



# STATE TERROR AND MARTIAL RULE

## *KARAPATAN REPORT ON THE HUMAN RIGHTS SITUATION 2006*



**SEDA**

**T**HE YEAR 2006 IS THE WORST FOR HUMAN RIGHTS SINCE THE TOPPLING OF THE MARCOS FASCIST DICTATORSHIP IN 1986.

The Gloria Macapagal-Arroyo regime ran roughshod on the Filipino people's civil liberties and human rights as it imposed a state of martial rule and launched a campaign of terror in an effort to desperately cling to power. Propped up by the United States government, the Arroyo regime was able to muster enough political, military, and economic resources to launch a counter-offensive against those seeking to oust her from power.

On February 24, the 20<sup>th</sup> anniversary of the EDSA People Power uprising which toppled the Marcos fascist dictatorship, the Macapagal-Arroyo administration placed the country in a "State of National Emergency" through Presidential Proclamation 1017 (PP 1017). Copied almost word for word from Proclamation 1081 of former President Ferdinand E. Marcos, PP1017 ordered the Armed Forces of the Philippines (AFP) "to maintain law and order throughout the Philippines, prevent or suppress all forms of lawless violence as well as any act of insurrection or rebellion and to enforce obedience to all decrees, orders, and regulations..." It issued General Order no.5, which empowered the government to take over any institution in the interest of national security.

While it did not specify the powers vested in the AFP and the Philippine National Police (PNP), it gave them the go signal to attack the Filipino people's rights. PP 1017 was lifted a week after but the Arroyo regime did not relent from using its martial law powers to suppress opposition to its rule.

Violent dispersals of rallies were justified by the Calibrated Preemptive policy issued on September 21, 2005, the 32<sup>nd</sup> anniversary of the imposition of Martial Law. Even as this policy was declared as unconstitutional by the Supreme Court (SC) in April, 2006, a permanent ban on rallies was imposed in areas surrounding Malacanang Palace. Likewise, protest actions near the U.S. embassy were not allowed.

In an effort to curtail press freedom, the Philippine National Police (PNP) raided the office of the Daily Tribune during the early morning of February 25. It also attempted to issue media guidelines and warned media organizations that the police will be monitoring broadcasts and publications. The Arroyo family also filed an unprecedented 43 libel suits against journalists exposing corruption cases involving them.

The government arrested military officers and soldiers it accused of planning destabilization plots and would have them face court martial.

But the brunt of the campaign of terror was directed against the Left.

Under the sponsorship of the U.S., the Arroyo regime launched and intensified its local version of the “global war on terror.” With the support of U.S. military aid and training, and the participation of U.S. combat forces the Arroyo regime conducted a “dirty war” against the Left.

At the start of the year, the Arroyo government, through its Cabinet Oversight Committee on Internal Security, came up with an Enhanced National Internal Security Plan (NISP). The Enhanced NISP, which intensified the implementation of Oplan Bantay Laya (OBL or Operation Guard Freedom) is aimed at decisively defeating the insurgency by the end of Arroyo’s term. By June 2006, the Arroyo government allotted an additional P1 billion for counterinsurgency

However, OBL is directed not only against the Communist Party of the Philippines-New People’s Army-National Democratic Front of the Philippines (CPP-NPA-NDFP), the Moro Islamic Liberation Front, and the Abu Sayyaf Group. It also targets the legal Left, which the AFP classifies as “sectoral front organizations.” “Knowing the Enemy,” a video presentation produced and being propagated by the AFP lumps together a broad range of progressive, church and media organizations and personalities and labels them as “communist front organizations.” This made them fair game for both covert and overt military operations.

Immediately after the declaration of a state of national emergency, the Arroyo government attempted to arrest progressive partylist representatives of Bayan Muna, Anakpawis, and Gabriela Women’s Party. They, together with prominent personalities of these parties, were falsely charged with rebellion on the basis of fabricated evidences and statements of military assets.

Extrajudicial killings and abductions continue to escalate, averaging three political killings per week. **From January to November of this year, KARAPATAN documented 185 political killings.** The number of victims of enforced disappearances this year reached **93**, the highest in the six-year presidency of Mrs. Arroyo.

Majority of the victims of extrajudicial killings and abductions this year were leaders and members of progressive partylists and people’s organizations.

However, the Filipino people’s assertion of their rights did not waver. Public demonstrations and protest actions of varying forms have defied the undeclared martial law and campaign of terror of Mrs. Arroyo.

The families of victims of human rights violations under the Arroyo regime banded together to form their organization called ***HUSTISYA! Victims of Arroyo Regime United for Justice***. Hustisya serves to galvanize their efforts at seeking justice and amplify their calls to put a stop to human rights violations.

The strong campaign against extrajudicial killings, enforced disappearances and other forms of human rights violations and the gravity of the situation have put the Arroyo regime on the defensive.

The involvement of government security forces and the impunity in the commission of these abhorrent crimes against humanity has exacerbated public distrust on the administration and has generated concern in the international community.

The general public does not believe the government's claims that most of these killings were a result of an internal purge within the CPP and that human rights groups are exaggerating the issue of political killings to destabilize government.

In response to local and international pressures to stop the killings, Pres. Arroyo was compelled to denounce political killings during her State of the Nation Address in July. It was however, a feeble condemnation as she commended Maj. Gen. Jovito Palparan, a notorious human rights violator, for his contribution to the advancement of the government's counterinsurgency program.

Subsequently, she was forced to form the Task Force Usig and Melo Commission purportedly to investigate cases of extrajudicial killings. But the government task force was clearly attempting to whitewash the cases and justify the official stand of the AFP and the government regarding the killings. The integrity of the commission, on the other hand, was immediately put into question because of its composition, and vague mandate and procedures.

Statements of concern did not ease as political killings further intensified. The government of Finland, the European Union, Wal Mart, U.S.-based clothing companies, and recently, the Joint Foreign Chambers of Commerce added their voice to the international campaign against political killings in the Philippines.

The worsening state of human rights in the country is thus, in a state of further deterioration.

## MAIN TRENDS IN THE HUMAN RIGHTS SITUATION

### 1. *IMPUNITY IN EXTRAJUDICIAL KILLINGS*

The rising extrajudicial killings committed with impunity, continue to be the utmost concern in this year's human rights situation. KARAPATAN documented 185 extrajudicial killings from January to November. This has put the total number of victims from January 21, 2001 to November, 2006 to 797. Table 1 shows the breakdown of killings by year.

TABLE 1. TALLY OF VICTIMS OF EXTRAJUDICIAL KILLINGS PER YEAR

YEAR	NO. VICTIMS
2001	101
2002	122
2003	125
2004	75
2005	189
2006 (January to November)	185

Majority of the victims for 2006, numbering 96 persons, were leaders and members of progressive party lists and militant people's organizations. This represents a 33% increase in the number of political activists killed compared to 2005. This shows that the policy to target legal Left personalities continues and is even intensifying. Even human rights advocates were not spared from the spate of political killings.

Table 2 lists down the leaders of provincial and regional sectoral organizations who were killed during the year.

NAME	ORGANIZATION	DATE OF INCIDENT	PLACE OF INCIDENT
1. Abner Dalan	Anakpawis Coordinator	23-Jan-06	Camarines Norte
2. Crisanto "Santi" Teodoro	Bagong Alyansang Makabayan-Sec. Gen, Bayan Muna member, Malolos Bulacan	9-Mar-06	Bgy. Santisima Trinidad, Malolos, Bulacan
3. Tirso Cruz	ULWU Director, Coordinator-AP	17-Mar-06	Barangay Pando, Concepcion Tarlac
4. Cris Hugo	NC member, LFS	19-Mar-06	Barangay Washington Drive, Legazpi City
5. Rev. Jemias Tinambacan	member of Promotion of Church People's Response-Western Mindanao (PCPR); an active member of Gloria Step Down Movement	9-May-06	Along national highway in Brgy. Mobod, Oroquieta City
6. Elena Mendiola	Regional Coordinator, Bayan Muna Cagayan Valley	11-May-06	Garet Sur, Echague, Isabela
7. Jose Doton	BAYAN-Pangasinan-Secretary General	17-May-06	on the way to San Nicolas town proper
8. Jayson Delen	BM Secretary General Camarines Norte	27-Apr-06	Litana St. Brgy. Gubat, Daet. Camarines Norte
9. Noli Capulong	Bayan Muna Sec. gen	27-May-06	Calamba, Laguna
10. Sotero Llamas	former NDFP Peace negotiations consultant	29-May-06	Tagas, Tabaco, Albay

11. Markus Bangit	CPA-Kalinga	8-Jun-06	Echague, Isabela
12. Eladio “Jazz” Dasi-an	Vice Chair of the Guihulngan Anti-Mining Alliance; supporter of Bayan Muna; KARAPATAN-CVIS member	20-Jun-06	Guihulngan, Negros Oriental
13. Paquito Diaz	Regional Chairperson – COURAGE	6-Jul-06	about five (5) meters outside his abode in Tacloban City, Leyte
14. Madonna Castillo	ANM-Isabela, former General Secretary, Anakpawis- Isabela	20-Jul-06	Gabuat Cellphone Center, in front of ISU Echague Campus
15. Ernesto Ladica	secretary, MisOr Farmers Association	26-Jul-06	Looc, Salay, Misamis Occidental
16. Victor Olayvar	Bayan Chair-Bohol	7-Sep-06	Bridge Caban, Brgy. Cabuntod, Danao, Bohol
17. Bishop Alberto B. Ramento	Chair of IFI Supreme council of bishops, KARAPATAN-Central Luzon chairperson	3-Oct-06	Espinosa St., Bgy. Poblacion, Tarlac City
18. Rodrigo Catayong	KATUNGOD-Eastern Samar; chairperson	5-Nov-06	in front of the Catholic Church in the town of MacArthur of East Samar
19. Manny de los Santos	AMG Provincial Council member	11-Jun-06	Oliveti Bongabon, Nueva Ecija

**TABLE 2. PROVINCIAL AND REGIONAL SECTORAL LEADERS KILLED**

**Cris Hugo**, 20 years old was a National Council Member and Regional Coordinator of the League of Filipino Students (LFS), a militant national student organization being labeled by the AFP as a “front organization.”

Witnesses revealed that Hugo had been receiving death threats since 2005. Early this year, two men went to the Bicol University registrar’s office to copy Hugo’s class schedules.

On March 19, 2006, two motorcycle-riding men shot Hugo in Barangay Bagumbayan, Washington Drive, Legazpi City, Albay. He was immediately rushed to the Bicol Regional Training and Teaching Hospital (BRTTH) but was declared dead on arrival. *(Please see Appendix C)*

Last June, KARAPATAN-Central Visayas had warned that **Victor Olayvar**, Chairperson of Bagong Alyansang Makabayan in Bohol together with three other activists in the province had been marked for execution by the military.

Olayvar was shot dead on September 7. According to the fact-finding mission report of KARAPATAN-Bohol, Olayvar had been under surveillance by the military for three months prior to his death. *(Please see Appendix D)*

In terms of sectors, most of the victims were farmers. But for the year, there is a substantial number of prominent personalities from the middle sector who were killed. Table 3 below shows the sectoral profile of the victims.

**TABLE 3. SECTORAL PROFILE OF THE VICTIMS**

SECTOR	NO. OF VICTIMS
Farmers	104
Workers	22
Professionals	20
Businessmen	3
Churchworkers	7
Human Rights Workers	4
Youth and Students	11
Minor	6
Indigenous People	5
Urban Poor	3

The most prominent among those killed this year is **Bishop Alberto Ramento** who was a former Supreme Bishop of the Philippine Independent Church and had been an independent observer in the peace negotiations between the Government of the Republic of the Philippines and the National Democratic Front of the Philippines. *(Please see Appendix E)*

Even former political detainees who were no longer involved in political activism were targeted. **Sotero Llamas**, who used to be an NPA commander before being captured and later a consultant of the NDFP to the peace negotiations, was killed while on his way to a business appointment.

