of the Special Investigation Task Force Group-Balao (STIFG-Balao), the team tasked to probe the incident.

The 47-year-old activist, who founded the militant group Cordillera Peoples Alliance, was last seen on September 17, 2008, in Tomay, La Trinidad in Benguet.

He was allegedly abducted by armed men, who were believed to be members of state forces. He remains missing ("desaparecido").

Press Release Desaparecidos, November 11, 2013

Military stalls case against Palparan, cannot produce "witnesses"

"The military is deliberately delaying the court proceedings on the kidnapping case against Gen. Jovito Palparan et al. This has been the second time the military failed to present its 'witnesses' before the Malolos Regional Trial Court," Lorena "Aya" Santos, secretary general of Families of Desaparecidos for Justice said on the case against retired Gen. Palparan for kidnapping and illegal detention of the two missing University of the Philippines students Karen Empeño and Sherlyn Cadapan.

"The military must be having a hard time producing a person to pose as witness and lie in court," Santos said. Two other court hearings on September were postponed because the respondents, Lt. Col. Felipe Anotado and Staff Sgt. Edgardo Osorio, failed to present a witness to counter allegations of their involvement in the kidnapping of the two women.

"If the respondents have a witness, we expect him or her to either do a Janet Napoles saying, 'I don't know' and 'I invoke my right against self-incrimination' or plainly lie and invent a

- Respondents failed to refute the witnesses' allegation that they cleaned the house; and

- Witnesses positively pointed to respondents as the persons present in the crime scene immediately after its commission.

"These facts put respondents directly in the crime scene and strongly indicate that they have caused the death and injury of the victims," the statement said.

It noted that the investigating prosecutor used the term "conviction" and quoted from the rules of evidence on the requirements to convict on circumstantial evidence.

It said the prosecutor "assumed the function of a trial judge calibrating evidence which is proper only in a trial" by looking for "proof that will convict respondents for murder."

"Further, the prosecutor's findings directly contradicts those of another agency of government— the Commission on Human Rights — which recommended the filing of murder cases against the soldiers involved in the killings," UPLM said.

"These facts add further to the weight that there is indeed probable cause, thus, the case should proceed before a regular court," it added.

After the incident, the Armed Forces of the Philippines announced that at least nine soldiers, including a junior officer, have been relieved of their posts and recommended for court martial.

Lt. Col. Alexis Noel Bravo, 27th IB commander, eventually resigned from his post and was transferred to another assignment also in Mindanao.

The Supreme Court also directed the National Bureau of Investigation and the Commission on Human Rights to conduct a parallel investigation on Balao's case and "to take further action as may be appropriate."

Likewise, the high court "ordered all concerned officers and authorities to make available all documents they have on James M. Balao and make accessible all the officers who may have anything to do with the abduction."

The Supreme Court also granted access to safe houses to those who can provide information on Balao's disappearance.

Balao is the first documented indigenous victim of enforced disappearance under the Gloria Macapagal-Arroyo administration, according to the "Indigenous People Rights Monitor."

[...]

whole different story to support the military's claim. The military, through the Judge Advocate General's Office (JAGO), did this in the case of Rolly Panesa. So we wouldn't be surprised if it's going to do the same in this case," Santos said.

Santos said the JAGO, during the hearings of the case of the writ of habeas corpus for Rolly Panesa, presented 'witnesses' who obviously knew nothing of the cases hurled against Panesa.

The petitioners, mothers of the two women, Linda Capadan and Concepcion Empeño earlier presented witnesses Raymond Manalo and Wilfredo Ramos, both vividly recalled the incidents when they saw the two abducted students and identified the respondents as among those responsible for the abduction of the young women. Manalo, together with the Karen and Sherlyn were held captive in a safehouse by Palparan's men in Limay, Bataan. Manalo and Ramos identified Palparan as the person referred to by soldiers as 'Lolo'. Manalo said Palparan even talked to him and threatened him to dissuade his family from



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talking to organizations like Karapatan.

