

HUMAN
RIGHTS
REPORT
PHILIPPINES

ABOUT THE AKTIONSBÜNDNIS MENSCHENRECHTE – PHILIPPINEN

The Aktionsbündnis Menschenrechte – Philippinen (AMP – Action Network Human Rights – Philippines) is an initiative of seven major German church-based agencies and human rights organizations to promote advocacy and information work in Germany and the EU regarding the human rights situation in the Philippines. Member Organizations of the AMP are Amnesty International Germany, Bread for the World – Protestant Development Service, International Peace Observers Network (IPON), MISEREOR, Missio Munich, philippinenbüro e.V. im Asienhaus, and the United Evangelical Mission (UEM). The main focus of the network lies on the core human rights issues of extrajudicial killings, enforced disappearances, and fabricated charges against political activists.

*An indigenous
family has a
candlelit dinner*

IMPRINT

© 2017, Aktionsbündnis Menschenrechte – Philippinen, Köln

Editor: Johannes Icking

Authors: Johannes Icking, Robert Fahrenhorst

Translation: SocioTrans, Marburg

Layout: Unikat, Wuppertal

Print: Die Umweltdruckerei

Pictures: Lilli Breininger (pp. 2, 4, 6, 7 top), Jes Aznar (pp. 7 bottom, 18)

Privat (pp. 11, 12, 16, 24, 31), Philippine-Misereor Partnership Inc (p. 14)

United Church of Christ in the Philippines (pp. 20, 27)

Rolivel Elusfa (p. 22), International Peace Observers Network – IPON (pp. 23, 30)

Johannes Icking (pp. 21, 28), Solidagro (p. 29)

TABLE OF CONTENTS

FOREWORD – QUO VADIS PHILIPPINES?	4
EXECUTIVE SUMMARY	6
KEY RECOMMENDATIONS FROM THE 2012 UPR AND THEIR (INADEQUATE) IMPLEMENTATION	8
KILLINGS OF HUMAN RIGHTS DEFENDERS AND JOURNALISTS	10
Killings of land rights defenders	10
Killings of leftist activists	10
Killings of journalists	11
Suspected perpetrators and masterminds	11
The killing of Romeo Capalla	12
CRIMINALIZATION OF HUMAN RIGHTS DEFENDERS AND JOURNALISTS	13
Libel charges	13
Libel charges against staff members of the Philippine-Misereor Partnership Inc. (PMPI)	14
Fabricated charges	15
Fabricated charges against Amelita Bravante	16
WAR ON DRUGS	17
Extrajudicial executions	17
Reintroduction of the death penalty	18
The killings of Renato and Jaybee Bertes	18
IMPUNITY	19
Judiciary failure to investigate grave human rights violations	19
Ineffective mechanisms to protect human rights	20
Failure to prosecute the perpetrators of the Maguindanao massacre	22
COUNTERINSURGENCY AND PARAMILITARY GROUPS	23
Human rights violations in the context of counterinsurgency	23
The killing of Fidela Salvador	24
Paramilitary groups	25
The New Indigenous People’s Army Reform	27
INDIGENOUS RIGHTS	28
Attacks on indigenous communities in the context of counterinsurgency	28
The killings of Emerito Samarca, Dionel Campos, and Bello Sinzo	29
Human rights violations against indigenous anti-mining activists	30
The killings of Juvy Capion and her children Jordan and John	31
RECOMMENDATIONS FOR THE PHILIPPINE GOVERNMENT	32
RECOMMENDATIONS FOR OTHER INTERNATIONAL PARTIES	33
LIST OF KILLED HUMAN RIGHTS DEFENDERS AND JOURNALISTS IN THE PHILIPPINES	34

QUO VADIS PHILIPPINES?



The Aktionsbündnis Menschenrechte – Philippinen – Philippines (AMP – Action Network Human Rights – Philippines) was founded in 2007 after the number of political killings in the Philippines rose drastically nationwide during President Gloria Macapagal-Arroyos' term in office. The victims also included many staff members from the network's partner organizations.

The AMP pursues the goal of creating international awareness of severe human rights violations against members of churches and non-governmental organizations. In this way, it seeks to contribute to motivating the Philippine Government to embrace effective measures for putting an end to political killings and other forms of human rights violations as well as impunity for human rights offenders. The AMP documents human rights violations and does so in close collaboration with Philippine partner organizations. On this basis, the AMP keeps the public informed about the situation in the Philippines and seeks constructive and critical dialogue with political policymakers and the relevant institutions of the Federal Republic of Germany, the European Union, and the United Nations.

Since its inception, the network has also contributed to the Universal Periodic Reviews (UPR) of the Philippines by the Human Rights Council of the United Nations, the first of which took place in 2008. Shortly before the first review, the then UN Special Rapporteur for extrajudicial, summary, and arbitrary executions, Philip Alston, visited the Philippines and drafted a report that attracted vast attention. This report marked the first time that an international body for the protection of human rights made explicit mention of the military and police engaging in human rights violations in the Philippines. Together with the voices of the Philippine and international civil society, the report was then also taken up in the first UPR 2008 as the number of political murders had reached a climax.

In response to international criticism, the Philippine government introduced a number of structural and legislative reforms, for example, passing a law against torture and establishing human rights offices within the military and the police. The number of political murders did, in fact, initially decrease during Benigno Aquino's presidency. However, new cases of politically motivated charges – so-called trumped-up charges – were lodged to criminalize political activists and members of civil society groups who then disappeared for years in prisons. In the years since, little has been done to change the practice of almost complete impunity for the most serious human rights violations. In recent decades only a handful of perpetrators responsible for thousands of political killings and instances of enforced disappearances have been brought before the courts and punished for their crimes.

All in all, while some minor headway had been made at the close of the second reporting period in 2012, in many areas things remained much the same and sometimes even changed for the worse. For the most part, the same also holds true for the years that followed – up until today, shortly before the third UPR. The number of political killings has remained about as high as it was in 2012. For the AMP and its partners, it is very disappointing that the political reform initiatives so far have had practically no lasting effect. It is clear that violations of human rights are grounded in the underlying structural shortcomings of the police, military, and judicial system as well as government failure and that serious violations are causally linked to economic conflicts of interest.

When Rodrigo Duterte's term of presidency began in June 2016, several thousand extrajudicial killings of alleged criminals were committed within only a few weeks following his appeal to take violent action against drug dealers and drug consumers. Fundamental constitutional principles such as the presumption of innocence and the right to a fair trial were de facto suspended. At the same time, Duterte made numerous disparaging remarks about international human rights standards, which are also recognized by the Philippines, and threatened that the Philippines would pull out of the United Nations.

This alarming situation makes clear how difficult documentation of human rights violations is, how important it remains, and how vital the dialogue is about measures for protecting not only the civil and political but also the economic, social, and cultural rights of people in the Philippines.

On the occasion of the third UPR of the Philippines by the Human Rights Council of the United Nations, this publication will therefore look back on the development of the human rights situation over the past four years. This review makes clear that key recommendations addressed to the Philippines in 2012 were implemented only poorly or not at all.

On behalf of the Action Network Human Rights – Philippines:

Jochen Motte
United Evangelical Mission

Elmar Noé
MISEREOR

EXECUTIVE SUMMARY



Indigenous peoples listen to a campaign speech of their barangay captain

In anticipation of the third Universal Periodic Review (UPR) process of the Philippines by the UN Human Rights Council in May 2017, this report gives a rundown on the country's current human rights situation. The point of departure is the crucial recommendations for the Philippines made by other countries during the course of the last UPR process in 2012. It is clear that there has been hardly any improvement since then and that in some areas the situation has even drastically deteriorated.

Between May 2012 and September 2016, at least 147 human rights defenders and 23 journalists were killed. This makes the Philippines one of the deadliest countries in the world for these groups. At particular risk are land rights defenders who fight for the redistribution of agricultural land or oppose mining projects, which in the Philippines often entail severe environmental pollution. Because many such projects threaten the ancestral lands of the indigenous population, a large number of murder victims belong to the Philippine's 100 indigenous groups. Another group that is often the victim of killings are members of organizations that the military has declared to be fronts for the communist New People's Army (NPA). In the majority of cases, the killings are attributed to members of the state security forces and the paramilitary organizations collaborating with them.

The systematic criminalization of human rights defenders and journalists in the Philippines has so far received only scant international attention. Their critical reports are frequently met by charging them with libel, a crime punished with long prison sentences. Passage of the Cybercrime Prevention Act in 2012 has made the situation even worse by stipulating up to 12 years of imprisonment for libelous statements that are spread via the Internet. Adding to this are fabricated charges supported by falsified evidence, a tactic employed primarily by the military against human rights defenders. Such charges lead to innocent activists being held in custody for years in some cases.

Immediately after Rodrigo Duterte was elected president of the Philippines in May 2016, the number of alleged drug dealers and addicts who were killed increased dramatically. 5,800 killings of this kind were recorded over the first six months following the elections. During the election campaign, Duterte had repeatedly polemicized against human rights and proposed that he would fight crime by resorting to extrajudicial executions. During his 22-year term as mayor of Davao City, the so-called "Davao Death Squad" killed over 1,400 petty offenders and street children.

Moreover, severe violations of human rights largely go unpunished in the Philippines. According to information provided by the Philippine Government, there have been convictions in only eight instances of extrajudicial killings and twelve cases of assassinated journalists in recent years. These figures stand in stark contrast to thousands of incidences of the gravest human rights violations such as torture, enforced disappearances, and extrajudicial executions over the last few decades. Impunity in the Philippines is rooted in a dysfunctional judicial system and the lack of political will to hold perpetrators, especially those among the ranks of the state security forces, accountable for their crimes. Numerous laudable reform initiatives over recent years have so far been of no avail.

Many serious human rights violations in the Philippines occur in the context of persistent domestic conflicts with the communist NPA and the various armed groups that belong to the Muslim independence movement in the south of the Philippines. There have been reports of violent displacements of the civilian population, torture, and extrajudicial executions. Members of reserve forces organizations, called Citizen Armed Forces Geographical Units (CAFGUs), and irregular paramilitary units are thought to be responsible for severe human rights violations in many cases.

In addition, there have been increasing reports of human rights violations committed against indigenous communities and particularly against the Lumads on Mindanao Island in the south of the Philippines. The indigenous Lumads are especially vulnerable to being caught in the crossfire of the domestic conflict between the Philippine government and the communist insurgency of the NPA. The military and paramilitary systematically suspect independent indigenous schools of serving the NPA as training camps and persecute them for this reason. Planned mining projects and large-scale plantations in indigenous regions are a further reason for displacement. These environments offer paramilitary groups the opportunity to pursue their own economic interests unimpeded under the guise of fighting insurgency.



top:
Traditional fisher boats on Samal Island



left:
President Rodrigo Duterte

KEY RECOMMENDATIONS FROM THE UPR 2012

AND THEIR (INADEQUATE) IMPLEMENTATION

Human rights defenders and journalists

Take necessary measures to provide adequate protection to journalists and human rights defenders, in particular regarding enforced disappearances and extrajudicial killings

France

At least 147 human rights defenders and 23 journalists were assassinated between May 2012 and September 2016. Both groups have been subject to extensive criminalization.

Extrajudicial executions

End extrajudicial executions

Holy See, Singapore, South Korea, Spain

Thousands of extrajudicial executions of alleged drug dealers and addicts were carried out following the election of Rodrigo Duterte as president in 2016. At least an additional 170 human rights defenders and journalists have been killed since 2012.

Impunity

End impunity for extrajudicial executions, enforced disappearances, and torture

Austria, Germany, Timor-Leste, Trinidad and Tobago, Spain, Sweden, United States

Impunity continues to be almost complete. Only 20 perpetrators have been convicted in thousands of instances of severe human rights violations.

Enact comprehensive reforms in the judicial sector to fight impunity

Netherlands, Spain, South Korea

In most cases no charges are filed against the perpetrators. If cases are brought to court, the proceedings mostly extend over many years. Witness protection remains inadequate.

Ratify the International Convention for the Protection of All Persons from Enforced Disappearance

Argentina, Belgium, Brazil, Chile, France, Iraq, Japan, Spain

The convention has not been ratified. A national law was passed against enforced disappearances but is not rigorously implemented.

Provide the Philippine National Commission on Human Rights with sufficient resources

Australia, Egypt, Russia

The Philippine Commission on Human Rights (CHR) lacks the financial resources to fulfill its mandate. Its political independence is not guaranteed.

Extend standing invitations to all special procedures of the Human Rights Council

Austria, Latvia, Madagascar, Mexico, Norway, Portugal, Slovenia, United Kingdom, Uruguay

Since 2012, only three UN special rapporteurs have visited the Philippines. Sixteen mandate holders have been seeking an invitation, some for years now.

