



Two women, both mothers, sat silently, intently watching the webcast recording of an event that happened halfway across the world in The Hague, The Netherlands: the reading of the verdict of the independent Permanent People's Tribunal (PPT) Second Session on the Philippines last 25 March 2007.

The women's faces were stern as the PPT declared the guilt of another woman, Gloria Macapagal-Arroyo, her government, as well as the regime of US President George W. Bush, on charges of violations of human rights, economic plunder and transgression of the Filipino people's sovereignty.

After the verdict was read, Evangeline Hernandez and Erlinda Cadapan, both conveners of Hustisya! (Victims of the Arroyo Regime United for Justice), smiled and called it a step forward in their quest for justice for their daughters, both victims of the Arroyo regime's atrocities.

"Our loved ones who were killed by this government were defamed as terrorists. Today, the real terrorists have been revealed," said Evangeline, whose 22-year-old daughter Benjaline or Beng was killed by members of the Civilian Auxiliary Forces Geographical Unit (CAFGU) in Arakan Valley, North Cotabato on 5 April 2002. Beng was then the deputy secretary general of Karapatan for Mindanao, and the vice president for Mindanao of the College Editors Guild of the Philippines (CEGP).

For her part, Erlinda expressed mixed emotions. "I am happy with the verdict, but then I'm angry again because my daughter is still missing and this government only propagates lies and protects the perpetrators."

WOMEN for JUSTICE

BY DEE AYROSO

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On 26 June 2006, Erlinda's daughter Sherlyn, 29, was abducted in San Miguel village, Hagonoy, Bulacan with Karen Empeño, 22, and peasant Manuel Merino. The two young women were volunteers of the Alyansa ng Magbubukid sa Bulacan (AMB or Alliance of Peasants in Bulacan) and were both from the University of the Philippines.



Known to friends as Evan and Linda, the two are now among the many women whose children, husbands, fathers, mothers and loved ones have been killed, disappeared or detained in the past six years under the Arroyo regime. As tragedies tend to change people, they are now among the many that are standing up to fight for justice.

Evan, 47 and a mother of four, stands as the spokesperson of Hustisya! She was among those who signed the complaint submitted to the PPT.

Linda, 57 and a mother of five, is now a key leader of a group called Desaparecidos (Families of Desaparecidos for Justice). She was among those who testified at the PPT, via webcast, on her daughter's abduction by suspected state security forces.

The two are often seen in protests, pickets, and conferences, carrying enlarged photos of their daughters, talking about the injustice done to their families and the struggle that they must continue.

The PPT has helped focus international attention on the human rights violations of the Arroyo regime – a crucial thing for families of victims who are going through the long, cruel process of attaining justice for their kin. Prior to the PPT, Evan and Linda had filed cases at the Philippine National Police, the Commission on Human Rights, and the courts to no avail.

Evan's case against Beng's killers has dragged on for five years at a North Cotabato regional trial court. Two suspects, both CAFGU men, were detained for a few months but were later released on bail.

For Linda, the clock ticks away on the *habeas corpus* petition that her family and the Empeños filed at the Supreme Court. The notorious retired general Jovito Palparan Jr., then commander of the 7th ID in Central Luzon, is among the respondents.

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Filipino HR activists testify at US Senate hearing on RP killings

WASHINGTON – Filipino human rights advocates were able to brief US lawmakers on the worsening human rights situation in the Philippines at a recent U.S. Senate hearing on the extrajudicial killings in the Philippines.

The U.S. Senate Committee on Foreign Relations' Subcommittee on East Asian and Pacific Affairs, chaired by Sen. Barbara Boxer, held the hearing on 14 March 2007 to examine strategies to end the political killings that have claimed 836 lives since President Gloria Macapagal-Arroyo assumed the presidency in 2001.

The witnesses from the Philippines were: Marie Hilao-Enriquez, secretary general of the human rights group KARAPATAN; and Bishop Eliezer Pascua, general secretary of the United Church of Christ in the Philippines (UCCP).

In her testimony, Enriquez said human rights violations in the Philippines have become worse under Arroyo's leadership and pointed to the Bush administration's "war on terror" as the culprit.

She said that the Philippine and U.S. government's anti-terrorist push "makes no distinction between armed guerrillas and unarmed activists, making the latter fair targets of political assassinations and abductions by suspected state - organized death squads."

"Arroyo's administration has curtailed civil liberties, disregarded human rights and international humanitarian laws and launched attacks on the people," Enriquez said.

RP a battlefield in war on terror

Before a jam-packed audience at the Dirksen Building, Pascua admitted that with the appalling toll of extrajudicial killings in the Philippines, even he feels afraid. More than a dozen workers from his church have been killed since 2001.

He went on to say that the fear is great among the victims' rela-

tives, neighbors, friends and followers. "You can all imagine the chilling effect among the people that these extralegal killings have been causing."

The prelate warned: "So long as our government and the police and military would always look at the whole country as a battlefield, targeting the restless and critical but unarmed citizens in their counter-insurgency program and war on terror, political killings, enforced disappearances and other forms of human rights abuses shall not abate.

"And so long as the government and the military continue to completely deny any degree of responsibility for the innocent lives that have been sacrificed, the killings will not stop. Their sense of impunity has reached to a point like that of the 'hardened heart of Pharaoh' in the Exodus story," he said.

Citizens' lobby

Pascua and Enriquez was part of a nine-member ecumenical delegation from the Philippines that flew to Washington D.C. to give a report on the unabated and unpunished series of politically motivated murders in the country. The high-level church delegation also lobbied Congress and church leaders in the U.S. to exert pressure on the Arroyo government to end the killings.

The delegation met with the House Committee on Foreign Affairs, headed by Rep. Tom Lantos (D-Calif-)



Senator Barbara Boxer (*far right*) listens to the testimony of Marie Hilao-Enriquez on the political killings in the Philippines. PHOTOS COURTESY OF ARKIBONG BAYAN

fornia), in a House briefing.

Both the Senate hearing and the House briefing were made through the efforts of church and ecumenical bodies led by the Rev. Bob Edgar, General Secretary of the National Council of Churches of Christ in the USA. Grassroots organizations in the US also lobbied Sen. Boxer, Rep. Lantos and other representatives to take up the issue while the Philippine delegation was in Washington.