"Where is Gen. Palparan now? He has been in hiding for almost two years now," Santos said. "It is such a SHAME that a criminal like Palparan cannot be located and arrested by the BS Aquino administration," Santos said. "It is predictable that a criminal

will try to hide and run from persecution. But, a government that fails to arrest a criminal for a long time is unjustifiable," Santos added.

[...]

Bulatlat.com, November 17, 2013

9 years after Luisita massacre, terror continues

By Ronalyn Olea

HACIENDA LUISITA, Tarlac -In the morning of November 15, Sydney Ramos and her 60-year-old mother, Sylvia, prepared to harvest palay from the 0.6-hectare farm their family has been tilling. With them were four children who volunteered to help. But they went home empty-handed.

Sydney and her mother never got to the farm. The day before, security guards of the Tarlac Development Corporation (Tadeco) fenced off over 200 hectares of agricultural land, including the area cultivated by Sydney's family, in Balete village.

[...]

Two days before, tension ensued as Tadeco security guards destroyed the hut built by members of Alyansa ng Manggagawang Bukid sa Asyenda Luisita (Ambala). Three women were hurt. Eleven days ago, farmer Dennis dela Cruz, caretaker of Ambala's bungkalan (cultivation) campaign in Balete village, was found dead.

Tadeco and Luisita Realty Corporation, corporations owned by the Cojuangco-Aquinos, have been claiming ownership of some 800 hectares of land in the villages of Balete, Cutcut and Mapalacsiao. In a statement, Ambala said President Benigno Aquino III's family "has been unleashing a supertyphoon of terror and impunity in its own backyard."

Tadeco security guards built several outposts in Balete and occupied homes of civilians and turned them into detachments. More than 50 of them, brandishing long firearms, were stationed around the fenced off area when Luisita farmers and their supporters arrived in the village, November 15. Some took photographs of farmers and their supporters.

Florida Sibayan, Ambala acting chairwoman, told supporters that soldiers belonging to the Northern Luzon Command (Nolcom) set up detachments inside the hacienda, one of which is located a few meters from Sibayan's hut and farm in Balete. Four armored personnel carriers (APC) are stationed there.

Policemen were visible, too. On the eve of the anniversary of the Hacienda Luisita massacre, several policemen from the provincial police were monitoring the activities of farmers and supporters. The next day, when the protesters went to the Central Azucarera de Tarlac Gate 1, the site of the massacre, policemen stood side by side the CAT security guards.

The tension in Hacienda Luisita is comparable to the days before

the Hacienda Luisita massacre took place.

In November 2004, the United Luisita Workers Union and the Central Azucarera de Tarlac Labor Union staged a strike to demand the revocation of the stock distribution option (SDO), an increase in the number of mandays (or days of work), reinstatement of retrenched labor leaders, among others.

On November 16, 2004, security guards, policemen and soldiers opened fire at striking farm workers at CAT Gate 1. Seven farm workers died, hundreds wounded.

To this day, no one has been held accountable for the massacre. The charges filed before the Ombudsman against civilian respondents, including President Aquino, then representative of Tarlac's second district, were dismissed.

The absence of justice for the victims is aggravated by the continuing denial of the farmers' right to their land.

[...]

The DAR has been mandated by the Supreme Court, in its April 24, 2012 decision, to implement the land distribution in Hacienda Luisita.

The DAR completed in October the distribution of copies of certificate of land ownership awards (CLOA). Ambala calls the CLOA 'a mere scrap of paper.' While the farmers have yet to see the land allocated to them, they have to pay amortization and taxes.

Until now, the Hacienda Luisita Incorporated has not paid P1.33 billion (\$30.93 million) to farmworker-beneficiaries for the sale of hundreds of hectares of land.

Ambala intends to file contempt charges against DAR before the Supreme Court.