Counterinsurgency and paramilitary groups

<p>Implement into national law all obligations arising from the ratification of the Rome Statute of the International Criminal Court</p> <p><i>Belgium, Latvia, Liechtenstein, Slovakia, Slovenia, Switzerland</i></p>	<p>No separate law was issued to implement the statute into national law. Violations of international humanitarian law of the most serious kind continue to take place.</p>
<p>Dismantle all private armies</p> <p><i>Chile</i></p>	<p>Over 100 private armies and paramilitary organizations continue to operate and are deemed responsible for human rights violations of the most serious kind.</p>
<p>Revoke Executive Order 546, which legitimates the creation of paramilitary units in the context of counterinsurgency</p> <p><i>Netherlands, Spain</i></p>	<p>Executive Order 546 was not revoked. The military still recruits paramilitary troops.</p>

Indigenous rights

<p>Implement the Indigenous Peoples' Rights Act to ensure that economic activity, in particular mining; does not negatively affect the rights of indigenous peoples</p> <p><i>Mexico</i></p>	<p>Indigenous communities are still particularly threatened by environmental destruction and forced displacement as a result of mining projects. Rules requiring mining companies to gain free, prior and informed consent (FPIC) from communities who live in the areas in which they seek to operate are not consistently followed. Since May 2012 at least 26 indigenous anti-mining activists have been killed.</p>
<p>Intensify its efforts to protect the rights of other vulnerable groups, especially minorities and indigenous peoples so as to allow them equal access to social, educational, health and other services</p> <p><i>Thailand</i></p>	<p>The increasing number of attacks carried out by military and paramilitary groups on independent indigenous schools are a violation of the right to education.</p>

Based on the recommendations made to the Philippines during the Universal Periodic Review by the UN Human Rights Council in 2012, Report of the Working Group on the Universal Periodic Review, Philippines, July 9, 2012, A/HRC/21/12

KILLINGS

OF HUMAN RIGHTS DEFENDERS AND JOURNALISTS

The Philippines is still one of the countries with the most killings of human rights defenders in the world. Time and again, it ranks at the top of the list in terms of assassinated environmental and land rights activists and journalists.¹ Despite the fact that the Philippines in the last UPR in 2012 had agreed to adopt all necessary measures to ensure their protection,² at least 147 human rights defenders have been killed in the Philippines since then. Thirty-five journalists were victims of violent deaths during the same period. In 23 of these cases, it is suspected that their deaths are linked to their reporting activities.³ These figures are substantially lower than in 2006/7, a time in which particularly leftist activists were systematically liquidated by the military and the police on the pretext of counterinsurgency. However, since the last UPR there have been no signs of a significant improvement. We therefore cannot speak of an effective implementation of additional measures to protect journalists and human rights defenders.

KILLINGS OF LAND RIGHTS DEFENDERS

The majority of murdered human rights defenders become victims of conflicts over land, which is a limited resource in the densely populated Philippines. More than half of these killings (83) since 2012 have been related to conflicts over land rights. The extremely unequal distribution of agricultural land in the Philippines is a legacy of Spanish colonial times. A large part of the agricultural land continues to remain in the hands of only a few big landowners. Small landless farmers cultivate the land but must hand over large parts of their harvests to the landlords, which leaves many of them with no more than the bare necessities to survive. The big landowners often exert a de facto monopoly of force on their plantations and haciendas. On top of this, they and their families hold positions in local and national government, administration, and the police. The Comprehensive Agrarian Reform Program (CARP), introduced in 1988 and extended several times since then, actually provides for the distribution of all agricultural land over five hectares to the landless farmers.

Yet the farmers' organizations that press for an improvement in the situation and for a redistribution of land in particular face threats, harassment, and violence.

For example, on the evening of May 2, 2014, two motorbikes passed Menelao "Boy" Barcia on his way home and shot him through the windshield of his car. Prior to the incident, Barcia, a leader of the Aniban farmers' rights group, had been organizing the small farmers in Hacienda Dolores in opposition to the real estate company LLL Holdings Inc (LLHI). The company sought to convert 1,125 hectares of agricultural land into industrial and exclusive residential estates.⁴

Indigenous human rights defenders who seek to protect their ancestral lands against land grabs very often also become the victims of violence. In fact, 57 of the activists who were killed were indigenous. A case in point is the death of Gilbert Paborada, a member of the Higaonon people on Mindanao Island. As the chairman of the Pangalasag organization, Paborada led the opposition to a palm oil plantation that sought to expand its operations into ancestral lands. Plantation security staff threatened him a number of times before he was shot dead on October 3, 2012, by two unknown assassins in broad daylight.⁵

KILLINGS OF LEFTIST ACTIVISTS

At particular risk are human rights defenders who work for organizations alleged by the military to have ties with the communist insurgency. Targeted killings of leftist activists by the military reached a climax after the then president Gloria Macapagal-Arroyo declared all-out war on the communist rebels of the NPA in 2006. During this time the military compiled target lists (called "order of battle") of leftist activists, a practice that the UN Special Rapporteur for extrajudicial executions at the time, Philip Alston, criticized sharply during his visit in 2007 as the main cause for political killings.⁶ Even though this kind of systematic persecution of leftist groups by the military has declined, it is still common practice to cite an alleged affiliation with the NPA to justify the killing of human rights defenders.



A case in point is William Bugatti, a member of the Karapatan human rights organization, who was shot dead by unidentified assassins in the province of Ifugao on March 25, 2014. Prior to his murder, he had repeatedly received death threats and was placed on the target list of the 5th Infantry Division of the Philippine Army under the moniker “UTAK NG NPA” (brain of the NPA).⁷

KILLINGS OF JOURNALISTS

Among the murdered journalists are many who had reported on crimes prior to their deaths. Mario Sy, for example, was shot dead on August 1, 2013, in front of his wife and daughter after he had published a photo story on illegal drug trafficking in the City of General Santos.⁸ In 16 of 23 instances in which journalists were killed because of their occupation since 2012, the victims worked as radio hosts prior to their deaths. One reason for this is the unique practice among Philippine broadcast media that is called “blocktiming”. It involves radio stations selling blocks of airtime to freelance radio hosts. To recover their costs, these hosts often offer their services as paid mouthpieces for local politicians, who sponsor them to libel political rivals. They are then drawn into ongoing conflicts among the local political elite, who frequently have no qualms about resorting to violence.⁹ There are other radio hosts, however, who use their reach to draw attention to environmental pollution, corruption, or violations of human rights. The most prominent case of this kind is “Doc” Gerry Ortega, who was murdered on January 24, 2011, in Palawan subsequent to accusing the island governor in office, Joel Reyes, of corruption. Reyes and his brother Mario, the former mayor of Coron, Palawan, have been on trial since September 2015 for Ortega’s murder.¹⁰

SUSPECTED PERPETRATORS AND MASTERMINDS

In most cases, the judicial system engages in no more than superficial investigations of the assassinations of human rights defenders and journalists. The assassins are rarely arrested and even more rarely convicted, thus making it almost impossible to provide a substantive, airtight account of their backgrounds and motives (see the section on impunity). To make matters worse, many assassinations are carried out by hired guns while those pulling the strings remain unidentified. The testimonies of eyewitnesses and relatives have nevertheless made it possible to determine the probable perpetrators in 91 of the 143 reported incidents. In more than half of these cases (61), members of the state security forces have been blamed for the assaults. Out of these cases, 31 have been imputed directly to the Philippine military. In an additional 12 cases, the victims had been subject to threats, surveillance, or had been labelled communists by state security forces prior to their death. Of the remaining cases, 13 have been linked to private security providers and security guards.

1 Global Witness, ‘On Dangerous Ground. 2015’s Deadly Environment: The Killing and Criminalization of Land and Environmental Defenders Worldwide’, June 2016, www.globalwitness.org/en/reports/dangerous-ground/

2 Report of the Working Group on the Universal Periodic Review, Philippines, July 9, 2012, A/HRC/21/12, para 129.35 (France)

3 Center for Media Freedom and Responsibility, ‘Database on the Killing of Journalists in the Philippines since 1986’, cmfr-phil.org/mediakillings/

4 Medical Action Group, ‘Justice for Ka Melon Barcial!’, May 7, 2014, magph.org/news/166-justice-for-ka-melon-barcial

5 International Federation for Human Rights, ‘The Philippines: Assassination of Mr Gilbert Paborada’, October 12, 2012, www.fidh.org/en/region/asia/philippines/The-Philippines-assassination-of-12287

6 Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, Mission to Philippines, April 16, 2008, A/HRC/8/3/Add.2, para 17

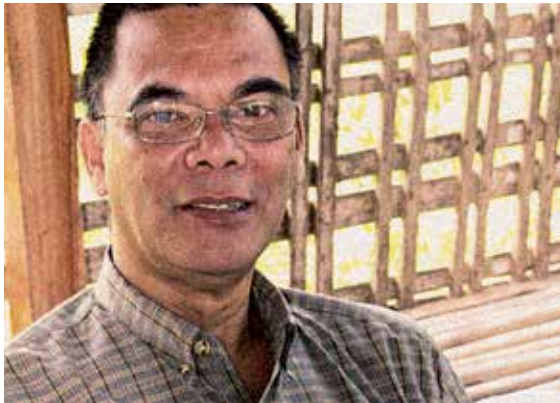
7 Interaksyon, ‘Rights worker in military ‘target’ list slain in Cordillera – Karapatan’, March 25, 2014, interaksyon.com/article/83475/rights-worker-in-military-target-list-slain-in-cordillera---karapatan

8 Committee to Protect Journalists, ‘Mario Sy’, cpj.org/killed/2013/mario-sy.php

9 Center for Media Freedom and Responsibility, ‘Blocktime Practice in the Philippines’, cmfr-phil.org/blocktime-practice-in-the-philippines/

10 Rappler.com, ‘Reyes brothers arrested in Thailand – DOJ’, September 21, 2015, www.rappler.com/nation/106596-reyes-brothers-arrested-thailand

THE KILLING OF ROMEO CAPALLA



Romeo Capalla was detained as a political prisoner for his involvement in the opposition to the dictator Ferdinand Marcos in the 1980s. As the Marcos dictatorship came to an end, Capalla helped to establish SELDA, an organization committed to championing the release of political prisoners. Later Capalla became the chairman of the Panay Fair Trade Center (PFTC), which exports fair-trade products to countries such as Germany and Italy. The PFTC collaborates closely with local farmers, advising them on the technical aspects of cultivation as well as on processing their produce, and passes the higher prices paid for their products on to them.

This commitment led the military to suspect the PFTC of being part of the communist insurgency. For this reason, its staff has been subject to repression for many years. Accordingly, Capalla himself had already been the victim of a trumped-up charge for arson in 2005 and spent two months in prison. In the same vein, the military previously denounced the current PFTC president, Ruth Salditos, as being

a terrorist, and more recently used falsified evidence to charge her with attempted murder. On March 15, 2014, Romeo Capalla was killed in front of his 90-year-old mother-in-law when several shots were fired at him by unidentified gunmen at the public market of Oton in Iloilo province on Panay Island. Only a few hours later unidentified men set fires in a sugar mill operated by a PFTC partner organization in the same region. And on May 28 another member of the PFTC was murdered in the person of Dionisio Garete.

The suspected perpetrators were members of the paramilitary group Revolutionary Proletarian Army-Alex Boncayao Brigade (RPA-ABB). This group signed a peace treaty with the Philippine government in 2001, which allowed them to keep their weapons nonetheless. Since then they have been operating as mercenaries and contract killers on Panay and Negros Island for local politicians and big landowners and are tolerated by the state security forces. In January 2014, Dionisio Garete was warned by members of the RPA-ABB to cease his involvement with the PFTC.

Only a few days after Capalla's assassination, the police identified Julie Cabino, a member of the RPA-ABB, as the prime suspect on the basis of eyewitness evidence. In the months that followed there was no attempt to arrest Cabino. In August 2014 the local public prosecutor's office stopped proceedings completely, alleging that the eyewitnesses' testimonies were not sufficiently credible. However, an independent investigation by local and international fair-trade organizations revealed that, after the arrest warrant against Cabino was issued, no further investigations took place.

CRIMINALIZATION

OF HUMAN RIGHTS DEFENDERS AND JOURNALISTS

In contrast to the problem of political killings, insufficient attention has been paid, both internationally and domestically, to the systematic criminalization of human rights defenders. Many Philippine human rights organizations believe that the instances of criminalization have been on the rise. Security forces, politicians, and private-sector actors such as mining companies deliberately exploit and abuse the judicial system to silence all those who oppose their interests. In this respect, predominantly criminal law – and to a lesser degree civil law or administrative regulations – is utilized to prosecute human rights defenders. Unlike some other countries, the Philippines has no specific NGO law intended to impede the work of civil society organizations. It is therefore primarily the staff and members of NGOs who face prosecution. In many cases, the plaintiffs are not necessarily interested in a conviction. Instead they exploit the fact that legal proceedings in the dysfunctional and overloaded judicial system of the Philippines tend to drag on for years. During this time, the accused have to invest a great deal of time and money in their legal defense – time and resources that they must divert away from their actual work.

LIBEL CHARGES

Human rights defenders as well as journalists frequently face libel charges when criticizing public officials, companies, or other public figures. Libel is a criminal offense in the Philippines, punishable by imprisonment of up to four years. A particularly problematic aspect is the definition provided by the Philippine penal code, according to which “every defamatory imputation is presumed to be malicious, even if it be true.”¹¹ This not only places the burden of proof on the accused, who must then present evidence that a statement was not libelous, it also implies that making truthful statements can constitute libel as well. That is to say that human rights defenders and journalists can be prosecuted for reporting about instances in which rights have actually been violated. In one case the UN Human Rights Committee has already held that the criminalization of libel in the Philippines contradicts the right to freedom of expression under Article 9(1) of the ICCPR.¹²

Despite this finding of the UN Human Rights Committee, the Philippine Congress enacted the Cybercrime Prevention Act in 2012, which provides for penalties of up to 12 years of imprisonment for libel committed by disseminating information online.¹³ The fact that many NGOs and most newspapers publish their statements and articles online makes journalists and human rights defenders particularly vulnerable to charges pressed under this law.

¹¹ Republican Act No. 3815, An Act Revising the Penal Code and Other Penal Laws, December 8, 1930, Artikel 354

¹² Human Rights Committee, Communication No. 1815/2008, ‘Adonis vs. The Philippines’, January 27, 2011, CCPR/C/103/D/1815/2008

¹³ Republican Act No. 10175, An Act Defining Cybercrime, Providing for the Prevention, Investigation, Suppression and the Imposition of Penalties Therefor and for Other Purposes, September 12, 2012

LIBEL CHARGES AGAINST STAFF MEMBERS OF THE PHILIPPINE-MISEREOR PARTNERSHIP INC. (PMPI)



In June 2016, four staff members of the Philippine-Misereor Partnership Inc. (PMPI) were charged with libel under the 2012 Cybercrime Prevention Act. The charges were filed by the Hinatuan Mining Corporation (HMC), which has been pursuing a controversial mining project on Manicani Island, Guiuan, Eastern Samar, that is opposed by PMPI.