President Arroyo was one of the first world leaders to endorse Bush's war on terror in 2001 and one of the first to join the so-called "Coalition of the Willing." This helped boost U.S. military and other forms of aid to the Arroyo government. Since then, there has been a constant, heavy presence of U.S. troops in the Philippines involved in counter-terrorist training and combat operations.

In her opening statement, Sen. Boxer said: "It is important we [Americans] do not have blood on our hands." She questioned how the Arroyo government uses U.S. military aid to fund counter-terrorism exercises and trainings. "If we are training the [Philippine] military with our hard-earned tax dollars, our concern about the military cannot be discounted.... the war on terror cannot be used as a excuse to kill innocent civilians."

According to the U.S. State Department military aid to the Philippines included \$70 million in Foreign Military Financing from 2004-06 and

\$2.7 million in International Military Education and Training in 2004. The Philippines also received \$148 million worth of equipment under the Excess Defense Articles program.

Other witnesses and resource persons at the hearing were: Eric John, Deputy Assistant Secretary of State for East Asian and Pacific Affairs; Jonathan Farrar, Principal Deputy Assistant Secretary of State for Democracy, Human Rights and Labor Department; T. Kumar, advocacy director for Asia and Pacific of Amnesty International USA; and G. Eugene Martin, executive director of the Philippine Facilitation Project of the US Institute of Peace.

Deputy Assistant Secretary of State John said, "As friends and allies, we are concerned about such killings, whoever is responsible, but particularly about allegations that members of the security forces have been involved. There is disagreement about the numbers of victims, but of course even one such killing is too many."

Amnesty International USA's Kumar told the investigating body that the Philippines Government's response was long delayed and inad-

equate. He said that after almost four years of rising numbers of political killings - and after intense pressure from the international human rights organizations and the United Nations - the Philippine government took some steps to "understand" the problem by creating the "Melo Commission."

Added Kumar, "It is a mystery why the Government of the Philippines failed to address this disturbing trend of political killings for all these years despite the fact that hundreds were killed for political reasons."

Tie strings on aid

Sen. Boxer, who chaired the hearing, said "it remains to be seen" if the Philippine government's assurances to solve the killings "will be followed by real and tangible actions."

The Democrat senator from California said U.S. military assistance to the Philippines should not be used for extrajudicial killing and proposed "to tie some strings around military aid." **FHR**

The Ecumenical Voice for Peace and Human Rights in the Philippines lent their support to the US Senate hearing on the extrajudicial killings. The church people marched to the Philippine Embassy in Washington, and had a brief worship service in front of National City Christian Church. PHOTOS COURTESY OF ARKIBONG BAYAN & BAYAN USA



WOMEN for JUSTICE

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Evan: keeping the faith

Evan, a Born-again Christian, said it was when she joined Hustisya! that her eyes were opened to the injustices experienced by many others.

“Nakita ko yung ibang victims, at isa yun sa nag-udyok sa akin sa Hustisya!. Hindi lang pala ako, marami pa pala. Naisip ko, it’s high time for me to make a stand,” says Evan. (I saw the other victims and their similar plight encouraged me to join Hustisya!. I wasn’t alone, there are many of us. I realized it’s high time for me to make a stand.)

A native of Davao City, she describes herself as a “plain housewife” who had never been employed. She married and gave birth to Beng before graduating from high school. Her daughter’s full name, Benjaline, is a combination of her own name and that of her husband, Benjamin.

Being a young mother, Evan seemed a mere elder sister to her children. Although she was close to Beng, she had no inkling that her daughter had gone a step further than simply writing for her school paper in Ateneo de Davao. Beng was involved in activist campaigns within and outside the campus, and had taken on tasks as a youth leader.

One day, Beng told her that she was going to work “FT” with Karapatan. *“Ano yun? San ka mag-full time, tanong ko. Hindi ko naman kasi naiintindihan yun,”* recalls Evan. (What is that? Where would you go full time? I asked. I could not understand these things at first.) Beng said it was office work and left it at that, so as not to worry her mother. She remained in school even while working with Karapatan and planned to study law to become a human rights lawyer.

“May superiority complex yun,” (She has superiority complex.) Evan jokes, describing her daughter as talkative and smart, even as a child. Beng was “lawyer material, so to speak,” says Evan.

More than a year after being a full time human rights defender, Beng could not defend herself against bullets fired at

close range by the CAFGU. Beng was killed with two other youths doing community research in Arakan Valley, site of the Tababa massacre which she investigated the year before. Beng’s face was shattered, her chest and neck riddled with bullets.

She and her companions Vivian Andrada, 18, and Crisanto Amora, 23, had bullet wounds on their palms, indicating that their hands were raised in surrender when fired upon. Also killed was Labaon Sinunday, a *lumad* (indigenous person) in his 30s. The CAFGU elements, led by a staff sergeant of the 12th Special Forces Company, even boasted to villagers how they “wiped out” the four, and “how the women cried.” Army officials later claimed it was a “legitimate encounter.”

Although Beng’s death shattered their family, Evan said they kept strong and held on to their faith. Being a Born-again Christian, she said her faith helped a lot in keeping herself together. Faith, as well as the greatness of her daughter’s cause, pushed Evan to carry on and work for justice for victims of similar atrocities.

“Nung maintindihan ko itong piniling advocacy ni Beng, nakita kong bukod-tangi talaga. Nanliliit ako dun sa kanyang naumpisahan, kaya dapat double-time ako,” she says. (When I finally understood this chosen advocacy of Beng, I saw that it is really one of a kind. I feel so little in the face of what she has accomplished, that is why I have to work double time.)

On her belated activism, Evan expresses a bit of regret. *“Unfair para sa akin na hindi ako nabigyan ng chance,*



Top left: KARAPATAN Secretary General Marie Hilao Enriquez comforts Linda and Concepcion Empeño, mother of another abducted student Karen, during one of the monthly gathering of families of victims of extrajudicial killings and enforced disappearances. PHOTOS COURTESY OF ARKIBONG BAYAN

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naging mailap noong panahon na iyon," she says. (It is unfair to me that I was not given an opportunity earlier, it seemed far from my reach then.) For all she knows, maybe her time has just arrived.

Linda: lost and found

As a young mother in the 70s, Linda juggled motherhood and her work as an agriculturist, raising her plants and five children in Los Baños, Laguna. Her husband Asher was then an employee of the International Rice Research Institute.