The September 7 killing of **Pablo Glean**, a security aide of Makati Mayor Jejomar Binay, further indicates the broadening of the target of extrajudicial killings.

Regions and provinces identified by the AFP as priority areas in the implementation of OBL and the deployment of troops registered the most number of extrajudicial killings. The **Central Luzon region** suffered the most with **53 victims**, about **30%** of the total number. Victims in **Bicol Region** numbered **30**, representing a **39%** increase compared to last year while the **Southern Tagalog region** had the third highest number of cases with **20 victims**. Table 4 below shows the number of victims per region.

**TABLE 4. REGIONAL DISTRIBUTION OF POLITICAL KILLINGS**

REGION	NO. OF VICTIMS
Central Luzon	53
Bicol	30
Southern Tagalog	20
CARAGA	11
CAR	2
Central Visayas	8
Cagayan Valley	8
Davao	14
Eastern Visayas	15
National Capital Region	8
Northern Mindanao Region	6
SocSKSarGen	5
Western Mindanao Region	1
Western Visayas Region	4

The AFP and PNP outrightly denied their involvement in the killings. But there were cases which clearly point to the involvement of state agents.

**Pastor Isaias Sta. Rosa** was abducted and then murdered in Brgy. Malobago, Daraga, Albay by armed men wearing bonnets on 3 August 2006. His body was recovered at a nearby creek along with a dead soldier. According to witnesses, the said soldier was part of the group that abducted Pastor Sta. Rosa.

The dead soldier was subsequently identified as *PFC Lordger Pastrana*. He had a Philippine Army identification card which was valid till 09 December, 2008, indicating that he was in active service when killed. He also had a mission order issued by the 9<sup>th</sup> Military Intelligence Battalion of the 9<sup>th</sup> Infantry Division, PA based in Camp Weene Martillana, Pili, Camarines Sur. The mission order dated 11 July 2006 was to expire on 30 September 2006 and was signed by Major Ernest Marc Rosal.

Pastor Sta. Rosa was a member of Legaspi City United Methodist Church in South Bicol District, a freelance writer, project consultant for non-government organizations and the Executive Director of the Farmers' Assistance for Rural Management Education and Rehabilitation, Inc., a non-government organization.

There is no progress in the investigation of the case as the Philippine Army continues to deny investigators access to relevant data, such as the names of members of Pastrana's unit. The PNP is likewise reluctant in pursuing the investigation of the case. *(Please see Appendix F)*

**Rei Mon Guran**, Provincial Coordinator of the League of Filipino Students (LFS)-Albay was shot dead on 31 July by a lone gunman wearing a brown baseball cap inside a bus stationed at the Queen's Bus Terminal in Bulan, Sorsogon. He sustained four gunshot wounds, one on his neck that exited in his nape, two on his right chest and another one on his left arm.

On board with him inside the bus were four policemen. A witness attested that one of the policemen even nodded his head to the assassin. The policemen did not take any action against the killer. *(Please see Appendix G)*

This year, KARAPATAN documented **58 victims of frustrated extrajudicial killings**. They had survived the attack but continue to live with the trauma and fear.

A prominent case is that of **Dr. Constancio "Chandu" Claver**, Chairperson of *Bayan Muna*-Kalinga, and Vice Chairperson of the Cordillera People's Alliance-Kalinga.

In the morning of July 31, Dr. Claver and his wife, **Alyce Omengan Claver**, had just brought their daughter Alexandra to school and was leaving St. Toni's College in Tabuk, Kalinga when their car was peppered with M-16 bullets by two unidentified gunmen on board a black van. Dr. Chandu survived the attack but Alyce was killed. Alyce left three kids, Samantha who is 12 years old, Cassandra 11, and Alexandra 7.

Alyce Claver was an active supporter of Bayan Muna. She was a member of Cordillera students' organizations, including the Cordillera People's Alliance's chapter in Manila while she was a college student. She had been very generous in her support to various people's organizations and socio-civic institutions.

In sympathy with the Claver family and in protest against the killings medical doctors in Kalinga held a one day shut down of their clinics.

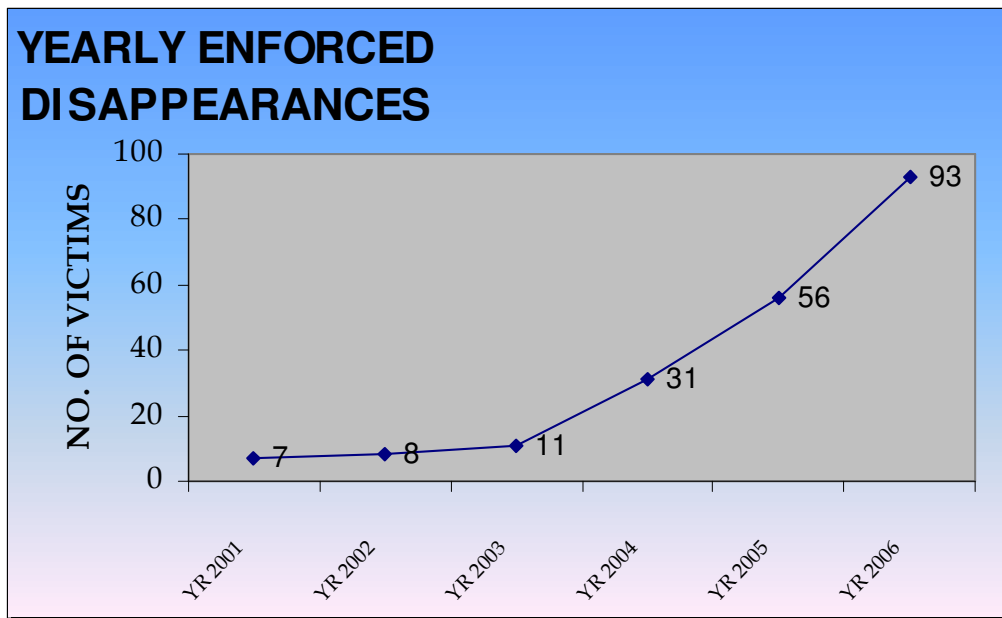
Dr. Chandu has not been able to resume his medical practice in Kalinga. His right arm was affected by the attack.

## 2. ALARMING INCREASE IN ABDUCTIONS AND ENFORCED DISAPPEARANCES

This year, the number of cases of enforced disappearances is reaching alarming proportions.

There are **93 victims of involuntary disappearances in 2006**. The number of enforced disappearances for the year is already 37% more than the number of cases in 2005 and constitutes 45% of the 206 victims from January 2001 to November, 2006.

GRAPH 1. YEARLY DISTRIBUTION OF ENFORCED DISAPPEARANCE



**Karen Empeño and Sherlyn Cadapan**, both students of the University of the Philippines, were abducted in the morning of 26 June 2006. They were sleeping at the house of a farmer in Hagonoy, Bulacan, when a group of soldiers forcibly took them and dragged them outside. One of the soldiers ripped Karen's shirt off and used it to blindfold her. They were shoved inside a jeepney along with Manuel Merino, who was forcibly taken from the house of one William Ramos. The jeepney sped towards the direction of Iba, Hagonoy. **The headquarters of Bravo Company of the 56<sup>th</sup> Infantry Battalion, Philippine Army was located at Iba, Hagonoy.**

The families of Cadapan and Empeño filed a petition for *writ of habeas corpus* at the Supreme Court which then directed the Court of Appeals to hear the case. During the last four hearings, military and police officials, who were named as respondents, did not bother to attend. Only when the court threatened to cite them for contempt did they grudgingly appear in court. Their testimonies consisted of general denials and feigned ignorance. (Please see Appendix H)

On 16 May, **Roland Porter**, a member of the First Quarter Storm Movement and Bayan Muna partylist, was on his way to a store at Barangay Olympia, Makati City when several unidentified men on board a white L300 FB van blocked him and forcibly took him away.

A witness said that one of the perpetrators flashed his ID in her face with the word “Police” written on it. Unfortunately, she was not able to get the name.

Porter remains missing to this day. *(Please see Appendix I)*

Persons who were abducted and are still missing include consultants and staff of the the NDFP negotiating panel namely, **Prudencio Calubid, Rogelio Calubad, Leopoldo Ancheta, and Philip Limjoco.**

Calubid was abducted along with his wife Celina Palma, relative Gloria Soco and drivers Ariel Beloy and Antonio Lacno on June 26, 2006 while traveling along the highway in Southern Tagalog.

Calubad was abducted with his son Gabriel on June 17, 2006 in Calauag, Quezon; Ancheta on June 24, 2006 in Guiguinto, Bulacan; and Limjoco, was abducted on May 8, 2006 in Dau, Pampanga. Calubid and Limjoco, an alleged former member of the NPA, were listed as no. 21 and 23 in the list of those being charged with rebellion by the PNP-CIDG (Criminal Investigation and Detection Group) in March.

They remain missing until today even after their families have sought judicial intervention by filing *habeas corpus* petitions to seek their immediate release. AFP officials denied having custody over these missing persons and had refused to appear before the courts.

*Table 5 below shows the cases of enforced disappearances by regional distribution.*

**TABLE 5. REGIONAL DISTRIBUTION OF ENFORCED DISAPPEARANCES**

REGION	NO. OF VICTIMS
Central Luzon	50
Bicol	4
Southern Tagalog	23
Cordillera	1
Davao	2
Eastern Visayas	4
National Capital Region	1
Northern Mindanao Region	1
SocSKSarGen	4
Western Mindanao Region	2
Zamboanga	1

Some of those abducted were later released on the condition that they regularly report to the military when called. All of them suffered from severe physical and mental torture.

Oscar Leuterio was abducted on April 21, 2006. He was detained inside a camp and suffered severe torture. During his interrogation, he was forced to admit that he is a member of the NPA. After almost six months of being illegally detained, he was released this October. *(Please see Appendix J)*

Ruel Marcial was abducted on May 22, 2006 and was detained inside a military camp in Brgy. Tayabo, San Jose City in Nueva Ecija. He was subjected to thorough interrogation and torture. When he couldn't bear the torture anymore, he told the military that he would cooperate and help them in looking for the lairs of the NPA. It was only then that the soldiers stopped hurting him.

Sometime in September, Ruel was able to escape and is now in hiding for fear of his life. *(Please see Appendix K)*

### ***3. REIGN OF TERROR IN RURAL AREAS***

The AFP conducted massive military operations in rural areas especially those identified as priority regions namely, Central Luzon, Southern Tagalog, Bicol, Eastern Visayas and Northern Mindanao. In these areas, the AFP imposed a state of martial rule and committed violations with impunity.

In the barrios, elements of the AFP conduct census as a form of population control and to identify suspected sympathizers and supporters of the NPA. After the census, the military issues a "list of suspects" which also serves as an order of battle.

Persons included in the list are "visited" and interrogated by Reengineered Special Operation Teams (RSOT) of the AFP. They are asked to surrender and cooperate with the military and to denounce their support for the NPA. In most cases, the people refused, for the simple reason that the military's accusations were not true.

Refusal to cooperate with the military usually results to brutal punishment.

Such is the case of **Ofelia Rodriguez**, a member of the Divisoria Farmers Association, a local peasant organization in Mexico, Pampanga. Nanay Perla, as she is fondly called by neighbors and colleagues, was a convenor of the STOP PALPARAN campaign in 2005.

During the launching of STOP PALPARAN, Nanay Perla testified that she was invited by the military for questioning. During her interrogation, she said, *2<sup>nd</sup> Lt. John Paul Nicolas* tried to force her to admit that she was as top-ranking NPA leader. She was threatened to be killed if she would not confess to the accusation and cooperate with the military. But she refused.

On 16 January, while carrying her one-year old granddaughter Eliza and talking with her ailing mother Amalia de la Peña, 95 years old, Nanay Perla was shot. The bullet that killed her entered the top of her head and exited at her nape. *(Please see Appendix L)*

The AFP also conducts public meetings where all residents are required to attend. These meetings are supposedly conducted to inform the people of the “evils of communism.” But these meetings usually end up with the military asking residents who voted for Bayan Muna, Anakpawis or Gabriela Women’s Party to have their name listed and to surrender.

