



## Action Network Human Rights- Philippines

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**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

Agence France-Presse, 01.02.2014

### Photos of child soldiers found at Philippine rebel camp: military

SHARIFF SAYDONA MUSTAPHA, Philippines - Photographs of child soldiers were among the items left behind as the military overran a camp of hardline Muslim rebels in Mindanao, a military commander said on Saturday, February 1. [...]

"There were pictures of children carrying rifles. Some looked like they were 12 years old," [Colonel Edgardo] Gonzales told Agence France-Presse (AFP) as he searched through the abandoned camp about 800 kilometers (500 miles) south of Manila.

"They were showing off their capability. There were 4 kids posing with guns. I believe it was not just for show. I believe those rifles were issued to them," he said.

The military launched an offensive against the BIFF [Bangsamoro Islamic Freedom Fighters] on Monday, January 28, just two days after the government successfully concluded peace talks with the main Muslim rebel group, the Moro Islamic Liberation Front (MILF).

The week's fighting left one soldier and at least 53 BIFF members dead, [including 3 child soldiers recruited by the rebels](#), the military said. [...]

The colonel said he had not personally seen child soldiers but his men had reported encountering them in battles with the BIFF. [...]

The BIFF is a small group of militants opposed to the peace

effort with the MILF, which has carried out many deadly attacks in recent years in a bid to derail the peace process.

On Saturday, the rebels set off two improvised explosive devices near the camp that wounded 6 soldiers and 6 civilians, [including two crewmen of a major TV broadcaster](#).

[...] A spokesman for the BIFF, Abu Misry, told AFP his group did not use child soldiers, however, and charged that the military was planting or staging the evidence against them.

"Those kids who died were not used as soldiers. They were civilians, killed by (military) airstrikes or by their 105 mm howitzers," he said angrily.

National military spokesman Lieutenant Colonel Ramon Zagala denied the claim, saying the 3 slain youths, aged 15-17, were uniformed BIFF fighters. [...]

"It is very hard to distinguish especially in the heat of battle when they are carrying firearms and shooting at you," he said.

The military has already reported the incident to the government's Commission on Human Rights and is awaiting further action, he added.

The website of the UN special representative on children and armed conflict said that it "continued to receive credible reports that the (BIFF) armed group was actively training and providing weapons to children."

Alyansa Tigil Mina -Press Statement, 04.02.2014

### Alyansa Tigil Mina rejects Nickel Asia as development partner for Guiuan post-Yolanda rehabilitation

Alyansa Tigil Mina, a coalition of more than one hundred organizations that is challenging the current policy regime on mining in the country, is strongly opposing the designation of Nickel Asia Corporation as the lead private sector "development partner" for Guiuan, south of Eastern Samar.

The Presidential Assistant on Recovery and Rehabilitation (PARR), on January 30, announced four pilot areas for Yolanda rehabilitation—Tacloban City, Tanauan in Leyte, Guiuan in Eastern Samar, and Biliran. There are more than twenty other areas for rehabilitation.

Guiuan was identified because of "high-level private sector interest", specifically that of mining companies. A fishing and farming community, Guiuan is also rich in mineral resources including bauxite, nickel and titaniferous magnetite—the nearby islands of Manicani, Homonhon and Suluan are also swarmed with mineral operations.

ATM believes that this engagement is meant only to give way to Nickel Asia for possible mining investments in the future. This is clearly corporate capture of potential developments in the area. Sadly, it is not shocking at all for our coalition, as it seems the government, through this initiative, is relinquishing its responsibility to rehabilitate disaster-hit areas to the private sector.

This strategy of the PARR raises too many questions to the government, not only by ATM but by other civil society organizations as well: what are the guidelines that led in the selection of these "development partners" per region or disaster-hit area?

What mechanisms will be established to ensure the transparency and accountability of the "development partners" and PARR? Will there be space for open participation of people in the development and implementation of the rehabilitation plans?

Lastly, a big challenge is the accountability of the Aquino "PNoy" Administration to its people. ATM believes that it is the government that should be "shepherding" the rehabilitation and recovery of the disaster-hit areas and that the sponsoring companies or may extend their expertise, but not perform the lead role.

ATM recognizes that Guiuan, as the first hit area and one of the most devastated with almost 100% of its people losing their homes, should be a priority rehabilitation area. But we also cannot discount the reason behind the intent of different conglomerates, such as Nickel Asia for instance, to help reconstruct the areas. They may have the funds and are able to rebuild immediately, however, they are also very likely to exploit the natural and mineral resources in the area, as in their many mine sites in the country.

It is to this end that we call on the government, through the PARR and Sec. Panfilo Lacson, to reassess their strategies in spearheading the Recovery and Rehabilitation the affected regions. The local government and its people as the "clients" (as the business sector would put it) should be at the center of the reconstruction efforts. [...]

Inquirer.net, 04.02.2014

### CHR slams Duterte's death threat against Bangayan

By Nestor Corrales

MANILA, Philippines—The Commission on Human Rights condemned Davao City Mayor Rodrigo Duterte's statement, saying he was willing to kill Davidson Bangayan.

Human Rights Chair Loretta Ann Rosales called Duterte "utak pulbura" (someone who resorts to violence to resolve issues) for

making the death threat against Bangayan, who is allegedly the rice smuggling suspect known as David Tan, before members of the Senate committee on agriculture Monday.

Rosales in an interview over Inquirer radio 990AM asked the Senate legal and investigation department to look into the viola-



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tions of Duterte's death threat against Bangayan, citing that this is an assault to his office and to the Senate.

She said Duterte should have been slapped with contempt for his antics at the smuggling probe in the Senate. [...]

Senator Cynthia Villar, senate chair on the committee on agriculture, defended Duterte, saying the threatening statement was just a "figure of speech."

Agence France-Presse, 27.02.2014

## Poor left behind, jobs scarce as Philippines takes off – experts

MANILA, Philippines – The Philippines should create more investment opportunities in agriculture, tourism, manufacturing and mining to escape the curse of jobless economic growth, experts and businessmen said Wednesday.

Economic growth in the Philippines has been among the highest in Asia in recent years. But the benefits have escaped the vast majority, particularly farm workers, they told an economic forum.

"If you want a major increase in employment, you have to broaden your basis of growth," Julian Payne, president of the Canadian Chamber of Commerce of the Philippines, told the forum sponsored by foreign chambers of commerce.

He said there must be more opportunities in "sectors that really have huge potential in long-term employment generation" such as agri-business, manufacturing, mining and tourism – with only the latter currently enjoying some success.

The economy grew 7.2 percent last year, the fastest since President Benigno Aquino came to power in 2010.

However, the foreign chambers of commerce said 22.3 percent of families still lived in poverty, barely changed from the figure in 2009.

The rate of unemployment and underemployment as of October

Villar compared the death threat of Duterte to declaring someone as "personan non grata." [...]

On Monday, Bangayan was arrested by the National Bureau of Investigation (NBI) not as the alleged rice smuggler but as an electricity thief.

He, however, was released after posting bail.

last year was 24.4 percent, down only slightly from the previous year, government statistics showed.

### Reforms too slow

While they gave Aquino credit, the heads of the country's foreign chambers of commerce said his reforms did not go far enough or were too slow.

While foreign direct investment in the Philippines had picked up, it was still lagging far behind its peers in Southeast Asia, they added.

"Competitiveness in the country is getting better but it is not enough," said Takashi Ishigami, president of the Japanese Chamber of Commerce.

He and other foreign businessmen said the Philippines should scrap restrictions on foreign investment, keep the minimum wage from rising and further cut bureaucracy to bring the country to the same level as the rest of the region.

World Bank economist Rogier van den Brink said the Philippines needed to create 14.6 million more jobs for those already unemployed and underemployed, on top of those who join the labor force each year.

He said entrenched groups in the country were resisting competition and preventing the economy from opening up.

## CALAMITIES & CLIMATE CHANGE

ManilaStandardToday.com, 17.02.2014

## Storm of protests set

By Joyce Pangco Panares

SURVIVORS of super typhoon Yolanda plan to storm Malacañang today as they warned that President Benigno Aquino III is "criminally liable for the government's slow and insensitive action on the rehabilitation and reconstruction of calamity-stricken areas."

Sister Edita Eslopator, chairperson of the 12,000-strong alliance of Yolanda survivors called People Surge, said they are not ruling out the possibility of filing criminal charges against the President and government officials responsible for the rehabilitation and reconstruction program.

"We will surge in Metro Manila streets...The situation is getting worse for the people of Eastern Visayas," said the Benedictine nun in a statement to mark the 100th day after the storm. [...]

"The people need more than relief operations that will not last forever...But because they still live in uncertainty a hundred days after the storm, the Aquino government only reinforces their fears for the future," Eslopator added. "The people are suffering, and they are seething because the government cannot assure the most basic needs such as food, livelihood, housing and social services."

In Tacloban, Mayor Alfredo Romualdez told a crowd gathered to commemorate the 100th day since the storm that they were heroes for having survived Yolanda.

He also denied allegations that Eastern Visayas was unprepared for the storm, or rumors that the commercial hub would be transferred elsewhere.

Romualdez urged his constituents to gain strength by keeping in their hearts and minds the memories of their loved ones, and to show the whole world what they can do with the help they are getting from the international community.

[...] Eslopator said protesters would bring with them a petition signed by the survivors demanding P40,000 in financial assistance per family as well as for the lifting of the no-build zones along coastal areas that have been identified as danger zones by the government.

"We abhor the heartlessly callous government of Aquino who, instead of prioritizing and consulting the victims of Typhoon Yolanda on what they actually need, has appointed a blood-stained military man to take charge of its cold-hearted efforts of reconstruction that focuses on graft-ridden infrastructure for its business allies instead of social support to the farmer and urban poor who have no opportunity to get back on its feet immediately," Eslopator added, referring to presidential assistant on rehabilitation and recovery Panfilo Lacson.

In a phone interview, Lacson denied that the government had been slow in responding to the needs of the calamity survivors.