Linda, a native of Valladolid, Negros Occidental, sent all her children through college with her multiple jobs, including her specialization in mushroom culture. She was also "*madiskarte*" (resourceful), collecting plastic bottles, newspapers and other recyclables and selling these to a junk shop to earn extra income.

Once, Linda came home and found Sherlyn giving away her recyclables to children collecting garbage. "*Di mo alam gaano katagal kong iniipon yan,*" (You don't know how long it took for me to collect those.) she tried to reprimand Sherlyn. To which the latter answered: "*Ma, marami ka namang ibang pagkukunan, sila wala.*" (Mother, you have other sources of income, they don't.)

Her daughter became a busybody like her. "*Hindi rin siya napipirmis sa bahay,*" she says. (She could not keep still at home.)

Sherlyn was an honor student in her elementary years. In high school, she began training as a sprint runner. Linda proudly recalls how Sherlyn had to miss her high school graduation because she was competing at the Palarong Pambansa (National Games) in Cebu, where she won a silver medal, losing out to a famous sprinter, Nancy Navalta of La Union. Linda said Sherlyn was trained by another awarded athlete, Elma Muros, and even competed for the Asian games against Lydia de Vega, once dubbed "Asia's fastest woman."

As a student at the College of Human Kinetics in UP, Diliman, Sherlyn represented her college in the University Student Council. She later left home and volunteered with the local peasant alliance in Bulacan province.

"*Dini-discourage ko siya noon, na marami naman ang matutulongan dito, di na kailangang lumayo. Kita n'yo riyan, mga paslit diyan, matutulongan mo, sa pag-aaral,*" Linda recalls, (I tried to discourage her then. I told her she could help a lot of people here and she need not go far to help others. Look at the young kids who you could help send to school.) but Sherlyn was not to be dissuaded.

Linda knew her daughter was courting danger when she became an activist but she had no idea that there was such a crime as enforced disappearance.

"*Alam ko na community organizer siya. Sabi ko, ingat lang siya,*" recalls Linda. (I knew she was a community organizer. I told her to be careful.)

At around 2 a.m. of 26 June 2006, armed men believed to be soldiers and wearing ski masks, barged into two houses in Barangay San Miguel, Hagonoy, Bulacan. Some of the men were seen wearing military fatigues and combat boots. Sherlyn, then two months

pregnant, was dragged outside with Karen, whose shirt was pulled up and wrapped around her head by the soldiers.

The men also took peasant Manuel Merino who was staying in another house.

During the *habeas corpus* petition hearing at the Court of Appeals (CA), Gen. Palparan admitted that soldiers indeed captured two women in Hagonoy on the same day that Sherlyn and Karen disappeared. But he identified them as "Ka Tanya" and "Ka Lisa" who he said were conducting "extortion activities."

This, Linda says, was actually an admission that Karen and Sherlyn were abducted by Palparan's men. In November 2006, witness Oscar Leuterio, who was abducted by soldiers and CAFGU men in Bulacan in April that year, testified in court that he saw two women who looked like Sherlyn and Karen at Fort Magsaysay, where he was also detained.

The CA has yet to come out with a decision on the case.

"*Kung alam nila na may kasalanan ang isang tao, bakit hindi nila ilabas? Bakit itinatago sa family at sa public? Talagang gumagawa sila ng labag sa batas. Ako, as a mother, kailangan hahanapin ko yung nawawala kong anak, at wala akong mahingian ng assistance. Ang government, ini-ignore ang aking appeal at dun ako lalong nagagalit sa kanila,*" says Linda. (If they know that a person has committed a crime, why don't they surface her? Why do they have to keep a person from her family and from the public? They are really doing something which is against the law. As a mother, I really need to look for my missing daughter and I can not count on anyone's assistance. The government is ignoring my appeal and that makes me angry at them.)

In their search for their daughter, Linda and husband Asher have since joined Desaparecidos. Their children are all behind them in their efforts to find Sherlyn and attain justice. Linda says her children would always text her, reminding her to take her vitamins and to attend her speaking engagements.

Since Sherlyn's disappearance, Linda has come to know the many other cases of enforced disappearances. She has met members of peasant and human rights groups in Bulacan where she learned about the problems of the peasants and fisherfolk, the agrarian struggle, the need to organize, and the value of Sherlyn's work among the poor.

"*Kaya ang mga tao lumalaban, kasi hindi binibigyang pansin ng gobyerno ang maliliit. Kung me tumutulong sa maliliit, napakaheroic ng gumagawa ng ganun,*" she says. (The reason people are fighting is that they are being ignored by government especially the poor. Helping the poor is a very heroic task.)

Linda says these realizations makes her respect and love her missing daughter even more. It also gives her more reason to carry on her daughter's cause.

"*Ako, at my age, yung ginawa niya hindi ko kayang gawin pero somehow, in some ways, gusto kong tumulong sa ganung pagbabago ng ating lipunan,*" she says. (At my age, I could no longer do what she was doing, but somehow, in some ways, I want to contribute to the efforts towards changing our society.) **FHR**

Arroyo to go down in history like Marcos, say human rights victims

MANILA - "Spread the word, Gloria Arroyo and her government is guilty of crimes against the Filipino people. She is set to go down in history like the dictator Ferdinand Marcos."

Hustisya and Desaparecidos, two organizations representing victims of human rights violations, issued this statement following the verdict of the Permanent People's Tribunal's (PPT) Second Session on the Philippines at The Hague on 25 March 2007.

"We, the complainants who made the appeal to the Permanent Peoples' Tribunal to hear our charges versus Gloria Macapagal-Arroyo, are happy with the tribunal's verdict," Hustisya head convener Evangeline Hernandez said during a press conference at the Sulo Hotel in Quezon City hours after the verdict was read.

Hustisya is an organization of families and friends of victims of extrajudicial killings, enforced disappearances and other human rights violations under the Arroyo regime. Desaparecidos counts as members families of victims of enforced disappearances since the Marcos regime.

Other complainants who brought the case before the PPT were the Bagong Alyansang Makabayan (New Patriotic Alliance), an alliance of progressive people's organizations, and the Samahan ng mga Ex-detainees Laban sa Detensyon at para sa Amnestiya (Association of Ex-detainees Against Detention and for Amnesty), an organization of former political prisoners.