Meanwhile, the Cojuangco-Aquinos already received an initial payment of more than P600 million (\$13.95 million) as 'just compensation.' The President's clan would be paid a total of P1.2 billion (\$27.9 million).

Farmer Rudy Corpuz, 59, told fellow farmers during a program at CAT Gate 1, "We should not fear. This land is ours. We are the ones who are taking the righteous path. Noynoy Aquino's path is rotten, one that leads us to extreme poverty."

"And to you Noynoy Aquino, do not be arrogant. You will fall," Corpuz said.

The Philippine Star, November 19, 2013

General in 'torture' of Morong 43 promoted

By Alexis Romero

MANILA, Philippines - Twelve Army senior officers, including a general tagged in the alleged torture of the so-called Morong 43 group, have been promoted.

Among those promoted was Maj. Gen. Aurelio Baladad, chief of the Army's 3rd Infantry Division, a unit involved in the relief operations in areas hit by Super Typhoon Yolanda.

Baladad was among the officers accused of robbery and torture by the Morong 43, a group of health workers suspected of having links with the Communist Party of the Philippines.

He was chief of the 202nd Infantry Brigade when the members of the Morong 43 were arrested for alleged possession of firearms and explosives in 2010.

Baladad has denied the allegations and expressed readiness to face the charges against him.

Army chief Lt. Gen. Noel Coballes led the ceremonial donning of ranks to the newly promoted officers in Fort Bonifacio yesterday.

[...]



MAGUINDANAO MASSACRE

MindaNews, November 18, 2013

Lawyer says efforts to bribe families of Ampatuan Massacre victims persist

GENERAL SANTOS CITY - Attempts to bribe families of the victims of the Ampatuan Massacre to back out from the case and exonerate the principal suspects have reportedly persisted in the last four years but no one has so far acceded to them, a private prosecutor disclosed.

Lawyer Prima Quinsayas, counsel for the families of 17 massacre victims, said a number of reports on various bribes and deal offers have surfaced since 2010 supposedly coming from the family of former Maguindanao governor Andal Ampatuan Sr. and other clan members who were charged for the murders on November 23, 2009.

[...]

Quinsayas said the bribe offers, some of which reportedly reached her clients, ranged from P250,000 to P25 million.

She said the bribes were in exchange for the signing by the relatives of the massacre victims of affidavits of desistance or declaration that the accused Ampatuans were not involved in the massacre and her removal as their counsel.

[...]

In June, several reports came out that the families of at least 14 of the massacre victims have signed deals that would exonerate

the primary suspects.

It quoted lawyer Harry Roque, a counsel for the families of some of the victims, as the source of the supposed settlement deal with the Ampatuans.

Roque later clarified that four of his clients signed "the authorities to negotiate" with the Ampatuans without his knowledge.

He said the authorities to negotiate, copies of which were not even given the families of the victims, were signed in February.

The scheme, according to him, would lead to a waiver and a quitclaim. It also points the blame to the husband of one of the victims, Maguindanao Governor Esmael Mangudadatu.

[...]

If there are indeed signed deals or settlements, Quinsayas said she wants them to come out in the open as they could translate to "proofs of guilt" on the part of the accused based on the rules of court.

She explained that compromise payments will only be considered and may not be used as proofs of guilt in accidental death cases.

"It's not applicable in murder cases, much more in a massacre," she added.

MindaNews, November 21, 2013

Ampatuan Massacre: Pain still there 4 years later

MASSACRE SITE, Ampatuan, Maguindanao - The moment their vehicle slowed down at the junction of Sitio Masalay in Barangay Salman here, Nancy dela Cruz, mother of Ampatuan massacre victim and journalist Gina, felt a sudden twinge as scenes of the grisly killing flashed anew before her eyes.

The lonely road towards Sitio Masalay brought back to her the painful memories of November 23, 2009, when 58 people, including 32 media workers, were brutally killed in the area by henchmen reportedly led by members of the family of then Maguindanao governor Andal Ampatuan Sr.

