

Action Network Human Rights- Philippines

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

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).



Action Network Human Rights- Philippines

HEADLINES & POLITICS

Press Release – Focus on the Global South, 11.11.2014

Farmers' coalition calls for the completion of the agrarian reform program

The Save Agrarian Reform Alliance (SARA), a peasant-led umbrella coalition of people's organizations, NGOs and human rights organizations, challenged the newly released Agricultural Indicators Systems by the Philippine Statistics Authority. The data which came from the Department of Agrarian Reform claim that "the cumulative accomplishment of DAR-CARP from 1972-2013 was 4.599 million hectares benefitting 2,698,182 farmers who eventually became owners of the land they were cultivating".

But SARA leaders doubted the data based on the experiences of its members. "What percent of the accomplishment is distributed but uninstalled? Registered but not distributed? Distributed but with no support services? Distributed but reversed? The devil's in the details," asked Ka Trinidad Domingo, spokesperson of SARA and farmer leader from Nueva Ecija.

"There is a reported 826, 947 hectares of land distributed under the Voluntary Land Transfer/Direct Payment Scheme (VLT/DPS), which accounts for 18 percent of the total land distribution accomplishment from 1972-2013. The VLT/DPS scheme is highly dubious as it has been used to circumvent the program with landlords handpicking the farmers loyal to them who enter into a voluntary agreement for the direct transfer of lands to the latter, and then later on, consolidating their lands," added Domingo. [...]

The data do not really reflect the realities on the ground. "In the

case of Yolanda farmers, DAR Region 8 has reported that it has distributed 11,685 land titles to about 8,000 farmers but upon verification on the ground, Yolanda survivors were surprised to learn about this. Their Certificate of Land Ownership Awards (CLOAs) are being withheld motu proprio by DAR," said Danny Carranza, secretary general of KATARUNGAN, a co-convenor of SARA.

More significantly, the accomplishment reports of the DAR-AIS/PSA continue to remain questionable because of contradictory figures from the Land Registration Authority (LRA) [...]. There is a visible difference in the figures claimed by DAR-AIS/PSA and the actual figures of 253,935.37 hectares registered with land titles in the LRA.[...]

In tandem with these calls, SARA also supports the passage of House Bill No. 4375, "An Act Creating the Agrarian Reform Commission" (filed by Representatives Kaka Bag-ao of Dinagat Island and Leni Robredo of Camarines Sur), and the congressional bills mandating the continued issuance of the Notices of Coverage [...].

SARA further appealed to the President to present a clear roadmap for reaffirming the social justice goals of the agrarian reform program. Failure to do so will be tantamount to deliberately neglecting his sworn duty to uphold the interests of the Filipino people in general and the rural poor in particular.

ManilaStandardToday.com, 25.11.2014

'Extra powers for Aquino set to circumvent ecology laws'

By Christine F. Herrera, Maricel V. Cruz and Joyce P. Pañares

THE emergency powers being sought for President Benigno Aquino III are aimed at suspending environmental laws such as the Clean Air Act to pave the way for the signing of P430 billion worth of contracts for 45 coal-fired power plants and 24 waste-to-energy incinerators, a coalition of civil society and environmental groups charged Monday.

The Power for the People coalition said the contracts are now the subject of protests and court battles in communities where the plants are to rise, and blasted a House resolution that provides for the suspension of laws while the President's emergency powers are in effect.

"[...] This resolution is masquerading as a messianic step to address an unverified power crisis but in reality, it is meant to circumvent laws and trample on people's rights to resist projects which are detrimental to them," said Gerry Arances, national coordinator for the Philippine Movement for Climate Justice (PMJC). [...]

Oriental Mindoro Rep. Reynaldo Umali, chairman of the House committee on energy that approved the joint resolution, denied there were any underlying motives behind the granting of emergency powers. [...]

[...] Greenpeace climate and energy campaigner Reuben Muni said the emergency powers would grant the President "draconian powers" that could fast-track all the 45 coal-fired power plant proposals that had already been approved by the Department of Energy. [...]

Muni said the suspension of pertinent laws would mean the government granting investors the "all clear" in constructing the power plants, including those that were denied the environment compliance certificates.

"While the President's emergency powers are in effect, all environmental laws that otherwise would guard against abuses would be suspended and due process of law will no longer be observed, including the required public consultations with host communities, most of which are protesting the construction of the plant," Muni said. [...]

But Umali said the suspension of the laws was meant for the 300 MW Malaya plant "that may need to run and only for a limited period."

He said it would be impossible for the 45 coal plants to benefit from the suspension of laws because they would have to be commissioned on or before March 1, 2015, to be covered. [...]

Besides, Umali said, Energy Secretary Jericho Petilla would make sure that the implementing rules and regulations would be drawn up to make sure the suspension of laws would apply only to Malaya plant. [...]

The ILP [Interruptible Load Program] seeks to encourage the private sector to run their own generators during peak demand periods next year instead of getting their supply from the Luzon grid. The electricity that would not be taken from the grid would be available to household and small users, preventing a rotating blackout.

The joint resolution also mandates the President to procure additional generation capacity on or before March 1, 2015. It provides that energy conservation measures "shall be pursued vigorously in both public and private sectors."

Aquino's emergency powers will be good until July next year, unless withdrawn sooner by Congress.

The President is also required to submit a monthly report to the Senate and the House on the exercise of such powers. [...]

Inquirer.net, 20.11.2014

Palace blasts 'baseless' rights abuses claims under Aquino



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By Aries Joseph Hegina

MANILA, Philippines—Responding to allegations of critics over human rights abuses allegedly committed by state security forces under the Aquino administration, a Malacañang official said Thursday that these claims are unfounded.

In a press briefing, Communications Secretary Herminio Coloma Jr. said that the administration enforces the rule of law and abides by various international treaties on human rights.

"[...] Democracy and rule of law prevail in the Philippines. We have conducted dialogues with groups who allegedly committed extra-judicial killings. [...]

We have the Commission on Human Rights. We continue to

abide by international treaties and conventions on human rights as a member of the United Nations.

"[...] Thus, the allegation of various individuals and groups that there is widespread violation of human rights in the country is not justified. They must look into records before they make those accusations." Coloma said.

Various contingents from Mindanao held a protest march called ManiLakbayan to Manila to commemorate International Human Rights Day on December 10. The protest march scores the state's counter-insurgency measure called "Oplan Bayanihan," claiming that it endangers communities in Mindanao.

CALAMITIES & CLIMATE CHANGE

Rappler.com, 08.11.2014

Advocates end 1,000-km Climate Walk at Yolanda ground zero

MANILA, Philippines – How far would you go to fight climate change?

After 40 days of walking a distance of 1,000 kilometers, climate advocates and environmentalists finished their "Climate Walk" from Manila to Tacloban, arriving in "ground zero" on Saturday, November 8, to commemorate the first year anniversary of Super Typhoon Yolanda's (Haiyan) landfall.

The group, led by Philippine Climate Change Commissioner Naderev "Yeb" Saño, are also exerting pressure on national leaders to act on the following:

- To make concrete commitments to help disaster-susceptible countries like the Philippines adapt to climate risks
- To hold the world's largest carbon emitters accountable
- To empower local communities to do their part in managing disaster risks in their areas

"This battle can only be won in the grassroots. We cannot wait for sovereign nations to take action. We must, at the grassroots, embrace solutions," Saño told the group Dakila in one of the

climate walk events in Samar.

The walk was also a way of showing solidarity with the millions affected by Yolanda.

On November 8, 2013, Yolanda battered parts of the Philippines, leaving at least 6,300 people dead, billions of pesos in damage, and millions of people displaced. Tacloban City was among the hardest-hit areas due to strong winds coupled with storm surges brought by the super typhoon.

Rehabilitation had often been criticized as slow and various groups claim that thousands of survivors are still without permanent homes and sources of livelihood.

Climate champions

Saño, who is also the Philippines' chief climate negotiator, made world headlines in 2013 when he fasted at the annual UN Climate negotiations in Poland to protest the lack of meaningful progress in addressing global warming.

He [started the long journey](#) on October 2, 2014 with the support of Greenpeace, the Climate Change Commission, the National Youth Commission, Dakila, and other groups. The walkers passed through Metro Manila, Laguna, Batangas, Bicol, and Samar before arriving in Leyte. [...]

INSTITUTIONS

The Philippine Star, 16.11.2014

Prosecutors condemn corruption among ranks

By Evelyn Macairan

MANILA, Philippines - The National Prosecution Service (NPS) yesterday reminded prosecutors of its duty to give justice to everyone even as it condemned corruption by some of its members.

"The National Prosecution Service strongly condemns the ingrained practice of corruption that has permeated some of our members. All prosecutors should be continuously reminded that a public office is a public trust, and that graft and/or corrupt practices have no place in the performance of our noble duty as prosecutors," Prosecutor General Claro Arellano, chief of the Department of Justice NPS, said in a statement.