Civilian authority in militarized areas has been rendered inutile. Barangay officials, especially those intervening in behalf of their constituents, are victimized themselves.

This year, KARAPATAN documented seven barangay officials killed, all of whom were not affiliated to any people’s organization. They were suspected of being supporters and sympathizers of the NPA and were targeted because of their strong position against heavy military deployment in their communities.

The people in the rural areas are required to secure *cedulas* or Community Tax Certificates (CTC) to be able to go to their farmland or even just to wander around the barrio. Failure to present CTC merits physical punishment from the military.

Such is the case of a farmer from Bulacan. He forgot his CTC when he went with his neighbors to go fishing. They accidentally came across a group of soldiers who demanded that they present their cedula. When he was not able to present one, he was slapped on the face.

Massive military operations also victimized farmers with no known political or organizational affiliation. Some were on their way to or were working in their farmland when chanced up by soldiers conducting combat operations and patrols. AFP troops are also wont to terrorize communities to keep them from “supporting the NPA.”

The social cost of terror to peasant communities is equally alarming. The martial rule implemented by the military in the countrysides has affected the economic life of the people. Curfews and other population control methods hampered farming and social activities. The military’s control of the food and other resources being brought in and out of the communities hindered trading activities.

This year KARAPATAN also documented suicide cases resulting from the torture and harassment the victims suffered in the hands of soldiers.

On 11 October, **Librado and Martina Gallardo** of Brgy. Conversion, Pantabangan, Nueva Ecija, committed suicide. Two days prior to their suicide, the Gallardos were abducted and severely tortured by soldiers belonging to the

71<sup>st</sup> Infantry Battalion. According to the findings of the fact finding mission spearheaded by the United Methodist Church that looked into the case, the Gallardos were accused by the military of being supporters of the NPA.

Threatened to be killed if they did not confess and still grieving over the death of their son Leo, who was killed last year by soldiers from the same unit, the Gallardos allegedly drank pesticide. They left nine children. (*Please see Appendix M*)

In another case, **Bernardo Javier**, a farmer, was arrested, detained, and heavily tortured in Fort Magsaysay, Nueva Ecija on suspicion that he was an NPA supporter. In early September this year, he hanged himself due to severe depression and fear.

#### ***4. INTENSIFYING TRADE UNION REPRESSION***

Data from the Center for Trade Union and Human Rights revealed that there were **89 recorded incidents** and **163 documented cases of violations of trade union and human rights**. There were **1,043 victims**. Forty-nine incidents, representing 55 % of the total, occurred during the first quarter of this year. The total number of workers killed increased to 28 compared to 18 last year.

**Eduardo Millares**, leader of Samahan ng Mamamayan sa Tabing Riles (SMTR)-San Pablo, Laguna and KADAMAY organizer, who was shot dead last October 18 was the latest victim of killings of workers. He was killed by a lone gunman who escaped using a tricycle. SMTR is resisting the demolition of their community to pave the way for the South Rail project. They are also protesting the deployment of military forces in the area.

Cases of abductions and enforced disappearances of trade unionists almost doubled from five cases in 2005 to nine cases this year. Cases of Intimidation and surveillance increased by almost 73 percent compared to last year.

There were four cases of torture. Violent dispersals of rallies involving trade unionists and workers also increased dramatically, from one case documented last year to eight this year. Harassment cases also increased to eight from one last year.

#### ***5. FILING FALSE CHARGES TO JUSTIFY ILLEGAL ARREST AND DETENTION AND HARASS CRITICS***

Immediately after the declaration of the state of national emergency, the Arroyo government launched a “legal offensive” against suspected communist and military rebels, as well as other personalities from the legal opposition. It formed an Inter-Agency Legal Action Group, under the National Security Adviser, to plan the arrest and filing of charges against those opposed to the Arroyo administration.

**Anakpawis Party List Representative Crispin Beltran** was illegally arrested on February 25, the day after the issuance of PP1017. Rep. Beltran, who is also Chairperson emeritus of the national labor center Kilusang Mayo Uno (KMU or the May 1st Movement) was arrested on the basis of a warrant of arrest issued in 1985, during the Marcos dictatorship, for a rebellion case which was subsequently dismissed.

To justify his illegal arrest and continued detention, the government filed an inciting to sedition case against Rep. Beltran for allegedly uttering seditious comments during the February 24 rally, where he arrived late and did not speak at all. When informed that a sedition case cannot be filed against Beltran because it is covered by his congressional immunity, government prosecutors tricked Beltran and his lawyer into attending a preliminary investigation conducted in Camp Crame for a rebellion charge for allegedly participating in a supposed conspiracy between the Left and the Right to overthrow the government. Beltran's lawyers has questioned before the court the manner and basis of the rebellion charge. It has yet to be resolved.

In the meantime, despite having no legal basis for his continued detention and in spite of demands for his release on humanitarian grounds, he is still illegally detained.

The PNP also attempted to arrest without warrant, Bayan Muna Representatives **Satur Ocampo**, **Teodoro Casiño**, Anakpawis representative **Rafael Mariano** and Representative **Liza Maza** of Gabriela Women's Party in a press conference the day after the declaration of the state of national emergency. Bayan Muna Representative **Joel Virador**, who was to return to attend to his duties in Congress, was seized and manhandled by CIDG agents at the Philippine Airlines ticket office in Davao City. But the representatives were able to elude arrest and were placed under the protective custody of the House of Representatives in the Batasan Complex. The PNP subsequently filed an amended information to Beltran's rebellion case to justify the arrest of the other representatives. Only when the amended information was rejected by the court did the police lift its threat of arresting the five representatives when they stepped out of the Batasan Complex.

But the Department of Justice (DoJ) is still pursuing fabricated charges of rebellion against the five representatives. Included in the charge are six other personalities of progressive partylists and people's organizations namely **Nathaniel Santiago** and **Vicente Ladlad** of Bayan Muna, **Elisa Tita Lubi** of the Gabriela Women's Party, **Rafael Baylasis** of Anakpawis Party, **Randall Echanis** of the Kilusang Magbubukid ng Pilipinas (KMP - Philippine Peasant Movement), **Rey Claro Casambre** of the Philippine Peace Center, and 50 others who are allegedly members of the CPP. In Cebu City in Central Philippines, eight leaders of militant organizations are facing charges and a few more are facing harassment cases in Davao City, in Mindanao including **KARAPATAN-Southern Mindanao Secretary General Ariel Casilao**.

Just recently, another fabricated case was filed in Leyte province against **Ocampo**, **Ladlad**, and others after the military claimed that they discovered a

mass grave of “victims of purges” of the CPP. The place where the supposed mass grave was discovered was a no-mans land declared by the military during the days of Martial law.

On April 28, five peasants, namely **Aristides Sarmiento, Axel Alejandro Pinpin, Riel Custodio, Rico Ybanez, and Michael Masayes**, collectively known as **Tagaytay 5**, were on their way to join the caravan in time for the **May 1** protest rally when they were arrested without warrant in **Barangay Sungay, Tagaytay City**. They were held incommunicado for days and were severely tortured.

**Tagaytay 5** remains incarcerated at **Camp Vicente Lim** in **Laguna** and is now facing rebellion charges without bail.

To silence the opposition, **Miguel Arroyo**, husband of **Gloria Macapagal Arroyo**, filed separate libel cases against **Sen. Jinggoy Estrada** and **Representative Allan Peter Cayetano**. This is but another measure by the government to suppress the exposé of corruption cases involving the Arroyo family.

To send a chilling effect, **Pasig City** policemen attempted to arrest **Senator Jinggoy Estrada** inside the Senate building on **August 16**. **Arroyo** also filed a disbarment case against **Cayetano** and petition to the House of Representatives to expel him as congressman.

Other members of the opposition were likewise harassed.

The DoJ threatened to file a treason case against **Sen. Maria Ana Consuelo “Jamby” Madrigal** after she met with members of the **NDFP** negotiating panel in **Utrecht, Netherlands**. **Malacañang** also urged the Senate to take punitive action against **Madrigal** for meeting with so-called enemies of the state.

The Department of Interior and Local Government (DILG) attempted to suspend and remove **Makati Mayor Jejomar Binay**, his vice mayor and the whole city council for allegedly hiring ghost employees. This was not the first time that a local official who is a member of the opposition was suspended. The same was done to **Pasay City Mayor Wenceslao Trinidad**. Moreover, **Mayor Binay** is also the head of the **United Opposition**.

## ***6. CURTAILING CIVIL LIBERTIES***

The **Arroyo** administration has been trying to curtail civil liberties since last year when its crisis of legitimacy reached a breaking point dividing the nation and almost toppling it from power. Clinging to power by the skin of its teeth, the **Arroyo** regime issued successive repressive orders by the second half of the year.

To curtail the freedom of assembly and halt the increasing tide of protest actions calling for its ouster, it enforced the **Calibrated Preemptive Response** policy. It issued a gag order on government officials, **Executive Order 464**, to neutralize Senate and House investigations looking into corruption and electoral

fraud cases involving the Arroyo administration. It pushed for the National Identification System to tighten its watch on the population especially on those opposed to the regime.

The declaration of a state of national emergency, through PP1017, completed the return to martial rule. Copied from Proclamation 1081 of former President Ferdinand E. Marcos, PP1017 ordered the Armed Forces of the Philippines (AFP) “to maintain law and order throughout the Philippines, prevent or suppress all forms of lawless violence as well as any act of insurrection or rebellion and to enforce obedience to all decrees, orders, and regulations...” It issued General Order no.5, which empowered the government to take over any institution in the interest of national security.

While it did not specify the powers vested in the AFP and the Philippine National Police (PNP), it gave them the go signal to attack the Filipino people’s rights. PP 1017 was lifted a week after but the Arroyo regime did not relent from using its martial law powers to suppress opposition to its rule.

To send a chilling message to the media, the PNP raided the office of the Daily Tribune and attempted to shut it down if not for the resistance of the publisher. The AFP sent troops purportedly to secure the GMA and ABS CBN stations.

The PNP warned that it is issuing guidelines and would not hesitate to crack down on media outfits airing or publishing statements by “terrorists” and those seeking to oust the government. The DoJ and the PNP warned that it would continue monitoring the media and would not hesitate to file charges against journalists even after the lifting of PP1017.

The Arroyo family also filed an unprecedented 43 libel suits against journalists exposing corruption cases involving them. On November 13, Manila police in plain clothes attempted to arrest **Mia Gonzalez**, a senior reporter of Business Mirror assigned to cover the Malacañang Palace. They were trying to serve a warrant of arrest for the libel suit filed by Arroyo.

Worse, the station of **Radio Cagayano**, a community radio initiative by the Provincial Peasant Alliance of Cagayan, was burned in July.

The government also attacked the offices of people’s organizations. The Bayan Muna office in Samar was surrounded by soldiers. Unidentified persons lobbed grenades at the offices of KARAPATAN and Anakpawis in Kidapawan, North Cotabato. The KARAPATAN office in Cagayan de Oro was ransacked in March.

The national office of KMU in Quezon City is under constant surveillance. KMU officers and organizers documented at least seven incidents of surveillance. The Toyota Motors Phils. Corp. Workers Association, which has an active labor dispute, reported five cases of surveillance of their union office in C5 Taguig, Metro Manila.

Last October 5 union officers of Food Terminal Inc. (FTI) and **Joselito Santos**, a labor organizer for the Alliance of Democratic Labor Organizations (ADLO) affiliated with KMU noticed two men in a motorcycle following them from the Pro Labor Legal Assistance Center (PLACE) in Quezon City to the FTI union office in Taguig. They reported the incident to the police leading to the arrest of one of the men tailing them. The arrested person, *Rommel Felipe Santiago*, revealed that he is an intelligence officer of the Philippine Army and admitted that he was after a lawyer from PLACE. Since October 16, armed men in civilian clothers were seen regularly in front of the PLACE office.