"Gusto ko mag siyagit, gusto ko maghilak. Naa pa gihapon ang sakit sa nahitabo (I want to shout, I want to cry. The pain caused by the incident is still there)," she said upon arrival at the site.

The 66-year-old Dela Cruz was among the nearly 60 media workers and relatives of the massacre victims who trooped anew to the site on Thursday morning to retrace the events that took place during the incident.

The visit was part of the ongoing commemoration of the fourth anniversary of the infamous massacre, which had been dubbed as the single deadliest event for journalists in history.

The activity was organized by the National Union of Journalists of the Philippines and the Justice Now Movement, which is composed of the relatives of the massacre victims.

[...]

A marker bearing the names of the 58 victims stands at a portion of the site where some of the victims were once found buried and beside it was a plot with headstones marked for each of them.

But in his homily, Passionist priest Fr. Rey Carvyn Ondap stressed that nothing much has changed in the past four years with the Ampatuan massacre trial and the quest for justice for the massacre victims.

"It's been 1,460 days since the massacre and yet (the case against the suspects and their trial) have not progressed as we had all hoped," he said.

[...]

For her part, NUJP chair Rowena Paraan vowed to continue efforts to make sure that proper justice will be served to the

massacre victims.

She said the visit to the massacre site was very important to the families of the victims and media workers as it renewed their hopes towards the pursuit for justice.

"I'm just hoping that we will get that justice while we're still around or within our generation," Paraan said.

On Nov. 23, 2009, the victims were on their way to Shariff Aguak in Maguindanao to file the certificate of candidacy of then Buluan vice mayor Esmael "Toto" Mangudadatu for governor when their convoy was waylaid here.

Around 100 gunmen allegedly headed by former Datu Unsay, Maguindanao Mayor Andal Ampatuan Jr. herded them off to a hilly portion of Sitio Masalay in Barangay Salman, where they were brutally killed.

[...]

Of the 197 massacre suspects initially charged with multiple murder in 2010, three had been removed from the list due to the death of the accused, lack of probable cause and dropping from the case's information.

Fifteen of the remaining 194 accused were members of the influential Ampatuan political clan of Maguindanao.

Eight of them led by the Ampatuan patriarch Andal Sr. had been arrested and already arraigned before Quezon City Regional Trial Court Branch 221.

The seven others are the elder Ampatuan's sons former Datu Unsay, Maguindanao Mayor Andal Jr., former Autonomous Region in Muslim Mindanao governor Zaldy, former Maguindanao vice governor Sajid Islam and former Shariff Aguak, Maguindanao Mayor Anwar Sr.; nephew and brother-in-law former Mamasapano, Maguindanao Mayor Akmad Sr.; and grandsons former Shariff Aguak vice mayor Anwar Jr. and Anwar Sajid.

To date, a total of 104 massacre suspects have been so far arrested, two of whom have yet to be arraigned.

Out of the 90 suspects who are still at-large, seven were members of the Ampatuan clan: former Mamasapano Mayor Bahnanin, Mama, Saudi Jr., Kanor, Moning, Norodin and Harris.



Davao Today, November 22, 2013

Court systems failing in Ampatuan trial – HRW researcher

By Tyrone Velez

DAVAO CITY – Not even a special court, or a presidential promise had speed up justice for families waiting for four years on the pace of the trial on the suspects of the Ampatuan Massacre, the Philippine researcher for the New York-based Human Rights Watch.

Carlos Conde, Human Rights Watch researcher in the Philippines, said prosecution lawyers had told him earlier that the case has only completed 20% of its course.

“We’re still at the bail hearings of the suspects and not on the trial proper. It’s easy to be jaded about this thing at four years. An ordinary case should be resolved within five years,” Conde told a forum here of 60 news reporters, campus press writers and mass communication students.

The trial focuses on 103 suspects, including three principal suspects of the Ampatuan clan, on their role in what was deemed the world’s worst single incident of killing of journalists. Thirty-two media workers and 26 other persons were killed on that November 23, 2009 incident in a remote town in Maguindanao.