PMPI is a network of 250 NGOs and grassroots organizations from all over the Philippines and MISEREOR, the development agency of the Catholic Church in Germany. PMPI is committed to sustainable development and social transformation and promotes the exchange of expertise and experience among its member organizations to address common issues and concerns in the field of developmental policy. As part of its anti-mining campaign, PMPI has supported the Save Manicani Movement (SAMAMO), a local initiative opposed to the revival of a large-scale mining project on Manicani Island, because of its potentially disastrous effects on the environment and the livelihood of its

population. HMC, a subsidiary of Nickel Asia, had begun mining nickel on the island in 1992 but ceased operations after a few years owing to falling nickel prices. SAMAMO feared that the corporation might resume mining despite a prohibition ordinance issued by the local government.

HMC accused PMPI of making libelous statements on their website regarding an incident that occurred on June 20, 2015, when a company vessel wrecked three fishing boats that sought to stop it from entering the port of Manicani Island. Two fishermen were injured in the incident. SAMAMO had previously received reports that the vessel was carrying heavy construction equipment, which was thought to serve the purpose of resuming the mining operations.

PMPI issued various statements condemning the incident. On September 1, 2015, HMC staff member Arnilo Milaor filed charges with the public prosecutor's office in Taguig City, accusing PMPI of spreading defamatory statements about HMC. Four PMPI staff members were named specifically: Yolanda Esguerra, the national coordinator of PMPI, and Candy Hidalgo, her deputy, as well as Edel Garingan and Victor Morillo, two staff members involved in the anti-mining campaign. PMPI, however, has maintained that its staff has given a truthful account of the incident and that their statements were therefore not libelous. Although PMPI has presented evidence supporting its version of the events, the prosecutor responsible has pressed charges against the four individuals.¹⁴

FABRICATED CHARGES

A particularly insidious form of criminalization is trumped-up charges and fabricated cases, in which falsified evidence is used to accuse victims of crimes that they have not committed. These kinds of charges are most frequently filed by members of the military as a means of discrediting human rights defenders and having them kept in custody during the trial. The filing of charges is often preceded by a campaign to vilify and intimidate the victim while accusing him or her of being a member of the communist New People's Army (NPA). In addition, the victims are frequently subject to surveillance and threats, which are sometimes also directed against members of their family. Public denouncement serves to put greater pressure on human rights defenders while at the same time increasing social acceptance among the general population for repression of the victims.

Typically, the victim is accused of having participated in armed conflict as a member of the NPA. He or she is charged with crimes such as murder, arson, or the illegal possession of weapons, for which, under Philippine law, bail can be posted only in exceptional circumstances. In consequence, many of the accused remain detained in custody until they are acquitted. Those pulling the strings in the background thus do not have to achieve a successful conviction to have their victim incarcerated. This is because in many cases the trials drag on for several years owing to overloaded courts and a dysfunctional judicial system. Moreover, the proceedings are often systematically sabotaged, for instance, by alleged witnesses for the prosecution not appearing in court.

Fabricated charges are mostly based solely on the testimonies of alleged former rebels who claim to be able to identify the victim as being a member of the NPA. In several cases, however, these witnesses became entangled in so many contradictions in court that they had to admit that the military had instructed them to give false testimony. This has led Philippine human rights organizations to assume that these false witnesses are paid to make false claims.

Prosecutors file charges and judges allow trials to proceed even in cases in which the charges are manifestly fabricated. There are reports indicating that the military openly pressures prosecutors and judges. This involves deliberately collecting information on their financial and personal circumstances and attempting to either bribe or threaten them into cooperation. Sometimes members of the military even openly attend court proceedings and, in some instances, issue instructions to prosecutors on site. In tolerating this practice, the Philippine government violates its duties to ensure the independence of the judiciary.¹⁵

¹⁴ Aktionsbündnis Menschenrechte – Philippinen, 'Libel Case against Staff Members of the Philippine Misereor Partnership', March 8, 2016, amp.ngo/index.php/en/news-reader/statement-on-the-libel-case-against-staff-members-of-the-philippine-misereor-partnership/

¹⁵ This obligation derives from Art. 14(1) of the International Covenant on Civil and Political Rights (ICCPR), which guarantees the right to be heard by an independent and impartial court when faced with criminal charges

FABRICATED CHARGES AGAINST AMELITA BRAVANTE



Amelita Bravante-Gamara is a co-founder of Defend Job Philippines and has been an advocate of female workers' rights since the 1970s. She is also known for fighting on behalf of the urban poor threatened by forced displacement in Manila. Her husband, the union official Renante Gamara, was arrested in April 2012. In addition

to working for the largest trade union network in the Philippines, Kilusang Mayo Uno (KMU), he was an advisor to the National Democratic Front of the Philippines (NDFP), the political leadership of the communist insurgency, in their peace negotiations with the government. The warrant leading to his arrest was a modified version of an arrest warrant issued in May 2011, according to which 38 people in total were sought for abduction and murder. The original arrest warrant listed many of those wanted only by their supposed communist nicknames. For instance, only in the modified version does Gamara's (misspelled) name show up as the alleged identity behind the nickname "Ka Mike." It remains unclear what led the authorities to conclude that the wanted person Ka Mike must be Renante Gamara. After his arrest, Gamara was brought to a prison where he was not, as he himself stated, interrogated on the charges brought against him but on his wife's activities and whereabouts.

Amelita Bravante-Gamara and her daughter reported repeated instances of harassment afterwards. They submitted several complaints to the Philippine Commission on Human Rights (CHR) because of feeling shadowed and strangers interrogating their friends about their whereabouts. In September and

October 2012, two arrest warrants were finally issued against Bravante-Gamara. She was accused of being involved in an ambush leading to the death of ten soldiers on April 25, 2012, and the death of four other soldiers on April 29 of the same year. It was not until several colleagues, also accused in the matter, were arrested by the police that Bravante-Gamara learned of the two cases against her. She subsequently went into hiding and began taking legal steps against the two arrest warrants.

The accusations involved a number of inconsistencies. One such inconsistency was, for example, that the alleged crime scenes were several hundred kilometers apart and far from the accused's residence. It is difficult to imagine how Bravante-Gamara is supposed to have been at both places within a four-day period, especially considering that she was reported to have been suffering from health problems for quite some time. Moreover, the accusations were based on dubious witness testimonies in both cases. In the case of the ambush on April 25, for instance, the charges were based on the testimonies of only two eyewitnesses who were allegedly able to identify all of the 20 accused persons. Proper investigation proceedings were also lacking, including a summons of the accused, as is customary before issuing an arrest warrant.

In one case, the court dropped the charges for lack of sufficient evidence, while the second case is still pending. Had Bravante-Gamara not gone into hiding, she would probably have wound up spending several years in prison. This was the fate that befell her husband, who spent four years in prison after his arrest without a verdict. It was not until August 2016 that he was released from prison on the urging of the new government to enable him to resume his role as an advisor in the resumed peace negotiations with the communist rebels.

WAR ON DRUGS

EXTRAJUDICIAL EXECUTIONS

Since Rodrigo Duterte was elected Philippine President in May 2016, instances of killings of alleged drug dealers have surged dramatically. According to the Philippine National Police (PNP), 2,028 people were killed in police operations between July 1 and December 3, 2015, alone.¹⁶ The police claim that, in the majority of these cases, the victims had violently resisted their arrest. So far, however, the police have failed to provide conclusive evidence in any one of these cases that these killings were indeed out of self-defense. During the same period, the PNP also documented 3,841 killings attributed to vigilante groups. In many of these cases, a sign was discovered next to their bodies accusing the victims of involvement in drug trafficking.

This wave of suspected extrajudicial executions is clearly attributable to the new president, Rodrigo Duterte. During his 22-year term as mayor of Davao City, the so-called “Davao Death Squad” assassinated over 1,400 petty criminals and street children.¹⁷ Duterte even announced during his election campaign that he would have thousands of criminals killed as part of his plan to eradicate crime within six months. Immediately after his election was confirmed, the country saw a steep increase in the number of killings of alleged criminals. Duterte made several statements in public encouraging the police to use deadly armed force against alleged drug dealers and promised impunity to police officers who took such action, both of which are in blatant contradiction to international human rights standards, which the Philippines has pledged to respect. Duterte even incited ordinary citizens to kill people themselves who they knew to be drug addicts.¹⁸ In a statement on this issue, the UN Special Rapporteur on extrajudicial executions, Agnes Callamard, said that “directives of this nature are irresponsible in the extreme and amount to incitement to violence and killing, a crime under international law.”¹⁹

The campaign to fight drug-related crime bypasses lawful procedures and violates due process rights of suspected criminals. According to media reports, public officials at the barangay level²⁰ compile lists of suspected drug addicts and dealers. The Barangay Anti-Drug Abuse Councils (BADAC), created in June 2015, are tasked with the preparation and maintenance of such confidential lists, which they then submit to the police.²¹ There seems to be no further verification of these allegations, and there are reports that local officials abuse the lists by naming political opponents as suspects.²² During so-called Oplan Tughang operations, police officers approach people who appear on these lists and warn them of consequences should they not stop their illegal activities. Most of the killings occur in the context of such operations. Nationwide over 700,000 individuals have surrendered to the police after appearing on such lists, presumably for fear of being killed. Over 10,000 have been arrested, overwhelming the capacity of the already overcrowded prison system.

16 Rappler.com, ‘IN NUMBERS: The Philippines’ ‘war on drugs’’, 25th Update, December 3, 2016, www.rappler.com/newsbreak/iq/145814-numbers-statistics-philippines-war-drugs

17 Based on documentation by the Coalition against Summary Executions (CASE).

18 The Guardian, ‘Philippines president Rodrigo Duterte urges people to kill drug addicts’, July 1, 2016, www.theguardian.com/world/2016/jul/01/philippines-president-rodrigo-duterte-urges-people-to-kill-drug-addicts

19 OHCHR Press release, ‘UN experts urge the Philippines to stop unlawful killings of people suspected of drug-related offences’, August 18, 2016, www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20388

20 Barangays are the lowest level of government in the Philippines.

21 Department of the Interior and Local Government, ‘Revitalization of the Barangay Anti-Drug Abuse Council (BADAC) and Their Role in Drug Clearing Operations’, Memorandum Circular No. 2015-63, June 16, 2015, www.dilg.gov.ph/PDF_File/issuances/memo_circulars/dilg-memocircular-2015617_926a30fa0a.pdf

22 Philippine Daily Inquirer, ‘Village politics fouling up antidrug drive’, July 15, 2016, newsinfo.inquirer.net/796044/village-politics-fouling-up-antidrug-drive



The police are accused of planting guns on the victims

REINTRODUCTION OF THE DEATH PENALTY

The new administration has announced plans to reintroduce the death penalty as part of its campaign against drugs. There are also plans to reduce the age of criminal responsibility from 15 to only nine years of age. Two bills were accordingly introduced to the House of Representatives as the first two legislative acts of the new administration. The experience with the death penalty worldwide and in the Philippines

before its abolition in 2006 shows that it does little to deter crime, is often imposed unjustly, and disproportionately on the poor. Reducing the age of criminal responsibility would subject even very young children to the catastrophic conditions that prevail in Philippine prisons, which are among the worst in Asia. Even now, juvenile detainees in the Philippines are reported to experience torture as well as physical emotional, and sexual abuse.²³

THE KILLINGS OF RENATO AND JAYBEE BERTES

On July 6, 2016, the police raided the home of Jaybee Bertes in one of the poor districts of Pasay City. Jaybee and his partner Harra declared repeatedly that they had long since left the drug business. This did not keep the police from conducting a ruthless search of the premises and even subjecting their two-year-old daughter to a body search. Jaybee's father, Renato, who arrived at the scene later, protested against the mistreatment of his family members, whereupon the police took both Jaybee and Renato to the police station.²⁴

There are different versions of what happened next. According to the police, the two arrestees were to be returned to their prison cell after a blood test when Renato suddenly attempted to wrest a weapon from

one of the guards. The police claim that Renato and Jaybee were shot in self-defense in the scuffle that then broke out. Jaybee's partner's account contradicts this. She said that both men already displayed signs of severe mistreatment in the morning of the day that they died. She suspects that Jaybee and his father were tortured during the night and then executed. An investigation by the national Commission on Human Rights confirmed that the bodies of Jaybee and Renato Bertes showed signs of severe torture and that they were probably not capable of engaging in physical conflict with the police at the time of their death. The two responsible police officers were then suspended from duty and charged with murder.²⁵ The case is an absolute exception in this respect.

²³ Philippine Action for Youth Offenders (PAYO) and Child Rights Network (CRN), 'Position Paper on the Lowering of the Minimum Age of Criminal Responsibility', childrightscoalitionasia.org/position-paper-of-the-philippine-action-for-youth-offenders-payo-and-the-child-rights-network-crn-on-the-lowering-of-the-minimum-age-of-responsibility

²⁴ New York Times, 'Chilling Tale in Duterte's Drug War: Father and Son Killed in Police Custody', August 19, 2016, www.nytimes.com/2016/08/20/world/asia/philippines-duterte-drug-killings.html

²⁵ ABS-CBN News, 'Senate digs into 'police torture' of slain father, son', August 22, 2016, news.abs-cbn.com/news/08/22/16/senate-digs-into-police-torture-of-slain-father-son

IMPUNITY

JUDICIARY FAILURE TO INVESTIGATE GRAVE HUMAN RIGHTS VIOLATIONS

One of the main reasons for ongoing human rights violations in the Philippines is the almost complete impunity for such crimes. Even though a number of countries recommended during the 2012 UPR that the Philippine government address the problem, little action has been taken since then.²⁶ In 2015, the Philippines still remained at the top of the list of countries with the highest impunity rates.²⁷ According to information provided by the Philippine government, there have been convictions in only eight instances of extrajudicial executions and twelve cases of assassinations of journalists in recent years.²⁸ These figures stand in stark contrast to thousands of instances of the most serious human rights violations such as torture, enforced disappearances, and extrajudicial executions over the last few decades. There has also not been a single conviction in any one of the 147 documented cases of murdered human rights defenders since 2012.