He issued the statement following the arrest of Quezon City Assistant Prosecutor Raul Desembrana in an entrapment operation for alleged extortion.

Agents of the National Bureau of Investigation caught Desembrana receiving P80,000 from the lawyer of physician Alex Montes in exchange for the dismissal of a complaint for unjust vexation filed by a retired military chaplain.

"Our role as prosecutors, first and foremost, is that justice should be afforded to everyone. We cannot, and should not, be enticed by any other consideration in the performance of our duty other than the law. All prosecutors are reminded to maintain utmost fidelity to their sworn duty

QC prosecutor nabbed for extort try on 'Morong 43' doctor

MANILA, Philippines – The National Bureau of Investigation (NBI) on Friday, November 14, arrested a Quezon City prosecutor in an entrapment operation for allegedly extorting P80,000 (\$1,780.45)* from a member of the so-called "Morong 43."

At 11:20 am Friday, NBI agents caught Assistant City Prosecutor Raul Desembrana of the QC Prosecutors Office receiving marked money from Dr Alex Montes.

Montes is among the [43 health workers arrested in 2010](#) over suspicions of being members of the New People's Army.

On Thursday, Montes' counsel, Ephraim Cortez, sought help from Justice Secretary Leila de Lima after Desembrana asked for P80,000 from his client in exchange for the dismissal of an unjust vexation complaint filed by a retired military chaplain against Montes.

Cortez alleged that the prosecutor urged him to draft the resolution of dismissal to be submitted after he received the money.

The NBI set the the entrapment operation on Friday at Serye Restaurant in Quezon City, which was chosen by Desembrana. They arrested the prosecutor after he received the money from Montes.

De Lima said in a text message on Friday that she will continue to greenlight such operations to weed the justice department of "misfits and scalawags." [...]

Cortez said of Desembrana, "We cannot just look the other way and simply ignore the brazenness by which Prosecutor Desembrana tried to extort from our client, which indicates how audacious he was to fantasize that he can just get away with his criminal act and remain untouchable."

The NBI will file extortion charges against Desembrana.

Rappler.com, 14.11.2014



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and to uphold personal integrity at all times," Arellano said. He said the arrest of Desembrana should serve as a warning to other prosecutors.

Justice Secretary Leila de Lima had said she would not mind authorizing entrapment operations on a regular basis even "at

Rappler.com, 25.11.2014

Freedom of Information bill moves to House plenary

By Angela Casauay

MANILA, Philippines - Voting 10-3, the public information committee of the House of Representatives on Monday, November 24, approved the consolidated version of the proposed Freedom of Information law.

It will now move to the plenary for deliberations.

The bill installs fast procedures to access government documents. It proposes administrative and criminal liabilities for those who do not follow the proposed law.

The 3 lawmakers who voted no to the bill were Bayan Muna Representative Neri Colmenares, Camiguin Representative Xavier Jesus Romualdo, and Act Teachers Representative Antonio Tinio.

Those who voted yes were Representatives Teddy Brawner Baguilat Jr, Henedina Abad, Emmeline Aglipay-Villar, Abigail Ferriol-Pascual, Maximo Dalog, Leopoldo Bataoil, Celso Lobregat, Barry Gutierrez, Walden Bello and Leah Paquiz. [...]

The 7-member Makabayan bloc earlier released a position paper criticizing certain provisions, which they said rendered the proposed law "toothless."

They said Section 7 of the proposed law "contains unjustifiable exceptions" that will "make it easier for government to withhold information and make it difficult for the media and the public to access information."

For the Makabayan bloc, only 4 exceptions should be included in the bill - information pertaining to national security and diplomatic negotiation as qualified by the bill, criminal investigations, the right to privacy of private individuals, and legitimate commercial secrets.

The coalition said the consolidated version of the FOI bill does

Sun.Star, 28.11.2014

SC chief backing on efforts vs impunity: Breakdown of justice

By Ryan D. Rosaura

"IMPUNITY represents a breakdown, in part or in whole, of governance. In its most recognizable form, it is the impossibility of enforcing accountability, in whatever form, against offenders by reason of the unavailability of existing proceedings and processes, means and methods to effect an effective and meaningful investigation, charge, arrest, trial, judgment, sentence or service of sentence," Sereno stressed.

"Where an offender is unduly immunized from accountability through external conditions such as policy, politics, pecuniary interests, or simply bureaucratic inadequacies, then impunity has set in and the rule of law is diminished," she added.

the risk of causing occasional embarrassment to us as an institution" if only to rid their ranks of misfits and scalawags.

"Integrity should be and ought to be our bedrock, and is still the best and only policy, especially on the part of our frontline service providers such as our prosecutors," De Lima added.

not provide unqualified access to the Statement of Assets, Liabilities and Net Worth (SALN) of government officials since it will still be subject to "existing laws, rules and regulations."

In the House of Representatives, for instance, only summaries of the SALNs are released to the public and access to the SALNs themselves is subject to the approval of individual lawmakers.

In their position paper, the Makabayan bloc also criticized the bill for expanding so-called "executive privilege." They said the law should not give "blanket authority" to government officials to exempt from the FOI bill minutes and advice expressed during decision-making if it will likely frustrate policy formulation. This will defang the FOI bill, Colmenares said, and could be used by government officials as an excuse not to disclose information in documents of high public interest.

Defense

Advocates of the FOI bill in the House also prepared a position paper in response to the positions made by the Makabayan bloc. On the issue of SALN access, Akbayan Representative Barry Gutierrez said there is nothing in the law that limits access to SALNs. It only includes the option to redact private information in the document, he added.

Gutierrez argued that the [proposed FOI law](#) goes a step further and even requires the mandatory disclosure of SALNs in government websites even without a request. [...]

On exceptions to law enforcement, Gutierrez said there is jurisprudence that recognizes exceptions to access such information. [...] Read the position papers of the Makabayan bloc and the response of other authors of the FOI [here](#).

Sereno lamented the persistence of situations where court orders remain unserved.

"Impunity is assured not only by the failure of the courts to reach a judgment but even more fundamentally, the failure to even commence any action that would result in such a judgment."

"One of our greatest limitations is that we do not have the capability to effect some of our own writs and processes... We are dependent on external agencies to enforce our orders, writs and processes," she pointed out.

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[...] She [Serenio] said that “in some of these cases, the pattern appears to be the same -- should the case find its way to court, any writs, orders or processes are not served because the suspects have fled, or in specific cases, the offenses are attributed to local policemen.”

She cited the case involving the killing of Fernando Solijon, Dennis Cuesta, Philip Agustin, and Marlene Esparat, the suspects of which remain at large despite warrants of arrest having already been issued.

“This situation is unacceptable to me. The rule of law requires not only that processes that are integral to the court’s jurisdiction work but that they are also perceived to work,” Sereno said. [...] “When an offender enjoys a freedom that is no longer deserved because a warrant of arrest remains unserved for political, personal or pecuniary reasons, the rule of law is diminished and impunity prevails,” Sereno emphasized.

Speeding up justice

Serenio acknowledged the need to improve the pace of how the wheels of justice in the country grinds. [...]

Each case demands from the courts a balancing of the specific interests implicated and, in each case, the courts must determine in what way justice may best be served,” she added.

“Our processes depend a great deal on good prosecutorial work and an equally good defense, both cooperating and not obstructing the processes of the court, in order that expeditious trial can be realized. And even if there is popular belief in the guilt of the accused, if the prosecution can only muster a weak case, we have to dismiss,” she added.

CURRENT CASES OF HUMAN RIGHTS VIOLATIONS

Inquirer.net, 06.11.2014

Drilon pet project foes tagged as rebels

Nestor P. Burgos Jr.

ILOILO CITY, Philippines—Members of an indigenous people’s group in Panay, who are opposing the construction of a dam in Iloilo, are among those charged with rebellion in connection with an armed clash in Capiz more than a year ago.

The Tumanduk nga Manguguma nga Nagapangapin sang Duta kag Kabuhi (Tumanduk), an alliance of 17 indigenous people’s communities in Tapaz and Jamindan towns in Capiz and Calinog town in Iloilo, said linking its members to the communist rebellion could be part of efforts to stop their opposition to the P11.2-billion megadam project in Calinog, another pet project of Senate President Franklin Drilon.

“I have nothing to do with the [clash] and the rebels, and why was the case only filed now when the opposition to the dam is increasing?” said Nelson Gimong, one of the 32 respondents in the rebellion complaint filed at the Capiz Provincial Prosecutor’s Office.

Also named in the complaint was Abelardo Diaz, a council member of Tumanduk and village councilor of Nayawan in

Inquirer.net, 10.11.2014

Bontoc outraged by student’s killing

BAGUIO CITY—Students in the Mountain Province capital town of Bontoc marched on Friday to express their outrage at

Statement – End of Impunity Alliance, 14.11.2014

Courts so slow on human rights abuse cases, abet impunity

Less than two years remain of the P-Noy presidency, and Secretary Leila de Lima has been with the Department of Justice for over four years.