The family of **Atty. Jobert Pahilga** in Antique was approached by a bystander asking when the “body of the lawyer would be brought home,” obviously a veiled threat. Pahilga is the executive director of the Sentro para sa Tunay na Repormang Agraryo (SENTRA or Center for Genuine Agrarian Reform). SENTRA is among the lawyers’ groups in the country which are starting to feel the heat of repression for representing clients from people’s organizations who have either been killed, disappeared or illegally arrested and detained.

## ***7. INCREASING U.S. INTERVENTION***

Being the most ardent supporter of the “global war on terror” and the most loyal puppet of the U.S., the Arroyo regime was amply rewarded with substantial military aid; intensified training; support to its AFP modernization program; field based combat support, including intelligence operations; and continued political support. These have propped up the bankrupt, faltering and illegitimate regime.

U.S. military assistance to the Philippines increased dramatically. IBON Foundation computed that U.S. military assistance increased 1,111 percent from 2001 to 2002, the year Oplan Bantay Laya was implemented. This also coincided with the holding of the first major Balikatan joint military exercises.

This helped the Arroyo regime to strengthen the AFP and the PNP to suppress dissent and to buy the loyalty of both institutions. This is much more substantial when the other types of aid and assistance are included.

Economic aid from the U.S. also increased in 2001. It helped keep the Philippine economy afloat especially since the Arroyo regime was under pressure for its inability to manage the financial and fiscal crisis. Economic and military aid was highest in 2003 when President Arroyo was under heavy pressure forcing her to announce that she would not be running in the 2004 elections.

In exchange, President Arroyo provided the U.S. with a venue for projecting its military power in the region; a transit point, refueling station and staging area for its “mobile, expeditionary operations;” and training ground for the troops of both countries in “inter-operability” or joint operations for counterterrorism and counterinsurgency.

Agence France Presse called the Balikatan joint exercises in 2002 as the “Southeast Asian Phase of the U.S. campaign on terrorism.” Aside from the U.S. military build-up in the Middle East, the Philippines, through Balikatan, has seen the second biggest U.S. military deployment since Afghanistan.

But aside from these big joint exercises, the U.S. conducted “frequent lower-level training exercises with specialized Filipino counterterrorism and counterinsurgency forces.” These low level exercises involved no more than 100 U.S. Special Forces at any one time.

These low level exercises were so frequent that human rights and people’s organizations in Mindanao, in southern Philippines, reported that when combined with humanitarian and civic assistance operations involving U.S. naval troops and SeaBees (Construction Battalions), there has been a continuing presence of U.S. troops in the country since 2002.

The rotation of U.S. troops in and out of the country is such that the U.S. is able to establish what the U.S. State Department calls as “permanent-temporary presence” in the country.

Moreover, the series of agreements entered into by the Bush and Arroyo regimes strengthened the control of the U.S. over the AFP and PNP.

Aside from the already existing Joint U.S. Military Assistance Group (JUSMAG), which enabled the U.S. to send “advisers” to the AFP and control the transfer and use of military equipment provided by the U.S., other joint mechanisms were created to enable the U.S. to shape the orientation, strategies, and operations of the AFP.

The creation of the Defense Policy Board in 2002 ensures U.S. control over the policies and decisions of the Department of National Defense. Another mechanism called the Security Engagement Board was created in March 24, 2006 purportedly to serve as the mechanism for consultation and planning of measures and arrangements focused on addressing non-traditional security concerns such as international terrorism, transnational crime, maritime safety and security, natural and man-made disasters, and the threat of a pandemic outbreak that arise from non-state actors and transcend national borders.

The AFP is currently implementing a five-year Philippine Defense Reform (PDR) program under the supervision of the U.S. Pacific Command. This program was an offshoot of a Joint Defense Assessment conducted by U.S. defense “experts” that looked into the capabilities of the AFP in combating “terrorism.” It was a three-year assessment that was completed in 2003. This program is aimed at enhancing the capabilities of the AFP in line with the U.S. thrust of strengthening its surrogate armies. More importantly, with “significant American involvement in monitoring its implementation,” the PDR gave the U.S. strategic and tactical control over the planning and operations of the AFP.

Historically, Philippine counterinsurgency programs have been shaped by the U.S. Lt. Col. Edward Landsdale of the U.S. Air Force, recognized as an expert in counterinsurgency, was assigned in the Philippines in the 1950s under the auspices of the JUSMAG. He directed the counterinsurgency program of the AFP during the height of the war against the Hukbong Mapagpalaya ng Bayan (HMB or People’s Liberation Army) from 1950-1955.

Oplan Bantay Laya (OBL) mirrors the counterinsurgency strategy and tactics developed by the U.S. during the Vietnam War in the 1960s and in El Salvador during the 1980s. The four phases of OBL namely, clear, hold, consolidate, and develop is patterned after the U.S. counterinsurgency strategy combining the “Winning the Hearts and Minds” with the “Cost -Benefit or Carrot and Stick” approaches.

Even the ideal counterinsurgent organization developed by the U.S. which fuses the civilian government and military structure and coordinates the efforts of the different AFP services is reflected in the creation of the Cabinet Oversight Committee on Internal Security on the national level and the Area Coordinating Centers in the regions and provinces.

OBL also employs the same combination of intensive military operations, intelligence and civic action or triad operations used by U.S. Armed Forces, combining traditional conventional warfare methods with counter guerrilla tactics.

Worse, the use of terror and death squads, contained in U.S. military manuals and employed in U.S.-directed counterinsurgency programs in Vietnam, El Salvador and the rest of Latin America, and currently in Afghanistan and Iraq is also part and parcel of OBL.

OBL directs AFP units to conduct target research; draw up a “sectoral/front organization Order of Battle;” and define specific targets for “neutralization” per quarter.

From this can be attributed the spate of political killings especially in regions defined by the AFP as “priority areas” in counterinsurgency. Likewise, it also explains why the Arroyo administration is not serious in investigating and putting a stop to the killings.

### ***8. GOVERNMENT WHITEWASH***

The police-led Task Force Usig, which was formed in response to the public clamor against political killings, has been consistent in its role of whitewashing the investigation. Without going through the motions of an investigation, it has already echoed the ridiculous line of the government and AFP that the killings were a result of internal purges within the CPP-NPA.

The Melo Commission, formed on August 21, 2006 by Mrs. Arroyo, has been plagued with questions regarding its credibility because of the inclusion of the director of the National Bureau of Investigation and the chief state prosecutor of the Department of Justice; and its effectiveness given its vague mandate of being “the Government’s sole voice on the issue of media and activist killings” and making “a report to the President outlining its action and policy recommendations including appropriate prosecution and legislative proposals, if any, aimed at eradicating the root causes of extrajudicial killings and breaking such cycle of violence once and for all.” It is also widely perceived as a mechanism organized to show that the government is doing something about the political killings and to whitewash the investigation.

Already, Mrs. Arroyo has cleared and absolved the military from any involvement in the series of summary executions and other human rights violations. It accuses human rights and people’s organizations of bloating the figures for the purpose of “destabilizing the government.”

The escalation of violence and the increasing cases of political killings and enforced disappearances have reached alarming proportions.

It has sparked an outrage among the basic sectors and has pricked the sensibilities of the Church, professionals, and businessmen. This issue has hounded the Arroyo regime and has contributed to the further erosion of its credibility.

The involvement of government security forces and the impunity in the commission of these abhorrent crimes against humanity has exacerbated public distrust on the administration and has generated concern in the international community.

Amidst the wave of terror, however, the Filipino people's assertion of their rights did not waver. The iron-clad regime and its foreign ally failed to silence the social forces that want the de facto president booted out of power.

Public demonstrations and protest actions of varying forms have defied the undeclared martial law of Mrs. Arroyo despite threats of and actual violent dispersals of demonstrations.

There is a resurgence of individuals and a broad range of groups of Filipinos, from all walks of life and from different political and religious persuasions coming together to say "Never Again to Martial Law!". As in the Marcos era, artists, doctors, lawyers and professionals form alliances that heighten the resistance against human rights violations and work to end the fascist Arroyo regime.

The campaign against human rights violations of the Arroyo regime take on many forms: media expose, signature gatherings, filing of complaints, concert, t-shirt and ribbon-wearing, art projects and exhibits, lightning rallies, distribution of posters and leaflets informing people of their rights, among others.

In stead of being cowed, peoples and human rights organizations has launched a strong campaign against political killings and enforced disappearances. This has caught the attention of the international community.

A series of international fact finding and solidarity missions participated in by journalists, church people, workers, peasants, lawyers and judges, indigenous peoples, and professionals from around the world were conducted from 2005 up to the present.

Members of these missions expressed dismay and alarm over the gross and systematic violations of human rights; the failure of government authorities to address the problem of political killings; and the impunity in the commission of these crimes against humanity.

Amnesty International condemned the political killings; pointed out the apparent involvement of state security forces; and reminded the government of its responsibility to protect the rights of its citizens.

The European Union and the Government of Finland informed the Arroyo government of their concern about the continuing political killings in the Philippines.

In an unprecedented move, the Joint Foreign Chambers of Commerce in the Philippines condemned the political killings and threatened to withdraw their investments in the country. Wal Mart and U.S.-based clothing companies have also expressed their concern about political killings and violations of workers' rights. These had never happened before even during Martial Law.

The New York Times and Time magazine condemned the increasing violations of human rights in the country and urged the U.S. government to pressure the Philippine government to put a stop to these.

Outstanding among the Filipino people's defiance of tyranny is the founding of the organization *HUSTISYA! Victims of Arroyo Regime United for Justice* that is the response of victims and kin of human rights violations under the watch of the Arroyo administration.

**Hustisya** along with other victims' organizations **SELDA** and **Desaparecidos** and the multi-sectoral umbrella **Bagong Alyansang Makabayan** (New Patriotic Alliance) filed a complaint at the Permanent People's Tribunal against the Philippine and U.S. governments as well as multinational corporations for violations of the civil and political rights, the economic, social and cultural rights, and the right to self-determination of the Filipino people.

On October 30, 2006 the Permanent People's Tribunal, an international opinion tribunal, independent from any State authority, which publicly and analytically examines cases regarding violations of human rights and rights of peoples, have convened its Second Session on the Philippines and has scheduled the hearing of the complaints on March 2007.

In sum, the tyrannical regime of Mrs. Arroyo, like the Marcos dictatorship, was unable to terrify and silence even the direct victims of human rights violations. For every person killed, a whole family takes up the cudgels for justice. Those who are killed and disappeared are no longer victims but martyrs, their kin will not fall prey to the blood-thirsty regime for they join the growing movement of human rights defenders.