The Philippines did have rare success in its fight against impunity in two instances in 2014 and 2015. In August 2014, General Jovito Palparan was arrested for his alleged responsibility in the disappearance of university students Sherlyn Cadapan and Karan Empeño in 2006. According to eyewitnesses, both women were abducted and then tortured and sexually abused. The women have been missing ever since. The brutality with which Palparan's units conducted operations against political activists and alleged communists earned him the nickname "The Butcher." This arrest of a high-ranking military officer remains the sole exception in the Philippines and is a laudable step in the fight against impunity. The trial is progressing only slowly but is considered to be a touchstone for the will of the government to end impunity. Moreover, in September 2015 the brothers Joel and Mario Reyes were arrested in Thailand. The two brothers had been sought for killing the journalist and human rights defender Gerry Ortega in 2011. Two of the politicians' henchmen have been convicted in the meantime for their complicity.

Another positive step was the passage of a national law against enforced disappearances in 2012. The law stipulates life imprisonment as the maximum penalty for this serious violation of human rights. It also provides for compensation of the victims and their families. To this day, however, not one single perpetrator has been convicted under this law. Out of all 1,774 cases of enforced disappearances that the organization Families of Victims of Involuntary Disappearance (FIND) has documented since 1971, 1,056 victims have been missing ever since. The Philippine Department of Justice has also denied compensation to the families of those who have been victims of enforced disappearances prior to passage of the law and are still missing. This ignores the fact that the unresolved cases of enforced disappearances constitute ongoing violations of human rights that do not fall under the statute of limitations, as a working group of the UN Human Rights Council has pointed out.²⁹ So far, the Philippines has also failed to ratify the UN Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) even though its ratification was recommended by eight countries during the 2012 Universal Periodic Review.

26 Report of the Working Group on the Universal Periodic Review, Philippines, July 9, 2012, A/HRC/21/12, paras 129.15 (United States), 129.26 (Spain), 129.29 (South Korea, Austria, Netherlands), 129.30 (Australia)

27 Centro De Estudios Sobre Impunidad Y Justicia (CESIJ), 'Global Impunity Index 2015', April 2015, papers.ssrn.com/sol3/papers.cfm?abstract_id=2624721

28 Philippine Response to the LOIs Raised By the UNCESCR on the Combined 5th AND 6th Philippine Report on The International Covenant On Economic, Social And Cultural Rights (ICESCR), E/C.12/PHL/Q/5-6/Add.1, S. 2

29 Report of the Working Group on Enforced or Involuntary Disappearances, General comment on enforced disappearance as a continuous crime, January 26, 2011, A/HRC/16/48, para 39

*Protesters demand
the end of impunity*



INEFFECTIVE MECHANISMS TO PROTECT HUMAN RIGHTS

In recent years, the Philippines has established a variety of special mechanisms and institutions to protect human rights, not least in response to continuing international criticism of the culture of impunity. Alongside the criminal prosecution authorities, there exist, among others, the Task Force USIG (a PNP unit specialized in the investigation of extrajudicial killings), the human rights offices of the police and army, the national Commission on Human Rights (CHR), and the Inter-Agency Committee on Extra-Legal Killings, also called AO35.³⁰ However, to date, none of these entities have made substantial progress in fighting impunity.

Although the Philippine government cites the creation of the Inter-Agency Committee on Extra-Legal Killings several times as an achievement in its report to the UN Committee against Torture,³¹ since its inception in 2012 there has not been a single case in which it is known to have contributed to solving grave human rights violations. The bottom line for the special police unit Task Force USIG is hardly more impressive: according to its own account, it was able to achieve only nine convictions up until 2015.³² Respect for human rights was to be established among the security forces by creating human rights offices of the police and army in 2010. A human rights officer was appointed in each unit who was to report human rights violations to the respective headquarters in Manila. In practice, however, this arrangement has failed to yield the desired results since these officers are reluctant to report on their colleagues.

The Philippine senate held hearings in January and December 2015 in the wake of a comprehensive report by Amnesty International on torture in police custody.³³ In April 2016, in the case of torture victim Jerryyme Torre, the Philippines saw the first conviction of a perpetrator under the anti-torture law enacted in 2009. Yet, to date, the Philippines has failed to create a national prevention mechanism against torture, which they had pledged to do by ratifying the Optional Protocol to the Convention against Torture (OPCAT) in 2012.

The efficacy of the Philippine Commission on Human Rights suffers from a lack of financial resources and political independence. For instance, the head of the commission and the highest-ranking commissioners are directly appointed by the Philippine president, an arrangement that had already been criticized in 2013 by the then UN Special Rapporteur on human rights defenders, Margaret Sekaggya.³⁴ At the same time, the commission has had to make do with an extremely tight budget.



According to a report by Amnesty International, each of the regional CHR offices has a monthly budget for its activities of only about 400 USD, with which it has to fund, among other things, all of its investigations of human rights abuses. A regional office is responsible for an area that includes several provinces and a population of several million people.³⁵ Although it is obvious that such underfunding severely limits the commission, the government has rejected the commission's proposal to increase its budget in 2017.³⁶

Aside from institutional shortcomings, the investigative authorities often lack the will to solve cases of severe human rights violations. This specifically concerns cases in which the perpetrators and masterminds are suspected to be members of the security forces. Moreover, individual police officers must fear reprisals themselves were they to investigate against influential individuals or the military. The consequence is that only in rare cases do investigations identify a suspect at all. In some instances, arrest warrants are not even executed for years even though the whereabouts of the wanted person is known. A case in point is the leader of the paramilitary organization New Indigenous People's Army for Reform (NIPAR), Alde "Butsoy" Salusad, who has been sought on an arrest warrant since April 2012 and has still not been arrested even though he has publicly admitted to killing the anti-mining activist Jimmy Liguyon on March 5, 2012 (see the section on counterinsurgency and paramilitary groups).

Little has also been done to improve the inadequate witness protection system. The then UN Special Rapporteur Alston remarked in his report back in 2008: "[I]f you want to preserve your life expectancy, don't act as a witness in a criminal prosecution for killing."³⁷ For want of forensic expertise on the part of investigative authorities, most trials rely on witness testimonies alone. However, many witnesses hesitate to testify in investigations for fear of their lives. The problem is aggravated by the long duration of many investigations and trials in the Philippines. Witnesses who are willing to cooperate with investigators must reckon with spending several years in hiding and living in permanent fear.

30 President Aquino established the Inter-Agency Committee on Extra-Legal Killings, Enforced Disappearances, Torture and Other Grave Violations of the Right to Life, Liberty and Security of Persons in 2012 by Administrative Order 35. For this reason, it is often called AO35 for short.

31 Consideration of reports submitted by State parties under article 19 of the Convention pursuant to the optional reporting procedure, Third periodic reports of States parties due in 2013, Philippines, January 28, 2015, CAT/C/PHL/3

32 Human Rights Watch, 'Philippines: New Police Chief Should Tackle Abuses', 1. September 2015, www.hrw.org/news/2015/09/01/philippines-new-police-chief-should-tackle-abuses

33 Amnesty International, *Above the Law. Police Torture in the Philippines*, 2015

34 Report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, January 16, 2013, A/HRC/22/47, para 51

35 Amnesty International, *Above the Law. Police Torture in the Philippines*, 2015, p. 70

36 ABS-CBN News, 'CHR claims budget dept nearly halved its funding request', 25. August 2016, news.abs-cbn.com/news/08/25/16/chr-claims-budget-dept-nearly-halved-its-funding-request

37 Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, Mission to Philippines, April 16, 2008, A/HRC/8/3/Add.2, para 52

FAILURE TO PROSECUTE THE PERPETRATORS OF THE MAGUINDANAO MASSACRE



The Maguindanao massacre symbolizes the failure to prosecute grave human rights violations in the Philippines. On November 23, 2009, 58 people, among them 32 media representatives, were assaulted and killed in the province of Maguindanao. The bodies were disposed of in mass graves. The victims were relatives and supporters of Ismael Mangudadatu. They were on their way to the province capital where Mangudadatu's family had planned to submit the documents for his candidacy as governor.

The then governor and head of the powerful Ampatuan clan, Andal Ampatuan Senior, is suspected of being behind the massacre. Several family members are being charged along with him, among them his son Anwar, who is accused of commanding the family's private army and of personally killing several of the victims. Almost half of the other 195 suspects are still on the run. Andal Ampatuan died in custody awaiting trial in July 2015 while other suspects were released on bail.

Although the trial began in January 2010, it has yet to be completed. This owes to the court tolerating the defense lawyers' strategy of stalling the proceedings by filing over 500 motions. Journalist organizations suspect that the Ampatuans have pinned their hopes on the newly elected president in 2016 possibly influencing the trial in their favor.³⁸ Such political intervention in criminal proceedings is not unusual in the Philippines.

At least three of the witnesses in this case have been killed. Dennis Sakal, a former driver of the Ampatuan family, was killed as recently as November 2015 while on his way to give testimony.

³⁸ ABS-CBN News, 'National leaders fuel impunity in PH', November 21, 2012, news.abs-cbn.com/blogs/-depth/11/21/12/national-leaders-fuel-impunity-ph

COUNTERINSURGENCY AND PARAMILITARY GROUPS



HUMAN RIGHTS VIOLATIONS IN THE CONTEXT OF COUNTERINSURGENCY

In the Philippines, many grave human rights violations occur in the context of the protracted domestic conflicts with the communist NPA and with the various armed groups of Muslim independence movement in the south of the Philippines. The UPR 2012 recommended that the Philippines prevent state security forces from violating human rights and the perpetrators be brought to justice.³⁹ Since then, however, there have been reports of some of the most severe human rights violations against the civilian population, especially in regions that have been targets of counterinsurgency operations against the NPA.

A new domestic security plan, “Oplan Bayanihan,” came into force in January 2011 that explicitly recognizes the primacy of human rights in the counterinsurgency and intends for developmental programs to dry out the breeding ground for insurgents while keeping military operations at a minimum.⁴⁰ In practice, however, this plan has done little to change the approach of the military.

The new counterinsurgency strategy still calls for systematically purging insurgents from the individual barangays. To identify potential insurgents, the army also uses torture. To prevent (re-)infiltration of the villages that have been cleansed, they are occupied and isolated from the outside world. In this context, schools, hospitals, and even churches and mosques frequently serve as temporary military bases. Time and again, the military kills innocent civilians who are not involved in the conflict but are then claimed to have been insurgents.

Soldiers preparing for an operation

Oplan Bayanihan intended for the military operations to be completed within three years and counterinsurgency to be turned over to the local police thereafter. The country was to be completely pacified by the end of the Aquino government’s term of office in spring 2016. Human rights organizations have associated with this deadline the increase in grave violations of human rights in 2015, the displacement of indigenous communities in particular.

³⁹ Report of the Working Group on the Universal Periodic Review, Philippines, July 9, 2012, A/HRC/21/12, para 129.15 (Spain)

⁴⁰ Armed Forces of the Philippines, ‘Internal Peace and Security Plan: Oplan Bayanihan’, www.afp.mil.ph/bayanihan.pdf

THE KILLING OF FIDELA SALVADOR



The death of Fidela Salvador in Abra, a province in the northern Philippines, in September 2014 is an example of the human rights violations and disregard for international humanitarian law that the Philippine military has been regularly accused of over the course of its counterinsurgency operations. From September 4 to 6, 2014, the Armed Forces of the Philippines (AFP) conducted a military operation in the vicinity of the village of Lacub, which involved armed skirmishes with the communist NPA. On the evening of September 6, the military delivered nine bodies to various undertakers in the area. According to a military spokesperson, the dead bodies were communist fighters who died in the clashes. However, this could be verified for only for seven of the dead persons. The two other casualties were Fidela Bugarin Salvador and Noel Viste, both civilians. Salvador's and Viste's relatives deny the military's allegations that the two were members of the NPA.

Until her death, Fidela Salvador had been an active member of the Protestant United Church of Christ in the Philippines (UCCP) and a number of other

organizations as well as a champion of the poor rural population living in the northern parts of the island of Luzon. Among other things, she fought against the massive environmental destruction and displacements involved in industrial mining in the region and, before her death, was engaged in disaster relief projects to support the victims of the typhoons Ondoy and Pepeng. At the time of her death, Salvador was visiting Lacub on behalf of two civil-society umbrella organizations engaged in disaster relief to get an idea of their projects in the region. The second body was Noel Viste, a Lacub farmer and villager.

The military's official version of Salvador's death features a number of inconsistencies. She was supposedly killed in an armed clash with the communist rebels on September 5. This is at odds with the autopsy report, which states that Salvador was shot from behind at close range and showed signs of severe mistreatment all over her body. This has led Salvador's family to suspect that she was abducted, tortured, and then executed.

Eyewitnesses have reported that Viste belonged to a group of villagers that was forced to accompany the soldiers to their military base. These civilians were instructed to mix in with the marching soldiers so as to prevent communist fighters from possibly ambushing them. Viste was later separated from the other villagers and remained missing until his body was brought to an undertaker the next day. Although there are no eyewitnesses of Viste's death, there is reason to assume that he was killed by soldiers. Using civilians as human shields is a clear violation of international humanitarian law.