When she was appointed justice secretary, picked out from the Commission on Human Rights where she was serving as chair, we had hoped that human rights cases would move forward, despite the immense systemic and structural obstacles in the country’s justice system. But with the passing of time, we, human rights violations victims, our families and supporters, saw our hopes diminished. And now we feel extremely disappointed, if not righteously outraged, over the slow progress of human rights cases.

In the case of the two missing UP students, Sherlyn Cadapan and Karen Empeño, we now dread the possibility that retired general Jovito Palparan Jr. will escape accountability. Various groups and individuals, both here and abroad, opposed Palparan’s transfer to the Army headquarters in Fort Bonifacio, but the public prosecutors were clearly instructed not to support the private prosecutors in their motion to transfer Palparan to a regular jail facility. Without support from the DOJ prosecutors, the court denied the motion last Oct. 20.

We are appalled and indignant that the DOJ has assumed the role of protecting Palparan by refusing to support the just demand of the mothers of Sherlyn and Karen. This clearly shows the bias of the Aquino administration in a very important issue of justice – which demands that no special treatment be accorded, especially to those accused of heinous crimes.

We likewise lament the slow progress of other human rights cases, despite the task force President Aquino formed through Administrative Order No. 35. Among these cases are:

- a) The killing of Fr. Fausto Tentorio, Datu Jimmy Liguon, and town councilor Fernando Baldomero;
- b) The massacre of botanist Prof. Leonard Co and his companions Sofronio Cortez and Julius Borromeo, and of antimining activist Juvy Capion and sons Jordan and John Mark;
- c) The civil case filed by the United Church of Christ in the Philippines to make former president Gloria Arroyo accountable for human rights violations;
- d) The murder of Bishop Alberto Ramento of the Iglesia Filipino Independiente and Catholic priest Cecilio Lucero;
- e) The torture and filing of trumped-up charges against the “Morong 43” health workers.

Under President Aquino, the human rights situation remains worrisome, to say the least. Political killings go on as the President himself implements his own version of a counterinsurgency program, Oplan Bayanihan, that abets more human rights violations and the culture of impunity, and therefore is no better than his predecessor’s Oplan Bantay Laya.

We are thus constrained to express our collective frustration and indignation over the dismal state of human rights in our country. We write for the countless victims who have not achieved justice, much less attention from the current administration.

We call on the Aquino administration to urgently and decisively – while there is still enough time – address these issues which we have raised in previous dialogues with DOJ officials.

Inquirer.net, 16.10.2014

Tapaz.

The complaint, filed on Sept. 25 by Insp. Leomindo Tayopon, acting chief of police of Tapaz town in Capiz, alleged that the respondents were involved in the Oct. 7, 2013 ambush by New People’s Army (NPA) rebels of an Army squad in Barangay Nayawan in Tapaz.

Pfc. Rick Llorico, who was part of the squad and survived the ambush, alleged in his affidavit that the suspects had been identified by soldiers through their binoculars.

Llorico said the suspects had been seen wielding firearms and fleeing the ambush scene.

But Gimong said he was in Barangay Garangan, two villages away from Nayawan, during the ambush.

Gimong is among those at the forefront of opposition to the Jalaur River Multipurpose Project II (JRMP II).

The JRMP II is set to be completed by 2016. It involves the construction of three dams, a 6.6-megawatt hydro power plant and an 81-kilometer canal.

the death of a fellow student allegedly at the hands of policemen who rounded up curfew violators there on Nov. 4.



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Stefene Galidan, a sophomore business administration student of Mt. Province State Polytechnic College, died on Nov. 5 while being treated at a hospital shortly after he was arrested by Bontoc policemen, according to a statement from Mt. Province Youth Alliance.

More than 100 students marched through Bontoc, carrying placards that said, "Justice for unreasonable and unnecessary killing."

Galidan was buried on Saturday at Barangay (village) Monamon Sur in Bauko town, after his remains underwent forensic examination by teams sent by the Cordillera regional police office and the National Bureau of Investigation on Nov. 6.

Chief Supt. Isagani Nerez, Cordillera police director, said five Bontoc policemen had been placed on administrative leave while the investigation was ongoing.

A report from the Bontoc police said Galidan allegedly jumped out of a police vehicle that was taking him to the local police station. It said Galidan was unconscious when policemen came to his aid.

Sun.Star.com, 12.11.2014

Poll official killed, bystander wounded

By Bong Garcia

AN ELECTION official was gunned down while a bystander was wounded in a gun attack in the province of Sulu, the police reported.

The Sulu Police Provincial Office (SPPO) said the shooting happened around 7 a.m. Tuesday in Asturias, Jolo, Sulu.

The police identified the fatality as Mergani Wahid, 42, the election officer of Tapul town. The wounded bystander was

Davaotoday.com, 20.11.2014

Children advocates hit state negligence on child's rights

By Earl Condeza

DAVAO CITY - On the 25th anniversary of the United Nations Convention on the Rights of the Child (UNCRC), various child rights advocates here criticized government for not doing its obligation as one of the signatories.

Jeannette Ampog, executive director of Talikala, Inc., a non-government organization (NGO) advocating the welfare of prostituted women and children, said that "there are more violations against children that are still not been discussed in the public arena".

"Those children who are deprived of going to school, those who are not fed when scolded, are just one of the many that are considered violation on children which are not yet brought into public discussion," Ampog said.

She said they have monitored 319 prostituted girls, 383 child laborers and 15 sexual abuses on children. [...]

Philstar.com, 20.11.2014

Gabriela: Cops top perpetrators of violence vs women, kids

By Dennis Carcamo

MANILA, Philippines - A women's rights group accused members of the Philippine National Police (PNP) are the top perpetrators of violence against women and children, or VAWC, in the country.

Party-list group Gabriela said Thursday that policemen are among those behind violence based on reports it received and monitored.

Other government authorities who made the list are the Armed Forces of the Philippines, village officials, the United States military, politicians and the Presidential Security Group, the group added.

The group's report is based on cases gathered from 2010 up to the third quarter of 2014, showing there were 42 cops allegedly

Galidan was supposedly loitering in the streets with other men and was accosted for being disruptive, the report said.

The student's companions fled when policemen approached them, it said. However, the report said Galidan "voluntarily submitted himself to the [police] to file a complaint at the Bontoc municipal police station against [the] policemen [who accosted him]."

Before reaching the police station, Galidan jumped out of the police car and landed on the pavement. Police said Galidan was taken to a hospital and was conscious, although he had bruises on his forehead and elbows.

"He had told a nurse that he jumped out of fear because it would have been his first time to have a police record," said a text message to Nerez by a policeman.

Galidan died at 11 a.m. on Nov. 5.

Nerez said the police had secured the statement of a witness who claimed that Galidan was maltreated before he was taken to the Bontoc police station.

Alsaid Idzmar.

Investigation showed Wahid was driving his motorcycle fetching his daughter to the school when shot twice by a gunman.

Wahid did not make it to the hospital alive while Idzmar sustained a bullet wound in the leg, the police said.

Police investigation is ongoing to identify the perpetrators.

The UN document is an international human rights treaty which was convened on November 20, 1989 and signed by 194 countries. The Philippines is the 31st signatory. [...]

Mario Castillo, program director of another child advocate NGO, Child Alert, told in a press conference that "the government is allocating more funds to other expenses rather than catering it to children's concerns", citing the Php 1.5 million budget for the city's christmas lights display.

"But there are already councils in the barangays which are already formed, but not yet functional," he said.

In the region, "the Barangay Council that caters the welfare of the children gets only P100,000 per year".

On the 25th anniversary of the UNCRC, child rights advocate groups would continue with educating the barangays and communities with high cases of abuses. [...]

involved in VAWC incidents.

Of the total cases, 30 are attributed to the military, 14 to local officials, 13 to politicians, nine to American servicemen and two to the President Benigno Aquino's security personnel.

Obeth Montes, Gabriela deputy secretary general, said that PNP personnel have been in the news for various crimes against women, with some officials tagged behind cases of rape and domestic violence.

"We are very sure that aside from these highlighted cases, there are more women-victims out there who are keeping silent out of fear for their lives," Montes said. [...]

"How can they serve and protect women when they themselves are the number one perpetrators of violence against women?"

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Montes said.

Inquirer.net, 25.11.2014

Tuguegarao folk rue spate of killings

By Melvin Gascon

TUGUEGARAO CITY—The morning of Nov. 13 would have been just the start of another busy day for fish trader Rosemarie Bunagan-Bansig, 43, as she and her driver, Elmer Narag, headed to the city market.

As their van was cruising along a provincial road in Barangay Buntun past 10 a.m., they were shot by two men on a motorcycle. Bansig died several hours later.

A former city councilor and scion of a political family, Bansig was the latest casualty in the spate of killings in Tuguegarao City, the capital of Cagayan province. Residents have expressed alarm that Cagayan Valley's regional center has become a hotbed of political violence.