## APPENDIX A

### HUMAN RIGHTS VIOLATIONS UNDER ARROYO GOVERNMENT January to November, 2006 KARAPATAN DOCUMENTATION COMMITTEE

Types of Violation	# of Cases	# of Victims
<b>Violations of Right to Life</b>		
Extrajudicial Killings	143	185
Frustrated Extrajudicial Killings	38	58
Enforced Disappearances	39	93
Torture	80	500
Physical Assault or Injuries	34	8,126
Denial of Medical Attention	2	3
Strafing, Indiscriminate Firing, Bombing, Shelling and Aerial Bombardment	2	3,059
<b>Violation of Civil and Political Rights</b>		
Illegal Arrest	48	187
Illegal Detention	31	138
Incommunicado	2	2
Violation of Rights of Arrested or Detained Persons	3	35
Illegal Search and Seizure	10	202
Unlawful Subjecting to Checkpoints	3	179
Coercion	14	1,818
Threat Harassment and Intimidation	105	27,576
Inhumane, Cruel, and/or Degrading Treatment or Punishment	3	70
Forced Evacuation/Displacement	25	101,344
Hamletting	3	1,235
Food and Economic Blockades	3	1,373
Restriction or Dispersal of Mass Actions, Public Assemblies or Gatherings	9	24,576
Exploitation of Children in the Context of Armed Conflict	58	58
Desecration of Place of Worship or Offending Religious Rites and Practices		
Denial of Decent Burial, Refusal to Tender Remains and Desecration of the Remains	3	5
Use of Schools, Medical, Religious and Other Public Places for Military Purposes and Endangering Civilians		
Criminalization of Political Offenses or Acts	3	124
<b>Violation Against Property</b>		
Destruction of Properties	23	2,396
Divestment of Properties	30	15,295
Violation of Domicile	23	796
<b>Violation of Sectoral or Specific Rights</b>		
Rape or Sexual Abuse/Sexual Harassment	2	3
Land Grabbing, Land Use Conversion	2	491
Restriction, Denial, Prohibition of the Right to Form Union and to Strike	1	45
Assault/Breaking of Picketlines	1	45
Violation of Basic Right and Academic Freedom		
Violation of Right of Hors de Combat	4	5
<b>Total</b>	<b>748</b>	<b>113,002</b>

## APPENDIX B

### HUMAN RIGHTS VIOLATIONS UNDER ARROYO GOVERNMENT 21 January 2001 to November, 2006

Types of Violation	# of Cases	# of Victims
<b>Violations of Right to Life</b>		
Extrajudicial Killings	660	797
Frustrated Extrajudicial Killings	170	357
Enforced Disappearances	180	207
Torture	242	799
Physical Assault or Injuries	288	10,370
Denial of Medical Attention	38	48
Strafing, Indiscriminate Firing, Bombing, Shelling and Aerial Bombardment	193	55,650
<b>Violation of Civil and Political Rights</b>		
Illegal Arrest	655	2,094
Illegal Detention	405	1,493
Incommunicado	16	34
Violation of Rights of Arrested or Detained Persons	29	102
Illegal Search and Seizure	412	6,728
Unlawful Subjecting to Checkpoints	16	592
Coercion	396	7,245
Threat Harassment and Intimidation	1,789	80,635
Inhumane, Cruel, and/or Degrading Treatment or Punishment	16	698
Forced Evacuation/Displacement	282	263,598
Hamletting/Zoning	25	21,506
Food and Economic Blockades	14	14,502
Restriction or Dispersal of Mass Actions, Public Assemblies or Gatherings	27	30,017
Exploitation of Children in the Context of Armed Conflict	62	69
Desecration of Place of Worship or Offending Religious Rites and Practices	14	241
Denial of Decent Burial, Refusal to Tender Remains and Desecration of the Remains	32	99
Use of Schools, Medical, Religious and Other Public Places for Military Purposes and Endangering Civilians	27	30,017
Criminalization of Political Offenses or Acts	22	195
<b>Violation Against Property</b>		
Destruction of Properties	224	4,439
Divestment of Properties	350	29,433
Violation of Domicile	181	2,934
<b>Violation of Sectoral or Specific Rights</b>		
Rape or Sexual Abuse/Sexual Harassment	30	36
Land Grabbing, Land Use Conversion	11	959
Restriction, Denial, Prohibition of the Right to Form Union and to Strike	2	46
Assault/Breaking of Picketlines	163	16,236
Violation of Basic Right and Academic Freedom	5	453
<b>Violation of the Rights of Hors de Combat</b>	14	67
<b>Total</b>	<b>6990</b>	<b>396,099</b>



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## **APPENDIX C**

### **FACTSHEET**

**TYPE OF VIOLATION:**

**VICTIM:**

Summary Execution

Cris Hugo, 20 yrs. Old, a fourth year college student of the Bicol University, National Council Member and Regional Coordinator of the League of Filipino Students (LFS), Grand Chancellor of the Alpha Phi Omega (APO) (Bicol University Chapter)

**DATE OF INCIDENT:**

March 19, 2006, at around 10:30 PM

**PLACE OF INCIDENT:**

Brgy. Bagumbayan, Washington Drive, Legaspi City, Albay

**MOTIVE:**

part of the Target Research under the Oplan Bantay Laya

**ALLEGED PERPETRATORS:**

two unidentified motorcycle-riding men

**SUMMARY OF INCIDENT:**

On March 19, 2006 at around 10:30 PM at Barangay Bagumbayan, Washington Drive, Legaspi City, Albay, Cris Hugo, 20 years old was walking home with his Professor Gremil Naz, when two motorcycle-riding armed men shot at Cris. He was immediately rushed to the Bicol Regional Training and Teaching Hospital (BRTTH) but was declared dead on arrival. Cris suffered three gunshot wounds on his chest.

At the time of his death, Cris was National Council Member and Regional Coordinator of the League of Filipino Students (LFS) a militant national student organization always labeled by the government as left or radical organization. Cris is in his fourth year in college, and the newly elected Grand Chancellor of the Alpha Phi Omega (Bicol University Chapter).

Mr. Gremil Naz immediately went to Legaspi City police station to report the incident. At the police station, Gremil was told by the police investigator that he is the primary suspect and was made to undergo a paraffin test. He was also subjected to a lie-detector test.

Meanwhile, certain Jessie Macaraeg and Jonathan Alamil, members of the Bike Patrol Officer under the Public Safety Office were conducting patrol received a radiographic message regarding Cris' shooting and brought Cris to Bicol Regional Training and Teaching Hospital.

According to Cris' mother, he had been receiving death threats since last year. BU Dean of College of Arts and Letters, Dr. Ofelia Vega told Cris' mother that early this year, two men went to the school to get Cris schedules which given by a certain Rollie Lim from the Registrar's Office.

Cris was aware he had been under surveillance which prompted him to tell Gremil the time before he was killed that he help him if anything happened to him.

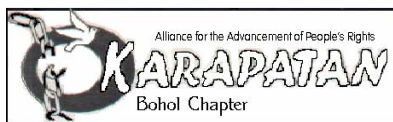
His mother relates that the police believe that Cris was killed by a member of the LFS. The police allege that a certain member of the LFS is in disagreement with Cris because of financial matters.

Sometime during the last week of March, Razon of the Task Force Usig issued a statement that Cris Hugo's case is close to closure.

On February 2, 2006, Cris was arrested while leading a protest rally in Guinobatan, Albay, when President Gloria Macapagal-Arroyo visited the town.

Prepared by:

Lovella De Castro  
KARAPATAN National Documentation Committee



## **APPENDIX D**

### **EXCERPTS FROM THE FACT-FINDING MISSION ON THE ASSASSINATION OF VICTORIANO OLAYVAR**

#### **I. GENERAL INFORMATION**

<b>CASE</b>	<b>: Assassination</b>
<b>VICTIM</b>	<b>: VICTOR QUISTO OLAYVAR, 4;</b> married to Maria Elena Guiritan Olayvar; with 7 children ages 12, 10, 7, 5, 3, 2 years, and 3 months old (5 boys and 2 girls)
<b>PRESENT POSITIONS</b>	<b>: BAYAN Chairperson (Bohol Chapter)</b> Vice Chairperson, BAYAN Central Visayas; HUMABOL Honorary Chairperson Chairman, KAHIMSOG (a people's alliance for better health) Member of the Board of Trustees, Central Visayas Farmers Development Center (FARDEC) Member of Bohol Alliance for the Removal and Ouster of Gloria (BAROG)
<b>FORMER POSITIONS</b>	<b>: HUMABOL Chairperson, 1995-1997, 1999-2002</b> HUMABOL Secretary General 1990-1992, 1995-1998
<b>DATE of INCIDENT</b>	<b>: September 7, 2006 (7:25 am)</b>
<b>PLACE of INCIDENT</b>	<b>: Candaba Bridge, Brgy. Cantubod, Danao, Bohol</b>

#### **II. BACKGROUND OF THE CASE**

After attending the Bohol Local Peace Forum convened by Bishop Leopoldo Tumalak and Governor Erico B. Aumentado on September 2, 2006, Victor Olayvar, Chairperson of Bagong Alyansang Makabayan (BAYAN)-Bohol was gunned down. The Local Peace Forum was attended by the Governor, office heads and official representatives of the Department of Interior and Local Government (DILG), Armed Forces of the Philippines (AFP), Philippine National Police (PNP), Philippine Information Agency (PIA), League of Mayors of the Philippines (LMP)-Bohol, Philippine Councilors League (PCL)-Bohol, Bohol Chamber of Commerce, NGOs, and the local media.

The forum was in response to the complaints of BAYAN and its allied organizations on the alleged military hit list that includes four named leaders including Victor Olayvar and 2 unnamed ones, death threats and surveillances of its leaders and the proliferation of black propaganda against militant organizations.

During the forum, BAYAN and *Hugpong sa mga Mag-uumang Bol-anon* (HUMABOL) leaders spotted unidentified men riding on non-plated DT and/or sort of improvised motorcycles and white vans, wearing bonnet. The leaders include the Victor Olayvar; William Boybanting and Felipeneri Bejasa, HUMABOL Chairperson and Vice-Chairperson respectively, and Tomasa Santos, Chairperson of KASALMA, HUMABOL municipal chapter of Alicia, Bohol.

The anxieties on the part of the leaders is preceded by the national trend of political killings which has reached up to 748 persons nationwide involving leaders of progressive partylists, BAYAN, farmers and fisherfolks organizations, and even lawyers, church people, media practitioners and human rights workers.

The death threats on Victor Olayvar were consummated into a political crime. At about 9:00 a.m. on September 7, 2006 Karapatan received a report that Victor Olayvar was shot dead, about 7:25 a.m. that day at a bridge in Brgy. Cantubod, Danao, Bohol.

KARAPATAN immediately composed a team to conduct an independent investigation to the area where the incident happened, and to escort the family of Victor Olayvar in claiming his remains.

#### **III. THE CONDUCT OF THE INVESTIGATION**

The Karapatan team was able to gather important information from the wife of the Victor Olayvar, Maria Elena, before the team's departure for Danao, Bohol on September 7, 2006. Mary was with the team to claim the remains of her husband.

The team went to the municipal hall for a courtesy call to the mayor but the mayor was not in the office. Thus the team went to see the remains of Victor Olayvar which during that time was being test for paraffin substance on both hands. The body of Victor Olayvar was positively identified by Maria Elena.

The team assisted Maria Elena to have an inventory of the personal belongings recovered from Victor. The team noticed that Victor's 5110 Nokia cellphone was already with Col. Evangelista.

#### **IV. ACCOUNTS of the WITNESSES**

##### **Account of Maria Elena "Mary" Guiritan Olayvar**

**Wife of Victor Olayvar**

**Bil-isan, Panglao, Bohol**

**Date of Interview: September 7, 2006**

"My late husband, Victor, was very open to me especially on his commitment to the farmer organization, HUMABOL. I was already aware on the death threats against his life since June this year. Victor's coming home regularly was affected because of such death threats. I personally witnessed mysterious men in non-plated motorcycles patrolling in the road near our house, and received reports from neighbors that these men were asking about Victor's whereabouts. I knew these are not Victor's friends or colleagues because asking about Victor, is very unlikely to those who know him.

I was very apprehensive about my husband's life but on the other hand, I respected him and acknowledged the noble purpose of his work. Right after the much projected Local Peace Forum on September 2, I was even more worried because instead of believing that Victor was already safe under the care of the AFP and PNP as what was promised, our neighbors reported to us that men in two mysterious motorcycles were on parked in the crossroad near their house. I sent messages to Victor to refrain him from going home trying to safeguard his security. Victor was able to come home only on Sunday night (September 3).

Victor left the house at about 2:30 early dawn of September 4 for Trinidad, but told me he will be home by Thursday (September 7) because he will be hopping in the different HUMABOL chapters for consultations. His last text was Wednesday night (September 6), telling me "not to worry" when I texted him to take care of himself.

In the morning of September 7, my uncle living nearby informed me that Victor was shot to death in Cantubod, Danao. I have no second thought. As a peaceful and friendly person, and as what he has told me before his death, only the military has the motive to liquidate my husband."