PARAMILITARY GROUPS

A special problem are the many paramilitary organizations and private armies that operate in many parts of the Philippines and are considered to be responsible for a large number of human rights violations. The 2012 UPR recommended that the Philippines disarm and dismantle these groups or at least ensure that they are subject to the regular military chain of command and its oversight mechanisms.⁴¹ Specifically, the Philippines was advised to revoke Executive Order 546, which is used to legitimize the formation of paramilitary organizations.⁴²

In spite of these recommendations, hundreds of such groups continue to exist. Even though, according to the police, the number of private armies had fallen from 107 in 2010 to 81 in 2013, this number rose again to 85 prior to the May 2016 elections.⁴³ Since these figures are from official sources, they also fail to include paramilitary groups legitimized as Civilian Volunteer Organizations (CVO), Special CAFGU Active Auxiliary (SCAA) units, or so-called “force multipliers” created under Executive Order 546. The actual number of paramilitary groups in the Philippines can therefore be expected to be much higher.

The Philippine military’s geographically organized reserve forces – the so-called Citizen Armed Forces Geographical Units (CAFGUs) – are still being used in counterinsurgency operations and to secure “cleared” areas. However, these units are less well trained and equipped than the regular armed forces and receive no regular pay but only an allowance of about 3 euros (150 PHP) per day. The number of CAFGU members still active in 2015 was estimated at 53,000.⁴⁴ These units are theoretically subject to the military chain of command and its oversight mechanisms but are nevertheless regularly accused of committing human rights violations of the most severe kind.

For instance, on September 13, 2012, in San Luis, Agusan del Sur, CAFGUs suddenly fired without warning at Genesis Ambason Saguitan and his companion. Saguitan was injured and left behind. He was later found dead, and his body showed signs of severe mistreatment.

SCAAs (Special CAFGU Active Auxiliary) are units that are deployed specifically to protect large corporations and local government institutions and facilities in high-risk areas. These auxiliary forces are paid by the respective entity that they protect, which in reality turns them into private armies in spite of their official status as military reserve units. In line with this are reports of human rights violations committed by SCAAs in the interest of the companies under their protection. A case in point is an incident involving the anti-mining activist John Calaba, who disappeared in April 2015 as he attended a dinner invitation by SCAA members in Lebak, Sultan Kudarat. Several shots were fired shortly after he set foot on the premises of the mining company protected by the SCAA. Calaba has been missing ever since.

41 Report of the Working Group on the Universal Periodic Review, Philippines, July 9, 2012, A/HRC/21/12, paras 129.25 (Chile), 129.31 (USA), 131.25 (Spain), 131.26 (Canada)

42 Report of the Working Group on the Universal Periodic Review, Philippines, 9. Juli 2012, A/HRC/21/12, paras 131.24 (Netherlands), 131.25 (Spain)

43 The Manila Times, ‘85 armed groups on PNP watch list’, 1. April 2016, www.manilatimes.net/85-armed-groups-on-pnp-watch-list/253463/

44 Philippine Daily Inquirer, ‘Army defends hike in budget of controversial militia unit’, October 19, 2015, newsinfo.inquirer.net/732508/army-defends-hike-in-budget-of-controversial-militia-unit

Alongside these reserve forces, there exist a number of other irregular paramilitary outfits that support the military in their counterinsurgency operations. In part, these are legitimized through Executive Order 546, which stipulates that the police support the counterinsurgency efforts of the military and that local civilians may also be recruited as support troops for this purpose.⁴⁵ This has resulted in militias mostly composed of defected communists, members of indigenous populations, or local family clans. The military and police typically deny having any connection with these groups or even that they exist at all. Reports by eyewitnesses and statements by local officials leave little doubt, however, that the militias are equipped by and cooperate with the military.⁴⁶ In the case of the Magahat-Bagani militia, for instance, the governor of Surigao del Sur, Johnny Pimentel, spoke of a “monster created by the military” and referred to several instances when militiamen were seen together with members of the state security forces.⁴⁷

On top of this, there are a host of private armies maintained by influential families, businesspeople, or politicians to enforce their interests. The members of such private armies are often also members of the state security forces, for instance, of the CAFGUs or SCAAs. Police officers slip with particular frequency into such dual roles since the local police forces, by law, are answerable to the respective mayors.⁴⁸ These private armies are especially active during elections for the purpose of influencing the results in favor of their patrons. The most dramatic case by far of exerting such influence occurred in 2009 in Mindanao when the private army of the Ampatuan clan stopped a convoy of the rival Mangudadatu family to prevent the head of that family from running for office in one of the upcoming province elections (see the section on impunity). The more than 100 armed men killed all passengers that they could get their hands on. A total of 58 were murdered that day.

45 President of the Philippines, Administrative Order No. 546, s. 2006, ‘Directing The Philippine National Police to Undertake Active Support to the Armed Forces of the Philippines In Internal Security Operations for the Suppression of Insurgency And Other Serious Threats to National Security, Amending Certain Provisions of Executive Order No. 110 Series Of 1999 And for Other Purposes’, July 14, 2006, www.gov.ph/2006/07/14/executive-order-no-546-s-2006/

46 The Standard, ‘AFP using paramilitary groups, says probe team’, November 12, 2015, thestandard.com.ph/news/-main-stories/191689/afp-using-paramilitary-groups-says-probe-team.html

47 Philippine Daily Inquirer, ‘Militia in lumad killings a ‘monster created by military’, September 6, 2015, newsinfo.inquirer.net/719658/militia-in-lumad-killings-a-monster-created-by-military

48 Republic Act No. 6975, An Act Establishing the Philippine National Police Under a Reorganized Department of the Interior and Local Government, and for Other Purposes, December 13, 1990, Section 51

THE NEW INDIGENOUS PEOPLE'S ARMY REFORM



Although CAFGUS and other paramilitary groups support the military in its counterinsurgency operations, there have been recurring reports that these groups use violence to enforce their own economic interests while being protected by the military. A case in point is the New Indigenous People's Army Reform (NIPAR). The paramilitary group was established by Alde Salusad in the province of Bukidnon after he and his father Benjamin broke their ties with the communist NPA in 2011. While Alde founded the militia, Benjamin became a member of the local CAFGU group. Since that time, NIPAR has been a permanent piece in the military's counterinsurgency strategy in Bukidnon and regularly participates in military operations against the NPA. In turn, the military protects NIPAR against being persecuted for its human rights violations and, in so doing, indirectly assists NIPAR in extending its control over the local mining industry.

As a consequence, there have been increasing reports about human rights violations committed by NIPAR in Bukidnon. Probably the most prominent case is the killing of the anti-mining activist Jimmy Liguyon, who was shot dead on March 5, 2012. Before his death, Liguyon, in his function as chief of the village of Doa, refused to issue licenses for mining on his tribe's ancestral land. Refusal to do so led to a dispute with Salusad, who sought to profit from the awarding of mining rights. Salusad later publicly admitted to having killed Liguyon. Even so, he has yet to be arrested in spite of an arrest warrant against him that has been pending since April 2012. Salusad has had almost complete control over the mining industry in the region ever since.

Salusad and NIPAR are also thought to be responsible for a host of other human rights violations. For example, NIPAR has been accused of opening fire from a hill on the village of Sitio Sil-angon in San Fernando, Bukidnon, while a wedding was being celebrated there. Makenet Gayora, pregnant at the time, was killed in the attack. Eight other guests, the majority of them children and youths, were also injured. The attack is assumed to have been an act of collective punishment aimed at village chief Jeffry Mandagit, who has been accused of being a communist insurgent. Following the attack, 180 villagers fled to the province capital Malaybalay City.

INDIGENOUS RIGHTS



Displaced indigenous communities in Tandag City

In 2015, there were mounting reports of human rights violations committed against members of the indigenous communities of the Lumads living on Mindanao island in the south of the Philippines. Lumad is a collective term used to denote the members of various indigenous, non-Muslim groups in Mindanao. Mass migration of Christian settlers once displaced these groups to the remote, inhospitable Mindanao mountain regions. Today, the Lumads are among the poorest populations of the Philippines.

ATTACKS ON INDIGENOUS COMMUNITIES IN THE CONTEXT OF COUNTERINSURGENCY

At the same time, Mindanao is the site of numerous, partially overlapping violent conflicts. Indigenous Lumads are particularly vulnerable to getting caught in the crossfire of the domestic conflict between the Philippine government and the communist insurgency by the NPA. In this conflict, paramilitary groups that fight the NPA alongside the army are regularly considered to be responsible for repression and violence against the civilian population.

Thousands of indigenous persons have been displaced from their villages in the counterinsurgency. In 2015 alone, the refugee relief organization UNHCR registered 17,000 new domestic refugees, mostly Lumads.⁴⁹ In Mindanao it is particularly the administrators and teachers of the independent indigenous schools that are subject to harassment. These schools are run by civil society organizations or church-based carriers as the state fails to provide sufficient educational infrastructure in the remote regions of Mindanao. According to the Philippine Save Our Souls network, 95 of these schools were targets of military attacks in 2015 alone on account of allegations of indoctrinating the children with communist ideology.⁵⁰

49 UNHCR, 'Displacement Dashboard. Mindanao, Philippines Forced Displacement Annual Report, 2015', p. 10, unhcr.ph/_cms/wp-content/uploads/2015-Mindanao-Philippines-Forced-Displacement-Report_Final-HR3.pdf

50 Save Our Schools Network, '95 cases of attacks on lumad schools in one year', October 10, 2015, saveourschoolsnetwork.org/index.php/2015/10/10/95-cases-of-attacks-on-lumad-schools-in-one-year/

THE KILLINGS OF EMERITO SAMARCA, DIONEL CAMPOS AND BELLO SINZO



One of the most serious incidents was the killing of Emerito Samarca, head of the Alternative Learning Center for Agricultural and Livelihood Development (ALCADEV) in Lianga, Surigao del Sur, on September 1, 2015. ALCADDEV is an independent school providing secondary

education to indigenous populations. The school had already been subject to military harassment since 2005 on account of allegations that it served as an NPA training camp.

Two days after the killing, the school was occupied by members of the 36th infantry battalion and the paramilitary group Magahat Bagani. Members of that group threatened teachers, students, and their parents with massacring the entire indigenous community should they fail to vacate the school within two days. In the presence of hundreds of displaced persons, members of the paramilitary killed Dionel Campos, head of the MAPASU, an

organization committed to preventing mining projects in Surigao del Sur, and his cousin Bello Sinzo. Emerito Samarca, who had stayed behind at the school, was later found bound and stabbed to death in the classroom. Eyewitnesses reported to have spotted military units in the immediate vicinity at the time, yet these troops did not step in.

After the killings, about 4,000 indigenous persons fled their villages to the province capital Tandag City, where they found shelter in a sports stadium. It was not before September 2016 that the last of these refugees were able to return to their villages.

After the incident, the AFP denied any collaboration with Magahat Bagani. Yet its alleged leader, Marcial Belandres, appeared at a military press conference shortly after the incident where he claimed that the NPA had committed the murders.⁵¹ On September 22, 2015, a regional court issued an arrest warrant against three of the suspected perpetrators, Garito Layno and the brothers Bobby and Loloy Tejero. The warrants have yet to be executed. Since then, eyewitnesses have seen the wanted persons together with military on several occasions.

⁵¹ Philippine Daily Inquirer, 'Tribal chief in AFP briefing a paramilitary leader, says Surigao gov', September 18, 2015, newsinfo.inquirer.net/723111/tribal-chief-in-afp-briefing-a-paramilitary-leader-says-surigao-gov

HUMAN RIGHTS VIOLATIONS AGAINST INDIGENOUS ANTI-MINING ACTIVISTS

The mining projects have involved other human rights violations against the indigenous populations. The Philippines are assumed to possess mineral deposits estimated to be worth 800 billion to one trillion USD, among them the third-largest gold reserves in the world. Some 60 percent of the regions in the Philippines that is assumed to have mineral deposits are populated by indigenous people. For instance, 15 of the largest mining operations in Mindanao are either directly on or immediately adjacent to Lumad ancestral land. However, the indigenous populations themselves rarely profit from this tremendous wealth. Although international mining companies typically tend to invest in the local infrastructure, which also benefits the local population, even large-scale projects create comparatively few jobs while environmental destruction (for instance, as a result of the lightly regulated use of highly toxic chemicals such as mercury and cyanide), soil erosion, and extensive deforestation additionally threaten the livelihood of the indigenous population. The Mining Act of 1995 guarantees mining companies the right to use water for free, which leaves it unavailable for agriculture, and to cut down forests at their own discretion.⁵²

Protests for indigenous rights



The Indigenous Peoples' Rights Act (IPRA) of 1997 theoretically lends the indigenous populations complete control over their ancestral land (called ancestral domains).⁵³ The act also stipulates that every mining project on their land is required to obtain the free, prior, and informed consent (FPIC) of the indigenous people. Yet a study determined that, in at least half of the cases under investigation, the consultation procedures were not conducted properly or the indigenous populations were even deliberately misled about the possible impacts of the projects.⁵⁴ Sometimes individual indigenous persons are promised a stake in the financial benefits, and their consent is then presented as the majority opinion. This leads to divisions in the indigenous communities and members of the various factions claiming to represent the entire group.

In addition, indigenous anti-mining activists are threatened with violence and killed. Since May 2012, at least 26 indigenous persons have been killed whose deaths are thought to have some connection with their opposition to mining projects. Mining projects in fragile security settings such as in Mindanao time and again entail armed conflict between army, paramilitary groups, and indigenous anti-mining activists. In these situations, army units or CAFGUs are deployed to protect mining operations. These troops, called Special CAFGU Active Auxiliaries (SCAA), are sometimes directly funded by the mining companies themselves and then ultimately act as their own private armies (see the section on counterinsurgency and paramilitary groups).