In a 13-page verdict read before some 300 people in Pax Christikerk in The Hague, the PPT found both Philippine President Arroyo and U.S. President George W. Bush, Jr., including their respective governments, as responsible for gross and systematic violations of human rights, economic plunder and transgression of the Filipino people's sovereignty.

The verdict, read at the conclusion of the five-day second session on the Philippines by François Houtart, Session President, described the extrajudicial killings, forced disappearances, massacres, torture and other atrocities allegedly committed by the Arroyo government as "crimes against humanity." Such violations can not be justified as "necessary measures against terrorism" and must be stopped immediately, the PPT said.

Independent body

Hustisya and Desaparecidos members said: "We are



GUILTY! The PPT jurors at the verdict. PHOTO BY JAN BEENTJES

proven correct in our belief that only a body independent of Arroyo's influence and political clout can come out with a strong verdict unlike in the Philippines where the judiciary is subjugated by the whims of the Executive and rendered useless by state terrorism."

They said they were very much elated with the verdict, even if they knew that it would not directly result to the arrest of Arroyo and her supporters. "But as she is condemned by the world as a criminal and as a perpetrator of human rights violations. For us victims, we are given hope, a glimmer of the light of justice."

The victims' kin added that like Marcos, Arroyo sowed terror and fear among the people "and now she will reap the condemnation of the Filipino people and the world."

"Mrs. Arroyo and her cohorts may have prevented the truth from coming out when she successfully blocked two impeachment trials, but they had no way to stop the glaring evidence against her in an international court," said Hustisya and Desaparecidos.

"This is the beginning of her regime's end," they declared.

"Now the truth is out and the whole world will know about her crimes: the extrajudicial killings, abductions and enforced disappearances, massacres, illegal arrests and arbitrary detention, attacks against the communities, attacks on peasants, workers, women and children."

On 30 October to 3 November, 1980 in Antwerp, the Marcos dictatorship was also tried and found guilty by the PPT following five days of hearings on charges of political suppression and abuse of power in violation of the rights of the Filipino people. The PPT also condemned the political,

economic and military complicity of the U.S. and other foreign powers. A popular uprising ousted Marcos in 1986.

Testimonies

Voluminous testimonies and evidence were presented to the PPT to find the Arroyo and Bush regimes guilty for violations of the Filipino people's political, economic and cultural rights and right to self-determination.

Several testimonies were presented live through a tele-video conference with witnesses, experts, and resource persons in Manila who were questioned by members of the jury.

Those who gave depositions and testimonies either in person or through video hook-up included Marie Hilao-Enriquez, secretary general of the human rights alliance Karapatan; Dr. Constancio "Chandu" Claver, victim of frustrated murder; Dr. June P. Lopez, an expert on torture and trauma victims; Navy Capt. (ret.) Danilo Vizmanos; UP Faculty Regent Prof. Roland Simbulan; Bishop Elmer Bolocon of the United Church of Christ of the Philippines (UCCP) and Ecumenical Bishops Forum (EBF); Elmer Labog, chair of Kilusang Mayo Uno (KMU); and Danilo Ramos of the Kilusang Magbubukid ng Pilipinas (KMP).

Philippine Senator Ana Consuelo Madrigal also appeared before the PPT as a resource person on the environment.

Respondents a no-show

The PPT placed on record that the two main accused parties - the governments of the Philippines and the U.S. and their respective presidents - were notified of the procedure through their embassies in Rome and in The Hague and invited to participate in the process and to exercise their right to defend themselves before the tribunal.

It quoted media reports in the Philippines and The Hague that qualified representatives of the Arroyo administration expressed confirmation, through their contradictory statements, that the government had been duly informed in a timely manner but did not actively participate in the processes despite the presence of Philippine authorities in the PPT's opening session on March 21.

The public hearings of the PPT were held in the Christus Triumphator Kerk in the Hague for over three full days (March 21-23) and the deliberations of the Jury in closed-door sessions lasted from the evening of March 23 until the presentation of its verdict on March 25.

International jury

The Tribunal, composed of six internationally-eminant persons, also

What is the PPT?

The Permanent Peoples' Tribunal (PPT) is an international opinion tribunal, independent from any State authority. It examines cases regarding violations of human rights and rights of peoples.



Promoted by the Lello Basso International Foundation for the Rights and Liberation of Peoples, the PPT was founded in June 1979, in Bologna, Italy, by a broad spectrum of law experts, writers, and other cultural and community leaders (including five Nobel Prize laureates) from 31 countries. PPT is rooted in the historical experience of the Russell Tribunals on Vietnam (1966-67) and the dictatorships in Latin America (1974-1976). The importance and strength of decisions by the PPT rest on the moral weight of the causes and arguments to which they give credibility, and their recognition in the UN Commission on Human Rights.

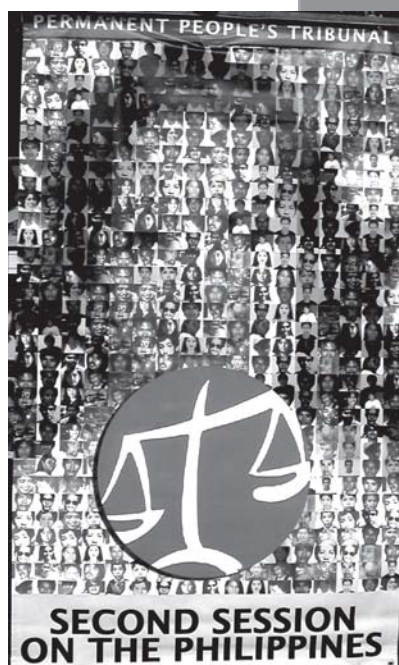
Complaints heard by the Tribunal are submitted by the victims, or groups or individuals representing them. The PPT calls together all parties concerned and offers the defendants the possibility to make their own arguments heard. The Jury is selected for each case by combining members who belong to a permanent list of jurors, and individuals who are recognized for their competence and integrity.

The PPT has held 32 sessions from June 1979 to the present.