Notwithstanding a Supreme Court resolution in June 2011 that assigned a special court, Conde said that the designated Branch 221 of the Regional Trial Court of Quezon City “has nothing special in its process”.

The special court was granted by the high court “full authority to resolve any matter and issue which may arise from the said cases, including issues cognizable by other special courts without need of further designation by this Court”.

The Supreme Court also granted the call from both the families and the suspects “a speedy disposition of the case by conducting daily marathon hearings.”

The special court, presided by Judge Jocelyn Solis-Reyes, is holding trial twice a week. Trials though, had been frequently postponed due to pleadings and technicalities raised by the defense lawyers.

GMA News, November 23, 2013 10:12pm

Frustrated by slowness, kin of Maguindanao massacre victims seek help from UN

By Xianne Arcangel

On the fourth year anniversary of the November 2009 Maguindanao massacre, several complainants led by a Southeast Asia-based group advocating for freedom of expression filed a petition before three United Nations (UN) Special Rapporteurs to compel the Philippine government to speed up the investigation and prosecution of 196 individuals involved in the case.

At a press conference held Saturday at the University of the Philippines College of Mass Communication, representatives from Media Defense Southeast Asia (MDSEA) on Saturday transmitted separate petitions via e-mail to the UN Special Rapporteur on Freedom of Expression, the UN Special Rapporteur on Extrajudicial and Arbitrary Killings, and the UN Special Rapporteur on Reparations calling them to look into the cases of the massacre victims.

A total of 58 people, including 32 journalists, were killed in the grisly 2009 massacre, considered as the worst single-day election-related violence in Philippine history and the single worst attack on journalists ever recorded in the world.

The victims were part of a convoy that was supposed to accompany then-Buluan Vice Mayor Esmael Mangudadatu when he was going to file his certificate of candidacy to run as governor against then-incumbent Maguindanao governor Andal Ampatuan Sr. in the 2010 automated polls.

They were then stopped at a checkpoint at Sitio Masalay in Barangay Salman, Ampatuan town, and gunned down by armed

[...]

Lawyers interviewed by Conde had been asking why there were no summary proceedings on the hearings for bail as what was practiced with ordinary cases. A summary proceeding on bail would just lump all the petitions of the suspect to be decided in one session.

Conde said a special court “would have given the judge leeway to make decisions on the conduct of the trial”.

“For instance, when the bail hearing on Datu Unsay (Ampatuan Jr), who is one of the principal suspects was done and all evidences were presented against him, the court could not proceed to rule on his case, because it has to preside on the hearings of the others.”

“In a special court, a judge could have ruled that it can decide on this hearing first. If they did that, it could have communicated its seriousness on the case to the public, to the families. They would say, see we are serious.”

He said he heard the Supreme Court is amending things to make the trial move faster.

Conde said the positive thing on these hearings for bail is on the evidences presented by the prosecution, which Conde said “will be automatically subsumed on the merits of the case for the trial proper”.

But with the pace of the trial, he doubts this would be finished by the end of the term of President Noyonoy Aquino in 2016. The President made such promise to the families of the victims.

[...]

“Someone said fear and anxiety make impunity thrive. My impression is forgetting is the bigger enemy of accountability, and the biggest ally of impunity. When we forget, we allow criminals or human rights violators to get away with murder,” Conde said.

men led by the Ampatuans. Mangudadatu eventually won the gubernatorial seat.

Data obtained by GMA News Online shows that only eight suspects in the murder have been arrested this year, with the remaining 88 out of the total 196 accused are still at large and free, four years after the grisly killings.

At present, seven Ampatuan clan members remain at large while eight Ampatuans, including patriarch Andal Ampatuan Sr., as well as his three sons, Andal Jr, Rizaldy, and Sajid, have been arraigned.