⁵² Republic Act No. 7942, An Act Instituting a New System of Mineral Resources Exploration, Development, Utilization, and Conservation, March 3, 1995, Sections 72 and 73

⁵³ Republic Act No. 8371, An Act to Recognize, Protect and Promote the Rights of Indigenous Cultural Communities/Indigenous Peoples, Creating a National Commission on Indigenous Peoples, Establishing Implementing Mechanisms, Appropriating Funds Therefor, and for Other Purposes, October 29, 1997, Sections 7b and 7c

⁵⁴ Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), 'Assessing Free and Prior Informed Consent (FPIC) Implementation in the Philippines', April 2013, www.giz.de/de/downloads/giz2013-en-assessing-free-and-prior-informed-consent-fpic-phillipinen.pdf

THE KILLINGS OF JUVY CAPION AND HER CHILDREN JORDAN AND JOHN



Juvy Capion and her two children Jordan and John were killed on October 18, 2012. Juvy Capion was pregnant at the time. Her four-year-old daughter, Becky Capion, suffered minor injuries. The suspected perpetrators were allegedly under the command of Lt. Dante Jimenez and belonged to the 27th

infantry battalion under the command of Lt. Col. Alexis Noel Bravo. Initially, the army referred to the incident as a “legitimate encounter.”

However, eyewitnesses reported that the victims had been asleep in their hut when they were attacked by automatic weapons without advance warning. After the incident, the perpetrators are thought to have erased their traces and moved the bodies to another place to create the impression of a gunfight.

The Capion family belongs to the B’laan, an indigenous group that is native to the Davao del Sur and South Cotabato regions on Mindanao Island. At the time of the incident, the Swiss company Glencore Xstrata was planning the second-largest gold and copper mine in the heart of B’laan territory

in Tampakan. A majority of the B’laan people oppose these plans on the grounds that they represent a threat to their livelihood. Some 1,000 families face the threat of displacement. With the controversy over the project came a growing presence of military and paramilitary forces in the region. This triggered an escalating spiral of violence in which parts of the B’laan population began to arm themselves. Juvy Capion’s husband, Daguil, a well-known indigenous leader, was involved in the armed resistance against the mining project and was sought by the Philippine authorities for this reason.

After the attack, Juvy’s father filed murder charges against Lt. Col. Noel Alexis Bravo, Lt. Dante Jimenez, and 14 other soldiers. About a year after the incident, the Office of the Provincial Prosecutor surprisingly ordered that the case be dismissed. It was not before massive public pressure had mounted that the Department of Justice opposed this decision and gave the order to resume the case, but not before the officers had been cleared of all responsibility. As of this writing, four years after the incident, none of the soldiers who military reports have stated to have been put under arrest has been convicted. Daguil Capion, however, was arrested in July 2015 and has been in prison ever since.

Only under national and international pressure were the soldiers involved in the incident indicted before a military court. The battalion commander, Alexis Noel Bravo, however, was not subject to indictment. The current status of the case is not clear.

RECOMMENDATIONS FOR THE PHILIPPINE GOVERNMENT

PROTECTION OF HUMAN RIGHTS DEFENDERS AND JOURNALISTS

- › Investigate all cases of killings of human rights defenders and journalists without delay and bring all perpetrators to justice.
- › Take all necessary steps to protect human rights defenders and journalists from harassment, violence, and killings.
- › Direct the Philippine military to refrain from making statements that stigmatize human rights defenders, especially statements that suggest that defenders are members of the New People's Army.

CRIMINALIZATION OF HUMAN RIGHTS DEFENDERS AND JOURNALISTS

- › Repeal all laws that define libel as constituting a criminal offense – in particular, Articles 353 to 355 and 358 to 362 of the Revised Penal Code as well as section 4(c)(4) of the Cybercrime Prevention Act. Amend the law so that civil liability proceedings are the sole form of redress for complaints of damage to reputation.
- › Order the Philippine armed forces to refrain from filing fabricated charges against human rights defenders.
- › Ensure that prosecutors and judges do not open trial proceedings in cases of manifestly fabricated charges against human rights defenders.

EXTRAJUDICIAL EXECUTIONS OF ALLEGED CRIMINALS

- › President Duterte shall clarify that it is permissible for the police to use armed force only in the event of immediate threats to lives of police officers or third parties.
- › Investigate all killings of alleged drug dealers and addicts without delay.
- › Refrain from reintroducing the death penalty and from lowering the minimum age of criminal responsibility.

IMPUNITY

- › End impunity for extrajudicial killings, enforced disappearances, and torture, in particular those perpetrated by security forces, by undertaking thorough investigations and vigorous prosecutions of perpetrators.
- › Ratify the International Convention for the Protection of All Persons from Enforced Disappearances (ICPPED).
- › Execute immediately all outstanding arrest warrants in cases of extrajudicial killings and enforced disappearances.
- › Instruct the Inter-Agency Committee on Extrajudicial Killings, established under Administrative Order 35, to publish a list of the cases it handles and to give regular updates on advances made in their prosecution.
- › Embark on a substantial reform of the judicial system to ensure that perpetrators of severe human rights violations are brought to justice and to expedite judicial proceedings of such cases.
- › Reform and expand the witness protection program to ensure reliable protection of witnesses before, during, and after investigations and trials.
- › Issue a standing invitation to all special rapporteurs with thematic mandates and working groups of the UN Human Rights Council, in particular to the Special Rapporteur on extrajudicial executions and the Special Rapporteur on the situation of human rights defenders.

RECOMMENDATIONS FOR OTHER INTERNATIONAL PARTIES

COUNTERINSURGENCY AND PARAMILITARY GROUPS

- › Revoke Executive Order 546, which legitimizes the creation of militias and paramilitary organizations. Subject all paramilitary groups and private armies to the military chain of command or else disarm and disband them.
- › Ensure full protection of civilians and non-combatants during counterinsurgency operations as stipulated by international humanitarian law. Hold accountable all perpetrators of such attacks as war criminals
- › Insist that the Philippine government implement the recommendations made in the context of the UPR process.
- › Rigorously utilize bi- and multilateral human rights dialogues to urge the Philippine government to comply with international human rights standards.
- › Monitor trials in cases that criminalize human rights defenders to determine whether minimum standards of due process are being observed or to demand that they be observed if observance of due process is lacking.

INDIGENOUS RIGHTS

- › Launch thorough and impartial investigations of all killings of indigenous people in which the military, paramilitary groups, or mining companies are implicated. Take all necessary steps to protect indigenous people who oppose mining projects from violence.
- › Ensure that the free, prior, and informed consent (FPIC) of indigenous peoples' communities is obtained before issuing licenses for mining projects on their ancestral land.
- › Investigate all incidents of attacks on indigenous peoples' schools, their teachers, and students and bring the perpetrators to justice.
- › Ratify the Indigenous and Tribal Peoples Convention (ILO Convention No. 169).

LIST OF KILLED HUMAN RIGHTS DEFENDERS AND JOURNALISTS IN THE PHILIPPINES

MAY 1, 2012 TO SEPTEMBER 7, 2016

Name	Date	Place	Conflict Background	Affiliation	Alleged Perpetrator
Francisco „Mano Francing/Ansing“ Canayong	01.05.2012	Salcedo, Eastern Samar, Region VIII	Mining	President of Integrated Upland Farmers Association of Salcedo, member of Carapdapan Land Owners Association, member of the Samar Island Partnership for Peace and Development	Before his death Canayong had received death threats from the trustee of a local mining company
Frederick Trangia	06.05.2012	Nabunturan, Compostela Valley, Region XI	Mining	Chair of the Bgy. Council Committee for the Environment, vice chair of the Mainit National Park Conservation Society	Two unidentified gunmen
Nestor Libaton	08.05.2012	Mati City, Davao Oriental, Region XI	Journalist	Host of Catholic DXHM Radio Show	Two unidentified gunmen
Margarito Cabal	09.05.2012	Palma Kibawe, Bukidnon, Region X	Land rights (hydroelectric dam)	Local government, member of Save Pulangi Alliance	Prior to the killing Cabal had been under military surveillance
Ernesto Gulfo	30.05.2012	Malabon City, Region NCR	Urban poor, housing rights	Chair of the Alyansa Kontra-Demolisyon Malabon chapter	Unknown
Moises C. Fuentes	16.06.2012	Maramag, Bukidnon, Region X	Land rights, peasants' rights	Member of Human Rights Defenders Pilipinas – Bukidnon chapter, leader of Kuya Christian Farmers Association	Prior to his death, Fuentes name was read on the radio as part of a list of people to be killed
Venecia Natinga Nestor	19.06.2012	Kapatagan, Lanao del Norte, Region X	Land rights, peasants' rights	Former chairperson of Barangay Agrarian Reform Council	Rolando Hecera, senior police officer
Totong Mabinsi	22.06.2012	Laak, Compostela Valley, Region XI	Indigenous rights	Member of KATRIBU, village policeman	Members of the 60th Infantry Battalion of the Armed Forces of the Philippines
Romualdo Palispis	30.06.2012	Maria Aurora, Aurora, Region III	Land conflict, political rights	Member of Justice and Peace Action Group of Aurora (JPAG), convener of a task force “Do Not Divide Maria Aurora”, assistant officer of the Commission on Elections	Two gunmen, allegedly connected to state security forces
Willem Geertmann	03.07.2012	Angeles City, Pampanga, Region III	Mining, land rights	Executive director of Alay Bayan Inc., executive council member of Citizen's Disaster Response Network (CDRN)	Marvin Marzan is on trial for the murder, but many suspect the military to be the mastermind
Arnolfo „Junjun“ Vafior Jr.	09.07.2012	Toboso, Negros Occidental, Region XVIII	Land rights, peasants' rights	Member of a sugar workers federation (PSK)	Members of paramilitary group RPA-ABB, which co-operates with the military
Marilou „Malou“ Valle	22.07.2012	Tondo, Manila, Region NCR	Urban poor	President of Samahan sa Sitio Damayang Nananambakan – Kadamay	Benjamin and Raffy Tejas as well as barangay tanods (village guards)
Merlyn Diones Bermas, Gerald Oreza	07.08.2012	Labo, Camarines Norte, Region V	Investigation against military	Malaya village chairperson and friend	Members of the 9th Infantry Division of the Armed Forces of the Philippines
Jordan Manda	04.09.2012	Bayog, Zamboanga del Sur, Region IX	Mining, logging, indigenous rights	Son of indigenous anti-mining/logging activist Timuay Locencio Manda	Unknown
Genesis/Jenesis Ambason	13.09.2012	San Luis, Agusan del Sur, Region XIII	Indigenous rights, land rights, mining	Secretary general of Tagdumahan	Members of the 26th Infantry Battalion of the Armed Forces of the Philippines
Gilbert Paborada	03.10.2012	Cagayan de Oro City, Misamis Oriental, Region X	Land rights (palm oil), indigenous rights	Chairperson of Pangalasang	Private security forces of A. Brown Company
Datu Erning Mantugohan	10.10.2012	San Fernando, Bukidnon, Region X	Mining, indigenous rights		Members of the local SCAA and the paramilitary group NIPAR
Juvy Capion, John Capion, Jordan/Pap/Jorge Capion	18.10.2012	Kiblawan, Davao del Sur, Region XI	Mining, indigenous rights	Member of Kalgad	Members of the 27th Infantry Battalion of the Armed Forces of the Philippines
Ramirez Isdang	18.10.2012	Davao City, Region XI	Peasants' rights, indigenous rights	Member of the Paquibato District Peasants Alliance	Witnesses saw Isdang in custody of the military before he was found dead
Carlo Magbulos	29.10.2012	Currimao, Ilocos Norte, Region I	Peasants' rights, labor rights, political rights	Member of Anakpawis	Members of the 81st Infantry Battalion of the Armed Forces of the Philippines
Julius Ceasar Cauzo	08.11.2012	Cabanatuan City, Nueva Ecija, Region III	Journalist	Political commentator for dwjJ 684	Unknown
Ely M. Oguis	11.11.2012	Guinobatan, Albay, Region V	Peasants' rights	Member of Albay People's Organization, member of Anakpawis, village councilor	He was last seen in the company of two soldiers
Rolando Quijano	07.12.2012	San Miguel, Zamboanga del Sur, Region IX	Mining, logging	Member of Alliance of Farmers Union in Zamboanga Del Sur (AFUZS)	Members of the 53rd Infantry Battalion of the Armed Forces of the Philippines
Cheryl Ananayo, Randy Nababay	07.12.2012	Didipio, Nueva Vizcaya, Region II	Mining	Member of Didipio Earthsavers' Multipurpose Association (Desama) and her cousin-in-law	Both victims had an argument with Oceana Gold Philippines Inc. over their property, but the perpetrator remains unknown
Victoriano Embang	29.12.2012	Isabela, Negros Occidental, Region NIR	Land rights	President of Maria Cecilia Farmworkers Association (Macfawa), leader of Partido ng Manggagawa	Embang had been threatened by armed goons of a local landlord before his death
Edgardo Adajar, Rolando Leonardo	02.01.2013	San Pablo, Laguna, Region IV-A	Journalist	Radio blocktimer and city councilor and his bodyguard	Unknown