Most of the murders, which remain unsolved, are widely seen as the offshoot of a bitter rivalry between the city's two political camps—the Ting family and the opposing camp led by former Mayor Jefferson Soriano.

The killings have almost become commonplace for some citizens, counting the dead like scores in a football game.

Since January, 15 murders have been recorded in the city, all of which, except for two cases, remain unsolved, said Inspector Peter Bometivo, city police chief investigator.

This figure is on top of other crimes, which include robbery, abduction, car theft and rape, prompting residents to speak out, mostly on social media, and take to task local officials and police for the state of peace and order in Tuguegarao.

Killings political?

While police hesitated to make any pronouncement on the motives behind Bansig's killing, Tuguegarao residents speculated that it was just another round of the simmering quarrel between the city's warring political camps.

Denying allegations that their camp was responsible for Bansig's death, Cagayan Representative Randolph Ting called on his constituents to condemn not only the slaying but also the series of killings in the city. [...]

On Oct. 3, Gyorgy Tong, Ting's senior political officer, was gunned down after he dropped off his children in school. A police task force formed to investigate Tong's killing has yet to establish a lead that could help in the identification of the sus-

pects.

A retired police deputy director general, Soriano, in an earlier interview, had denied that his camp was behind Tong's killing.

The political rivalry simmered again in recent weeks, following the ouster of Soriano as mayor and city administrator Ronald Brillantes for grave misconduct. [...]

Police sources said Tong was the third Ting ally to be murdered since the May 2013 elections. Bansig, on the other hand, was the third Soriano supporter to be killed. In all six cases, investigators are facing a blank wall.

Investigators declined to link any of the murders to the political rivalry in the city, saying they face the risk of earning the ire of either camp.

Reign of terror

But aside from the murders that had shades of the dirty side of politics in the city, several others have fallen victim to the hands of killers.

On Nov. 9, Dionisio Singson, 39, a city government employee, was shot and killed by a lone man after he tried to save his younger sister, who was being robbed in front of their house in Barangay San Gabriel around 8 p.m.

Three days later, Esteban Garcia, 20, was made to board a van by four men in Barangay Pengue-Ruyu. His body was found hours later on a grassy lot near the boundary of Isabela and Cagayan provinces.

The news of the prevalence of crimes in the city has residents stricken with fear. [...]

In a phone interview, Supt. Jess Tamayao, acting city police director, parried widespread criticism of their supposed failure to stop the rise of criminal activities in Tuguegarao. [...]

"While we admit that we may have some shortcomings, it does not mean we have been remiss in our duty to protect our citizens. We have been trying our best but we are really undermanned and also ill-equipped," he said.

The recent spate of killings prompted Cagayan Governor Alvaro Antonio to summon the city's top officials to a peace forum on Nov. 17, crafting strategies on how they could curb criminality in the city.

Inquirer.net, 25.11.2014

Protesters from Mindanao storm mining company in Makati

Aries Joseph Hegina

MANILA, Philippines—About 50 environmental advocates from Mindanao stormed the headquarters of a mining company in Makati City on Tuesday to protest the alleged killings and displacement of indigenous peoples in their communities.

Dulping Ogan, secretary general of Panalipdan Mindanao, a network of environmental advocates, said the operations of TVI Resources Development Philippines Inc. had affected the livelihood of about 3,500 small-scale miners in Bayog town, Zamboanga del Sur province.

Members of indigenous tribes also hit the environmental destruction of their communities. [...]

Ogan also slammed TVI and other mining companies for allegedly acquiring ancestral lands through a sham Free Prior and Informed Consent (FPIC) from indigenous peoples living in the area.

For its part, an executive of TVI, who held a dialogue with the

protesters, said the company had dutifully followed government guidelines in order to operate in the area.

Kaycee Crisostomo, director of corporate communications of TVI, said the company secured the FPIC from the Subanen tribe living in Bayog, Zamboanga del Sur. [...]

Crisostomo discredited the claims of the protesters that small-scale miners had been evicted in the area.

"TVI did not force or evict anyone from the area. What they are pertaining to is the dismantling of illegal mining operations in the area led by the provincial government and its allied agencies," Crisostomo said.

The TVI executive also denied that the mining company was involved in the alleged human rights violations committed in the area.

"Human rights violations is something we do not tolerate," Crisostomo said. [...]

Asian Human Rights Commission, 27.11.2014



Action Network Human Rights- Philippines

Arrested human rights lawyer, community leader released on bail

Dear friends,
The Asian Human Rights Commission (AHRC) has learned that a human rights lawyer and a community leader who were arrested for resisting police officers have been released on bail. The two were arrested after they tried to prevent police officers from indiscriminately arresting people at a prospective demolition site. The lawyer, Jose Aaron Pedrosa, Jr., was arrested when he warned the police to stop making indiscriminate arrests, and for “pleading to the police to stop ill-treating the women” they were

arresting. When Pedrosa introduced himself to the police as the lawyer for the residents of the informal settlement, they told him: “We don’t care if you are a lawyer.” Apart from Pedrosa, community leader Jessica Zuniga, was arrested. She had been helping the informal residents living in the area of Mandaue City targeted for demolition. Pedrosa and Zuniga were charged with Obstruction of Justice, Resisting Arrest, and Disobedience of Agents of Persons in Authority. On November 26 at 4 p.m., Pedrosa and Zuniga were released after posting bail. [...]

UPDATES ON CASES OF HUMAN RIGHTS VIOLATIONS
Inquirer Mindanao, 03.11.2014

Military disowns anticommunist tribal warriors

Chris Panganiban

LIANGA, Surigao del Sur—The military has disowned a group of anticommunist tribal warriors who have been blamed for the massive displacement of Manobo communities here.

In a peace dialogue called by Gov. Johnny Pimentel on Thursday, military officials said the Bagani forces, headed by Datu Calpet Egua, had no authority to conduct operations against New People’s Army (NPA) rebels and had not been given orders to recruit from among the villagers.

Egua’s armed group “was not part of paramilitary groups allowed to fight the rebels,” said Col. Gregory Cayetano, head of the Army’s 401st Brigade. [...]

At least 2,000 Manobo people from the hinterland village of Diatagon here have fled their homes for fear of their lives after the Oct. 24 killing of Henry Alameda, an official of the militant Malahutayong Pakigbisog alang sa Sumusunod (Sustained Campaign for the Next Generation or Mapasu), allegedly by soldiers and Bagani forces.

Inquirer.net, 05.11.2014

New judge assigned to murder case vs ex-Davao del Sur gov inhibits

DIGOS CITY, Davao del Sur, Philippines - The trial of the murder case filed against former Davao del Sur Governor Douglas Cagas and three others, including a town mayor, is facing further delay after the new judge that should preside over it inhibited.

Judge Magnolia Velez of the Regional Trial Court Branch 20 said she inhibited from the case due to her relation by affinity to Davao del Sur Rep. Mercedes Cagas, wife of the former governor.

Daisy Mabuti, RTC 20 clerk of court, said on Wednesday that Velez had formally informed the Supreme Court of her inhibition.

She did not say when Velez officially begged off from presiding over the case.

Velez got the murder case against Cagas, Mayor Vicente Fernandez of Matanao, Bado Sanchez and Ali Ordaneza for the 2010 murder of journalist Nestor Bedolido, after the original judge, Carmelita Davin of Branch 19, inhibited due to personal reasons.

During the re-raffling of the case on Monday, the case was handed over to Velez, formerly assigned with the Office of Solicitor General in Manila and is a resident of Cagayan de Oro City.

With Velez’s inhibition, the Supreme Court will have to appoint

another judge to handle the case, according to court sources here.

Self-confessed gunman Voltaire Mirafuentes and his brother, Henry implicated Cagas, Fernandez, and two other suspects in the Bedolido slay case. Voltaire is now under the Department of Justice’s Witness Protection Program while Henry, who claimed he served as a lookout, had been remanded to the Davao del Sur Provincial Rehabilitation Center here.

“I have not met them, nor talked to them in person. In fact, nobody among them was present during our preliminary hearing before the DOJ in Manila,” Cagas earlier told reporters.

He repeated his previous line that his incarceration was the result of political machinations.

Cagas earlier said the charge against him had already been dismissed but was revived due to pressures exerted by his political enemies.

Justice Secretary Leila de Lima ordered the filing of the murder charge against Cagas and the three other accused in court in August.

Davao del Sur Governor Claude Bautista, who had faced Cagas several times for the gubernatorial race in the past, refused to comment on the claims of the Cagas’ camp and said he would instead concentrate on his priority programs. [...]

The Philippine Star, 06.11.2014

De Lima pushes for mass education vs journalist killings

By Edu Punay

MANILA, Philippines - A grassroots approach must be under-

taken in the global campaign against the killing of journalists.



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That's the stand of the Philippine government, which Justice Secretary Leila de Lima pointed out before the United Nations inter-agency meeting on the safety of journalists and the issue of impunity in Strasbourg, France yesterday.