[...] Lacson was appointed less than a month after super typhoon Yolanda devastated 171 cities and municipalities on Nov. 8, mostly in Eastern Visayas.

"We are improvising a bottom-up approach to expedite the process of the post disaster needs assessment (PDNA) in accordance with United Nations protocol. [...]" he said.

"Still, close consultation and coordination with the critical national line agencies will be done before implementing the LGU-prepared rehabilitation and development plans based on their individual needs assessments," Lacson added.

Eslopator, however, insisted that Yolanda survivors have all the just reasons to criticize the Aquino government.

She said that despite the billions of pesos in donations and three months after Yolanda struck, calamity victims are still suffering.



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"They have no food to eat, no shelter above their heads and no livelihood to help them survive. [...]" she said.

"This government has also turned the rehabilitation into a racket with substandard and overpriced infrastructures like bunk houses and tents. [...]" Esplor added.

Presidential Communications Operations Office Secretary Herminio Coloma said the government is expediting efforts to ensure that lives of Yolanda survivors return to normal at the soonest possible time. [...]

"We realize that despite its best efforts, government is unable to adequately respond to all the needs of all the affected families and individuals. We continue to welcome suggestions on how we can improve our response and assistance. We will act on reports of abuse or anomaly in the provision of relief services," he added.

Coloma said the President has also directed members of the Cabinet to prepare a detailed roadmap for effective response to disasters before the onset of the rainy season in June.

"This will include adoption of new emergency alert protocols for storm surge, floods, and landslides; strict implementation of no-build zones along coastlines; and higher standards for disaster resiliency of buildings and infrastructure," Coloma said.

### INSTITUTIONS

Rappler.com, 07.02.2014

## Iriberry thanks Gazmin as he assumes Army command

By Carmela Fonbuena

MANILA, Philippines - The troops will be talking about Army chief Major General Hernando Delfin Carmelo Iriberry for a while. The young general beat more senior contenders to the post, including his previous commander at the Northern Luzon Command, Lieutenant General Gregorio Catapang. [...]

### Gazmin's aide

Iriberry's swift rise has been attributed to his closeness to Defense Secretary Voltaire Gazmin, who is very close to President Benigno Aquino III.

Iriberry served as spokesperson of Gazmin when he was Army chief in 2000. Before he became the commander of the Army's 503rd Brigade in Abra and later 7th Infantry Division chief, Iriberry also served as senior military assistant to the defense chief. [...]

Catapang, who served in the President's hometown Tarlac, had been rumored to be the strongest contender for the post. But in decision he made known only last Thursday, Aquino chose Iriberry. [...]

### Peaceful elections

[...] In his speech, President Aquino talked about Iriberry's record in Abra. "His unit was instrumental in achieving the most peaceful elections in Abra. Because they effectively responded to threats, the province recorded an 83% voters turn out. It's the highest in the record of the Cordillera Administrative Region in the past elections," Aquino said.

The President added: "[...] As the new chief, I expect that he will show extraordinary strength, discipline, and dedication to continue the Army Transformation Roadmap."

Most of Iriberry's combat duties were in Mindanao. He is a recipient of 2 Gold Cross Medals, the 3rd highest combat honor. He received the first in 1996 when he commanded a Scout Ranger Regiment that overran an Moro Islamic Liberation Front (MILF)

Philippine News Agency, 07.02.2014

## DND asks Senate to increase AFP intel fund to avoid repeat of Zamboanga siege

MANILA, Philippines - Department of National Defense Secretary Voltaire Gazmin on Thursday requested the Senate to increase the intelligence fund of the Armed Forces of the Philippines to 'avoid a repetition' of the Zamboanga siege in September last year.

The militant group Bagong Alyansang Makabayan, however, said the "privatized reconstruction" in calamity-hit areas will not really address the needs of Yolanda survivors.

"Privatized reconstruction under the Aquino regime will not work for the people. The thrust of this framework is the development of business, and not the actual needs of the people, especially those in agriculture and fisheries," Bayan secretary-general Renato Reyes Jr. said.

[...] The 171 cities and municipalities affected by Yolanda were divided into 24 areas of intervention and development or AID.

Eighteen AID areas have been adopted by companies such as PLDT-Smart-Metro Pacific Group, ICTSI Group, Metrobank, Injap Group, Lopez Group, Aboitiz Group, and the Engineering Equipment Inc. of the Yuchengco Group.

Based on a study conducted by the People Surge, more than 2 million farmers and fishermen in Eastern Visayas alone were affected by the typhoon. [...]

"Eighty percent of the population in the Eastern Visayas region rely on agriculture yet this will receive the lowest budgetary priority under the government's reconstruction framework," Esplor said. [...]

camp in Maguindanao and later in 1999 when he was Army spokesperson and survived an ambush in Lanao.

He is also a recipient of 5 Distinguished Service Stars, and one Bronze Cross Medal.

### Improve disaster response

[...] While the military continues to fight insurgency there are other challenges like disaster response. [...]

"We are still engaged in battles for enduring peace in some areas and expanding development around the country.... In most instances, the battles are a contest of will and propaganda. In others, the clash of arms. In a new front, we also now have the battle against the onslaught of disasters," Iriberry said.

Iriberry spoke about "improving interoperability with other armed forces" and "developing new means and methods for effectively and efficiently collaborating with foreign forces and other agencies in dealing with major disasters and calamities."

While the government is set to finalize a peace deal with the Moro Islamic Liberation Front (MILF), Iriberry said the Army has to deal with "spoilers." He cited the clashes with the MILF breakaway unit Bangsamoro Islamic Freedom Fighters (BIFF) and last year's attack of the Moro National Liberation Front in Zamboanga City.

He said he will continue to implement the government's counter-insurgency program, as well as the reform agenda of the military. [...]

Iriberry will retire in April 2016, two months before President Aquino steps down from office. The current chief of staff, General Emmanuel Bautista, is retiring in July this year, and Iriberry - as Army chief - would automatically be a nominee for the post.

"We would want to enhance AFP capability to deter any aggressive intent, meaning we need sophisticated equipment for our intelligence capability and then increase the intelligence for [...] AFP," Gazmin said in the Senate inquiry into the Zambo attack. Gazmin also recommended to pursue the prosecution of crimi-



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nal cases and obtain conviction of those responsible for the bloody siege perpetrated by some 200 armed followers of former Moro National Liberation Front (MNLF) chairman Nur Misuari. [...] Sen. Antonio Trillanes IV, chairman of the Senate committee on national defense, said the Senate will try to work on the DND's request to increase its intelligence fund.

"Hopefully in this new budget cycle, we will be able to increase those requests," Trillanes, a former Navy officer, said.

Trillanes revealed that he has recommended the realignment of the P200 million pork barrel fund of Vice President Jejomar Binay for the AFP and Philippine National Police.

"But eventually, he (Binay) wanted it scrapped that our security forces won't be able to avail of it. It is unfortunate," Trillanes said.

On the DND's request to pursue prosecution of criminal cases, Trillanes said the request will be tackled in executive session with the AFP officials.

During the Senate probe, Trillanes stressed the need for both the

local and national governments and other concerned agencies to come up with effective protocol to resolve crisis similar to Zamboanga incident in the future.

[...] Trillanes commended the military for their effort to end the Zamboanga siege although it was achieved at "a very high prize" after it left many people dead mostly from MNLF side and forced the government to evacuate 120,000 people.

[...] The fighting reportedly cost Zamboanga City some P6 billion as flights were cancelled, most of the commercial establishments closed and thousands of homes, stores, commercial and industrial buildings were damaged [...].

Misuari reportedly claimed the government has abandoned the tripartite review of the implementation of the 1996 final peace agreement in favor of holding peace talks with Moro Islamic Liberation Front (MILF).

President Adviser on the Peace Process (OPAP) Secretary Teresita Quintos-Deles insisted during the Senate hearing that government did not turn its back on the MNLF. [...]

Rappler.com, 07.02.2014

## CHR to sign agreement against involuntary disappearance

MANILA, Philippines - The Commission on Human Rights (CHR) announced on Wednesday, February 5, that it will sign a memorandum of agreement (MOA) with the Department of the Interior and Local Government (DILG), the Department of National Defense (DND) and the Department of Justice (DOJ) on the implementation of a law that criminalizes the practice of "enforced or involuntary disappearance."

Republic Act 10350 or the Anti-Enforced or Involuntary Disappearance Act of 2012 is a domestic human rights instrument similar to the International Convention for the Protection of All Persons from Enforced Disappearances. With this landmark law, the [Philippines is the first Asian country to criminalize enforced disappearances](#).

The MOA will outline the roles and responsibilities of the 4 agencies. It will formalize a commitment that "victims of enforced or involuntary disappearance and their immediate relatives within the fourth civil degree of consanguinity or affinity are entitled to monetary compensation, rehabilitation and restitution of honor and reputation."

Free medical care and rehabilitation will also be provided for

victims and families of enforced disappearances.

The MOA requires CHR to issue a resolution that will direct the concerned agencies to "immediately cause the expunging of a derogatory record or the sealing of these records and to rectify derogatory statements made by institutions on a victim's person, personal circumstances, status and/or organizational affiliation."

CHR will also be authorized to require concerned institutions to file a Return on the Order, specifying the response of such agencies to the directive.

Also known as 'Desaperacidosis Law,' R.A. 10350 defines enforced disappearance as "the arrest, detention, abduction, or any other form of deprivation of liberty committed by government authorities or by persons or groups of persons acting with authorization, support or acquiescence of such persons in authority, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such person outside the protection of the law."

Sun.Star Cagayan de Oro, 08.02.2014

## Lawmaker's bill to make Oro 'mining-free zone'

By Anjo Bacarisan

CAGAYAN de Oro will soon be a mining-free zone after Congress passed the bill filed by this city's Second District representative Rufus Rodriguez in its final reading without objection. Rodriguez said last week the proposed legislation he filed, House Bill No. 45, went through the plenary unopposed.