Name	Date	Place	Conflict Background	Affiliation	Alleged Perpetrator
Emilio Rivera	25.01.2013	Davao City, Region XI	Corruption, labor rights	Former chairman of Matina Aplaya Transport Cooperative (MATRANSCO), member of the Alliance of Progressive Labor (APL)	Unknown
Dexter Condez	22.02.2013	Malay, Aklan, Region VI	Indigenous rights, land rights	Spokesperson of the Boracay Ati Tribe Organization	Daniel Celestino, security guard of luxury hotel with contesting land claims
Cristina Jose	04.03.2013	Baganga, Davao Oriental, Region XI	Typhoon aid, investigation against military, political rights	Village councilor, member of Bayan Muna, leader of Barug Katawhan	Jose had been branded as NPA-member by the military prior to her death
Pablito Egildo	23.04.2013	Calamba City, Laguna, Region IV-A	Land rights	Leader of the Kaisahan at Samahan ng mga Mamamayan sa Canlubang (Kasamaka)	Unknown
Dionesio Manos	12.05.2013	Bayog, Zamboanga del Sur, Region IX	Indigenous rights, urban poor	Member of BAUSO, member of Kadamay	Unknown
Eddie Cañon	25.05.2013	Mawab, Compostela Valley, Region XI	Peasants' rights, labor rights, political rights	Coordinator of Anakpawis	Unknown
Miguelito „Mike“ Rueras	02.06.2013	Pio V. Corpuz, Masbate, Region V	Journalist	Stringer for dyDD El Nuevo Bantay Radyo	Unknown
Sonny Boy Planda	28.06.2013	Kiblawan, Davao del Sur, Region XI	Mining, indigenous rights	Son-in-law of Blaan chieftain Anting Freay	Paramilitary troops under Task Force KITACO
Antonio „Dodong“ Petalcorin	02.07.2013	Davao City, Region XI	Corruption, labor rights	NETO-NCTU-APL	Petalcorin had been branded as NPA-member by the military prior to her death
Alimudin P. Lucman	18.07.2013	Cotabato City, Region XII	Labor rights	President of the Notre Dame Village Operators and Drivers Association (NDVODA), NCTU representative	Unknown
Bonifacio Loreto, Richard Kho	30.07.2013	Quezon City, Region NCR	Journalists	Former journalists for Aksyon Ngayon Newspaper	Clemente Bersosa and Roel Manaog, probably hired killers
Mario Sy	01.08.2013	General Santos, Region XII	Journalist	Freelancer who had reported on drug-trafficking for Sapol News Bulletin	Jerry Intoman was arrested in October 2013
Anting Freay, Victor Freay	23.08.2013	Kiblawan, Davao del Sur, Region XI	Mining, indigenous rights	Blaan chieftain and his son	Task Force Kitaco and members of the 39th or 1002nd Infantry Battalion of the Armed Forces of the Philippines
Greg Magusara	25.08.2013	Iloilo City, Region VI	Urban poor	Member of Kaisog	Members of the Regional Special Operation Group (REGSOG)
Fernando „Nanding“ Solijon	29.08.2013	Iligan City, Region X	Journalist	DxLS Love Radio	P.J. Capangpangan, police officer who was arrested in October 2013
Vergel Bico	04.09.2013	Calapan City, Mindoro Oriental, Region IV-B	Journalist	Kalahi Newspaper	Unknown
Benjie Planos	13.09.2013	Loreto, Agusan del Sur, Region XIII	Peasants' rights, land rights	Leader of Kahugpungan Alang sa Kalambuan (KASAKA)	Members of the 26th Infantry Battalion and an affiliated paramilitary group had threatened the victim before his death
Manhiloy Mantog	18.09.2013	Loreto, Agusan del Sur, Region XIII	Peasants' rights, land rights, indigenous rights	Member of Kahugpungan Alang sa Kalambuan (KASAKA)	Members of a paramilitary group affiliated with the 26th Infantry Battalion
Gabriel Alindao	10.10.2013	Loreto, Agusan del Sur, Region XIII	Peasants' rights, land rights, indigenous rights	Leader of Kahugpungan Alang sa Kalambuan (KASAKA)	Alindao had been harassed and threatened by the 26th Infantry Battalion prior to his assassination
Jesus „Jessie“ Tabanao	14.10.2013	Cebu City, Region VII	Journalist	Radio host at dyRC Cebu 648, member of Kapisanan ng mga Brodkaster ng Pilipinas (KBP), information officer of the Philippine Drugs Enforcement Agency (PDEA)	Unknown
Elisa Lascoña Tulid	29.10.2013	San Andres, Quezon, Region IV-A	Land rights	Leader of Samahan ng Magsasaka sa Baran-gay Tala at Camflora	Rannie Bugnot, trustee of a local landlord
Dennis dela Cruz	31.10.2013	Tarlac City, Tarlac, Region III	Land rights	Member of Alyansa ng Mag-bubukid sa Asyenda Luisita (AMBALA)	Guards of the Tagum Agricultural Development Company (TADECO)
Wellington Brogada Jr.	11.11.2013	Juban, Sorsogon, Region V	Political rights, investigation against military	Member of Bayan Muna, part of fact finding mission to investigate military operations	Unknown
Joas Dignos	29.11.2013	Valencia, Bukidnon, Region X	Journalist	Host of political show on DXGT Radio Abante	Unknown
Rolen Langala	01.12.2013	Opol, Visamis Oriental, Region X	Land rights (palm oil), indigenous rights	Member of Pangalasag	Village Councilors Nestor Bahian, Eugene Papin, and Ramil Salvan
Pedro Tinga	06.12.2013	Maco, Compostela Valley, Region XI	Mining, indigenous rights, land rights, typhoon aid	Member of Tindug Kautawan, tribal leader	Members of the 71st Infantry Battalion of the Armed Forces of the Philippines
Rogelio Butalid	11.12.2013	Tagum City, Davao del Norte, Region XI	Journalist	Host at Tagum City's 107.9 FM Radyo Natin	Former death squad member of Tagum City
Marcelo Monterona Jr.	03.01.2014	Maco, Compostela Valley, Region XI	Typhoon aid, peasants' rights, land rights	Council member of Indug Katawhan	Members of the 71st Infantry Battalion of the Armed Forces of the Philippines

Name	Date	Place	Conflict Background	Affiliation	Alleged Perpetrator
Arman Padiño	12.01.2014	Porac, Pampanga, Region III	Land rights		Security guards from the Leonardo Lachenal Leonio Holdings, Inc. (LLL)
Datu Rolando Ambongan	31.01.2014	Buenavista, Agusan del Norte, Region XIII	Mining, indigenous rights	Member of Katribu	Eddie Ampiwawan, leader of a paramilitary group affiliated with 29th Infantry Battalion
Julieto Lauron	05.02.2014	Valencia City, Bukidnon, Region X	Peasants' rights	Chairperson of Kahugpungan sa mga Mag-uuma (Kasama)	Members the 8th Infantry Battalion of the Armed Forces of the Philippines
Sixto V. Bagasala Jr.	15.02.2014	Malabon City, Region NCR	Urban poor, housing rights	Community organizer for the Kilos Maralita Institute for Popular Democracy	Unknown
Rosaldo Rayteran, Rasty Rayteran	26.02.2014	Libon, Albay, Region V	Civil and political rights	Coordinator of Albay People's Organization and his son	Unknown
Licuben, Freddie „Fermin“ and Eddie Ligiw	02. – 07.03.2014 (last seen/found dead)	Licuan-Baay, Abra, Region CAR	Mining, youth rights, indigenous rights	Kakaillian Salakniban Tay Amin ti Nagtaudan (Kastan), Cordillera Peoples Alliance (CPA), and Anakbayan	Members of the 41st Infantry Battalion of the Armed Forces of the Philippines
Romeo Capalla	15.03.2014	Oton, Iloilo, Region VI	Fair trade	General manager of PFTC, founding member of SELDA	Members of the paramilitary group RPA-ABB
Ruel Egkil	23.03.2014	Makilala, North Cotabato, Region XII	Peasants' rights	Bantay Bukid	Members of the 57th and 10th Infantry Battalion of the Armed Forces of the Philippines
William Bugatti	25.03.2014	Kiangan, Ifugao, RegionCAR	Peasants' rights, civil rights, political rights	Regional council member of the Cordillera Human Rights Alliance-KARAPATAN, regional council member of the Cordillera Peoples' Alliance representing the Ifugao Peasant Movement, provincial coordinator of Bayan Muna partylist	Bugatti had been on a list of alleged NPA-supporters of the 86th Infantry Battalion
Rubylita/Robelita Garcia	06.04.2014	Bacoor, Cavite, Region IV-A	Journalist	President of the Confederation of Active Media Practitioners Organization, reporter for Remate, blocktimer of dwAD radio	Conrado Villaneuva, police superintendent is the alleged mastermind
Richard Najid/Nadjid/Najib	30.04.2014	Bongao, Tawi-Tawi, Region ARMM	Journalist	Acting manager of dxNN PowerMix FM	Unknown
Menelao „Boy“ Barcia	02.05.2014	Porac, Pampanga, Region III	Land rights	Official of Alyansa ng Nagkakaisang Mamamayan ng Hacienda Dolores (Aniban)	Unknown
Ernel Wata Taduayan	07.05.2014	Malita, Davao Occidental, Region XI	Mining	Member of Church People's Advocacy for the Integrity of God's Creation (CPAIGC) Malita Chapter	Members of the 73rd Infantry Battalion of the Armed Forces of the Philippines
Tony Bago	20.05.2014	Malita, Davao Occidental, Region XI	Mining, land rights (banana plantation), indigenous rights	Chairperson of Pigsambukan	Members of the 73rd Infantry Battalion of the Armed Forces of the Philippines
Samuel Oliverio	23.05.2014	Digos, Davao del Sur, Region XI	Journalist	Radyo Ukay dxDS	Two professional hitmen were identified
Dionisio Garete	28.05.2014	Janiuay, Iloilo, Region VI	Fair trade, peasants' rights	Member of Katilingban sang mga Mangunguma sa Dabong (Kamada)	Members of the paramilitary group RPA-ABB
Nilo Baculo Sr.	09.06.2014	Calapan, Mindoro Oriental, Region IV-B	Journalist	Anchorman for dwIM Radyo Mindoro	Unknown
Flaviano Morales	13.06.2014	Asuncion, Davao del Norte, Region XI	Political rights	Municipal staff of Bayan Muna	Morales had been interrogated by the military twice before his death
Rusin Sarrento-Legaspi	29.06.2014	Tubay, Agusan del Norte, Region XIII	Peasants' rights	Member of UMAN, member of the Rizalian Association of Mercy, Inc.	Members of the military
Nathaniel Bacolod, Junmer Paraon, Susan Mamaril	10.07.2014	Rodriguez, Rizal, Region IV-A	Urban poor	Members of Anakbayan, Kadamay, Gabriela	Unknown
Edgardo Lopez	11.07.2014	Daraga, Albay, Region V	Peasants' rights	Head of Albay's Bicol Coconut Planters Association, Inc. (BCPAI)	Members of the 901st Infantry Battalion of the Armed Forces of the Philippines
Gregorio Galacio	19.07.2014	New Bataan, Compostela Valley, Region XI	Political rights		Members of the Armed Forces of the Philippines
Gildegardo Hernandez	06.08.2014	Candelaria, Quezon, Region IV-A	Typhoon aid, peasants' rights	Leader of Pamatid-CQ	Unknown
Armando Campos (y Adlawan)	09.08.2014	San Fransico, Agusan del Sur, Region XIII	Land rights, indigenous rights		Anecito Ortiz, field manager of the Filipinas Palmoil Plantations, Inc. (FPPI)
Datu Roger Alaki	10.08.2014	La Paz, Agusan del Sur, Region XIII	Mining, land rights, indigenous rights	Tribal chieftain	Member of the paramilitary group Bagani Forces
Marcel Lambon	14.08.2014	Impasugong, Bukidnon, Region X	Land rights (palm oil), indigenous rights	Council member of the IGYAYUNGAAN	Members of a local SCAA unit
Salcinita Manlapinding, Oto Precioso	15.08.2014	San Luis, Agusan del Sur, Region XIII	Land rights, mining, indigenous rights	Member of TAGDUMAHAAN and her nephew	Members of a CAFGU and an affiliated paramilitary group