De Lima recommended the inclusion of the mass education approach in the UN Plan of Action.

She cited the urgency and indispensability of educating the public on the protection of journalists.

De Lima explained to her counterparts in other UN member-nations that a people-driven approach would provide the basic source of support from the field in the global fight against media killings and unexplained killings.

De Lima shared with the UN the Philippine government's approach in dealing with cases of media killing, unexplained killings and enforced disappearances.

She cited the "composite team approach," which was designed to ensure a focused case build-up and speedy resolution of all unsolved as well as new cases of media killings, torture and other grave violations of a person's right to life, liberty and security.

De Lima said the Inter-Agency Committee adopted this approach to allow prosecutors and investigators to collaborate, cooperate and coordinate in the investigation and build-up of validated cases of extra-judicial killings, enforced disappearances and torture.

Rappler.com, 15.11.2014

4 years on, no justice for slain botanist Leonard Co

By Pia Ranada

MANILA, Philippines – Exactly 4 years ago today, a respected Filipino botanist was shot to death with two others while collecting and studying indigenous trees in the forests of Kananga, Leyte.

The fatal bullets came from an [infantry battalion of the Philippine Army](#) who had thought Co and his companions were members of the New People's Army (NPA).

Co's group was huddled around a possible "mother tree" clutching umbrellas when the shooting began.

Around 20 minutes later, Co was dead with 3 bullets in his body.

"Four years, that's too long. But I still can't accept that Leonard is gone," Co's wife Glenda told Rappler on Thursday, November 13. [...]

To this day, there has been no trial on the case and the 9 accused soldiers walk free. Two petitions filed before the Department of Justice (DOJ) and Supreme Court are yet to be resolved, preventing the case from proceeding.

The two petitions are for a petition for review filed with the DOJ and a petition for change of venue filed with the Supreme Court both by the family of Co and the two others who died that November day.

The victims' family filed for a Petition for Review because they disagreed with a DOJ resolution that recommended the filing of reckless imprudence resulting to multiple homicide and attempted homicide.

It wasn't reckless imprudence, said Glenda, but murder.

"Two-hundred fifty rounds is a murder," she said.

The accused soldiers admitted they fired 245 rounds at Co's group. What's more, Glenda said one of Co's companions had pleaded with the soldiers in the midst of the shooting. [...]

Pending justice

But the DOJ resolution, dated December 20, 2012, insisted that there is no probable cause for murder because the soldiers acted under "a mistake of fact."

"This means more pre-positioned personnel to respond quickly to these cases," she said.

The protection of journalists would eradicate the culture of impunity in the Philippines, De Lima said.

Attending the meeting were representatives of UN agencies, member states, international and regional organizations, academe and the media to address threats against the safety of journalists, media workers and social media producers.

It was held a few days after the UN's inaugural commemoration of the International Day to End Impunity for Crimes Against Journalists and a few weeks before the Philippines commemorates the fifth anniversary of the Nov. 23, 2009 Maguindanao massacre.

The discussion centered on ways to transform UN resolutions and papers into prompt, effective and responsive national level strategies.

The Center for Media Freedom and Responsibility has recorded a total of 145 Filipino journalists who have been killed since democracy was restored in 1986. Of the number, only 14 cases have convictions.

De Lima, along with the Philippine contingent led by Deputy Executive Secretary Teofilo Pilando Jr., also participated in a program of bilateral meetings to discuss the possibility of greater and more meaningful collaborations within the Southeast Asian region.

Because the soldiers thought Co and his team were communist rebels, they "would be justified to engage and, if warranted, to kill their enemies."

[...] The initial story was that Co and his team were caught in the crossfire between NPA members and the battalion.

But the survivors said there had been no gunshots before they were fired at. Fifteen minutes of loose bullets from the soldiers elicited no responding gunfire from "communist terrorists."

Only two of the 8 members of the squad claimed to have personally seen the NPA members.

The DOJ's National Prosecution Services eventually concluded that there was no actual armed encounter with alleged rebels and that Co and his group "were the real targets of the accused and no other."

Scientists in danger

Co is not the only scientist to have been the victim of violence.

According to Agham Advocate of Science and Technology for the Peoples, there have been at least 3 other cases in the last 3 years.

Only last September 4, engineer Fidela "Delle" Bugarin Salvador was caught and killed during a military operation against revolutionary groups in Lacub, Abra. She had been working as a consultant on socio-economic projects in areas devastated by Typhoon Ondoy and Pepeng.

On October 1, 2013, physicist Kim Gargar was detained by the army for being suspected as an NPA member while doing "rehabilitation study" on Pablo-affected villages in Davao Oriental. He was eventually allowed to post bail because the regional court found testimonies against him to be weak.

On January 24, 2011, veterinarian, environmentalist and journalist Gerry Ortega was shot along a highway in Puerto Princesa. His assassination is thought to be politically-motivated since he had been vocal about the Malampaya gas funds and other environmental issues in Palawan at the time of his death.

Co's death may have gone unnoticed by those unfamiliar with his name. But his death was seen as a great loss to the scientific community, both local and international. [...]

Action Network Human Rights- Philippines

Rappler.com, 18.11.2014

NBI report on Luisita massacre: Protesters more credible than gov't

By Pia Ranada

MANILA, Philippines – Even a National Bureau of Investigation (NBI) report made in 2005 concluded that protesters in the deadly 2004 Hacienda Luisita strike were "more credible" than the government personnel on the scene.

But 10 years after the Hacienda Luisita massacre in the controversial Tarlac sugar plantation, no trial has brought justice for the 7 protesters killed that day.

The "confidential" 45-page report, given in full to Rappler, showed that sworn statements from protesters were more consistent and believable than the sworn statements of police, military and Department of Labor and Employment personnel.

The report had allegedly been the basis of the Ombudsman's decision in 2010 to dismiss the cases against the military and police. The kin of the victims and their supporters were only able to see the report for themselves last October after Anakpawis Party List Representative Fernando Hicap was able to obtain a copy from the Department of Justice.

Hicap made a copy available to labor group Unyon ng mga Manggagawa sa Agrikultura (UMA). The group gave Rappler a digital copy. [...]

It even stated in its recommendations that "there is reasonable ground to believe" that a crime of "multiple homicide" for the deaths of the 7 protesters was committed by 9 police personnel. And because the evidence gathered by the investigation was "purely circumstantial," proof beyond reasonable doubt of their guilt can "only be established in a full-blown trial."

Charges dismissed

To this day, no such trial has taken place.

The Ombudsman's Military and Law Enforcement Offices dismissed all charges against police and military respondents in December 2010.

Last August 4, the victims' family [filed a motion to reopen the case](#), which was declined by the Office of the Ombudsman on October 2.

UMA says it's no coincidence these two foiled attempts happened within the administration of President Benigno Aquino III. [...]

The president belongs to the influential Cojuangco clan, the family that owns CAT and thus stood to lose the most if the protesters had their way.

At the time of the massacre, Aquino was the representative of the second district of Tarlac. A day after, he gave a privilege speech at the floor of the House of Representatives defending

the actions of the government troops while at the same time, condemning the deaths.

The sworn statements

The government personnel present that day on November 16, 2004, asserted that they had only fired warning shots, pointing their guns up in the air and away from protesters who were becoming unruly. [...]

Protesters, belonging to two different farm workers groups, were opposing the retrenchment of farm workers, militarization in the plantation and the stock distribution option that would give them stocks instead of land.

A common thread in the accounts of government personnel was the presence of unidentified elements in the tumult – persons who did not appear to be either protester or government personnel but who pointed firearms to the crowd. [...]

But the NBI report wondered why, if many government personnel saw the unidentified man with the firearm, why was the man missing from the video they took to document the strike?

If they were asserting that the man was responsible for shooting the protesters, why was this belied by the position of the bullet holes in the cadavers of the victims? [...]

Aside from these discrepancies, the NBI report listed ways the police may have mishandled the investigation of the case.

PNP investigators, it said, recovered spent ammunition and firearms from the sites where protesters were positioned but recovered none from the government side.

It seemed, said the report that the investigators focused their probe only on the protesters without including the government side.

"This is too unnatural and against the operating standard of procedure in the conduct of any investigation," it noted.

Can't get away with 'duty'

The NBI report concluded that "there were enough reasons to believe" that the government troops "may be responsible" for what happened.

It also said that the government troops' fatal shooting of the protesters, if proved, was not a necessary consequence of their performance of duty and thus would not exempt them from criminal charges. [...]

"Their duty to arrest the unruly protesters did not include any right to shoot the victim to death or inflict upon them any injuries."

But in the end, the guilt of any party can only be established by a full-blown court trial, which never happened. [...]

Bulatlat.com, 21.11.2014

Trial starts on killing of Dutch environmentalist

By Janess Ann J. Ellao

MANILA – The trial on the murder of Dutch missionary and environmentalist Willem Geertman finally began on Wednesday Nov. 19 at the San Fernando Regional Trial Court Branch 48, more than two years since his killing.