##### **Account of Joselito Corona Ayag, 38, single**

**Tangkigan, Mabini, Bohol**

**Driver of the motorcycle boarded by Victor Olayvar during the incident**

**Date of Interview: September 7, 2006**

"I was stopped by a man who introduced himself as "Bert". I drove him from highway Dagohoy-Caluasan to San Carlos, Danao late in the afternoon of September 6, 2006 with the agreed rental of P1,500.00. I received the amount because I needed it for the purchase of some motorcycle spare parts. When we arrived in San Carlos, we were received by the owner of a "videoke" place whom I did not ask the name.

In the evening after dinner, "Bert" had conversations with different people in the place. Another two arrived and they talked. At about 11:00 in the evening, when the people were off and the singing was over, we slept in the same house at the outside lobby of the "videoke" place.

In the morning of September 7, 2006 at about 7 a.m., I drove "Bert" towards Poblacion, Danao. Upon reaching the bridge, I saw a man waving us to stop. When we slowed down towards the bridge the man gestured as if pulling something from his side. In a flash, I recognized it was a gun. I tried to pull up the motorcycle to move faster but failed. Gun shots followed and we fell down with the motorcycle, and my leg was trapped. I tried to pull my leg out and pleaded to the man with the gun to spare me.

I cannot recall anything anymore, especially on the identity of the killer/s. It was so fast, as if everything was passing. My last memory was, I was circling the bloodied body of my passenger and saw a woman about 60 years of age who shouted to me "Pagtawag og pulis!" (Call the police!).

I came back to my senses, and went to the police station of Danao and reported the incident. Now, I am still confused and in a state of shock."

##### **Accounts of Roldan Torres, 42, married**

**San Carlos, Danao, Bohol**

**Owner of the "videoke" place where Victor Olayvar and Joselito Ayag stayed**

**Date of Interview: September 8, 2006**

"I met Victor Olayvar sometimes in June this year when he was introduced to me by Adelaida "Ade" Membrillos. Victor was a very friendly and jolly person and we had singing that time.

Recently, Victor texted me if it will be okay if he will visit San Carlos, and if it will be safe for him to come. I told him why not, when I did not notice anything unusual about security problem here. I sent him a message "negative".

He texted me he will come on September 6 but will be on bus. I was thinking his arrival will be late as the bus is always delayed in the trip. He arrived between 7:00-8:00 p.m. on September 6 on a motorcycle with the driver Victor called "Agaw". I requested somebody to call Tatay Pedoy (Alfredo Bingas) to tell him we have visitors. This Tatay Pedoy I have known is also a close friend of Victor. Tatay Pedoy arrived with a pot of cooked rice. We had supper together with my family.

Two men whom were not familiar to me arrived. Victor requested if they can sit in the shade of the mango tree so I gave them chairs to use, while I entertained the other customers singing. Later Victor asked me if I can request somebody to buy Kulafu for them and gave me money. So I asked some local boys to buy for them. Victor's Agaw was sitting in our lobby, shared some songs with my other customers, and every now and then, would go to Victor's place in the mango shade to have some shots of the Kulafu. Tatay Pedoy also went home to have a rest.

After an hour, the two men conversing with Victor went off and Victor went back to the house and sang about two songs. When the singing was over about 11 p.m., Victor told me they would sleep in the lobby outside the house because they will be off anytime early in the morning and will not disturb our sleep anymore. I insisted they should sleep inside the house and inform me if they will depart. I offered them the "lantay" (bamboo bed) to sleep on. This is the first time that Victor slept in our house.

In the morning I offered them "painit" before setting them off. Victor said they will have their breakfast in Pondol, Loon because it's fiesta and they can have hot carabeef soup there. Tatay Pedoy also arrived and he was the one buying the coffee and Milo while he will also find gasoline for the motorcycle of Victor. About 6:00 or 7:00 in the morning, they departed.

Then a habal-habal driver told me that my visitors last night met an accident (na-crash) in the bridge. Later in the morning, Victor's Agaw arrived with the police and told me that the man with him was shot in the bridge. I was confused why he denied that he knew Victor, so I also denied to the police having known Victor. After realizing my name was in Victor's phonebook, I admitted we knew each other and this is the second time I met Victor.

Later, I learned that the killers passed by our rented house on DT and blue crypton motorcycles going to Buenavista-Jetafe route in high speed. Also, other habal-habal drivers told me that they saw unidentified DT motorcycle-riding men parked in the other bridge of Buenavista-Jetafe route since 9:00 on the night of September 6, telling the habal-habal drivers who happened to ask that they were out of gasoline, and would stay there the whole night "

### **Enrique Siasol, married**

**Barangay Tanod of Cantubod, Danao, Bohol**

**Habal-habal driver, house is about 100 away meters from the crime scene**

**Date of Interview: September 7, 2006**

"I work as habal-habal driver. On September 7 at about 6:00 I went off to drive my motorcycle and when I reached near the bridge (about 100 meter below our house) I noticed three men as if fixing two motorcycles, one is a black DT and the other a blue crypton. When I asked them what happened, one of them told me "nagub-an lagi mi Bay" (Our motorcycles need repair), so I passed by them and went to Poblacion, Danao to fetch some passengers.

Nang Tasing (Taciana Udtohan) with a companion requested me to drive them towards San Carlos. Upon reaching the bridge, I still saw the same men with the motorcycles and I assumed they were still fixing their motorcycles. One of them in shorts waved us to stop and so we stopped.

In a flash, I saw a man shooting the other motorcycle going to our direction. I hurriedly pulled down my motorcycle and ran, leaving my women passengers behind, afraid that I might be hit with the bullets. When I came back, I saw a man lying in blood at the other end of the bridge. I assumed the killers escaped towards the direction of Buenavista-Jetafe route because they did not pass to us. I am not familiar with the faces nor identity of the killers, I think they are not from our place

I went to our Barangay Captain, Thelma Duavis and reported the incident. I understand our Barangay Captain radioed the police to response to the shooting incident. When I went back to the crime scene, people were already gathered at the bridge and surrounding the body of the lying person.

The police came at about 9:00 in the morning and retrieved the body. It was only in the news that I came to know that a certain Victor Olayvar was the one shot in the bridge."

### **Accounts of Dominga Ramirez, 50, married**

## **New Cebu, Danao, Bohol**

**Date of Interview: September 1, 2006**

I am a farmer and everyday I have to pass by the bridge going to my farm. That early morning of September 7, 2006, about earlier than 6:00 a.m. I noticed about 4 men whom I assumed to be fixing their motorcycles because they were laid down beside the street. One motorcycle is black and the other is “pambabaye” colored blue.

One of the men in black headgear was texting at the side of the road and another was leaning against the railing of the bridge. The others were near the motorcycles. The faces of the men were not familiar to me. I am always present during market days to sell my goods and almost know the faces of every man in our place and every habal-habal driver, but I really don't recognize those men. They are not from here.

Later that day, I heard the news about the shooting incident which happened in that bridge. No doubt, those men were the killers of the victim.

## **Accounts of Taciana Udtohan, 52**

**Poblacion, Danao, Bohol**

**One of the women riders of Enrique Siasol**

**Date of Interview: September 8, 2006**

I was with my grandson and mother, Cemprona Udtohan, that day of September 7, 2006. We waited for a habal-habal to bring us to our farm in San Carlos, Danao so that we can plant corn (“magpugas”) that day. Eking (Enrique Siasol) passed by so we rode on his habal-habal.

Upon reaching the Candaba bridge of Brgy. Cantubod, Danao I saw a man wearing a cap, in short pants and thick jacket waving his hand to stop us from going to the bridge. So Eking stopped the motorcycle just about 2 meters away from the bridge. I saw another motorcycle going towards the other end of the bridge and after we have been stopped, the man waving us went towards that direction and also waved that motorcycle to stop.

Next I heard a gunshot (the man who was tall). The small person who was riding on the other motorcycle fell to the ground while their motorcycle was still running. Next the motorcycle fell also. The man with the gun shot the same person at close range and they fled towards the Buenavista-Jetafe route.

My eyes concentrated on the man who was shot and fell down. He was still breathing. The driver of the motorcycle was running around like a fool man so I shouted to him to call the police. So he went off.”

## **V. FINDINGS**

The series of blatant surveillance and liquidation scheme prearranged for Olayvar ended to his assassination was systematic which only those who have the resources, forces, technology and confidence can execute.

### **Resources Expended**

Accounts revealed that the blatant surveillance and threat against Olayvar's life, together with three other HUMABOL personalities already started in the month of June, 2006 yet. The pattern of the operation involved DT and XR types of motorcycles and white vans. Running to almost three months in daring demeanor over the province and in irregular pattern, this **operation obviously involves a stout budget** – an amount which ordinary citizens and even businessmen can not afford.

### **Cellphone Technology**

Taking but not believing Joselito Ayag's account that Victor Olayvar was just hitching a ride and paying rental to him; Roldan Torres' account that Olayvar did not tell him he was on board on a motorcycle but on a bus; and victims's friends accounts that on September 6, Olayvar texted them that he is in Loon attending the fiesta, it was obvious that Olayvar's whereabouts can not be fixed by merely the text messages alone, but by high-technology surveillance system involving digitally locator technique/s, a capability which only the military gets hold of.

The exchanging of cellphone numbers among the “targets” and the AFP and PNP officials during the Peace Forum was a very significant event that paved way for the military institution to know the contact number of Victor Olayvar and the rest of the HUMABOL personalities.

### **Forces Employed**

The operation obviously does not involve only 3-4 men in the field. On the tragic morning of September 7, 2006, the textings of the perpetrators and the presence of other mysterious and “new faces” in the other bridge of exit (Buena Vista-Jetafe direction) which Victor Olayvar might be passing, upon going out from the area proved to be a **well-planned and well-executed operation** only professionals and trained persons can perform and carry out, and does not involve only the 3-4 motorcycle riding men seen on the crime scene. It was a liquidation team of not less than 8 persons.

Considering that the distance from the crime scene and the 15<sup>th</sup> IB PA Charlie Coy Headquarters manned by Lt Cabias in Brgy. Sta. Fe is just less than two (2) kilometers away, this liquidation team was confident and daring enough to carry along firearms, stayed for about three hours visibly (there were even accounts that these men were already in the crime scene that night) and execute an assassination scheme in broad daylight without masks.

Obviously, what group or institution can employ such well-planned, well-executed well-funded and confident operation but the military itself.

One significant data was, during the Peace Forum on September 2, 2006, it was noted by BAYAN and HUMABOL officers that the military were inviting people who were not “expected” to attend and unknown to the group, in fact they were presented by Mr. Romy Teruel to be acknowledged. This gave a venue for suspicious persons to identify Olayvar and company to unknown persons.

### **Apparent Motive**

Victor Olayvar has been a vocal, stern and sturdy critic to the administration while he advanced the rights of the farmers for genuine agrarian reform and pursued justice to those who became victims of repression and oppression. Olayvar is visible in the tingling agrarian issues in the province which include the land occupation of farmers into idle lands, land distribution of CARPable lands, multi-million and President-backed palm oil industry, corruption-laden and anomalous dams, right to basic services of the poor farmers, ouster of the Arroyo administration, and militarization.

Olayvar has hit to the heart of the agrarian issues, rattled the credibility of a State which is insincere to give a damn to the demands and needs of the farmers and shaken the interests of those who are in power, landlords and bureaucrat capitalists alike, moved by the small victories acquired by the peasants through bonding together into an organization called Hugpong sa Mag-uumang Bol-anon, HUMABOL

HUMABOL has been a subject to black propaganda and witch hunting instigated by the military and other government officials, and tagged as a front of the CPP-NPA-NDF. The sworn statement of Alfredo Bingas on his investigation with Lt. Noel Caibigan last month of June, 2006 can back this up. Not only did the able military officer mentioned Olayvar to be a “target within this year”, he also mentioned other top HUMABOL personalities such as Felipeneri Bejasa, Tomasa Santos and William Boybanting.

Olayvar’s commitment in this organization, made him a “target” of assassination.