Name	Date	Place	Conflict Background	Affiliation	Alleged Perpetrator
Jefferson A. Custodio	23.08.2014	Carigara, Leyte, Region VIII	Typhoon aid, peasants' rights	Member of the Municipal Farmers Association in Carigara (MUFAC)	Custodio had been threatened by the military prior to his assassination
Rodolfo Felicio	24.08.2014	Taytay, Rizal, Region IV-A	Human rights lawyer	Member of National Union of Peoples' Lawyers (NUPL)	Unknown
Vincente Hugo	25.08.2014	Uson, Masbate, Region V	Land conflict, peasants' rights	Masbate chair of Bicol Coconut Planters Association, Inc. (BCPAI), village chieftain	Unknown
Librado Adoptante Sr.	26.08.2014	Baao, Camarines Sur, Region V	Political rights	Bayan Muna coordinator	The military had monitored and harassed the victim before the assassination
Fidela "Delle" Bugarin Salvador	05.09.2014	Lacub, Abra, Region CAR	Relief worker	Staff member of the Cordillera Disaster Response and Development Services (CorDisRDS)	Members of the Armed Forces of the Philippines
Fausto Orasan („Datu Sandigan“)	13.09.2014	Cagayan de Oro, Region X	Mining, logging, indigenous rights		Unknown
Bernardo Clarion, Sr.	01.10.2014	Davao City, Region XI	Peasants' rights	Member of Farmer's Association in Davao City (FADC)	Unknown
Lencio Arig	02.10.2014	South Upi, Maguindanao, Region ARMM	Land rights, indigenous rights	Tribal chieftain and head of the Timuay Justice and Governance	Unknown
Rolando and Juda/ Felix Dagansan	12.10.2014	New Bataan, Compostela Valley, Region XI	Peasants' rights	Member of Nagkahiusang Mag-uuma sa New Bataan (NAMANEBA)	Members of the 66th Infantry Battalion of the Armed Forces of the Philippines
Henry Alameda	24.10.2014	Lianga, Surigao del Sur, Region XIII	Mining, land rights, indigenous rights	Council member of the Malahutayong Pakigbisog Alang sa Sumusunod (Mapasu)	Member of the military and an affiliated paramilitary group
Aldren Dumaguait	24.10.2014	Prosperidad, Agusan del Sur, Region XIII	Indigenous rights, peasants' rights	Member of NAMASUR and son of village chairperson	Waway Belandres, member of a paramilitary group affiliated to the military
Fil/Phil John Poloyapoy	01. – 03.11.2014 (last seen/ found dead)	Rosario, Agusan del Sur, Region XIII	Peasants' rights	Members of NAMASUR	Members of the 75th Infantry Battalion of the Armed Forces of the Philippines
Rolando Pango/ Pango	29.11.2014	Binalbagan, Negros Occidental, Region NIR	Land rights	Organizer of Partido Manggagawa, who worked with the members of Hacienda Salud Farm Workers Association (HASAFAWA)	The victim had received death threats by a security guard of a local landlord prior to his death
Necasio „Angis“ Precioso Sr.	22.12.2014	San Luis, Agusan del Sur, Region XIII	Land rights, indigenous rights	Tribal chieftain	Members of the 26th Infantry Battalion of the Armed Forces of the Philippines
Jose Alimboyong	10.02.2015	San Miguel, Surigao del Sur, Region XIII	Mining, indigenous rights	Member of TIPJUNGAN	Unknown
Teresito „Sito“ Mula Labastilla	28.02.2015	Maramag, Bukidnon, Region X	Indigenous rights, land rights	Former priest and consultant of the Bukidnon Agrarian Reform and Agri-Business Multipurpose Association (BARAMA)	Unknown
Agapito P. Silva	03.02.2015	Calauan, Laguna, Region IV-A	Peasants' rights, land rights	Husband of president of the farm worker organization Pesante	Silva was killed by the police, which claims he was holding his own family hostage
Florencio “(Ka) Bong” Romano	07. – 08.03.2015 (last seen/ found dead)	Batangas City, Batangas, Region IV-A	Labor rights	Regional coordinator of the Organized Labor Association in Line Industries and Agriculture, volunteer of the National Coalition for the Protection of Workers' Rights (NCPWR)	Members of the Philippine Air Force
Virgilio Leotorco	16.03.2015	Roxas, Isabela, Region II	Land rights	Member of the Agbiag Matusalem Roxas Isabela-Danggayan Dagiti Mannalon iti Isabela (Amaridagami)	Unknown
Mabini „Tata“ Beato/Baito	24.03.2015	Quezon, Bukidnon, Region X	Land rights, indigenous rights	Member of the Tribal Indigenous Oppressed Group Association (Tindoga)	Private security of a local landlord
Frenie Ganancia Landasan	28.03.2015	Cabanglasan, Bukidnon, Region X	Indigenous rights, land rights	Chairperson of the Higaonon Tribal Association	Members of the paramilitary Dela Mance group, affiliated with the military
Melinda “Mei” Magsino	13.04.2015	Batangas City, Batangas, Region IV-A	Former journalist	Former Inquirer correspondent	Unknown
Bleamar “Bobong” Mondejar	19.04.2015	La Paz, Agusan del Sur, Region XIII	Civil rights, political rights, indigenous rights	Member of Kahogpongan sa Lumadnong Organisasyon (KASALO)	Mondejar had rejected persistent offers to join a paramilitary group prior to his death
Luis Carbajosa	28.04.2015	Mabini, Compostela Valley, Region XI	Peasants' rights, land rights	Chairperson of HUMABIN	Members of the Armed Forces of the Philippines
Benilda Santos	22.05.2015	Quezon City, Region NCR	Urban poor	Leader of the Kalipunan ng Damayang Mahihirap (Kadamay)	Village guard
Endric „Bayoto“ Calago, Rosalie Calago	24.05.2015	Guihulngan, Negros Oriental, Region NIR	Peasants' rights, women's rights	Vice chair of Kaugmaon, member of Gabriela, health worker, member of the Red Cross	Members of the 11th Infantry Battalion of the Armed Forces of the Philippines
Alberto Miranda	25.05.2015	Cabanatuan, Nueva Ecija, Region III	Logging	Member of the Provincial Task Force on Anti-Illegal Logging	Unknown

Name	Date	Place	Conflict Background	Affiliation	Alleged Perpetrator
Datu Ruben Enlog, Randy Lavarcon Carnasa, Oligario Quimbo	14.06.2015	Davao City, Region XI	Indigenous rights, peasants' rights	Chair of Nagkahiusang Lumad sa Paquibato (United Lumad of Paquibato), Paquibato District Peasant Alliance (PADIPA), his brother and his friend	Members of the 69th Infantry Battalion of the Armed Forces of the Philippines
Felix Jr „Ricky“ Basig	25.06.2015	Baganga, Davao Oriental, Region XI	Typhoon aid, indigenous rights	Member of Barug Katawhan (People Rise)	Members of the 67th Infantry Battalion of the Armed Forces of the Philippines
Jel Ahing	19.07.2015	Cabanglasan, Bukidnon, Region X	Civil and political rights, indigenous rights	Member of KASAMA Bukidnon	Sammy Diwangan, Emboy Gayao and other members of the Alamara paramilitary group
Arnel Morada	08.08.2015	Jose Panganiban, Camarines Norte, Region V	Political rights	Municipal coordinator of Anakpawis in Camarines Norte	Unknown
Joel Gulmatico	18.08.2015	Arakan, North Cotabato, Region XII	Peasants' rights	Chair of Arakan Peasant Progressive Organization (APPO)	Unknown
Teodoro „Ka Tudyoy“ Escanilla	19.08.2015	Barcelona, Sorsogon, Region V	Civil and political rights, journalist	Karapatan, Radio DZMS	Members of the 31st Infantry Battalion of the Armed Forces of the Philippines
Gregorio „Loyloy“ Ybanez	19.08.2015	Tagum City, Davao del Norte, Region XI	Journalist	Publisher of Kabuhayan News Services and president of the Davao Del Norte Press and Radio-TV Club	Unknown
Cosme Maestrado	27.08.2015	Ozamiz, Misamis Occidental, Region X	Journalist	Host at Radio dxOC	Unknown
Emerito Samarca, Dionel Campos, Bello/Juvello Sinzo	01.09.2015	Liang, Surigao del Sur, Region XIII	Indigenous rights, land rights	Executive director of ALCADEV, chair of MAPASU and his cousin	Bobby Novero Tejero, Loloy Novero Tejero, Margarito Tejero Layno and other members of the Magahat-Bagani paramilitary group
Jude Erwin Alaba	01.09.2015	Baler, Aurora, Region III	Land rights, political rights	RTC Judge	Unknown
Jun „Obet“ Pabiana	15.09.2015	Malaybalay, Bukidnon, Region X	Mining, land rights, indigenous rights	Member of Tagdumahan	Memb a military-backed militia (Dela Mance group)
Roger Vargas, Lucila Vargas	19.09.2015	San Jose del Monte, Bulacan, Region III	Land rights	Nagkakaisang Magsasaka sa San Isidro (NAGKAISA), Alyansa ng Magbubukid ng Bulakan	The couple had confrontations with security guards of a neighboring landlord before their death, but the perpetrator remains unidentified
Lito Abion	28.09.2015	San Luis, Agusan del Sur, Region XIII	Mining, land rights, indigenous rights	Member of Tagdumahan	Three gunmen on motorcycles
Mankombate/ Mankombete/ Mankombite Mariano	27.10.2015	Cabanglasan, Bukidnon, Region X	Land rights, indigenous rights		Members of the paramilitary Dela Mance group, affiliated with the military
Jose Bernardo	31.10.2015	Quezon City, Region NCR	Journalist	Reporter for Radio dwlZ and dwBL, and columnist with Bandera Pilipino	Unknown
Datu Manliro Landahay	07.11.2015	Talaingod, Davao del Norte, Region XI	Land rights, indigenous rights	Council member of the Salugpungan Ta Tanu Irganugon	Donato Salangani and Maninggo Salangani, members of the Alamara paramilitary group
Quintin „Ting“ San Diego	07.11.2015	Dingalan, Aurora, Region III	Anti-corruption, land rights	Founding chairman of the Movement Against Dynasties (MAD), convener of the August 26 People's Coalition against the PDAF	Unknown
Nelbert “Boboy” Esguiran	08.11.2015	Enrique B. Magalona, Negros Occidental, Region NIR	Environmentalist	President of United Canlulong Upland Reforestation and Development	Unknown
Ricky Peñaranda	11.01.2016	Mati City, Davao Oriental, Region XI	Peasants' rights, land rights	Chairman of the Fisherman Landless Association, member of Indug Kautawan	Unknown
Christopher Matibay	18.01.2016	Baganga, Davao Oriental, Region XI	Typhoon aid, indigenous rights	Leader of Pablo survivor group Barug Katawhan	“Mike, alleged intelligence officer
Teresita Navacilla	27.01.2016	Pantukan, Compostela Valley, Region XI	Mining	Convener of the Save Pantukan Movement, chairperson of Purok Bardown	Members of the Armed Forces of the Philippines
Alejandro Laya-og	07.02.2016	Maragusan, Compostela Valley, Region XI	Peasants' rights, land rights	Founder/member of Kahugpongan sa Mag-uuma sa Magcagong (Kamama)	Laya-og had been tagged as NPA rebel by the military prior to his death
Elvis Banggoy Ordaniza	16.02.2016	Pitogo, Zamboanga del Sur, Region IX	Journalist	Broadcaster with dxWO Power 99 FM, former NPA member	Unknown
Darwin Sulang	01.04.2016	Kidapawan, Cotabato, Region XII	Drought aid, indigenous rights	Member of Tinananon Kulamanon Lumadnong Panaghiusa sa Arakan (TIKULPA)	Sulang was shot during the violent dispersal of a protest for drought aid by police officers
Rolan Lonin Casiano	27.04.2016	Ragay, Camarines Sur, Region V	Peasants' rights, political rights	Campaigner for Makabayan, member of the Camarines Sur 1st District People's Organization	Members of the 49th Infantry Battalion of the Armed Forces of the Philippines
Emil Go	29.04.2016	Palapag, Northern Samar, Region VIII	Civil and political rights	Former member of human rights group Katungod, known supporter of Makabayan	Unknown

Name	Date	Place	Conflict Background	Affiliation	Alleged Perpetrator
Emil Go	29.04.2016	Palapag, Northern Samar, Region VIII	Civil and political rights	Former member of human rights group Katungod, known supporter of Makabayan	Unknown
Maria Myrna Cayag	07.05. –	Monkayo, Compostela Valley, Region XI	Peasants' rights	Chairperson of Monkayo Farmers Association (Mofa), board member of Binulig Cooperative	Unknown
Alex Balcoba	27.05.2016	Quiapo, Manila, Region NCR	Journalist	Columnist of People's Brigada, official of the Manila Police District Press Corps.	Unknown
Gloria Capitan	01.07.2016	Mariveles, Bataan, Region III	Environmentalism (coal)	Leader of Coal-Free Bataan Movement and the President of United Citizens of Lucanin Association	Unknown
Remar Mayantao, Rogan Suminao, Senon Nacaytuna	12.07.2016	Sumilao, Bukidnon, Region X	Land rights, indigenous rights	Members of the Sitio Inalsahan Indigenous People Organization	Guards from the Tagbani Security Agency, hired by RamCar Inc.
Hermie Alegre, Danny Diarog	15.07.2016	Davao City, Region XI	Land rights, indigenous rights	President of the Parent-Teacher-Community Association, tribal chieftain and chairperson of Kahugpungan sa mga Lumád	Members of the 84th Infantry Battalion and of the paramilitary group Alamara
Jerry „Dandan“ Layola	12.08.2016	San Luis, Agusan del Sur, Region XIII	Mining, logging, indigenous rights	Member of Tagdumahan (Katribu)	Unknown
Jimmy Mapinsahan Barosa	12.08.2016	San Luis, Agusan del Sur, Region XIII	Mining, logging, indigenous rights	Member of Tagdumahan (Katribu)	Unknown
Elijo Barbado, Gaudacio Bagalay, Emerencia dela Rosa, Violeta Mercado	03.09.2016	Laur, Nueva Ecija, Region III	Land rights		Unknown
Ariel Diaz	07.09.2016	Delfin Albano, Isabela, Region II	Peasants' rights, land rights	Chair of the Danggayon Dagiti Mannalon ti Isabela (DAGAMI), provincial coordinator of Unyon ng Manggagawa sa Agrikultura (UMA), leader of the Inter-municipal Peasant Alliance Against Foreign Landgrabbing in Isabela	Unknown
Arnel Figueroa	20.09.2016	Coron, Palawan, Region XVII	Land rights	Local leader of Pesante	Security guards hired by the Bureau of Animal Industry (BAI)

DISCLAIMER

This list comprises 170 journalists and human rights defenders who were killed in 143 separate incidents in the Philippines between May 1, 2012 and September 7, 2016. Occasionally, we have also indicated relatives or bystanders who died during the assaults. Our classification of “human rights defender” follows the definition of the Office of the United Nations High Commissioner for Human Rights (OHCHR) which defines them as people who, individually or with others, act to promote or protect human rights while employing peaceful action.⁵⁵ We have only included cases in which the victim’s death is confirmed, excluding all cases of enforced disappearances. Our research is based on publicly available online sources, mostly local human rights organizations and credible media sources. Where possible, we have cross-checked the data with our local partners and networks. We have only included killings in which a connection to the victim’s activity as human rights defender or journalist is to be assumed. The column “Conflict Background” indicates the issue to which the respective killing is most likely related. In some cases, several possible backgrounds have been indicated. However, since there was no reported conviction in any of these cases, the real motives of the perpetrators cannot be verified. Finally, we have also indicated the alleged perpetrators of the killings based on the allegations made in our sources. A verification of these allegations is again not possible due to the lack of convictions.

⁵⁵ Office of the High Commissioner for Human Rights, Fact Sheet No. 29: Human Rights Defenders, 2004, www.ohchr.org/Documents/Publications/FactSheet29en.pdf

Aktionsbündnis Menschenrechte –
Philippinen (amp)
c/o philippinenbüro e.V.
Hohenzollernring 52 · 50672 Köln
info@amp.ngo · www.amp.ngo

ISBN 978-3-933341-71-X

amp aktionsbündnis
mensenrechte
philippinen



Brot
für die Welt



MISEREOR
IHR HILFSWERK

missio
glauben.leben.geben.

VEM
United Evangelical Mission