"And last Monday, it (the bill) was approved on the third reading with the support of 293 lawmakers," said Rodriguez.

It was first passed on the committee on the natural resources and still no one objected to the bill.

He furthered that he had conversations with some of the senators like Teofisto Guingona III and he is optimistic that it will be approved at the Senate level and eventually gets signed by the president into law.

"There are no further obstacles and I see this will be approved in the Senate," Rodriguez said. [...]

Objective

The main reason why the bill was created is to prevent another Sendong-like calamity in the city. [...]

He [Rodriguez] added that the bill was also created to stop illegal small-mining operations in the city's hinterland areas.

Rodriguez cited the recent discoveries of mining operations in Cagayan de Oro's upland communities.

He added that mining in the city was abused resulting to the destruction of the ecology and one of its dangerous effects was Sendong. [...]

Rodriguez and his brother Maximo Jr., the representative of Abante Mindanao (Abamin) party-list, authored House Bill 45 (HB 45).

HB 45 declares that: "It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology."

It added that it is the role of the State to "protect the people and the environment in Cagayan de Oro City from the adverse effects of mining."

Section 3 states that any person who violates any provisions of the Act shall be penalized with imprisonment of at least six years but not more than 12 years. [...]

In cases where the mining firm is foreign, their local representatives like the manager, president, or its agent in the Philippines shall be held liable.

Livelihood

[...] Prior to the proposal of the bill declaring the city as a mining-free zone, Rodriguez said a law has already been created to help the people in the hinterlands with their livelihood and

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reforestation.

Republic Act No. 10452 seeks to reforest some 3,000 hectares in the hinterlands of the city.

"When there's no mining, there's a way to take care of the livelihood of the people in the area," said Rodriguez.

He said the budget for reforestation is around P35 million that is now in the hands of the Department of Environment and Natural Resources (DENR).

Rodriguez said the reforestation project would provide the people an option to get a livelihood than depend on mining work.

[...] He added the administration of City Mayor Oscar Moreno is also planning to implement programs like livestock raising, handicraft and food production among others to aid people's livelihood.

ManilaStandardToday.com, 14.02.2014

## PNoy forms panel to go over human rights claims

By Joyce Pangco Panares

A YEAR after he signed the Human Rights Victims Reparation And Recognition Act of 2013, President Benigno Aquino III finally formed the board that will go over the claims of human rights victims that will be filed against a P10-billion compensation fund.

Aquino appointed Lina Sarmiento, the recently retired first female two-star general of the Philippine National Police, as chairwoman of the Human Rights Victims' Claims Board.

The board's members are Wilfred Asis, Galuasch Ballaho, Byron Bocar, Jose Luis Martin Gascon, Glenda Litong, Jacqueline Veloria Mejia, Aurora Corazon Parong and Erlinda Senturias.

Asis is a human rights lawyer and a member of the Free Legal Assistance Group, while Ballaho and Bocar are with the Commission on Human Rights.

Gascon is an undersecretary in the Office of the Presidential Adviser for Political Affairs, while Mejia is a former Justice assistant secretary and Parong is a section director of Amnesty International-Philippines.

But the left-leaning Bagong Alyansang Makabayan on Thursday asked why the human rights groups Karapatan and Samahan ng Ex-Detainees Laban sa Detensyon at Aresto or Selda were not represented.

"Most of the appointees are also from government. How can we expect this body to be independent?" Bayan secretary general Renato Reyes Jr. said.

Presidential Communications Operations Office Secretary Sonny Coloma said the board would have to work "with a sense of urgency" to make up for the one-year delay.

The law defines the victims as all the claimants in the class suit and direct action plaintiffs in Hawaii and all the victims recognized by the Bantayog ng mga Bayani Foundation.

A point system will be used to determine the compensation to be sourced from the P10-billion fund allocated for the law:

- The victims who died or who disappeared or are still missing

InterAksyon.com, 16.02.2014

## Drilon to SC: We urgently need a decision on RH Law

Senate President Franklin Drilon says the lack of a judgment from the Supreme Court on the Reproductive Health Law has "stymied government efforts addressing the need for much-needed maternal and infant care throughout the nation."

[...] Reproductive health services have been "in a state of limbo", the senator said. "Pending a court decision... the government (is) temporarily incapacitated on its legitimate goal of removing the

Press Release - SELDA, 25.02.2014

## SELDAs certiorari at SC, demands nullification of Gen. Sarmiento's appointment to Human Rights Victims Claims Board

On the occasion of the 28th anniversary of the EDSA People Power I, Martial Law victims led by former Bayan Muna Rep. Satur Ocampo filed a petition today asking the Supreme Court to nullify the appointment of PNP Gen. Lina Castillo-Sarmiento as chairperson of the Human Rights Victims Claims Board, [...].

Petitioners include martial law victims namely Former Bayan Muna Rep. Saturnino Ocampo, Bayan Muna Rep. Neri Javier Colmenares, Dr. Maria Carolina P. Araullo, Trinidad Repuno, Tita Lubi and Josephine Dongail. All of them belong to the almost 10,000 Martial Law victims awaiting recognition as stated in Republic Act 10368, or the Human Rights Victims Reparation and Recognition Act of 2013 signed into law by Pres. BS Aquino. According to RA 10368, members of the Human Rights Victims Claims Board should possess the following qualifications: 1) must be of known probity, competence and integrity; 2) must have a deep and thorough understanding and knowledge of human rights and involvement in efforts against human rights violations committed during the regime of former President Ferdinand E. Marcos; 3) must have a clear and adequate understanding and commitment to human rights protection, promotion and advocacy.

"We want to mark it in our history that never again shall we allow perpetrators of human rights violations go unpunished. Letting a Martial Law relic head the Human Rights Victims Claims Board is a betrayal of that purpose. We shall exhaust any legal remedy available so that justice may be served," Ocampo said.

The petition for certiorari concluded that "It is more than an issue of trust between the Human Rights Claims Board and the human rights victims. It is greater than ensuring confidence in the system supposedly envisioned to bring about justice. It is beyond the integrity of the process of arriving at the compensation to be awarded and the standards to be used in determining compensability and linking it to the rightful beneficiaries. The sum total of these values, though important, does not adequately address the issue against appointing a former police general to head the Human Rights Claims Board. The petition said, "[...] Compensation is a component of justice. Re-writing the history of human rights violations during the martial law regime is the bigger picture. By appointing a former police general to head the Human Rights Claims Board, the President is practically exonerating the entire system that perpetrated the abuses, justified their occurrence, and concealed them with a veneer of impunity."

The counsels of the petitioners are from the National Union of Peoples' Lawyers (NUPL) namely Attys. Edre Olalia, Julian Oliva, Ephraim Cortez and Minerva Lopez. [...]

will be given 10 points.

- The victims who were tortured and/or raped will be given four to nine points.
- The victims who were detained will be given two to four points.
- The victims who were forcibly exiled from the Philippines, kidnapped, or otherwise exploited, sexually offended but not raped in the course of the conduct of military and/or police operations will be given one to four points.

The claims board will set aside 80 percent or P8 billion to compensate the victims included in the class suit.

The amount will be divided by the total number of points of all the complainants to get the just compensation per point.

The board will allocate the remaining 20 percent to those not included in the class suit, and using the same computation.

stumbling blocks to providing maximum maternal and infant care throughout the country."

Only when the High Tribunal will have issued a ruling on the constitutionality of the the RH law will the government be free "to either continue with the RH law or proceed to formulate another national policy on this issue," the senator said.

Congressional leaders, such as House Speaker Feliciano Belmon-

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### CHR backs Sarmiento's appointment to claims board

By Rhodina Villanueva

MANILA, Philippines - The Commission on Human Rights (CHR) yesterday expressed support for the Human Rights Victims Claims Board after martial law victims filed a petition asking the Supreme Court to nullify the appointment of Lina Castillo-Sarmiento as chair of the board.

President Aquino signed into law the Reparation and Recognition of Human Rights Violations Victims Act of 2013, mandating the formation of a Memorial Commission and a claims board. The board will decide on the compensation for martial law victims, survivors and their relatives.

The appointment of Sarmiento, the first two-star woman general of Philippine National Police (PNP), was fraught with controversy, with critics saying she could not serve the interest of victims because she belongs to an institution that had been instrumental in the abduction, torture and killing of citizens and activists during martial law.

But the CHR said it very much welcomes the appointment of Sarmiento.

"Although she is not a human rights victim during martial law, her heart is really dedicated in uplifting human rights," said CHR Information and Communication Division chief Marc Titus Cebreros.

"The edge of the appointed chairperson is her organizational expertise, which is very important in checking, verifying documents of claimants. She has good credentials, that is why we are optimistic that under her leadership in the board, distribution of compensation will be completed," he added.

Sarmiento, who took early retirement from the police service last January, is unfazed by the criticisms.

She said she has survived the male-dominated PNP for 34 years, introduced the human-rights program in the police, and was the head of the Human Rights Affairs Office in the PNP.

She also said she did not expect to be appointed by the President. [...]

*The Philippine Star, 27.02.2014*

te Jr., had earlier called on the Supreme Court to uphold the constitutionality of the RH law. Drilon called for "decisiveness" on the part of the court, even as he stressed that he stood with those calling for the law to be upheld. "The RH bill underwent more than 13 years of debates, studies and consultations before it was approved is an undeniable proof that its passage went through an arduous and highly-publicized process, where it was subjected to the full rigors of the Philip-

pine legislative system, and where all views -whether for or against its passage- were fully observed and taken into account," Drilon said.

The RH Law was passed by the 15th Congress in December 2012. It was signed into law by President Aquino. However, its constitutionality was questioned before the Supreme Court. In March 2013 the Court issued a status quo ante order against the law.

Philippine Daily Inquirer, 19.02.2014

### SC: Online libel law legal

By Christine O. Avendaño

MANILA, Philippines - The Supreme Court on Tuesday upheld the constitutionality of a provision in the controversial Cybercrime Prevention Act of 2012 penalizing online libel amid fears it infringed on Internet freedom.