The Oplan Bantay Laya anti-insurgency plan that targeted legal sectoral organizations, all-out war campaign and P1billion additional insurgency fund of GMA administration speaks for itself in the proliferation of political killings in the country.

## **VI. RECOMMENDATIONS**

1. A sincere investigation of the case that would attend justice. PNP investigation must not limit itself on creating angles that are farfetched and damaging to the victim’s life. Before the crime, the victim has expressed that he is a target of a military project of neutralization. The scene of the crime is at the military controlled area. The investigation should have focused on the military involvement and responsibility.
2. Demilitarization of the province
3. Give justice to Victor and to other victims of political killings in the province.

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## **APPENDIX E**

### **URGENT ACTION**

**UA Title: THE 9<sup>th</sup> SUPREME BISHOP OF THE PHILIPPINE INDEPENDENT CHURCH KILLED**

**UA Cases: Summary Execution, Divestment of Property, Violation of Domicile**

**Victim: BISHOP ALBERTO B. RAMENTO**

- \* 70 yrs old, married, with four children
- \* male
- \* San Antonio, Cavite City
- \* Bishop, Philippine Independent Church
- \* Diocesan Bishop, Diocese of Tarlac 1999-2006
- \* 9<sup>th</sup> Supreme Bishop 1993-1999
- \* Diocesan Bishop, Diocese of Cavite 1969-1993
- \* President, Supreme Council of Bishops (SCB) 2005-2006
- \* Co-Chairman, Ecumenical Bishop's Forum (EBF)
- \* Co-Chairman, Philippine Peace Center
- \* Member, Executive Commission, National Council of Churches (NCCP)
- \* Member, National Social Action Commission (NASAC)
- \* Founding Convenor, Movement of Concerned Citizens for Civil Liberties
- \* Convenor, Pilgrims for Peace
- \* Initiator, Peace for Life
- \* Provincial Chairman, Alliance for the Advancement of People's Rights (KARAPATAN)-Tarlac
- \* Third Party Depository on the Government of the Philippines and the National Democratic Front of the Philippines (GRP-NDFP) Peace Talks
- \* Judge, International People's Court
- \* Member, Presidium, Citizen's Congress for Truth and Accountability (CCTA) 2005
- \* Host, International Solidarity Mission
- \* Host, Pastoral Ecumenical Delegation Visit of the World Council of Churches (WCC) and NCCP 2005

\* Chairperson, Workers Assistance Center, Inc.-Cavite, 2006

\* Board Member, Workers Alliance of Cavite 2006

\* Awardee, Outstanding Son of Cavite 2004

**Place of Incident: San Sebastian Church, 179 Espinosa St., Barangay Poblacion, Tarlac City**

**Date of Incident: early morning of October 3, 2006**

**Allege Perpetrators:** Unidentified and undetermined number of assailant/s

**MOTIVE:** part of the target research concept and attacks against legitimate militant personalities

**Account of Incident –**

On October 3, 2006, the body of IFI Bishop Alberto Ramento was found at around 7:00 in the morning by Archimedes Ferrer, the caretaker and companion of Bishop Ramento. He was found lying on his side on the floor facing towards his room and his back towards the staircase. There was a profusion of blood on the side near the staircase.

Archimedes Ferrer called up his brother Fr. Ronald Ferrer to inform him and to seek assistance. He reported the incident to the police station.

The PNP Scene of the Crime Operatives conducted an investigation. They reportedly found finger prints, two pairs of Beachwalk sandals, a pair of leather sandals, a ball cap and a handkerchief. They also reportedly found the empty wallet of the Bishop. His cellular phone and ring were missing. The knife allegedly used as a murder weapon was reportedly found a few meters away from the church and was surrendered by the person who found it to a Barangay Councilor. The lower part of the side door on the right side of the church was also found to be ripped off.

During the investigation, only Archimedes was allowed to witness the procedure and Fr. Ronald Ferrer and Fr. Gilbert G. Garcia, who were the first two colleagues to arrive in San Sebastian were not permitted to witness the investigation despite repeated request. But Mayor Genaro Mendoza, Barangay Captain Diolazo and another female Barangay Councilor were allowed entry to the scene of the crime.

On the day of the incident, the PNP, through the media announced that Bishop Ramento was a victim of robbery with homicide dismissing the possible political motive behind the killing because there were earlier reports of break-ins in the San Sebastian Church and also because his cellular phone and ring were missing.

Based on the autopsy, Bishop Ramento sustained two stab wounds in the chest, three in the back and one in his side. Two of these stab wounds hit his heart and right lung. There was a skin deep incised wound in his lower neck and a diagonal incised wound in his left ring finger.

In the autopsy report, there was no mention of marks or bruises in the arms indicating struggle by the victim or restrain by the assailant/s

Prior to the incident, Bishop Ramento had received numerous death threats through text messages that intensified after the death of fellow Philippine Independent Church priest Fr. William Tadena in 2005. These messages were said to contain the following messages, "Masyado ka ng pakialamero. Ikaw na ang susunod." (You have become too meddlesome. You'll be the next.)

Alberto II and Alberto III, the sons of Bishop Ramento said that they can personally attest to the veracity of these death threats because their father personally showed them the text messages.

Alberto II related that on September 29, 2006, the last time the Bishop went home to Cavite after the typhoon Milenyo, the Bishop was already quite alarmed by the threats that he asked Alberto II to draw up a security plan for him. It was even suggested that the Bishop's car be darkly tinted to discourage potential assailants.

Fr. Gilbert G. Garcia also related that on several occasions the late Bishop reported the death threat incidents during their clergy meetings. This was confirmed by Archimedes Ferrer who also attended the said meetings.

Bishop Ramento, about two weeks before he died publicly announced the threats on his life in a forum held at the University of the Philippines on September 18, 2006.

On October 6, 2006, the PNP presented to the media four alleged perpetrators of the killing of Bishop Ramento who allegedly are members of a notorious group of criminals in Tarlac.

The family, colleagues and friends of the slain bishop expressed dissatisfaction with the result of the PNP hasty investigation because the outright dismissal of the possible political motive behind the death of Bishop Ramento ignored the fact that there was a serious threat to his life.

## **APPENDIX F**

### **FACTSHEET**

**TYPE OF VIOLATION:** Summary Execution, Physical Assault, Divestment of Properties, Violation of Domicile

**DATE OF INCIDENT:** August 3, 2006, at around 10:35 PM

**PLACE OF INCIDENT:** Brgy. Malobago, Daraga, Albay

**VICTIM/S:** Pastor Isaias Sta. Rosa  
Sonia Sta. Rosa, wife of Pastor Sta. Rosa  
Jonathan Sta. Rosa, brother of Pastor Sta. Rosa  
Ray Sun Sta. Rosa, brother of Pastor Sta. Rosa  
Dem-Dem Sta. Rosa, daughter of Pastor Sta. Rosa  
Miko, Phillip and Karlo Sta. Rosa, sons of Pastor Sta. Rosa

**MOTIVE:** under suspicion of being a member of the New People's Army (NPA)

**ALLEGED PERPETRATORS:** elements of the Armed Forces of the Philippines under the 9<sup>th</sup> Infantry Battalion

#### **SUMMARY OF INCIDENT:**

Sometime on 3 August 2006 at 10:35 in the evening or thereabouts, Pastor Isaias Sta. Rosa, was abducted and then murdered in Brgy. Malobago, Daraga, Albay by armed men wearing bonnets, at least one of them was positively identified as a soldier.

Isaias Sta. Rosa was a member of Legaspi City United Methodist Church in South Bicol District, a freelance writer, project consultant for non-government organizations and the Executive Director of the Farmers' Assistance for Rural Management Education and Rehabilitation, Inc., a non-government organization that gives assistance to farmers in improving their economy. He was also an active member of the peasant group Kilusang Magbubukid ng Bikol (Bicol Peasant Movement) an affiliate organization of the Kilusang Magbubukid ng Pilipinas (Philippine Peasant Movement) and which groups are very active in the movement for a genuine land reform and for the ouster of President Gloria Macapagal-Arroyo.

Based on the accounts of witnesses, it was around 7:30 in the evening of August 3 when three (3) hooded armed men who, except for one who appeared to be the leader and was wearing a maroon shirt and black short pants, were wearing army issue camouflage pants, combat boots and dark long-sleeved t-shirts, barged into the house of Ray-Sun Sta. Rosa and Jonathan Sta. Rosa. They were looking for their brother Pastor Isaias Sta. Rosa. They were told to lay prone on the ground while the armed men stepped on their heads and poked their guns thereon. Ray was able to observe the presence of more armed men positioned amidst the bushes. Jonathan was hit with a gun barrel on his head when he tried to look around.

They then accused the two brothers of being members of the New People's Army, and which the latter denied. Then Jonathan was dragged at gunpoint to the house of his brother Pastor Sta. Rosa which was situated just a few meters from his own.

At about the same time in the house of Pastor Sta. Rosa, his wife Sonia heard a commotion outside and she checked it by peering through one of their windows, but saw nothing. Isaias Sta. Rosa and their children Demdem, Philip and Mikko were also in the house.

They then heard a knock on the door and Sonia heard the soft voice of Jonathan calling for Isaias. She opened the door and saw Jonathan looking pale. As she was calling out Isaias, a short and stout man wearing a bonnet, a maroon t-shirt, short pants, and armed with a .45 pistol barged inside and ordered them to drop to the floor. He was followed by

about six to ten armed men who were hooded with bonnets, wearing black t-shirts, camouflaged pants and combat boots.

Isaias Sta. Rosa was then tied with his hands at the back. He was mauled while he was being forced to admit that he was the “Elmer” that they were looking for and that he had a gun.

They herded Jonathan, Sonia, Dem-dem, Mikko and Philip into one of the rooms while Isaias was brought to the other. Ray was then also brought inside the room where Sonia and her children were. The soldiers then left the house taking with them Isaias, who was then tied and already bloodied, his laptop computer as well as the cellular phones of Isaias and Mikko.

Sonia then rushed outside and called for help from her sister Madelyn, and who was staying near their own house. The neighbors were stirred as Madelyn shouted for help.

Then, gunshots were heard - six shots then another three after a pause.

Ray, Jonathan and their neighbors immediately went in the direction of the origin of the gunshots. They found the body of Isaias Sta. Rosa along a creek about 50 meters from his house.

They also found another body wearing a bonnet, a maroon shirt and short pants about five meters from the body of Isaias along with a .45 caliber pistol fitted with a sound suppressor or silencer.

Then, a group of policemen led by Colonel Capinpin, the Chief of Daraga Police Station, arrived along with the barangay chief, Artita Padilla. The police recovered from the scene the pistol as well as one (1) spend shell for caliber .45 pistol and one (1) .45 caliber slug. Also recovered by the police from the then unidentified body were a Philippine Army identification card of one PFC Lordger Pastrana, with expiration date of 9 December 2008 and a mission order issued in the same name by the 9<sup>th</sup> Military Intelligence Battalion of the 9<sup>th</sup> Infantry Division, PA based in Camp Weene Martillana, Pili, Camarines Sur. Signed by Major Ernest Marc Rosal, the order was dated 11 July 2006 and to expire on 30 September 2006.

The body has already been confirmed to be that of PFC Lordger Pastrana of the Military Intelligence Battalion of the 9<sup>th</sup> Infantry Division.

Autopsy reports showed that Isaias Sta. Rosa died after sustaining six gunshot wounds while Pastrana sustained one gunshot wound which cause his death.

Forensics examination later revealed that the abovedescribed shell was fired from the pistol found near the body of Pastrana and that the slug recovered from the body of Isaias Sta. Rosa was not fired from the same pistol.

There is no real progress in the investigation of the case as the Philippine Army continue to deny access to relevant data, e.g. The team members of Pastrana, the like. The PNP is likewise reluctant in pursuing the investigation of the case.

Sonia and her children are now living in constant fear while Ray and Jonathan rarely stay in Malobago, Daraga. IN particular, Sonia is afraid of filing a case out of fear that those responsible might get back at her.