The PPT's verdict

The decisions of the Tribunal with respect to the accusation and charges against President's Arroyo, Bush and their governments, as reported in par. 3, are as follows:

1. The wealth and consistency of the oral and written documentation made available through witnesses and expert reports has convinced the PPT that each and all of the three charges presented against Gloria Macapagal-Arroyo and her Government, and against George Walker Bush and his Government, are substantiated.
2. The PPT underlines that the charges cannot be considered separately nor independently. The atrocities of extra-judicial killings, of massacres, of tortures, of communities destroyed and dispersed are the visible and dramatic expression of one strategy, which has its continuity and effectiveness in the mechanism and instruments documented with



...from what is PPT?

respect to chapter 2 and 3.

3. The extension and the systematic nature of the violations of the rights of the Filipino people committed by the governments of Mrs. Gloria Macapagal-Arroyo and with the support and full awareness of the government of George Walker Bush, qualify the same violations as crimes against humanity, with all the consequences for the persons who are responsible for them. Such violations must be stopped immediately.
4. The Philippine government and the Bush administration have knowingly and willingly colluded with each other in implementing the U.S.'s so-called "war on terror" in Southeast Asia and in the Philippines in violation of national sovereignty and territorial integrity, violating the Philippine Constitution which bans the presence of foreign troops and nuclear weapons on Philippine soil.
5. The PPT has found unequivocal evidences that the militaries have a central role in the greatest majority of the scenarios of human rights violations in the Philippines. The PPT however wants to underline the highly misleading role of the recurrent debates on the direct vs. indirect involvement of the military forces in one or the other individual case. The AFP is a structural component and instrument of the policy of the "war on terror" declared jointly by the Philippines and the US. Governments, as a comprehensive label to justify all illegal actions and their impunity.
6. The PPT denounces as unacceptable the inclusion of the Government of the Philippines in the UN Human Rights Council:
 - It undermines the credibility of the UN in this field;
 - It is an intolerable offense to the victims;
 - It is a denial of the many well documented denunciations of the dramatic violations of human rights in the Philippines.

As Permanent People's Tribunal and part of the larger human family, we recognize that the dramatic and worsening human rights situation in the Philippines is the responsibility of us all, not just those who struggle for their rights in that country. We commit ourselves to strengthen our efforts to defeat those powers which, under pretext of the so-called "war on terrorism" and in the mantle of "market- and profit-driven globalization", deprive the marginalized of a life in justice, dignity and peace.

This commitment includes a sharp attention to the safety of the witnesses who courageously have contributed to the fact-finding task of the tribunal. If anything would happen to any of them, we will hold the government of the Philippines responsible for that. (For the full version of the verdict of the PPT Second Session on the Philippines, log on to www.philippinetribunal.org)

named the Armed Forces of the Philippines (AFP) as having "a central role" in the atrocities, adding that the military was a "structural component and instrument of the policy of the 'war on terror' in the Philippines" declared by both Arroyo and Bush.

The Tribunal jurors also denounced as "unacceptable" the inclusion of the Arroyo government in the UN Human Rights Council (UNHRC). The Philippine membership, the jurors said, undermines the credibility of the United Nations particularly on human rights and is "an intolerable offense" to the victims.

Aside from Houtart, who is from Belgium and Director of the Centre Tricontinental (Cetri), the PPT jurors included: Oda Makoto (Japan), a well-known novelist and social activist; Ties Prakken (The Netherlands), professor in criminal law at the Maastricht University; Oystein Tveter (Norway), a lawyer, former Director of the Karibu Foundation and former foreign ministry official in South Africa and Zambia; Irene Fernandez (Malaysia), a lawyer, social development expert and head of the NGO Tenaganita; and Lilia Solano (Colombia), 2005 Right Livelihood Awardee (alternative Nobel) and Director of Project for Life and Peace.

Richard Falk (USA), professor emeritus of international law at Princeton University and Hans K ochler (Austria), president of the International Progress Organizations were also assigned as members of the jury but were not able to participate due to academic commitments.

PPT General Secretary Gianni Tognoni served as moderator of the proceedings.

Houtart and Makoto were also members of the jury during the PPT's first session on the Philippines in 1980 which tried the Marcos dictatorship. That PPT's guilty verdict became a major factor in the Marcos dictatorship's isolation in the international community, leading to its ouster six years later.

Transmission to UN, ICJ

Houtart said that although the verdict may be legally non-binding, it is nevertheless "morally binding" and will be transmitted to the United Nations, the International Court of Justice, the European Parliament and various foreign governments. Tognoni said that the transmittal to these bodies will be a major step towards focusing world attention on the human rights crisis in the Philippines. World opinion, the PPT general secretary said, will add more pressure to the U.S.-supported Arroyo government to stop the killings.

Dr. Angela Gonzales, Executive Director of the International Coordinating Secretariat for the PPT's second session on the Philippines says the tribunal's verdict will be transmitted to other international bodies, both government and non-government. (With a report from The Hague) **FHR**

Tens of Thousands Marched at the Pentagon against Iraq war

WASHINGTON, D.C. – More than 50,000 people braved the snow and freezing rain on 17 March 2007 to join the march at the Pentagon to protest the war in Iraq.

Dubbed as the U.S. component of the world-wide protests marking the beginning of the fifth year of the war against Iraq, the march was led by a contingent of Iraq war veterans, active-duty service-members, Gold Star families, and veterans from other past and present wars.

The demonstration received a large amount of media coverage. The rally was broadcast live on C-span and Al-Jazeera while CNN featured the demonstration. The major French newspaper, Le Monde, published a long article on the rally.

The march at the Pentagon was one of more than 1,000 protests that took place in the U.S. between 17 March and 20 March. In Los Angeles, the A.N.S.W.E.R. Coalition called a demonstration that drew a crowd of about 50,000.

The ANSWER demonstration on 18 March in San Francisco mobilized 50,000 protesters who filled 15 blocks of Market Street, a six-lane avenue.

The march at the Pentagon took place the day after a severe winter snow and sleet storm suddenly hit northeastern states that prevented many buses from traveling, 700 flights from taking off, and thousands of cars from reaching the march. People marched to the Pentagon and stayed as long as they could braving 20 mile-an-hour winds.

The lead banner of the march demanding “US Out of Iraq Now” was carried by Cindy Sheehan, Cynthia McKinney, Jonathan Hutto co-founder of Appeal for Redress, Mahdi Bray, Executive Director of the Muslim American Society Freedom Foundation, Salt

Lake City Mayor Rocky Anderson and youth and students in the anti-war movement.