Likewise, the high court endorsed a provision that seeks to penalize authors of libelous online content but not those receiving and reacting to it.

The court, however, struck down a section in the law that allows the Department of Justice (DOJ) to block access to online content.

After more than a year, the high tribunal finally ruled on the constitutionality of certain provisions in the cybercrime law that were raised by 15 petitioners.

The implementation of Republic Act No. 10175, which President Aquino signed into law in September 2012 to fight crimes committed on the Internet, like cybersex and child pornography, had been suspended for over a year.

The law can now be implemented without the provisions that were struck down.

Solicitor General Francis Jardeleza, who was at the high court to attend the last oral arguments on the Disbursement Acceleration Program, refused to comment on the ruling until he has read it.

At a media briefing, Supreme Court spokesman Theodore Te said the tribunal had "partially granted" the relief sought by the petitioners.

Of the 19 questioned provisions, the court declared four unconstitutional: Sections 4(c)(3), which penalizes the posting of unsolicited commercial communications (or spam); Section 12, which authorizes the collection or recording of traffic data in real time; Section 19, which authorizes the DOJ to restrict or block access

to suspected computer data; and Section 7 "as far as it authorizes the prosecution of an offender under online libel and libel under the Revised Penal Code (RPC) and also where it pertains to child pornography for being in violation of the prohibition against double jeopardy."

The court noted that "online libel is admittedly not a new crime but one already punished under Article 353 (which defines libel in the RPC); Section 4(c)(4) (or online libel) merely establishes the use of a computer as another means of publication. For this reason, charging the offender under both laws would be a violation of the guarantee against double jeopardy under Article III Section 27 of the 1987 Constitution," said the statement released to the media.

Te said the court upheld the constitutionality of online libel as a cyberoffense. It said that online libel was "not unconstitutional with respect to the original author of the post but unconstitutional only when it penalizes those who simply receive the post or react to it."

Bayan Muna Rep. Neri Colmenares, one of the petitioners, said they would challenge the ruling.

"No one should go to prison just for expressing oneself, especially on the Internet, where people express their frustration with government," he said.

"Under cybercrime law, tweets, likes, shares, comments crimes. Everyone under surveillance," activist Vencer Crisostomo said in a tweet.

Also, the court qualified that Section 5 of the law, which penalizes anyone who aids or abets the commission of cybercrimes and anyone who attempts to commit cybercrimes was "not unconstitutional" in connection with the commission of the



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following: illegal access, illegal interception, data interference, system interference, misuse of devices, cybersquatting, computer-related fraud and identity theft and cybersex.

Philstar.com, 20.02.2014

### Watchdog to reform AFP launched

By Alexis Romero

MANILA, Philippines - The military is hoping to recover from the ghosts of the past with the launching of a watchdog that will oversee its reform efforts.

Armed Forces chief Gen. Emmanuel Bautista said the creation of the Multi-Sector Governance Council (MSGC) would allow them to reach out to all stakeholders and to improve their systems.

"We want to improve the armed forces. In the past, the perception towards the armed forces is not good and we are committed to build a better armed forces that is true to our mandate," Bautista said.

[...] The MSGC was launched Thursday and composed of former and current government officials and experts from different fields. It will monitor the implementation of the Armed Forces Transformation Roadmap, a 15-year strategy that seeks to professionalize and develop the capabilities of soldiers.

[...] Allegations of corruption and human rights abuses have tainted the image of the military, which is still grappling with issues on its security capabilities.

In 2011, former military budget officer George Rabusa claimed that some generals got huge sums upon retirement. He said the giving of send-off money or "pabaon" to retiring officials was part of a military tradition.

[...] During the height of the controversy, survey firm Pulse Asia released a survey showing that almost half of Filipinos view the military as an institution where corruption is most prevalent.

Officials have repeatedly claimed that reforms have been under-

But this was deemed unconstitutional "only in relation to offenses punished by child pornography and unsolicited commercial communications and online libel."

taken to insulate its financial and procurement systems from corruption.

The military is also facing issues of alleged human rights abuses, which militant groups claim, stemmed from anti-insurgency efforts.

Among the high-profile cases of alleged human rights abuses are the disappearance of activists Jonas Burgos, Sherlyn Cadapan and Karen Empeno.

Officials, however, maintained that abusive practices like torture, extrajudicial killings and enforced disappearances are not part of the military's policy.

Bautista said the transformation of the military would be a continuous process.

"We are continuously reviewing our systems whether they are still adept to the current environment, whether there is a need for us to update them or to change them," he said.

The members of the good governance body are Jesus Estanislao, chairman of Institute for Solidarity in Asia and former finance secretary; Francis Estrada, founder of Odyssey Capital Ventures, former Ambassador Lauro Baja; Jennifer Oreta, Assistant Secretary for Policy of the Office of the Presidential Adviser on the Peace Process; Alfredo Pascual, president of the University of the Philippines; Cesar Bautista, co-chair of the National Competitiveness Council; and Fr. Jose Cruz, dean of the Ateneo School of Social Sciences. [...]

ManilaStandardToday.com, 25.02.2014

### Trial judge slams lapses in criminal justice system

By Ferdie G. Domingo

CABANATUAN CITY, Nueva Ecija – A trial court judge derided glaring lapses in the criminal justice system in the country, which he said has breed corruption in law enforcement, prosecution of cases, and the jail system.

Judge Celso Baguio of the Regional Trial Court in Gapan said policemen involved in drug cases become forgetful when they appear in court and many people suspected that their testimonies have been bought.

[...] The judge was the main speaker in the 23rd anniversary celebration of the Provincial Public Safety Company of the Philippine National Police. He was one of several public figures presented with awards for their support to the police.

Before becoming a judge, Baguio was former congressman of Camarines Sur and radio broadcaster for 21 years. [...]

Baguio said even the prosecutors were also forgetful and they attend hearings like they were born only yesterday.

"In the judiciary, there is corruption. Some judges sell the truth," Baguio said.

He said the controversy over billions of pesos of pork barrel funds funneled to bogus non-government organizations was like a calamity that hit the country and the theme of the occasion "One nation in prayer" was timely and fitting.

"The people should reflect and unite and pray and seek divine intercession to we would survive these ordeals," Baguio said.

The Philippine Star, 26.02.2014

### Miriam seeks inclusion of SALN in FOI bill

By Christina Mendez

MANILA, Philippines - Sen. Miriam Defensor-Santiago yesterday called for the inclusion of the statement of assets, liabilities and net worth (SALN) and the monthly income of public officials in the Freedom of Information (FOI) bill now pending in the Senate.

Santiago also wanted to include in the measure a provision mandating all government agencies to publish and make available for download in their respective websites such information as the audited financial statements and budget and expenditure records of the respective government agencies, as well as the SALN of public officials with salary grade 27 and above, pursuant to Republic Act No. 6713 or the Code of Conduct and Ethical

Standards of Public Officials and Employees.

Santiago also pushed for the inclusion of the monthly income, including allowances and sources of income, of all public officials with salary grade 27 and above.

Santiago urged Sen. Grace Poe, sponsor of the FOI bill, to also include in the coverage of FOI bill the performance review results of government agencies, as prescribed by the Anti-Red Tape Act (Republic Act No. 9485) and other relevant laws.

As author of the proposed Magna Carta for Philippine Internet Freedom, Santiago said the government should maximize the use of the Internet and information and communications technology (ICT) in disseminating information, and promoting



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transparency in governance.

[...] Santiago also wanted government agencies to maintain in their websites the mechanisms to allow for the public to provide feedback, lodge complaints, or report instances of malfeasance or misfeasance, including anonymous feedback, complaints or

reports.

The agencies are also required to take appropriate steps to protect persons making feedback, complaints or reports from retaliation or persecution. [...]

### CURRENT CASES OF HUMAN RIGHTS VIOLATIONS

Karapatan Press Release, 07.02.2014

## Karapatan to file complaint to UN on forced eviction, torture and rights violations vs San Roque residents

Karapatan strongly condemned the use of force and violence in the January 27 demolition at Brgy. San Roque, Quezon City, as the alliance is poised to file complaints at the United Nations Human Rights Council to bring to international attention the rights violations inflicted on the urban poor residents in San Roque.

"We intend to submit a complaint to the UN Special Rapporteur on the Right to Adequate Housing on the forcible demolition of homes and destruction of properties of the residents; torture, illegal arrest and detention, and rights violations against women, children, and the sickly and elderly," stated Cristina Palabay, Karapatan secretary general.

A 65-year old male, **Resty Torres**, died of asthma attack after inhaling tear gas while a pregnant woman, **Mary Rose Reyes**, had a miscarriage after crawling her way out of the area filled with tear gas. The demolition team lobbed tear gas during the forced eviction of the residents. Reyes was four-months pregnant with twins.

**Ricky Ho** was listening to the program held by people's organizations during the barricade when members of the Special

Weapons and Tactics (SWAT) team caught and forced him to admit he was among those who threw stones at the police. A gun was pointed at him. He was pulled out from the crowd, his head was covered by an empty paint bucket as he was led to police mobile. Members of SWAT hit his body and the bucket on his head with truncheon. The bucket was only removed when they reached the Office of the Ombudsman, and in the presence of media covering the demolition. During his interrogation at Camp Karingal, a police officer kicked his back and hit his head with a record book.

These are some of the cases of human rights violations documented by Karapatan, Demolition Watch, Urban Poor Resource Center of the Philippines, Kadamay, Tanggulan Youth Network, Center for Trade Union and Human Rights and Children's Rehabilitation Center. [...]

As of December 31, 2013, Karapatan documented 13,528 victims of demolitions and forced eviction under the BS Aquino regime. There are 13 cases of extra-judicial killings related to urban poor struggles.[...]