On Friday, complainants led by the families of the 58 victims filed a petition before the UN Human Rights Committee demanding compensation from the government for its failure to protect the victims’ right to life.

In a report aired on “24 Oras” Friday, the complainants’ lawyer, Harry Roque, said they were left with no choice but to go to the UN for assistance because of President Benigno Aquino III’s refusal to compensate the victims’ families.

[...]

Aquino also told the victims’ families during their last meeting that the government cannot grant them compensation due to lack of funds, Roque said.

Some of the victims’ relatives expressed hope during the commemoration activities for the Maguindanao massacre that the case will eventually be resolved despite the slow progress of the



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case.

[...]

Evardo said she and the families of the other victims hope their

quest for justice for would not fall on deaf ears.

[...]

PEACE PROCESS

Press Release Office of the Presidential Adviser on the Peace Process, November 12, 2013

EU increases support to Mindanao peace process

Manila - The European Union (EU) on Monday signed a Contribution Agreement with the World Bank extending an additional € 8 million (P467 million) to boost development in conflict-affected communities in Mindanao.

EU Head of Delegation to the Philippines Guy Ledoux and World Bank Philippines Country Director Motoo Konishi signed the agreement which formalized the expansion of EU's contribution. Presidential Adviser on the Peace Process Teresita Quintos Deles and Bangsamoro Development Agency Chair Dr. Saf-rulah Dipatuan signed as witnesses in the ceremony held at the headquarters of the Office of the Presidential Adviser on the Peace Process (OPAPP) in Pasig City.

The additional funds will be downloaded to the Mindanao Trust Fund - Reconstruction and Development Programme (MTF-RDP), a multi-donor facility that aims "to improve social and economic recovery in conflict-affected communities of Mindanao through activities which promote confidence-building, peace and demand-driven governance."

According to EU Commissioner for Development Andris Piebalgs in his statement during the signing ceremony, "the additional funds are a concrete manifestation of the EU's long-time commitment for the Mindanao peace process both at the political level and through development assistance."

Piebalgs also noted that this extended assistance, when added to past contributions to the MTF brings the EU's total contribution to the trust fund to € 12 million (P695 million), thereby making the EU the MTF's biggest donor.

He also commented on the progress of the peace talks between the Government of the Philippines (GPH) and the Moro Islamic Liberation Front (MILF) saying, "As the Philippines economy grows rapidly and the peace talks in Mindanao progress well, the EU continues to support the Philippine Government in the pursuit of inclusive peace and sustainable development in this important region of the country."

Welcoming the support of the EU, Deles, extended her thanks. "We are thankful and look forward to a strengthened and sustained partnership that will make this Administration's vision of a just and lasting peace for a progressive Mindanao a reality."

Deles noted that the additional funds will be used to support the Sajahatra Bangsamoro, a joint development program of the government and the MILF as well as the Bangsamoro Development Planning. She said that the additional funds will support

this phase of the GPH-MILF peace process.

"Both the GPH and the MILF have begun to work more earnestly together on matters directly related to development efforts, which shows the commitment of both sides to make sure that the benefits of the agreements forged on the negotiating table will be immediately felt by the communities on the ground," said Deles.

In light of the recent tragedies that have battered the country, Deles reassured the EU of their positive contribution to the Philippines. "The Filipinos continue to be a hopeful and resilient people with you, the European Union and its member countries, as friends on our side," she said.

For his part, Konishi also expressed his gratitude to the EU for their "timely contribution" to the MTF.

He acknowledged the Aquino administration's efforts towards sustainable peace and development in Mindanao. "The World Bank is fully behind you in this process," he stressed.

"With the signing of the Framework Agreement on the Bangsamoro, the courage and foresight of the government, the MILF and the donors to establish and support the BDA is now paying dividends," he said in pointing out the government's capacity to bring the development aspects of the peace process to the ground.

Dipatuan, on the same note, thanked the EU for their increased support. He stressed on the ways in which the MTF has helped increase their capacity in delivering development programs to conflict affected communities.