Police prevent people from joining the rally

The Pentagon and Virginia State Police, many clad in riot gear, wearing gas masks and wielding batons, blocked people coming from the subway/metro who wanted to attend the demonstration. They also blocked buses from accessing the Pentagon in contravention of the agreements reached in the permit.

Many people who came to the rally after it had begun - some who had seen the huge march at a distance as it crossed over the Memorial Bridge across the roadways and wanted to then join the activity - were blocked by the Pentagon and the police from entering the rally site through a maze of misdirection, road closures and threats of arrest at multiple different locations.

The ANSWER Coalition worked to get people in, and ANSWER organizers and their attorneys went to the site of sudden police confrontations and shutdowns, but many people were still unable to get in including the hip-hop artist Immortal Technique who was scheduled to perform. (ANSWER Report) **FHR**



PHOTO COURTESY OF ANSWER Coalition.org

Canadian unions concerned on human rights violations in RP

VANCOUVER, B.C. - The arrest of Philippine legislator Satur Ocampo on 16 March 2007 and the intensifying human rights violations and political repression in the Philippines has sparked international concern, including that of Canadian labour unions.

The B.C. region of the Public Service Alliance of Canada (PSAC), one of Canada's largest unions, co-sponsored the forum **"Building People to People Solidarity"** on 22 March, which also coincided with the Permanent People's Tribunal: Second Session on the Philippines in The Netherlands. The event was held at Bonsor Recreation Complex in Burnaby.

Kay Sinclair, Regional Executive Vice-President of the PSAC for B.C. shared, "We need to build awareness amongst our members and other trade unionists about the grave political situation, for trade unionists and other activists, in the Philippines."

"It is part of our effort towards international solidarity," added Sinclair.

The forum gathered people from trade unions, local Filipino-Canadian and Indigenous Filipino community

and human rights groups.

The forum was endorsed by the Vancouver District Labour Council.

One of the speakers in the forum was Dr. Constancio Claver, chair of Bayan Muna (People First) Party in Kalinga province and member of Hustisya! (Justice) *Victims of the Arroyo Regime United for Justice*. Dr. Claver survived an assassination attempt on July 31, 2006 in which his wife Alyce was killed.

Other speakers included: Ted Alcuitas, member of the BC Committee for Human Rights in the Philippines and Jennifer Efting, Hospital Employees Union staff and Bus Riders Union organizer who both recently returned from the Canadian Fact-Finding Mission to the Philippines held in November 2006. (BCCHRP Report)

RIGHTS 101

from page 16

When is an arrest legal?

An arrest is legal if there is a warrant of arrest. An arrest can also be legal even without a warrant if the person making the arrest (which can be anyone) has personal knowledge that the crime for which the arrest is made has been committed or is about to be committed by the person being arrested. When a person making a warrantless arrest is only told about the commission of a crime, then the arrest is illegal for s/he has no personal knowledge of the crime.

An arrest is also illegal when the arresting person fails to inform the arrested person why s/he is being arrested. When the crime filed in court is not the crime you were arrested for, then the detention or the arrest is illegal.

What are the legal remedies for illegal detention?

When no complaint has been filed against the arrested person, a habeas corpus petition can be filed. Anybody who has interest in the person so detained,

and not necessarily an immediately family member, can be the petitioner in the said habeas corpus case. A criminal case for arbitrary detention or a civil case for damages can also be filed.

If a criminal complaint is filed after the required period after the arrest, one can file a criminal complaint for delay in the delivery or a civil case for damages.

What must one remember if one is detained or abducted?

Stay calm, observe everything and put all details into memory. Remember especially the names of your detainers and the places that you are brought to. Insist on your right to be free at all times. **FHR**



Pastor Berlin Guerrero, abducted by Navy forces, shows his torture marks

Victims, rights groups present cases to UN Rapporteur

WITNESSES AND RELATIVES OF about 20 victims whose cases were documented by KARAPATAN presented their cases to UN Special Rapporteur on Extrajudicial Killings Prof. Philip Alston at an undisclosed place in the morning of 14 February 2007.

Among the cases presented were those of Armando Javier, Jr. and Romeo Malabanan, both victims of extrajudicial killings by suspected state security agents.

Javier, Anakpawis (Toiling Masses) Party List municipal coordinator of Cuyapo, Nueva Ecija, was fatally shot in his home on 2 October 2005 by suspected soldiers. His wife Josie was also shot but survived. Prior to his murder, Javier reported being harassed by soldiers deployed in the area.

Malabanan, Bayan Muna Coordinator of Bay, Laguna, was shot in front of his home on 23 December 2003.

Javier's wife Josie said, "As I thought of my husband on Valentine's Day, I hoped that Prof. Alston would really listen to our story and would do everything in his power to give us justice; this would indeed be a good



Families of victims with Professor Alston
PHOTO FROM KARAPATAN

Valentine's gift."

Josie and Malabanan's daughter Glendyl lamented, "We have presented our cases to the Commission on Human Rights, to Congress and to media so that Arroyo would hear our plight but justice had not been served and the killings have not stopped."

Families of victims of extrajudicial killings in northern Philippines were able to meet with Alston on 16 February in Baguio City. He was touched by the vivid account of Hipolito Asucena about the killing of his son Nelson by

continued on next page

Peace talks consultant abducted, still missing

CAGAYAN DE ORO CITY— A consultant to the peace talks between the government and the National Democratic Front of the Philippines (NDFP) was snatched by six heavily armed men in broad daylight on 19 February 2007 in this city.

NDFP consultant to the peace process Leo Velasco, who was implicated in last year's controversial rebellion case against 51 individuals, including six leftwing lawmakers, was manhandled and abducted by armed men who introduced themselves as government agents near Aguinaldo and Yacapin streets at about 10:30 a.m.

Witnesses said Velasco was forced into into a gray Mitsubishi L300 van with license plates LCV-513. They also said the abductors used a black Toyota Revo back up vehicle with a license plate ending in "692".

Army, police denial

Despite witnesses' accounts, the local police and the Army's 4th Infantry Division (ID) claimed to have no record of the abduction.

"We are not aware of that," said Army Maj. Samuel Sagun. "As far as the 4th ID is concerned, it never happened."

Witnesses said one of the armed men wore a sleeveless jacket with the markings "CIDG." The Criminal Investigation and Detection Group (CIDG) denied its agents were involved in the abduction.