Karapatan - Press Release, 05.02.2014

## Oplan Bayanihan Phase 2 opens 2014 with 3 EJK and 4 frustrated killings - Karapatan

"[...] The Armed Forces of the Philippines (AFP) is trying to offset [failure of Oplan Bayanihan Phase 1] by attacking civilians and accusing them as members or sympathizers of the Communist rebels. For January alone, three victims of extrajudicial killing and four victims of frustrated killing were documented," said Karapatan secretary general Cristina Palabay.

[...]The government has to fulfill its internal deadline because it will also affect the US government's Asian pivot. Oplan Bayanihan is timed with the US Asian pivot. The US\$ 40 million military aid pledged by US State Secretary John Kerry in December serves this purpose," added Palabay.

The documented cases of EJK and frustrated killing are:

On January 30, **Henry C. Orbina and Bryan Orbina Gallega**, both employees of BMH Manpower Services were fired upon by elements of the Philippine National Police (PNP) detailed at the PNP Outpost in Cabid-an, Sorsogon City. Henry Orbina died instantly from multiple gunshot wounds while Bryan Gallega was arrested, detained, and subsequently charged with trumped-up cases [violation of the Comprehensive Law on Firearms and Ammunition (RA 1059) and violation of Explosive Law (RA 9516)] at the Prosecution Service Office [...].

Both the Sorsogon PNP and the 903<sup>rd</sup> Infantry Brigade-Philippine Army, through its commanding officer Col. Kakilala, accused the victims as NPA rebels. The BMH Manpower Services claims Orbina and Gallega as its employees.

On January 13, **Arman Padino** died from a gunshot wound in the head when suspected security guards and goons of Leonardo-Lachenal Holdings, Inc (LHI) FL Property Management Corp. (FL PMC) and Ayala Land fired upon three farmers in Hacienda Dolores in Pampanga on January 12.

The two other victims, father and son **Noel and Reynold Tumali**, survived the attack but were wounded. The three were on their way to their farms when they were fired upon by the

security guards and goons. The perpetrators also fired upon village officials who responded to the victims, who were later charged with malicious mischief and carjacking by LHI and FL PMC.

Padino and the Tumalis are among the 350 farmers and 1,000 families who will be displaced by the real estate project of the LHI and FL PMC, with the Ayala Land. It has been eight months since the corporation fenced off some 700 hectares of land and prohibited farmers from working on their farms.

On January 3, **Marcelo Monterona** was testing his newly repaired multicab on the road. He was already near the house of a friend, **Edgardo Sedillo**, when two unidentified men aboard an XRM motorcycle stopped near the driver's seat of the multicab. Witnesses said the gunman went straight to the driver's seat and shot Monterona with a .45 caliber pistol, hitting him on the left side of his mouth. He tried to crawl out of the vehicle through the passenger's side but the gunman got on the vehicle through the driver's side door and shot Monterona several times more before speeding away.

Monterona fell out of the vehicle and was rushed to a hospital in Tagum City by his wife and son. Edgardo Sedillo, who was grazed by a stray bullet in the stomach, was also brought to the hospital. Monterona was pronounced Dead on Arrival (DOA), while Sedillo, who sustained minor injuries, was discharged of the hospital on the same day.

Monterona was an active Council member of Indug Kautawan. He actively participated in national and local campaigns against the large-scale and open-pit mining operations of the Apex Mining Company. Last year, he and other victims of the typhoon Pablo/Bopha barricaded the gates of the mining company in Maco, paralyzing its operations. Monterona also campaigned for the pull-out of 71st Infantry Battalion from the communities, criticized the military's aerial bombings in the

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area, and demanded justice for the slain Pedro Tinga, also a member of Indug Kautawan, and other human rights abuses by

the military.

Karapatan – Urgent Alert, 06.02.2014

### Farmers' group, woman rights defender threatened in Aurora province, Central Luzon, Philippines

#### Account of the Incident:

On the evening of January 16, 2014, members of the Philippine Army surrounded the house of peasant organizer **Rosemarie Rojas**.

According to Rojas's neighbors, at least 15 members of the 56<sup>th</sup> Infantry Battalion arrived in their community past 11:00 p.m. The soldiers surrounded Rojas's house, as some soldiers were lying face-down on the grassy lot across the street, their guns trained at the house. A number of soldiers entered Rojas's yard, peeked through the windows and through the small gaps on the walls.

The soldiers also entered the courtyards of several other houses nearby.

Residents said the soldiers left at around 2:00 a.m. of January 17, 2014. Rojas, who was sleeping alone on the second floor of her house, only found out about the incident in the morning of January 17, when her neighbors told her. She immediately reported to the village officials.

Also, on January 17, at past 11:00 a.m., two unidentified men believed to be State intelligence agents were seen conducting surveillance on the Pamana office in the town of Maria Aurora. A staff of Pamana noticed a tricycle parked near the office with two male passengers, one inside the tricycle's cab, while the other was seated behind the driver. The Pamana staff member saw the man behind the driver taking photos of the office.

When the men saw the Pamana staff, the tricycle driver sped away.

Rojas is a community organizer of Pamana, focused on the women's sector. She works with the Samaka in the municipality of Baler, province of Aurora. Samaka, with Gabriela Women's Partylist, is setting up community-based pharmacies for women and children's basic health needs in selected villages. Samaka was, at the time, also preparing for a medical mission.

Pamana actively participates in the campaign to oppose the Aurora Development Master Plan and Aurora Pacific Economic Zone and Freeport Act of 2010 (APECO). The said project aims to transform the Casiguran town and Aurora province into a commercial and industrial district and eco-tourism zones. The APECO project is spearheaded by the Angara family through the former senator Edgardo Angara and Juan Edgardo Angara a member of the House of Representatives in Congress.

The APECO project, which resulted to massive land-grabbing and displacement of Dumagat and Alta tribes, is widely opposed by the people of Aurora, primarily by the farmers, fisher-folks and indigenous peoples.

Pamana is also involved in the campaign seeking justice for the killing of **Romualdo Palispis**, member of Bayan Muna and Justice and Peace Action Group of Aurora, and **Wilhelm Geertman**, a Dutch national who were killed on June 30 and July 3, 2012 respectively. Geertman spent almost 40 years in the Philippines as development worker. He was executive director of Alay Bayan-Luson, Inc.,

Bulatlat.com, 07.02.2014

### 'Military presence in schools results in rights violations'

By Anne Marze D. Umil

MANILA – Child rights group Children's Rehabilitation Center (CRC) slammed the memorandum issuances by the Department of Education (DepEd) and the Armed Forces of the Philippines allowing military presence in schools.

On July 15, 2013, AFP issued Letter Directive No. 25 or the "Guidelines in the Conduct of AFP Activities Inside or Within the Premises of a School or a Hospital." The DepEd, meanwhile, issued Memorandum No. 221 series of 2013 or the "Guidelines on the Protection of Children during Armed Conflict" last Dec. 13, 2013.

Jacquiline Ruiz, executive director of CRC said, "Both [memo] will only legitimize the use and presence of military troops in school premises and endanger the rights and welfare of children."

CRC's fear is not without basis.

The group cited the [recent occupation of Salugpongong Ta' Tanu Igkanogon Community Learning Center](#), Inc. (STTICLCI) in [...] Compostela Valley by elements of the 25th Infantry Battalion of the Philippine Army.

According to CRC-Southern Mindanao, the soldiers led by Lt. Heroben Romare occupied STTICLCI last Jan. 25 until Jan. 28. Ruiz said the occupation has brought fear among the students and disrupted the classes. She added that school personnel and community members insisted that the military encampment is against their school policy but to no avail.

"[...] The STTICLCI is active in advocating indigenous and rural education. However, their aim to provide literacy and numeracy to Lumad communities is often hindered by military operations," Ruiz said.

According to Ruiz, community members were also harassed and interrogated by the soldiers. She said some residents were so terrified that they were not able to tend to their farms. She also cited that since the militarization heightened – which is believed to be connected to the ongoing preparations for mining exploration of Agusan Petroleum and Minerals Corporation, an affiliate of Danding Cojuanco's San Miguel Corporation – numerous cases of rights violations were documented.

[...] "Last year, over a hundred elements of 25th IBPA mounted a camp near the school that resulted in the same dreadful effects to the students and forced the community to evacuate."

Ruiz added that four students of STTICLCI, including three minors, were arrested, interrogated and used as guides by the military. "The students also experienced physical and mental torture as they were threatened to be killed by their captors," Ruiz said.

[...] In Baguio City, Memorandum No. 68 was issued by the Schools Division Superintendent that requires grade six and high school students to participate in the counterinsurgency lectures conducted by the AFP during class hours. [...]

[...] Karapatan also documented a case of red-tagging in Lopez, Quezon in August 2013. Soldiers of the 85th Infantry Battalion went to Polytechnic University of the Philippines (PUP) and conducted a "Symposium for Peace." Mark Anda, a member of the student council, was not able to attend the said symposium due to his exams. He later learned that the military tagged him as a recruiter of the New People's Army (NPA).

"This was done by the AFP despite the issuance of the guidelines and the Prudente-Ramos Memorandum of agreement



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prohibiting the presence of the police and the military inside

school campuses," the group said. [...]

Asian Human Rights Commission – Urgent Alert Programme, 11.02.2014

### A labor leader object of threats and fellow workers shot at while holding a protest

Dear Friends,

The Asian Human Rights Commission (AHRC) writes to inform you that a labour leader, threatened in 2005 and 2006, has been shot at, while he and his colleagues, some 100 plantation workers were holding a protest in front of their employer's home.

UPDATED INFORMATION: (Based on the information received from Kilusang Mayo Uno -KMU-):

In our appeal of June 16, 2006 we reported the forcible entry of armed men into the home of Vicente Barrios. In other incident, he had been hit by a sling shot missile while riding home on a motorcycle. While at work, perpetrators waved their guns at him and threatened to kill him.

In September 2005, Barrios was called for questioning by members of the 28th Infantry Battalion (IB), Compostela town, Compostela Valley.

The military accused him of organizing a rebel group, the New People's Army.