Sr. Cecille Ruiz of the human rights group Karapatan-Central Luzon was the first witness presented to the court.

Only one of the four suspects, Marvin Marzan Muguid, is in police custody at Pampanga Provincial Jail. Muguid was arrested in Mexico, Pampanga in March based on robbery charges, but police realized that he was also one of the two suspects in the Geertman killing.

The other suspect, the gunman identified as Harold dela Cruz, is still at large. Four other suspects remain unidentified.

Geertman, executive director of Alay Bayan Luzon Inc., was shot dead on July 3, 2012 in front of the NGO's office in Telabastagan village in San Fernando, Pampanga.

The suspects, two motorcycle-riding men, had followed them from a bank up to the office, where the gunman first forced Geertman to kneel then, execution-style, shot him in the back of the head.

The suspects took his bag, which contained cash withdrawn from the bank and were intended as project funds.

Five months later, the Office of City Prosecutor in San Fernando issued a resolution recommending the filing of robbery with homicide against the suspects.

Geertman's fiancée Maria Aurora Santiago, petitioned the Department of Justice to review the resolution, which consequently ruled to file charges of murder and robbery.

In an interview with *Bulatlat.com*, Ruiz said her testimony is proof that Geertman's killing was not a mere robbery with homicide. The motive behind his killing is political, she added.

Missionary



Action Network Human Rights- Philippines

"We did not live in the convent. As missionaries, we have our own ways, which is to integrate with the farmers," Ruiz recalled. From 1979 to 1999, Ruiz and Geertman were among the missionaries who worked with peasant communities in Aurora province. Ruiz said they helped from planting to harvesting crops, and implementing socio-economic projects.

Ruiz later served as executive director of Alay Bayan. Geertman took over when she went to Karapatan.

Though they no longer worked closely, Ruiz said they were good friends.

Geertman, she added, had shared that he received death threats,

and experienced surveillance and even red tagging from state forces.

"They would say that he is a communist and he must die," Ruiz said, of one of the death threats against Geertman.

She said that the road to justice is far from sight.

Asked if she believes if justice would still be served, Ruiz let out a long sigh.

She said that, "under the prevailing system, justice is hard to come by. But we remain optimistic. We have a legal system but we will not rely on it 100 percent. It is still the mass movement that would bring us closer to justice."

Bulatlat.com, 25.11.2014

Palparan lawyers to present over 30 witnesses

By Janess Ann J. Ellao

MANILA - The pretrial hearing for the case of kidnapping and serious illegal detention against Maj. Gen. Jovito Palparan was held Nov. 24 at the Malolos Regional Trial Court branch 14.

Palparan, the highest military official ever indicted for human rights violations, was arrested in the wee hours of Aug. 12, due to a standing warrant in relation to the disappearance of two students of the University of the Philippines Karen Empeño and Sherlyn Cadapan.

During the pretrial, both the prosecution and the defense marked their evidences and a list of witnesses to be presented in court.

The prosecution team is set to present at least 15 witnesses. The defense, on the other hand, said they will present more than 30 witnesses, some they did not name due to security risks. They also did not provide original copies for some of the document evidence they presented while their Exhibits 10 to 39 are "reserved documents" and that it would be submitted before the court as soon as they are able to procure them.

Last week, on Nov. 20, the families of the victims filed a petition for certiorari before the Court of Appeals, questioning the Malolos Court's ruling that allowed the transfer of Palparan to the Philippine Army Custodial Center.

Anotado's lawyer Abner Torres said they will present at least four witnesses for his client and two for Osorio. The said witnesses, he claimed, would provide testimony to prove that Anotado was hospitalized, while Osorio was working on his deployment for Liberia at the time of the incident.

"They were given two years to present their witnesses. But they failed, citing various reasons such as the difficulties of locating soldiers deployed in various provinces in the country and the lack of resources. I wonder where they are going to get their witnesses now," Mrs. Concepcion Empeño, mother of Karen, said in an interview.

Christmas

For the past few years, Mrs. Empeño said, she could no longer feel the Christmas spirit.

"Every Christmas, Karen would invite her friends to come over and eat with us. But since she was abducted, no one would be there to eat with us. I no longer cook for our noche buena. I do not even put Christmas decorations," Mrs. Empeño told activists who were holding a protest action outside the Malolos court.

Addressing her speech this time to retired Palparan, she said, "you are already old and yet you pity yourself. My daughter is

young and could do more and help those in need."

Inside the courtroom, at least 10 soldiers were present, as in the previous hearings. But this time, only two were covering Palparan. He would, from time to time, stand up and confer with his lawyers.

Evidences allowed

The Malolos court also granted the petition of Palparan's co-accused Col. Felipe Anotado Jr. and Sgt. Edgardo Osorio to allow them to present evidence.

The case against Anotado and Osorio had already been submitted for resolution to the court, but the court granted a motion for reconsideration filed by the two.

During the hearing, Judge Gonzales said that since the some witnesses that would be presented against Palparan and his two co-accused are the same, she would like to listen to it again to get the "whole picture."

Raymond Manalo, one of the key witnesses of the case, identified Anotado and said that the military official visited the 24th IB's military camp in Limay, Bataan three times. He said that during his first visit, Anotado went to the stockroom where the two UP students were detained.

Manalo said Anotado tried to convince the two to change their ways. He added that Anotado even talked to him.

Osorio, on the other hand, was identified by eyewitness Wilfredo Ramos as the one who hogtied him and his father when the two students and farmer Manuel Merino were abducted from their home.

Expedite prosecution

[...] Meanwhile, the International Association of Democratic Lawyers (IADL) called on the Philippine government to ensure the expeditious prosecution of Palparan and to stop the special treatment being accorded to him.

Such situation, the lawyers group said, sends a message that the government will protect its own regardless of their misdeeds and would set a bad precedent.

The special treatment for Palparan would also discourage other victims of human rights violations from filing criminal complaints, the IADL said.

The group also called on the government to ensure that the security arrangements for Palparan will not, in any way, interfere with the court's discretion or intimidate the families of the victims.

Sun.Star Cagayan de Oro, 25.11.2014

CHR to probe MisOr 'bakwits'

By Jigger J. Jerusalem

THE Commission on Human Rights (CHR) in Northern Mindanao is mulling over on probing reports that the rights of the indigenous people displaced by the armed clashes between the military and the New People's Army (NPA) in a mountain

village in Claveria town, Misamis Oriental, have been violated. Victorio Aleria Jr., CHR-Northern Mindanao supervisor investigator, said Monday that the commission will be investigating if the Comprehensive Agreement on Respect for Human Rights



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and International Humanitarian Law (CARHRIL) has not been respected during the encounters between the troops and insurgents last week.

In the most recent conflict, more than 300 lumad residents from the sitios of Lakbangan, Kalhaan and Impadiding in Barangay Minalwang, Claveria left their homes, properties and livelihood for fear of being caught in the crossfire.

In its latest report from the Provincial Disaster Risk Reduction and Management Council (PDRRMC) of Misamis Oriental, it shows there are at least 300 villagers who have abandoned their communities due to the fighting.

In an article published in Sun.Star Cagayan de Oro on Monday, Rogelio Plana, secretary-general of the lumad group Kalumbay, said his group is worried that the ongoing rescue operation conducted by various units of the Philippine Army's 4th Infantry Division (4ID) to free two soldiers captured by the NPA in Impasug-ong, Bukidnon, last August 22, would continue to displace more villagers in the coming days.

However, in an earlier interview with Sun.Star, First Lieutenant Patrick Martinez, acting 4ID spokesman, made it clear that troops are engaging the Maoist rebels in the outskirts of the

residential areas to avoid hitting civilians.

Martinez has also accused the NPA of violating the CARHRIL when the insurgents allegedly buried landmines in some spots in some sitios of Minalwang that endanger the lives of the villagers.

He added the detonation of the landmines could also be the reason why the lumad residents fled their homes last week.

Recruitment by the NPAs

Aleria said they will check if both sides have violated the CARHRIL, but added they will focus their investigation on reports that the NPA has recruited some of the hinterland communities' young people.

He said someone informed the CHR when a team went to Minalwang a few weeks back to monitor the situation of the residents from the village last September. [...]

He added that based on the CARHRIL, the NPA is not allowed to recruit minors and train them as guerrilla fighters. [...]

When the PDRRMC went to deliver relief goods to the evacuation center in Minalwang last Friday and Saturday, it was noticed that most of the displaced were women, children and the elderly. There were hardly any young men among the evacuees.

Bulatlat.com, 27.11.2014

Peasant woman hopes to see 2 sons alive

By Dee Ayroso

MANILA - Julia Poloyapoy, a 50-year-old peasant and mother of six, lost three sons on Nov. 1, All Saints' Day. Twenty-four-year-old Fil John turned up dead with two gunshot wounds in the chest, while Philip, 31 and Pelems, 22, are still missing. They were believed to have been used as guides in military operations.