The Armed Forces of the Philippines (AFP) denied having custody of Velasco, who is among those charged with rebellion by the Department of Justice in the aftermath of the declaration of a "State of National Emergency" in February last year.

In a statement sent to media, the Families of Desaparecidos for Justice (DESAPARECIDOS) called on

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Soldiers kill nine-year old in Compostela Valley

By Kelly Delgado and Cora Larobis

COMPOSTELA VALLEY – On 31 March 2007 at around 8:00 in the morning, Grecil Buya, 9, and her brother Gary, 6, asked permission from their parents Gregorio Galacio and Virginia Buya to go to the nearby river to take a bath.

At around 8:30 a.m., the kids heard gunfire. Gary called out to her elder sister and hurriedly ran off out of fear, leaving Grecil behind.

Meanwhile, Gregorio and his wife with their two other young daughters ran away from their house upon hearing the sound of gunfire.

When the gunfire subsided, Grecil was found dead a few meters away from their house. A bullet hit her right elbow while another pierced the left side of her head, blowing off her brains.

On 2 April 2007, the Philippine Daily Inquirer (a national broadsheet) quoted the Armed Forces of the Philippines (AFP) as declaring that Grecil was a child combatant and that she was killed during an encounter between AFP soldiers and NPA (New People's Army) guerillas.

Soldiers even showed the barangay captain a photo of the dead Grecil with an M-16 lying beside her.

A resident who fled the area, however, reported that the gunfire came from above ("sa taas"), where a platoon of the 8th Infantry Battalion under 2nd Lt. Francis John Gabawa was positioned.

Grecils' neighbors and Barangay Capt. Eulogio Almasa attested that there was no rifle and ammunition beside Grecil's remains when they found her. Almasa also vouched that Grecil nor any member of her family was with the NPA.

In fact, just a few days prior to her death, on March 27, 2007, Grecil finished second grade at the Simsimin Elementary School with class citations. She was almost the same height as the rifle she allegedly carried, which when loaded would be heavy even for an adult to carry, much more a small nine-year old girl. **FHR**



Grecil just finished Grade 2 a few days prior to her killing by soldiers.

Two political prisoners gain freedom

By Dennis Abarrientos

CEBU – Two political prisoners were released from the Cebu Provincial Rehabilitation and Detention Center separately on January 9 and 10 this year.

Antonio Castillon, 36 years old, a Bayan Muna member and campaigner of former Asturias Vice-Mayor Martin Seguarra, was released at 9 a.m. of January 10 after Judge Gaudencio Villarin of the Regional Trial Court (RTC) 7, Branch 59 of Toledo City dismissed the charge of arson against him.

Castillon was arrested on 19 August 2001 on suspicion of being a New People's Army (NPA) rebel and was charged with a criminal offence.

A day before Castillon's release, at about 2 o'clock in the afternoon, another political prisoner, Teodoro Sericon, was also released after a year in detention. Sericon, 49, is a member of SELDA, an organization of former political prisoners.

Sericon was arrested on 1 January 2006 on allegations of leading a rebel attack on an army camp the previous year.

The two released political prisoners vowed to work for the freedom of others arbitrarily arrested and unjustly imprisoned. They also vowed to help put a stop to the political killings and other forms of political persecution.

Four more political prisoners are still languishing in Cebu jails, namely Gerard Lavadia, Sharon Abangan, Jigger Geverola and Jose Suplaag. Currently, there are 248 political prisoners all over the country. **FHR**

Peace talks consultant ...from page 19

government security forces to respect Velasco's right to life.

"Whether rebel or not, a person has the right to life and the right not to be tortured. Ironically, the government is the first to violate such right," said Ghay Portajada, Desaparecidos spokesperson.

Peace consultant

NDFP Negotiating Panel Chairperson Luis Jalandoni demanded the immediate surfacing and release of Velasco who, he said, is covered by safety and immunity guarantees as a duly accredited person in the GRP-NDFP peace negotiations.

Jalandoni further stated that Pres. Gloria Macapagal-Arroyo, as Commander-in-Chief of the AFP and the Philippine National Police (PNP), is accountable for Velasco's involuntary disappearance. "Mrs. Arroyo is accountable for this grave violation of the Geneva Conventions, the International Covenant on Civil and Political Rights (ICCPR), the GRP-NDFP Joint Agreement on Safety and Immunity Guarantees (JASIG) and the GRP-NDFP Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL), under the universally recognized and applicable principle of command responsibility," he said.

The NDFP is further holding General Hermogenes Esperon, AFP Chief of Staff, and Major General Jose Barbieto, Commanding General of the 4th Infantry Division of the Philippine Army based in Cagayan de Oro, accountable for Velasco's enforced disappearance.

Case lodged at the UN

The United Nations Working Group on Enforced or Involuntary Disappearances (UNWGEID) acknowledged receipt of Jalandoni's letter to Arroyo dated 26 February 2007 that protested "in the strongest terms" the involuntary disappearance of Velasco.

The NDFP negotiating panel filled up a form sent by the UN WGEID in order to start the process of filing an official complaint with the UN special body.

The NDFP, said Jalandoni, is also planning to file complaints against Arroyo, Esperon, retired generals Jovito Palparan and Pedro Cabuay, including other generals and high officers of the AFP and PNP who are accountable for the enforced and involuntary disappearances of other NDFP consultants, personnel and immediate relatives, namely:

- Rogelio Calubad and son Gabriel, abducted 17

June 2006

- Prudencio Calubid, his wife Celine Palma, and their companions Gloria Soco and Ariel Beloy, abducted 26 June 2006, together with Antonio Lacno who managed to escape and gave a written testimony of the abduction
- Leopoldo Ancheta, abducted 24 June 2006
- Philip Limjoco, abducted 8 May 2006

Jalandoni condemned the "brazen abduction committed by government agents on 19 February even while UN Special Rapporteur Professor Philip Alston was in the Philippines conducting an investigation on extrajudicial killings and summary executions."

The NDFP, he said, is determined to seek justice for the victims of involuntary disappearances specially the NDFP consultants, personnel and their immediate relatives. **FHR**

Victims, rights groups ...from page 12

soldiers led by Lt. Marcelo Pascua of the Alpha Company of the 21st Infantry Battalion.