On January 30, 2014, Vicente Barrios was shot at and then held at gunpoint by Jesus Jamero, contractor for the Japanese-owned banana plantation company, Sumifru.

At this time, Barrios was the leader of about 100 Sumifru's workers who were holding a protest in front of the residence of Jesus Jamero in Compostela Valley, Mindanao. In response to this protest, Jamero came out of his home carrying a gun, and proceeded to shoot at the protestors. However, no one was reported injured at the time.

Groups loyal to Barrios did not take the incident lightly. They immediately reported the incident to the local police; however, the police, instead of arresting Jamero, questioned the workers about holding a protest.

The AHRC is of the opinion that the attacks on Barrios and his colleagues were the result of his advocacy in support of the plantation workers. Barrios is the president of the Nagkahiusang Mamumuo sa Suyapa Farm (Namasufa-National Federation of Labor Unions-KMU).

Bulatlat.com, 12.02.2014

### Peasant leader killed in Bukidnon, another wounded

By Ronalyn V. Olea

MANILA – At around 10:45 a.m. of February 5, Julieto Lauron and Nermie Lapatis were on their way to a meeting with fellow farmers in Valencia City, Bukidnon when two unidentified men on board a motorcycle fired their guns at them.

Lauron, chairman of Kahugpungan sa mga Mag-uuma sa Bukidnon (Kasama-Bukidnon), was killed on the spot. According to a fact sheet from Kasama-Bukidnon, a bullet passed through Lauron's nape and exited through his forehead. He had two other gunshot wounds in the chest and in the stomach.

Lapatis, secretary of Kasama-Bukidnon, survived with several gunshot wounds. She is still confined at a hospital.

According to Lapatis, the assailants wore black jackets, ski masks and were riding a red XRM motorcycle. The assailants overtook them, blocked their way and fired several shots at them. Progressive groups in Northern Mindanao noted the manner of attack is "a typical strategy of the riding-in-tandem death squads that haunted social justice activists in the Philippines."

Three days before the incident, two suspicious men were seen taking pictures of participants in the general assembly of Kasama-Valencia. That day, Lauron was elected chairman of Kasama-Vintar village chapter. Lapatis also attended the said activity.

#### Threatened, harassed

Lapatis is known as a seasoned land rights activist in the province. She actively campaigned against the entry of large scale mining in the municipality of San Fernando, Bukidnon. [...]

"Her staunch opposition to the continued human rights abuses

in San Fernando put her in the cross hairs of paramilitary group New Indigenous Peoples' Army for Reform (Nipar) and of the 8th Infantry Battalion of the Philippine Army," progressive groups said in a joint statement.

Threats, harassments and intimidations forced her to leave home in Magkalungay subvillage, San Fernando and to relocate with her entire family to Valencia City.

Lauron and Lapatis initiated a campaign for farmworkers in Banlag, Valencia City last October 2012. The peasant organization succeeded, through successful negotiations with local landlords, in increasing the daily wage of the workers from P125 per day to P150 and subsequently to P200.

"We are outraged at the lack of concrete measures to stop the unabated rights abuses in the province," Kasama-Bukidnon [and others] [...] said in a statement.

"The pinnacle of impunity is manifested in the stagnant case of the killing of village chieftain Jimmy Liguon, whose killer Alde Salusad is still, up to now, roaming the communities of San Fernando [...]," the groups said.

[Liguon, a vocal critic of large-scale mining, was killed](#) inside his home on March 5, 2012. Witnesses pointed to Salusad, the leader of paramilitary group Nipar. A warrant of arrest was issued against Salusad on April 30, 2012 [but he remains at large up to now](#).

[...] The groups called on authorities to act on the incident. They also demand the scrapping of President Benigno Aquino III's counterinsurgency program, Oplan Bayanihan. [...]"

Inquirer Mindanao, 13.02.2014

### Boy shot, wounded in clash of NPA rebels, Army troops

By Frinston L. Lim

TAGUM CITY, Philippines – Communist rebels allegedly shot and wounded a 14-year old boy in an attack at a hinterland village in Monkayo, Compostela Valley on Wednesday, police on Thursday said.

Senior Superintendent Camilo Cascolan, Compostela Valley police chief, said Russel Lombukan suffered a gunshot wound in the right part of his chest after being hit by rebel fire along Kilometer 21, Casoon village around 2:57 p.m.

The boy was picking root crops when five gunmen believed to be members of the New People's Army's Guerrilla Front 3 allegedly started firing at the direction of the community shed, allegedly hitting the victim, said Cascolan. [...]

"The soldiers administered first aid to the wounded boy and facilitated his immediate evacuation to the nearest hospital for treatment," Senior Superintendent Cascolan added.



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UMA (Agricultural Workers Union) - Pilipinas, 14.02.2014

### Sis of EJK victim Ladera, latest target of Cojuangco harassment suits in Hacienda Luisita

Tarlac City Councilor Emily "Emy" Ladera-Facunla is the latest target of a series of "harassment suits" filed by Cojuangco-Aquino firm Tarlac Development Corporation (TADECO) in its aggressive bid to retain control of prime agricultural land in Hacienda Luisita. Ladera is the sister of Abelardo Ladera, also a Tarlac City Councilor, who fell victim to extra-judicial killing in March 3, 2005. Their parents were former sugar workers in Hacienda Luisita. Ladera recently received a resolution dated January 17, 2014 from the Tarlac City Prosecutor's Office charging her of trespassing and coercion. The resolution was issued, however, without having conducted any preliminary investigation thus denying Coun. Ladera of due process, Atty. Jobert Pahilga of Sentro para sa Tunay na Repormang Agraryo (SENTRA) argued in a motion. "(T)his case is clearly a harassment suit against (Ladera)... When she was in the area of the incident at the time it happened, she was merely performing her duty as a public official to assist her subordinates in the peaceful negotiation and settlement of their conflict with the principal of herein complainant TADECO," the motion read. The resolution was based on a complaint filed by TADECO representative Villamor Lagunero, Jr on December 22, 2013, a few days after the violent bulldozing of farmers' crops in Barangay Balete. The incident led to the mauling and unlawful arrest of five farmworkers. Lagunero is also the named complainant in several cases of unlawful detainer or ejectment filed by TADECO against more

than a hundred farmers in Barangays Balete and Cutcut in October 2013. Several cases involving farmers from Barangay Balete were dismissed last January. However, TADECO's bulldozing of crops grew more aggressive and reached an unfortunate peak last February 8 [...] when Cojuangco thugs scorched huts and crops while farmers were held at gunpoint. Individual TADECO security guards and the Tarlac PNP were also employed by the Cojuangcos to file fabricated criminal cases against farmers and leaders associated with the alliance AMBALA. The five arrested farmers were released before Christmas after a physical injury complaint filed by a lone TADECO guard was junked. The five, however, are now facing direct assault charges filed by police officers to justify to violent December incident involving the Tarlac PNP's highest officials, PNP Provincial Director Alex Sintin and Tarlac City Chief of Police Bayani Razalan. AMBALA Acting Chairperson Florida Sibayan, who was charged with direct assault and malicious mischief along with 8 other land reform advocates who joined Anakpawis Rep. Fernando Hicap in a fact-finding mission in September 2013, is now a respondent to a new threat complaint filed by a TADECO security guard. "These harassment charges are meant to cow and intimidate farmers who assert that the Cojuangco-Aquino family is once again cooking up an enormous scam in Hacienda Luisita," said Sibayan [...] referring to [...] the current sham land distribution implemented in Hacienda Luisita. [...]

InterAksyon.com, 17.02.2014

### 'SUPERHEROES DIE' | Urban-poor community organizer assassinated in Malabon

*(Editor's note: This is from a Facebook post of Erik Villanueva, deputy executive director of the Institute for Popular Democracy, a think-tank that provides technical support for informal settlers in Metro Manila who have successfully fought for the P50-billion in-city resettlement program for those who live by esteros and other so-called danger zones.)*

"[...] Get out of the way, you might be hit by bullets!"

Limping from a gunshot wound on his shoulder, Sixto V. Bagasala Jr., or Ka Jun, managed to get away from his attackers and to warn bystanders, including a 13-year-old girl, to take cover. The attackers pursued and fired more shots. One bullet pierced his chest. The final bullet entered his chin and blasted his brains. Six gunshots were fired that Saturday afternoon at around 5:15, all from a group of two to four men.

The assassination was executed in broad daylight in the middle of a crowded informal vending site in the middle of a large, crowded informal settlement between Catmon and Tonsuya-Letre in Malabon.

Ka Jun, a community organizer for Kilos Maralita-Institute for

Popular Democracy, died on his way home to an adjacent settlement in Catmon from a meeting during which leaders of informal settlers' associations of Tonsuya decided to pursue an on-site housing plan through the formation of a housing cooperative.

The plan involves the construction of medium-rise buildings to be financed through the High Density Housing (HDH) Program of the Social Housing Finance Corporation under the P50 billion shelter fund of the national government for informal settlers living along waterways and other danger zones.

Ka Jun believed it was a plan worth pursuing, but he and other settlers also believed that it could also disrupt the interests of others who profit from informality and from the anomalous implementation of other socialized housing schemes. Ka Jun organized associations of the informal settlers, facilitated dialogues between the settlers and the government, mediated potentially bloody conflicts [...].

## UPDATES ON CASES OF HUMAN RIGHTS VIOLATIONS

Inquirer Southern Luzon, 04.02.2014

### PNP set to charge 'wheel of torture' cops

By Maricar Cinco

CAMP VICENTE LIM, Laguna—The Calabarzon (Cavite, Laguna, Batangas, Rizal and Quezon) police have found probable cause to file charges against the 10 policemen and their two commanding officers involved in the alleged maltreatment of crime suspects in a secret detention facility in Biñan City.

Chief Supt. Jesus Gatchalian, police regional director, said they would proceed this week with the 60-day summary dismissal proceedings against the 10 policemen assigned to the police intelligence branch (PIB) in the first district of Laguna.