Julia is one of the many victims of human rights violations who came with the Manilakbayan and travelled from Mindanao to seek justice.

On Nov. 26, Manilakbayan's third day in Manila, peasants and indigenous peoples who were victims of militarization under the government's Oplan Bayanihan picketed in front of the headquarters of the Armed Forces of the Philippines in Camp Aguinaldo in Quezon City to call for the withdrawal of military troops in their communities. [...]

The Poloyapoyos live in sitio Bagong Silang, Bayugan 3, Rosario, Agusan del Sur. Since Nov. 2, when her son Fil John was believed killed by soldiers, the Poloyapoyos have left home and had not returned since. The family members belong to the peasant group Nagkahiusang Mag-uuma sa Agusan del Sur (Namasur). In an interview with *Bulatlat.com*, Julia recounted that on Oct. 31, her three eldest sons were still able to come home and recount to her how they came across soldiers by the river. The three went hunting and gold-panning at about 9 a.m.. They each carried a "jolen gun," an airgun with marbles for bullets that was used for hunting.

Fil John, who crossed the river ahead of his brothers, was the first to be accosted by soldiers of the 75th infantry battalion, who asked what he was carrying. Fil John showed the hunting gun to the soldiers, who said it looked like an M14 rifle. Fil John asked the soldiers not to shoot at his two brothers who were by the waterfalls and were carrying the same thing.

They however, heard a gunshot, and one of the soldiers, upon seeing Philip by the falls, fired several times but missed. As he came down, Philip complained to the soldier that he almost got killed for no reason. The soldiers asked the three about New People's Army (NPA) guerrillas in the area, to which they answered that they haven't seen any but don't discount their presence.

One of the soldiers threatened the three: "If the NPAs shoot at us here, we're going to get you first."

On Nov. 1, All Saint's day, Julia was preparing a special dinner

and has asked the three to stay home, but at around 4:30 p.m., Fil John said he had to go to their *payag* - the farm hut located two kilometres away - to put away the clothes that he hanged. Two minutes later, Julia recalled that Philip said he also has to go to the *payag* to get his headset. Another two minutes later, Pelems said he had to get his charger.

"Don't be long," Julia told each son.

By 7 p.m., the family started worrying because the three had not returned. They went to the farm hut, but Julia found it locked, and Fil John's clothes were still hanging. Asking around the village, a neighbour told Julia that she saw the three with elements of the Army's 75th Infantry Battalion on the road.

The family spent a sleepless night, waiting for the three. At 8 a.m. the next day, Nov. 2, they heard a staccato of gunfire coming from the direction of their farm, lasting some 30 minutes. The gunshots came again at 12 noon. Julia said she couldn't stop crying by this time, fearing for her sons.

At 5 p.m., a neighbor told her that Fil John was among the dead carried by soldiers in Consuelo village, in the next municipality Bunawan.

A [news report](#) showed that the 75th IB soldiers had an encounter with NPA guerillas, where Technical Sergeant Leonardo Pilare Jr. was killed. The military claimed in the news report that Fil John was an NPA rebel. [...]

Julia said the radio statement of the military came after she went to Bombo Radyo and called for help for her two missing sons.

'Present your witness'

On Nov. 10, after Fil John's burial, Rosario Mayor Jose Cuyos Sr. along with Vice Mayor Julie Chua, and seven councilors asked to speak to the Poloyapoyos at the barangay hall. With the local officials was a military officer they identified only as Gacayan.

Prely decried that even as they tried to express their grievance, the military official kept cutting them off, telling them to "present your witness."

"If it's true that the 75th IB killed your son, then present us your witness, at least two witnesses," Prely quoted the military official. The official also said they "will file a case and will not tolerate" military abuses, but the victim's family must be the one to bring forward a witness.

Julia and Prely said they also came to the 75th IB detachment, accompanied by village officials, to look for Philip and Pelems.

"We weren't even allowed inside the camp, only the village



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chairman and a councilor was let in," Prely said. The soldiers claimed that they don't know anything about the missing men.

Julia said they also tried to file a complaint with the police about Fil John's killing, and the disappearance of Philip and Pelems, but a certain SPO4 Sumili refused to file a blotter report, saying that a witness is required for that.

"You don't even have to come here, just send your witness," Julia quoted the police.

When they asked for a copy of the police report on Fil John, the police gave them a police request for the victim's autopsy report, but it was ripped in the middle. [...]

Evacuation

On Nov. 11, about 140 families from villages in Rosario and

Bulatlat.com, 28.11.2014

Mindanaoans slam DOJ 'helplessness' in dismissing false charges vs activists

By Janess Ann J. Ellao

MANILA - Carmelito Lao, 60, was just released from jail when he decided to join the Mindanao people's caravan to Manila to demand social justice. Ironically, Lao said, he was "accorded injustice" by the Department of Justice when they were told that the agency is "helpless" in stopping the filing of trumped-up cases against activists.

Lao, a leader of peasant group Kilusang Magbubukid ng Pilipinas, was charged with qualified theft back in 2011, for allegedly stealing coconuts from a nearby farm in the town of Lupon, Davao Oriental. He was arrested on Oct. 7 and released on Nov. 6.

"(The accusations) are not true. The Armed Forces of the Philippines is behind these cases to silence the people's resistance and struggle for change," Lao told *Bulatlat.com*.

Hanimay Suazo, secretary general of Karapatan - Southern Mindanao Region, said these cases are part of the strategy and tactics of the military. Among the cases include illegal assembly, alarm and scandal, and public disturbance. If the dispersal of protest actions turn out to be violent, activists are charged with slight physical injuries. Others who are being labeled as members of the New People's Army are being charged with murder, illegal possession of firearms and explosives, robbery, and other criminal charges, said Suazo.

Meanwhile, she added, alleged members of the NPA are not charged with rebellion but with criminal cases as well.

"They think they can silence us with these cases. But they are forgetting that we are merely exercising our right to peaceably assemble," Suazo said.

Manilakbayan said in a letter addressed to Justice secretary Leila de Lima that there are at least 508 activists and leaders who are facing 608 trumped-up charges all over Mindanao. It also cited 83 extrajudicial killings and some 200,000 individuals displaced due to military operations in the communities.

False charges

In their letter to De Lima, the Lakbayanis, or participants of the Manilakbayan, said the killings and trumped-up cases against activists are direct results of the militarization in Mindanao, citing that there are four infantry divisions and 45 infantry battalions deployed there.

There are also 20 paramilitary groups, armed by the military and

MAGUINDANAO MASSACRE

Inquirer Mindanao, 25.11.2014

Ampatuan clan remains powerful

SHARIFF AGUAK, Maguindanao - The Ampatuan clan remains influential in Maguindanao province, holding sway even in the villages five years after its patriarch and his sons were arrested and charged with murder over the massacre of 58 people, including 32 journalists, in Ampatuan town.

Gov. Mujiv Hataman of the Autonomous Region in Muslim

Mindanao (ARMM) agrees that fear still grips areas influenced by the clan.

"They still have the capacity to launch partisan operations. There are still killings, even of witnesses. They still have a private army. They are still in the local government and the influence of the patriarch still exists," Hataman said.

Bunawan evacuated from their homes after hearing a series of gunfire. "People were afraid that they would meet the same fate as my brothers," Prely said.

The evacuees stayed at the Bayugan 3 gymnasium, and returned home on Nov. 20, and were accompanied by people's organizations and health workers, who conducted a relief and solidarity mission.

Karapatan data shows that there are 83 victims of extrajudicial killings in Mindanao by state and paramilitary forces under the term of President Aquino. Some 2,500 people had to forcibly evacuate in Mindanao in this year alone. [...]

warlord armies that sow terror in these communities, the letter added.

Delegates of the Manilakbayan held a dialogue with Justice undersecretary Jose Justiniano and prosecutor general Claro Arellano.

After the dialogue, Jomorito Guaynon of indigenous peoples group Kalumaran told the protesters that the DOJ said it could do nothing about the cases and issues brought to their attention.

"Maybe they should just resign," one of the protesters shouted back.

Amirah Au Lidasan of Suara Bangsamoro said they brought to the DOJ's attention the use of "Jane Does and John Does" in the filing of trumped-up cases against activists.

She said the dialogue was both disappointing and frustrating. "They wash their hands of the issue, but the truth is, the trumped-up charges were filed before the DOJ," Lidasan said.

Lidasan cited the case of almost 100 Moro people who were arbitrarily arrested in 2001 due to a charge sheet issued by the DOJ. She said that more than a year ago, only 12 of the 97 detainees were accused of being members of the armed group Abu Sayyaf. Until now, however, no one has been released from detention in Camp Bagong Diwa.

"It is frustrating because it seems that that they are telling us to go back to our provinces and settle our concerns in local courts. Our objective is for national officials to look into these cases," she said.

Gov't not helpless

Cristina Palabay, secretary general of Karapatan, belied claims of the DOJ that it is helpless as they can easily dismiss these cases. In fact, she added, the DOJ is being utilized to push for Oplan Bayanihan and file trumped-up cases against activists.