He said that the MTF has helped transform the BDA into "an experienced organization that possess the capability to engage in dialogue on development needs and priorities as we position ourselves towards the transition to the Bangsamoro."

The BDA determines, leads and manages relief, rehabilitation and development projects in the conflict-affected areas of Mindanao.

Dipatuan reported that through the MTF program, the BDA was able to deliver 254 sub-projects benefitting over 320,000 people in 215 villages across 79 municipalities in Mindanao.

In closing, he also thanked OPAPP "for its serious commitment towards the conclusion of a Comprehensive Peace Agreement with the MILF, which we believe will finally bring a just and lasting peace, not only in the Bangsamoro, but in the whole of Mindanao and the entire country as well."

FURTHER READINGS

November 7, 2013

Joint Statement - Protecting and supporting human rights defenders who work on issues of corporate accountability

(Bangkok) - This joint statement has been endorsed by the organisations listed below, who were participants in the first annual Peoples' Forum on Human Rights and Business. The Forum was convened jointly by ESCR-Net and Forum-Asia from 5 to 7 November in Bangkok, Thailand.

Highlighting the legitimate and valuable role that human rights defenders have to play in identifying, mitigating, exposing and ensuring accountability for the adverse human rights impacts of business activities and development projects,

Concerned at the incidence of attacks, harassment, restrictions, intimidation and reprisals against human rights defenders who work on corporate accountability issues, both by State and non-State actors, including arbitrary arrest and detention, disappearances, judicial harassment, torture and ill-treatment, and even killings,

Concerned also at the increasing stigmatisation of the work of human rights defenders and the use and abuse of laws - including those



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relating to national security, counter-terrorism and sedition - to defame, criminalise and impair their work,

Concerned further at the particular attacks and threats faced by human rights defenders belonging to or working with marginalised or vulnerable groups, including indigenous peoples, women human rights defenders and those working on issues of sexual orientation or genre identity, Dalits, and ethnic and religious minorities,

Reaffirming the obligation of States to ensure that human rights defenders operate in a safe, enabling and supportive environment,

Makes the following recommendations:

1. States should ensure the effective national implementation of the UN Declaration on Human Rights Defenders, including through the enactment, implementation and enforcement of specific laws, policies and institutions to protect and support the work of human rights defenders, including those working on issues of corporate accountability,
2. States should review and amend or repeal those laws and policies which unduly restrict the work of human rights defenders or which are used or misused to criminalise their work,
3. States should investigate, prosecute and ensure accountability and access to effective remedy for violations against human rights defenders working on issues of corporate accountability, whether perpetrated by State or non-State actors,
4. Communities affected by development projects, together with the human rights defenders who work in or with those communities, should be supported by both States and corporations to participate actively, freely and meaningfully in project assessment and analysis, design and planning, implementation, and monitoring and evaluation,
5. States should ensure the protection and realisation of the rights of indigenous peoples as enshrined in the UN Declaration on the Rights of Indigenous Peoples and ILO Convention 169, including their right to Free Prior and Informed Consent (FPIC) on business activities, development projects and all matters affecting them,
6. States and corporations, together with both public and private security forces, should fully respect and protect those who claim and seek to exercise their right to participate in decision-making processes or who voice their opposition to business activities or development projects, including by respecting and protecting their rights to freedom of expression, association, assembly and peaceful protest,
7. States should develop and implement National Action Plans on the implementation of the UN Guiding Principles on Business and Human Rights which include policies and measures to protect and support human rights defenders,
8. Both public and private financiers of business activities and development projects should ensure that they engage and consult effectively with affected communities and human rights defenders as a necessary aspect of due diligence and their responsibility to protect and respect human rights,
9. Both the UN Declaration on Human Rights Defenders and the UN Guiding Principles on Business and Human Rights should be translated into a greater number of languages, including indigenous languages, and widely disseminated.

For a complete list of organisations supporting this statement, click [here](#).