The Internal Affairs Service, a unit independent of the Calabarzon police force, will handle the administrative case [...]. Gatchalian last week ordered the relief of [Senior Supt.] Muñoz and [and his intelligence commanding officer, Supt.] Kraft for "command responsibility" in connection with the torture of 15 detainees.

[...] The penalty could be any of the following: 60 days to six months suspension, one rank demotion or dismissal from the service.



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Senior Supt. Fausto Manzanilla, chief of the Regional Investigation, Detection and Management Division, said that probable cause was determined based on the affidavits of the detainees who said they were tortured while in the custody of the PIB.

Bulatlat.com, 05.02.2014

### SC directs DOJ to probe 'new evidence' in Jonas Burgos disappearance

By Ronalyn V. Olea

MANILA - Mrs. Edita Burgos, mother of missing activist [Jonas Burgos](#), remains hopeful that the recent Supreme Court (SC) decision would lead her to her son.

On Feb. 4, the high court directed the Department of Justice (DOJ) to look into the [evidence](#) submitted by Mrs. Edita Burgos in April 2013 and file appropriate charges against "proper parties if such action is warranted by evidence."

The evidence under seal would prove the military's role in the abduction of Jonas on April 28, 2007, Mrs. Burgos deemed. These include After Apprehension Report, Psycho Social Processing Report, Autobiography of Jonas Burgos that, according to the family, are all copies of confidential official reports on file with the Philippine Army. [...]

In its March 18, 2013, the Court of Appeals (CA) recognized that the abduction of Jonas almost six years ago is a case of enforced disappearance and declared that the [Armed Forces of the Philippines \(AFP\) is accountable for the crime](#). The court further said that Army Major Harry Baliaga Jr. is responsible for the abduction.

[...] The high court granted her [Mrs. Burgos] access to documents of the Commission on Human Rights (CHR) related to the

[...] He said the results of the pre-charge evaluation were based on a report by the Commission on Human Rights (CHR), which said that the policemen subjected the detainees to a game of "wheel of torture." [...]

2006 abduction of five supporters of deposed president Joseph Estrada or the so-called Erap 5. In its earlier investigation, the CHR uncovered a lead that one of the abductors of Jonas appearing in cartographic sketch was among those who seized the Erap 5. In granting Mrs. Burgos's request, the high court noted that "this lead may help the CHR ascertain the identities depicted in the cartographic sketches, who to this day, remain unidentified."

The SC directed its own clerk of court to allow CHR representatives to "inspect the requested documents in camera." It also ordered the National Bureau of Investigation to coordinate and provide assistance to the CHR.

[...] Asked to comment on the SC order referring the case to the DOJ, Mrs. Burgos admitted, "[...] What the DOJ will do about it remains to be seen."

In its September 3, 2013 decision, the DOJ ordered the [filing of charges of arbitrary detention against Baliaga](#) but dismissed the charges against the latter's commanding officers.

Mrs. Burgos also feared for the safety of her family. "With more agencies, more people having access to the evidence, I am concerned with our security."

Rappler.com, 07.02.2014

### Martial Law victims in N. Mindanao receive compensation

By Bobby Lagsa

CAGAYAN DE ORO CITY, Philippines - On June 9, 1983, Ofelia Palencia and her 4 children were home in Malaybalay City in Bukidnon when an encounter between the New People's Army and government troops ensued outside their house.

Later that afternoon, Ofelia, a widower, was arrested by the military and brought to an unknown camp. The following day, the military brought her back home but took his eldest son Rudy, then 19 years old. The family has not seen Rudy since.

On Friday, February 7 - exactly 31 years after the incident - the now wheelchair-bound Ofelia made her way to Cagayan de Oro to claim compensation for her son's disappearance. Frail and already weak, she lined up and presented documents to prove her identity and that of her son's.

At least 170 other victims of human rights violations during Martial Law showed up at the Barangay Nazareth gymnasium to get their compensation.

The payment is part of the provision of Republic Act 10368, which provides for reparation and recognition of victims of human rights violations during the Marcos regime.

According to lawyer Nestor Montemor, who assisted and coordinated the distribution of the compensation, 175 martial law victims from Lanao del Norte, Bukidnon, Misamis Oriental, Camiguin, and Misamis Occidental were able to received their compensation first in February 2011 and then on Feb. 7, 2014.

Each victim received P43,200 pesos on February 2011 and another P50,000 on Friday. Montemor said the compensation were received either by the sons, daughters, or acknowledged representatives of the victims.

He said there were 9,539 victims who filed a class suits against Ferdinand Marcos in Hawaii. [...]

Karapatan Press Release, 11.02.2014

### Lawyers of military accused in Cadapan-Empeno disappearance fined by Court - Karapatan

Karapatan expressed disgust with the successive postponement of hearings in the trial of the kidnapping and serious illegal detention case filed against Maj. Gen. Jovito Palparan Jr., Col. Felipe Anotado, Staff Sgt. Edgar Osorio and M/Sgt. Rizal Hilario for the disappearance of UP students Sherlyn Cadapan and Karen Empeno.

At [...] yesterday's hearing (Feb. 10), Judge Teodora Gonzales, of the Malolos Regional Trial Court Branch 14, fined Atty. Abner Torres and Atty. Joey Cruz, lawyers of Col. Anotado and S/Sgt. Osorio respectively, for failure to submit to the Court the judicial affidavits of their witnesses.

The lawyers for Col. Anotado and S/Sgt. Osorio had repeatedly

asked for postponement of hearings, the fourth since September last year, because they could not present their witnesses, "giving a menu of excuses to play for time," according to Karapatan.

"This is an obvious tactic of the defense to circumvent the law. Clearly, the military do not have any credible witness to counter the testimonies and positive identification of the witnesses of the prosecution," said Cristina Palabay, Secretary-General of Karapatan.

Atty. Cruz said they are having a hard time to gather their nine witnesses, which are all in the military service. The lawyers asked for another extension, until April 7, to procure the judicial affidavits of their witnesses, which the court granted despite the



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fine.

Lawyers for Osorio and Anotado have been postponing the hearings "for an unreasonable length of time," said Palabay. "Five months had passed and there are still no witnesses. [...]" The case of kidnapping and serious illegal detention is pending

ManilaStandardToday.com, 17.02.2014

### Evacuees' death toll tops Zambo fatalities

By Joyce Pangco Panares

THE Departments of Health and Social Welfare have put up measures to ensure clean living conditions for the residents of Zamboanga City who remain in the evacuation centers, and of whom 81 have died, surpassing the death toll during the three-week siege of the Moro National Liberation Front that ended in September last year.

Social Welfare Secretary Corazon Soliman said the government started a cash-for-work program over the weekend so that those residents willing to help clean the evacuation sites would earn P300 a day.

She said the government, in cooperation with the International Organization of Migration, will build temporary stilt-houses on the waters for the Badjaos, a move that was supported by Health Secretary Enrique Ona.

"The Badjaos are traditionally sea gypsies. They are not used to living on land, so most of them got sick," Ona said.

"Most of them were also malnourished even before the siege erupted. They have their own traditions and some have refused to follow our regular nutritional and health advisories."

[...] On Friday, Soliman said 32 of the fatalities in the evacuation sites were children under five years old while 13 were aged 50 and above.

"One death is alarming for us. How much more 81 deaths?" said

Bulatlat.com, 15.02.2014

### 'Culture of impunity remains unbroken' - German network

By Ronalyn V. Olea

MANILA - After a four-day visit to the Philippines, a network of seven major civil society organizations and church groups from Germany expressed concern about the continuing human rights violations in the country.

The six-member delegation of the German-based Action Network for Human Rights - Philippines (ANHRP) was in Manila from Feb. 10 to Feb. 14 and met with victims of human rights abuses, human rights defenders, partner organizations from civil society, church, representatives of the Philippine government, the German embassy and the European Union mission.

"The culture of impunity regarding serious human rights violations such as extrajudicial killings, enforced disappearances, and torture remains unbroken in the Philippines," Elmar Noe, chairman of the ANHRP, said in a press briefing, Feb. 14.

"Contrary to the promises of the Aquino administration, in only a few cases have the perpetrators been successfully prosecuted and convicted," Noe said.

"From Arroyo to Aquino, there has been little progress, by far not enough to address impunity," Noe said.

Formed in 2007, the ANHRP has been monitoring specific cases of extrajudicial killing, enforced disappearances, torture, trumped-up charges and other human rights violations.

While the ANHRP recognized the recent legislations for the protection of human rights such as the Anti-Torture Law and the Anti-Enforced Disappearance Act, the group noted, "there has been not much improvement on the ground."

"To address impunity, it's not enough to pass laws. Laws have to be enforced. They have to work in a way that the rights of the people who do not have economic power are protected," Noe said.

since December 2011. Of the four accused, only Anotado and Osorio are undergoing trial while Palparan and Hilario remain free, more than two years after the warrant of arrest against them were issued.

Soliman who criticized the Department of Health for not deploying health workers to the evacuation centers.

Ona said the well-being of the evacuees was the primary responsibility of the Zamboanga City government, but his department would coordinate closely with Social Welfare to prevent more deaths in the evacuation centers.

The main causes of death in the evacuation centers are diarrhea, heart attack, hypertension, pneumonia and dengue.

Msgr. Crisologo Manongas, administrator of the Archdiocese of Zamboanga, said at least one evacuee had been dying daily in recent weeks.

[...] Soliman, however, said that was an exaggeration.

The Catholic Bishops Conference of the Philippines has already appealed to various private and government health institutions to extend help to the thousands of evacuees at the Don Joaquin Enriquez Memorial Sports Complex in Zamboanga City who were displaced after the siege.

A total of 118,819 evacuees are still living in filthy conditions at the evacuation center.

Manongas said the displaced families continued to languish there as the government's rehabilitation efforts were too slow.

[...]

The ANHRP noted that many of the violations of political and civil rights happen in the context of economic and social conflicts.