The 51-year-old Hipolito recounted how his son was shot with M16 and M14 rifles by soldiers in their house on the night of 13 December 2006. Nelson was only 19 and a Sangguniang Kabataan (youth council) official in their village.

On 19 February, in Davao City, relatives of victims came from as far as Basilan, Tandag and Marilog to tell Alston their stories of pain and horror. Alston heard testimonies on the death of peasant leaders Sofronio Enoc, Hermelino Marqueza and Dalmacio Gandinao of the Bulane massacre in Davao del Sur and the murder and frustrated murder of striking banana workers from Compostela Valley, among others.

In Manila, the Philippine human rights watchdog KARAPATAN explained to Alston the pattern of violence that point to a state policy behind the killings. KARAPATAN Secretary General Marie Hilao-Enriquez said, "We explained to the UN human rights team that the nationwide scope of killings being attributed to state security forces can only be a result of a directive from the Philippine government."

Enriquez also expressed concern that the coming passage of the Anti-Terrorism Bill would worsen the situation, especially with the continuation of the Oplan Bantay Laya program. **FHR**

The Battle of Bud Dahu

or the 1906 U.S. war on terror

BY DEE AYROSO



MARCH 7 THIS YEAR marked the 101st year of the Battle of Bud Dahu, one of the fiercest cotta battles in the Moro-American War (1898-1913).

The Moro-American War erupted as the natives of Mindanao and Sulu fought off the American colonizers who insisted on imposing their rule as part of the Treaty of Paris, in which Spain sold the Philippine Islands to the US for \$20 million.

In June 1903, the American colonizers created the Moro Province, with Leonard Wood as the appointed governor general. Wood enforced colonial authority by ordering disarmament and imposing taxes, including road taxes and a P2 head tax. The American impositions reaped hatred and discontent among the Moros, who were never defeated by Spanish colonizers.

It was in March 1906 when some 1,000 Tausugs fortified themselves in Bud Dahu in Patikul, Sulu, in defiance of American authority. "We will never submit to America...we will fight until we can no longer hold the kris aloft," a negotiator quoted the leader of the besieged Moros in Bud Dahu. The Tausugs were ready to defend their people, their land, and Islam against the foreign aggressor.

The Tausugs built their trenches in the crater on top of Bud (mountain) Dahu, an extinct volcano with an altitude of 2,100 feet. Against some 1,000 Moros armed with *kris*, spears and rocks, Gen. Wood sent 790 rifle-armed soldiers, backed up by artillery such as canons, heavy mountain guns and machine guns fired from the gunboat *Pampang*. Still, the unwavering Moros proved to be one of America's bravest



A Tausug warrior and his kris.

adversaries. They barricaded themselves in the crater, hurled huge rocks and made grenades from sea shells filled with gunpowder. When the walls came down, they rushed with their *kris* and died fighting. The battle lasted for two days, from March 6 to 7. Twenty-one American soldiers were killed and 75 were wounded. Only six people came out of Bud Dahu alive, with several historical accounts estimating the body count at 800 to 1,000 Moros.

Other battles in the Moro-American War saw the Moros fighting to death in cotta or *kuta* fightings, and the colonizers proceeding with their overkill: such as the Battle of Padang Kerbala and the Battle of Bud Bagsak, where unarmed women and children were among the dead. Although the Americans eventually defeated the Moro resistance, the latter's defiance persisted even after the colonizers turned over governance to succeeding Christian-dominated regimes.

Today, under the Visiting Forces Agreement, the US regularly sends hundreds of soldiers and military officials, armed to the teeth with their modern weaponry and equipment, and riding their war vehicles to Sulu, Mindanao and other areas in the Philippines, ironically, under the guise of trainings for counter-terror combat operations and intelligence gathering. As if they were not responsible years ago for the overkill battles and the carnage of the innocent. **FHR**

Sources:

Tausug resistance to American Occupation (1989-1913), article by Madge Kho, Philippine Centennial Celebration at www.msc.edu.ph/centennial/index.html
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ON ARRESTS & DETENTION

BY ATTY. REX J. MA. FERNANDEZ

What is detention?

Detention is a situation where one is deprived of the freedom to go around. It usually follows an arrest or abduction.

In legal language, detention is what is called a deprivation of liberty. According to the Supreme Court, deprivation of liberty does not necessarily mean being tied down or imprisoned. It occurs whenever one is effectively restrained from going around. The degree of force, threat or intimidation used to consider one detained is that which can effectively restrain a person from going around. It can range from imprisonment to a mere "no" from a person with some moral ascendancy over another.

What must one do when detained?

If the detention is illegal, as is the case in most abductions or kidnappings, one must find a way to escape without being killed or harmed. When the detention is legal, one must avail of legal remedies. Legal remedies are still the best option even when the detention is illegal and there is no way to escape.

When is detention legal?

Detention is legal when the person or group doing the detaining has the authority to do so and it is done within the parameters of the proper legal process. Generally, it is the police that is given the authority to arrest and detain persons. But not all detentions done by the police or any government official, especially members of the armed forces, are legal.

Detention is legal only when the arrest is legal and when there is a filed complaint or information against the detainee. An arrest may be legal but the eventual detention becomes illegal when there is no complaint or information filed within the period of time given which is usually 12, 18 and 36 hours after arrest, including Sundays and Saturdays.

...continued on next page 11

We'll exhibit your artworks here.
send us photos, illustrations, paintings
and other works of art in digital
image via e-mail. Please don't
forget that the theme should be on
human rights.

FHR

POETRY

Lina

BY ALEXANDER MARTIN REMOLLINO

To us, it was like a sudden rain in summer
when death stopped the heart that beat
for those whom false gods sought to strip
of their humanity

for raging against the inhuman life
foisted by a few on the many,
the heart that burned like a prairie fire
when those who were trampled upon
were being tempted to betray themselves
for thirty pieces of silver.

It was like a sudden rain in summer,
and the rain will be long and hard.

But we shall last through the rain
with the thought that your heart continues to beat
in every breast that's filled with yearning for the day
when it's no longer a crime
to loathe the life unfit for humans.

*(In memory of Myrna "Ka Lina" Fajardo,
outstanding human rights activist, 1959-2006)*

The HR Gallery



"ESTADO" Artwork by BOY DOMINGUEZ

Dominguez, a multi-talented visual artist has been selflessly contributing his talent to various people's organizations. He is known for working on ethnic themes and colorful dynamic style