"It does not matter who you are, if you look or smell like a member of the NPA, then you are considered as an enemy of the state," she said during the protest.

There are more than 400 political prisoners in the country nationwide, according to Karapatan. Suazo said there are 35 political prisoners in Southern Mindanao Region alone.

The Lakbayanis vow to return on Dec. 3 to hold another protest action.

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Former Maguindanao Gov. Andal Ampatuan Sr., his sons Andal Jr. and Zaldy, and close to 200 of their followers are detained and being tried by a Quezon City court for the Nov. 23, 2009, massacre. Regional government and military officials and residents have cited incidents in recent months as proof of the Ampatuans' continuing political influence.

On Nov. 18, two former followers of the clan were ambushed by armed men while on their way to Buluan town on board a tricycle to meet prosecution lawyers who were waiting to get their sworn statements against the accused.

Dennix Sakal, who worked as a driver for Ampatuan Jr., was killed. His companion, Butch Saudagal, a former bagman of the clan, was wounded.

On Oct. 22, two Philippine Army soldiers were shot and killed inside a hospital in Datu Hofer town, also in Maguindanao.

Military authorities believe that rebels from the Bangsamoro Islamic Freedom Fighters (BIFF) were behind the attack "orchestrated" by a "political interest."

BIFF spokesman Abu Misry Mama has denied that his group was involved, but claimed that it was an operation of a faction of the Ampatuan clan that went wrong. [...]

Bloodline doesn't count

There is infighting in the clan, as shown by a shooting in Datu Hofer town and Mayor Zahara Ampatuan's removal from office in Shariff Aguak town.

Zahara, wife of Anwar Ampatuan, one of those charged in the massacre, has gone into hiding after a warrant was issued for her arrest for alleged involvement in the murder of Shariff Aguak council secretary Alfredo Amilista on April 3.

A nephew of Ampatuan Sr., Alehol Ampatuan, was shot dead outside his house in Shariff Aguak before he could testify for the prosecution in the Maguindanao massacre case, private prosecutor Nena Santos told the Inquirer. [...]

Officials believe the remaining branches of the clan are competing with other groups to fill the power void left by the arrest of the Ampatuans.

Hataman said the clan's influence was limited to the towns of Datu Unsay, Datu Hofer, Mamasapano and Shariff Aguak. [...]

New regional gov't

Hataman said he was pinning his hopes for an end to impunity

PEACE PROCESS

Rappler.com, 09.11.2014

CBCP declines request to mediate gov't-NDFP talks

MANILA, Philippines - The Catholic Bishops' Conference of the Philippines (CBCP) said that it cannot act as a mediator in the dialogue between the Philippine government and the National Democratic Front of the Philippines (NDFP), saying that the role "cannot be part" of their mandate at present.

In a statement released Sunday, November 9, Lingayen-Dagupan Archbishop Socrates Villegas, president of the CBCP, said that there has been a request to mediate in the dialogue between the two sides, but did not specify which side made the request.

"The CBCP for its part categorically states that it cannot take in the role of initiating, convening, mediating or presiding over a dialogue between the National Democratic Front and government representatives," the statement, signed for release on Monday, November 10, stated. [...]

CBCP's Sunday statement is an indication that informal talks

Five years on, justice for Maguindanao massacre can't wait

The Philippine authorities are running out of time to ensure that their response to the Maguindanao massacre does not become a mockery of justice, Amnesty International said on the fifth anniversary of what is often called the world's largest-ever single attack on journalists.

On 23 November 2009, 58 people, including 32 journalists and other media workers, were killed when an election convoy came under attack by more than 100 armed men, allegedly including members of the police and the military. The convoy had been travelling in the southern province of Maguindanao, through the territory of the powerful Ampatuan clan.

"Justice delayed is justice denied. Five years after the Maguindanao massacre [...] not a single person has been held to account," said Hazel Galang-Folli, Amnesty International's Philippines Researcher.

Almost half the 197 suspects for whom arrest warrants have been issued since the massacre remain at large. Meanwhile, no prosecution has been concluded [...].

Trials in the civil and criminal cases are ongoing at a Quezon City Regional Trial Court. However, there have been several delays and setbacks and most of the court proceedings have been bail hearings. The families of the victims have also called on the National Police Commission to dismiss police officers allegedly involved in the assault, but it remains to be seen how these demands will be dealt with.

Witnesses to the massacre and their families have faced attacks and killings since the massacre, highlighting a lack of government protection. Just this week yet another prospective witness was killed in an ambush in Maguindanao province. At least eight witnesses and their family members have been killed in such attacks since November 2009. No one is known to have been held accountable for these killings either.

"Each killing of a witness creates a fresh injustice while reducing the chances of justice being served for the families of the victims of this horrific massacre. This is particularly true in a country like the Philippines where court cases have traditionally relied heavily on witness testimony," said Hazel Galang-Folli.

"The Philippine authorities must get their act together and ensure that accountability for this horrific massacre is given high priority and enough resources." [...]

www.amnesty.org, 23.11.2014

and political patronage in Maguindanao on a new Bangsamoro regional government, expected to be established before the end of President Aquino's term in 2016.

For Col. Dickson Hermoso, spokesman for the Philippine Army's 6th Infantry Division, the government missed the opportunity to end the Ampatuans' influence in Maguindanao when it declared a state of emergency in the province weeks after the massacre.

Like Hataman, Hermoso said Maguindanao was safer now but he admitted that there are still killings, private armies and clan wars.

Five years after the Maguindanao massacre, uprooting warlordism in the province remains a difficult task, Hermoso said.

He added, however, that the security sector was working hard to dismantle the private armies and bring charges against their members.

between the government and the NDFP are underway after formal negotiations collapsed over the past year.

The CBCP said that despite the NDFP being the umbrella organization and the CPP-NPA being under them, there is "trepidation" because "we are not sure about the degree of cohesiveness that exists between the top echelons of the Front and local cadres of the New People's Army." [...]

Another factor the CBCP cited was the lack of substantial outcomes of "prolonged and expensive" negotiations between the two sides. [...]

Despite saying no, the statement said they are continuing to pray for a peaceful resolution to the country's insurgency problem.

"We encourage qualified lay persons to contribute to the dialogue and to foster that spirit of openness and sincerity that alone can make negotiations promising," the statement added.



Action Network Human Rights- Philippines

Peace talks between the government and the NDFP have stalled in recent months. Initially revived in 2010 under the current administration, talks hit a roadblock in February 2013, with

government representatives saying they had lost interest unless the CPP agreed to a new framework.

MindaNews, 16.11.2014

Rep. Rodriguez: Bangsamoro Basic Law passed by “end of February”

By Carolyn O. Arguillas

DAVAO CITY – The new target for the passage of the Bangsamoro Basic Law is “end of February,” Cagayan de Oro Rep. Rufus Rodriguez, chair of the 75-member Ad Hoc Committee on the Bangsamoro Basic Law (AHCBBL) said.

Rodriguez told MindaNews in a text message that they will “finish all 32 public hearings on the BBL in Mindanao, Visayas, Luzon” and in the House of Representatives by December 17.

“This will be the most comprehensive and inclusive consultations in the history of the House of Representatives,” he said.

Rodriguez added that the Ad Hoc Committee “will then deliberate on the bill when we resume session on January 19.”

Plenary debates are “expected starting Feb 2 and approval by end of February,” Rodriguez said. [...]

Rodriguez told MindaNews on September 14 that the draft Bangsamoro Basic Law, now House Bill 4994 (and Senate Bill 2408) was targeted for passing by December 17 this year so the plebiscite could be held “February or March” next year

The new target for passage of the Basic Law – end of February – means a delay again in the conduct of the plebiscite that would shorten even more the transition period.

Six months

The Commission on Elections (Comelec) has repeatedly said it needs six months to prepare for the elections, inclusive of the period for information campaign. [...]

The Government (GPH) and Moro Islamic Liberation Front (MILF) in their Comprehensive Agreement on the Bangsamoro had agreed that “the status quo is unacceptable” and they would work for the creation of a new autonomous political entity called the “Bangsamoro” that would replace the Autonomous Region in Muslim Mindanao (ARMM).

The ARMM is deemed abolished as soon as the Basic Law is ratified, and the Bangsamoro Transition Authority (BTA) takes over in preparation for the establishment of the regular Bangsamoro government by June 30, 2016. [...]

FURTHER READINGS

The Philippine Star, 19.11.2014

Over 260,000 Pinoys live in modern slavery – report

By Helen Flores

MANILA, Philippines - An estimated 261,200 Filipinos still live in modern slavery, according to a recent survey conducted by Australian-based human rights groups. [...]

The country received a rating of BB. A country that has received a rating of BB has introduced a response to modern slavery, which includes short-term victim support services, a criminal justice framework that criminalizes some forms of modern slavery, a body to coordinate the response and protections for those vulnerable to modern slavery. [...] To view the report, please click [here](#).