#### Increasing number of trumped-up charges

The ANHRP is alarmed at the "worrying trend of trumped-up charges filed against human rights defenders."

Siglinda Weinbrenner of the Bread of the World said, "Common sense would tell you that human rights defenders could not possibly perpetrated the crime."

She cited a particular case of a 57-year-old woman political prisoner accused of killing 17 individuals in an ambush staged by the New People's Army (NPA). "This case should have been dismissed."

In its report titled "Human Rights in the Philippines - Aspiration and Reality," published this January, the ANHRP cited the case of Zara Reboton Alvarez of the Northern Negros Alliance of Human Rights Advocates (Nnahra).

Alvarez was arrested on October 30, 2012 in Cadiz City and charged with murder. "Like many others, Alvarez only learnt of the accusation against her at the time of her arrest," the ANHRP said in its paper.

Alvarez was accused of being involved in the killing of a soldier, Archie Polenzo, during a skirmish between NPA and government forces on March 7, 2010. Fifty-three have been charged for Polenzo's murder. Alvarez and 21 others were later added to the indictment through the so-called Jane/John Does.

Johannes Icking, coordinator of ANHRP, said the filing of fabricated charges highlight the inefficiencies of the justice system.

"It is an efficient way to silence human rights activists," he said.

Jochen Motte of the United Evangelical Mission said, "It is hard



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to understand how false witnesses are taken up by the government itself. Innocent people are jailed for a long time."

### **Aquino administration with little interest?**

Except for the CHR, other government agencies did not meet with the ANHRP despite standing requests.

"To be honest, there seems to be not much interest anymore [on the part of Philippine government] to meet human rights groups," Icking said.

Two months ago, the network sent letters to human rights offices of the Armed Forces of the Philippines, Philippine National Police as well as to the Department of Justice, Supreme Court and Presidential Committee on Human Rights. Until the press briefing on Feb. 14, the ANHRP said they did not receive a final decision pertaining to their requests for a meeting with the said government agencies.

Motte admitted he was a bit disappointed. Motte said they met with the Philippine embassy in Germany and was told of the Philippine government's openness to dialogues. He said the response they got was in contrast with what they were told.

Luca Martin of the International Peace Observers Mission (Ipon) said they would not only want to hear from state security forces

but from institutions that have the obligation to guarantee human rights such as the Department of Justice.

### **Recommendations, actions**

The ANHRP called on the Aquino administration to "address the gap between its progressive national laws and ongoing rights violations, particularly those committed by state security forces."

The network recommended to the Aquino administration to send invitations to United Nations special rapporteurs.

"The [Philippine] government should be open to get an outside assessment of the situation," Noe said. He added that the report of former UN special rapporteur on the extrajudicial, summary or arbitrary executions Philip Alston was a valuable contribution in efforts to address impunity.

Alston visited the country in February 2007 and conducted an independent investigation on the spate of extrajudicial killings. He released a [report](#) containing several important recommendations to address human rights abuses.

The ANHRP vowed to continue its lobbying efforts before the European Union and in the UN system.

Rappler.com, 26.02.2014

## Violence looms over Ati tribe ancestral domain in Boracay

By Pia Ranada

MANILA, Philippines – Despite the awarding of 2.1 hectares of land in Boracay Island to the Ati tribe, security concerns and violence threaten the indigenous peoples community.

It was necessary to dispatch the Philippine National Police to protect the 30 families who live on the land in Barangay Manoc-Manoc in Malac, Boracay from possible violent acts by other claimants.

In February 2013, Ati tribe member Dexter Condez was [gunned down](#) by an unidentified man. At the time, the National Commission in Indigenous Peoples (NCIP) had already awarded the Ati tribe with a Certificate of Ancestral Domain Title (CADT) over the land.

But that didn't stop armed security guards of a businessman from wrecking the perimeter fence set up by the community. Three families – Banicos, Sansons, and Gelitos – are staking their claim on the land.

But July 2013, the NCIP issued a writ of execution that affirmed the right of the Ati community to their ancestral domain.

But NCIP representatives who went to Boracay to implement the writ faced opposition from other groups claiming the land.

In a letter to Interior and Local Government Secretary Mar Roxas, NCIP executive director Marlea Munez voiced the need to protect the Ati tribe and the NCIP officials.

"These private persons/entities have worked to make the implementation of the Writ of Execution not only difficult, but outright dangerous and risky for both the Ati and the government officials involved," she said.

Roxas ordered the PNP to send more policemen to guard the community while the NCIP constructs the perimeter fence marking the Ati's ancestral domain.

He also appealed to the groups making counter-claims on the land to respect the CADT given to the Ati and not resort to violence.

[...] The increasing commercial development on the island is what drove the Ati from their homes in the mainland in the first place.

## MAGUINDANAO MASSACRE

Philstar.com, 25.02.2014

## New state witness in Maguindanao massacre trial approved

By Janvic Mateo

MANILA, Philippines - More than four years after the Maguindanao massacre, the prosecution panel secured its second state witness after the court handling the multiple murder case allowed the discharge of one of the suspects in the Nov. 23, 2009 bloodbath.

In an 11-page order, Quezon City Regional Trial Court Branch 221 Judge Jocelyn Solis-Reyes granted the motion of the prosecution panel to discharge suspect Esmal Canapia, who is among the 197 people initially tagged in the massacre.

[...] Canapia- a special CAFGU (Citizen Armed Geographical Unit) member- will be the prosecution panel's second state witness, after the court allowed last year the discharge of former Sultan sa Barongis Vice Mayor Sukarno Badal, a known political ally of the Ampatuans.

The prosecution panel earlier said that there is absolute necessity for Canapia to become a state witness as his testimony, which could be substantially corroborated in its material points, is a direct evidence that could be used in the prosecution of the case. The panel also alleged that Canapia, who identified some of his

co-accused as perpetrators of the crime, does not appear to be the most guilty in the case.

The defense panel has opposed his discharge as an accused in the multiple murder case, saying there is no absolute need for his testimony as these were merely corroborative.

The claim that he was not the most guilty in the case was also questioned by some of the accused, who noted that a 'freshly fired' firearm was discovered in his possession when he was arrested after the Maguindanao massacre.

But in her order, Solis-Reyes said that the court is of the view that Canapia does not appear to be the most guilty in the case.

[...] "No evidence, documentary or testimonial, was ever adduced to show that (1) he was the one who used the firearm; (2) he was present at the crime scene; (3) the same gun was used in shooting the victims; and (4) he was the one who fired the gun during the killing," it added.

### **Identified suspects**

[...] "In this last set of accused [those whom he uniquely identified], the court is of the view that the testimony of Canapia



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becomes absolutely necessary for the state to utilize,” said Solis-Reyes.

[...] With Canapia’s discharge as state witness, the number of total accused in the massacre is now down to 194. In addition to Badal, the court has already dismissed the case against PO1 Johann Draper.

Including the three, a total of 108 suspects have already been

arrested by authorities. Among them were members of the Ampatuan clan, who were tagged as masterminds in the incident.

[...] Fifty-eight people, including 32 media practitioners, died in the massacre dubbed as the single worst incident for journalists in history.

### PEACE PROCESS

ManilaStanardToday.com, 17.02.2014

## Misuari kicks out ‘mutinous’ deputy

By Francisco Tuyay

Chairman Nur Misuari of the Moro National Liberation Front on Saturday expelled his deputy for misrepresenting Misuari in a recent negotiations with the Aquino administration.

MNLF spokesman Absalom Cerveza said Jimmy Labawan, formerly vice chair, was ordered by Misuari ejected from the organization for improper conduct and insubordination.

Labawan represented himself as the official delegate of the MNLF to the scheduled GRP-MNLF talks in Jakarta in connection with the stalled review of the 1996 final peace accord between the government and the Misuari group.

Cerveza said Misuari has appointed Rolando Olamip, chairman

of the MNLF in Davao City, as the new vice chairman of the MNLF.

[...] “Labawan is not authorized to attend the supposed meeting since it is only Misuari who is the official titular head of the MNLF who can engage the government in any negotiations,” Cerveza said that Labawan’s move appeared to be part of a government strategy to oust Misuari who remains at large.

[...] Labawan’s group was to include Randy Karon and Pendie Colano and others as MNLF representatives to the upcoming peace negotiations with the government in local and international engagement. [...]

The Philippine Star, 23.02.2014

## Gov’t seeks clarification on talks with Reds

By Aurea Calica

MANILA, Philippines - The government is considering reviving peace negotiations with the communist rebels but wants to clarify the parameters of the offer from Communist Party of the Philippines chairman Jose Maria Sison to restart the talks and even meet with President Aquino.

Secretary Herminio Coloma Jr. of the Presidential Communications Operations Office said on Friday that Sison’s offer was disclosed through a media interview.

Coloma said Presidential Adviser on the Peace Process Teresita Deles had announced that her office is working with the Norwegian facilitators to determine how the process could move

forward.

“We want to ensure that when talks resume, it will be based on a platform that has the possibility of reaching a successful conclusion. The offer to talk to the President is a new element at this time. The last we heard they were calling on the Filipino people to oust the President,” Deles said.

Coloma said the government is open to all options that could be taken to achieve lasting peace in Mindanao.

He said the lines with the communist rebels remain open despite the stalled formal negotiations. [...]

### FURTHER READINGS

Action Network Human Rights-Philippines, February 2014

## Human Rights in the Philippines – Aspiration and Reality

On the occasion of its visit to the Philippines from February 10 to 14, the Action Network Human Rights-Philippines presents individual cases of extrajudicial killings, enforced disappearances, torture, and trumped-up charges, which illustrate that these are not isolated cases but instead an expression of systematic political repression.

Please click [here](#) to access the report (in English and German).

Karapatan, February 2014

## 2013 Karapatan Year-End Report on the Human Rights Situation in the Philippines

The yearly report summarizes the human rights violations allegedly committed by state forces of the Philippine government throughout the year 2013. Please click [here](#) to access the report.