The Philippine Army already declared that Pastrana was on AWOL and that he was in the place to court somebody.

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## **APPENDIX G**

### **FACTSHEET**

TYPE OF VIOLATION/S:	Summary Execution
DATE OF INCIDENT:	July 31, 2006, at around 6:00 AM
PLACE OF INCIDENT:	inside a bus in Queen's Bus Terminal, Zone 4, Bulan, Sorsogon
VICTIM:	Rei Mon Guran
MOTIVE:	part of the Target Research under Oplan Bantay Laya
ALLEGED PERPETRATOR/S:	unidentified lone gunman wearing a brown cap

#### **SUMMARY OF INCIDENT:**

On July 31, 2006, at around six in the morning, Rei Mon Guran was shot to death by a lone gunman wearing a brown baseball cap inside a bus stationed at the Queen's Bus Terminal located at Zone 4, Bulan, Sorsogon.

The victim sustained four gunshot wounds, one on his neck that exited in his nape, two on his right chest and another one on his left arm.

Rei Mon Guran was the Provincial Coordinator of the League of Filipino Students–Albay (LFS), spokesperson of Education for All Movement (E4ALL), Public Information Officer of College of Arts and Sciences Student Council (SC-CAS), he was also a member of the a campus political party Sandigan ng Mag-aaral para sa Sambayanan (SAMASA Party); a staff writer of the official school publication of Aquinas University, the PEGASUS. He was also a convenor of Bicol Academe Against Betrayal of Arroyo (BABA Movement) a broad alliance of youth and students against President Arroyo's electoral fraud. He was also an active youth leader of Christian Youth Fellowship of the United Church of Christ in the Philippines (UCCP) in Sorsogon.

According to the witnesses, Rei Mon was seated at the last row, a seat away from the window side near the second door of the bus. He was reading a book while waiting for the bus' departure to Legazpi. A man (description) got on the bus in the door close to where he was sitting. A man sitting beside Rei Mon nodded to another man outside the bus as if to positively identify the target. He shot Rei Mon twice before firing another two after a few seconds. The gunman went down the bus casually and walked towards the corner where a group of men was waiting for him, boarded a motorcycle and drove away from the scene.

Rei Mon was accompanied by his parents to the terminal. Arnel Guran, Rei Mon's father even went up to the bus with him because he was carrying some of Rei Mon's things. The couple has not gone far way from the terminal yet when they heard the first two shots. Somebody informed them of the incident and they immediately went back to the terminal.

Four positively identified policemen were on board the same bus with Rei Mon but they did not respond to the incident. The death of Rei Mon could have been prevented worse, the police did not even go after the assassin after the incident.

The man seen to have signaled someone from outside the bus by nodding was identified as PA Carlito Fuller of Sta. Teresita, Bulan.

A policeman identified as SPO1 Edagardo Calupit, Public Community Relation Officer of PNP-Bulan was also in the bus during the incident. He was accompanying his mother to Legazpi for medication. He was even quoted saying "*Sino ang uunahin ko, magresponde sa patay na o iwan ang nanay ko na may sakit at ginastusan ko na ng kalahating milyong? (Whom will I prioritize, someone who's already dead and leave my sick mother*

*whom I have already spent half million for medication?"* A witness could attest that Calupit talked to the assassin as the latter passed by his seat before going to rear of the bus where Rei Mon was sitting.

Another two policemen were seen in the vicinity of the crime scene and identified as PO Fortunato Badak, a cartographic artist and a certain Boboy Gimena. The PNP-Bulan station is only 3 blocks away from the Queen's Bus Terminal.

On August 15, 2006 at around 1:00 in the afternoon, an agent from the National Bureau of Investigation-Bicol Region who introduced himself as Roan Instillado came to see the family of Rei mon. Upon hearing the testimony of the relatives he was quoted saying: "Tumira na naman ang MIG, (The MIG has struck again.)

Rei Mon's family related that prior to the incident he had been experiencing harassments already.

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## APPENDIX H

### URGENT ACTION

UA Date: 13 July 2006

UA Title: Volunteers for peasant group abducted in Nueva Ecija; member of peasant group illegally arrested

UA Case: ENFORCED DISAPPEARANCE, ILLEGAL ARREST

Victims:

**Sherlyn Cadapan, 29 years old**

**Karen Empeño, 23 years old**

**Manuel Merino, 55 years old**

\*Volunteers for the Alyansa ng Magbubukid sa Bulacan ( Alliance of Peasants in Bulacan)

**Alberto Ramirez, 38 years old**

\* Member of a peasant group and resident of Hagonoy, Bulacan

**Place of incident** – San Miguel, Hagonoy Bulacan

**Date of incidents** – 26 June, 2006 at around 2AM , 28 June, 2006

**Alleged perpetrators** – unidentified military unit (possibly belonging to the command of Lt. Col. Rogelio G. Boac of the 70th Division Reconnaissance Company)

**Summary of account** –

Two female student activists and their male companion – Sherlyn Cadapan, Karen Empeño and Manuel Merino – all volunteers of the Alyansa ng Magbubukid sa Bulacan (Alliance of Peasants in Bulacan) were abducted by elements of the Philippine Army based in the Headquarters of the 56th Infantry Battalion in Iba, Hagonoy Bulacan.

At around 2:00 in the morning of June 26, 2006, at the residence of Raquel Halili, Sherlyn and Karen were forcibly taken by elements of the Philippine Army. When Manuel Merino who was staying at the house of William Ramos tried to help the two, he was also seized and was tied down. William Ramos and his son Wilfredo saw the perpetrators leading the victims to a owner-type stainless steel jeep with plate number RTF 597 that sped towards the direction of Iba, Hagonoy, Bulacan.

Alyansa ng mga Mamamayan para sa Pantangon Karapatan-Bulacan (People's Alliance for Human Rights-Bulacan), a local human rights group immediately launched a quick response team headed by Mildred Benitez and proceeded to the 56th Infantry Battalion headquarters in Iba, Hagonoy, Bulacan where the team spotted the stainless jeep used by the perpetrators.

The quick response team was refused entrance at the headquarters. While outside, they heard a barbeque vendor inquiring "yong mga babae ba?" (Are you looking for

the women?), pertaining to whom the team was looking for. When they answered affirmatively, she became silent.

The military denied having custody of the victims, which was disproved in a related incident – the illegal arrest by military elements of Alberto Ramirez on June 28, 2006 wherein he positively identified Manuel Merino to have been used by the perpetrators as the guide in locating him.

Alberto was brought to the Philippine Army detachment in Barangay Mercado, Hagonoy, Bulacan on-board a stainless steel jeep with plate number RFT 597. His abductors asked if he knew Sherlyn Cadapan and Karen Empeño to which he replied in the negative. He was later released but is now unable to go home for fear of further harassment from the military.

The military has likewise expressed elation over the disappearance of the three activists. The commander of the 7th Infantry Division that has jurisdiction over army operatives in the place of incident, Gen. Jovito Palparan, Jr. told the press that "their disappearance is good for us but as to who abducted them, we don't know. That's good for us because they are NPAs."

Sherlyn Cadapan is an award-winning tri-athlete from the College of Human Kinetics (CHK), University of the Philippines, Diliman Campus, the premier state university of the country. She served as CHK representative to the University Student Council of UP Diliman. After her term as CHK representative, she became a community organizer of the youth group Anakbayan and is now a volunteer researcher for the farmers' organization Alyansa ng Magbubukid sa Bulacan (Alliance of Peasants in Bulacan or AMB) in Central Luzon. Sherlyn's mother, Linda, said her daughter is pregnant at the time of the abduction.

Karen Empeño is a graduating student of BA Sociology in UP Diliman. She is an active member of the League of Filipino Students. She was doing research for her undergraduate thesis on the plight of the farmers in Central Luzon while doing volunteer research for AMB at the same time.

The victims remain missing to this day.



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## APPENDIX I

### FACTSHEET

**VIOLATION:** Enforced Disappearance

**VICTIM:** ROLAND RALLO PORTER

- Around 50 years old, married with children
- Male
- A resident of Constancia Street, Barangay Olympia, Makati City, Philippine
- Volunteer, Bayan Muna (People First) Partylist
- Member, First Quarter Storm Movement (an organization of former activists during the First Quarter of 1970 or the Martial Law period)

**PLACE OF INCIDENT:** Sacramento corner San Rafael Streets, Barangay Olympia, Makati City, Philippines

**DATE OF INCIDENT:** 16 May 2006 at around 12:00 NN

**MOTIVE:** part of the Target Research of Oplan Bantay Laya

**ALLEGED PERPETRATORS:** several elements of the CIDG

#### SUMMARY OF INCIDENT:

On May 16, 2006 at around 12:00 noon, Roland Porter rode his bike from his home to a store along Sacramento corner San Rafael Streets in Barangay Olympia, Makati City to have his cellphone reloaded when several unidentified men on board a white L300 FB van came and forcibly took him away.

A witness failed to get the name on the ID flashed by one of the perpetrators but said that the word 'Police' was written on it.

Another witness to the abduction narrated that when Roland was on board his bike going to the store, a tricycle was following Roland. A man wearing a fatigue-colored shirt was on board this tricycle and was seen texting as well as signaling to the driver of the van, the occupants of which took Roland away.

Roland remains missing to this day.



## **APPENDIX J**

### **FACTSHEET**

**TYPE OF VIOLATIONS:** Illegal Arrest and Detention, Torture, Divestment of Properties, Indiscriminate Firing, Enforced Disappearance

**DATE OF INCIDENT:** April 17, 2006, at around 10:35 am

**PLACE OF INCIDENT:** Brgy. Camaching, Dona Remedios Trinidad, Bulacan

**VICTIMS:** Oscar Leuterio, Bernabe Mendiola, Virgilio Calilap,  
Teresa Calilap

**MOTIVE:** under suspicion of being members of the NPA

**ALLEGED PERPETRATORS:** Unidentified men believed to be elements of the military

#### **SUMMARY OF INCIDENT:**

On April 17, 2006, at around 10:35 in the morning, as Bernabe Mendiola handing out the salaries of the workers in Iron Ore Mining, 30 or so military elements in civilian clothing, with coverings on their faces together with civilian guides Bitoy, Alladin, and Alvin Pastrana assaulted the approximately 60 people present at the area. The assailants were armed with high caliber rifles such as M203, M16 and M14. The civilian guides were bare-faced and were also armed with high caliber rifles.

They staged a series of gunfire before they actually assaulted the area. One by one they took the people who were in the three huts located in the mining site. People were bodily searched and personal belongings such as cellular phones, money and other personal items were confiscated. A total of almost 30 cellular phones and P200,000; the combined amount of the company money and personal money of the workers were taken.

All of the more or less 60 people were made to lie face down on the ground in front of the hut located at the center of the site under the scorching heat of the sun from 10:35 am to 5:00 pm. Oscar Leuterio, Bernabe Mendiola and the Calilap couple were separated from them, their hands were tied behind backs and were beaten. They were kicked, trampled and butt-stroked by M16 and M14 rifles in different parts of their bodies. While all these beating were going on, they were interrogated on who and where are the NPA. At around 5:00 pm, the four victims were told to stand up and were blindfolded. The perpetrators took them to a wooded area about 200 meters away from the center of Brgy. Camaching on board a truck owned by Iron Ore Mining. The rest of the people were left behind still lying face down on the ground. Upon reaching their destination, they were made to disembark and the beatings went on again. They were again questioned on the whereabouts of the NPA.

At nightfall, they were made to board lying down on a military truck with no roof. At around 10:00 pm, they were taken to Camp Tecson in San Miguel, Bulacan. This was ascertained by Oscar Leuterio whose blindfold was loosened and saw the words Camp Tecson on the arch they passed through on their way inside. They were taken to a small hut in the rear part of the camp. They were not given food and the beatings commenced once again. Their tormentor was named as certain Boy Muslim who was obviously drunk and was described as wearing a yellow T-shirt and denim pants. Boy Muslim pounded Oscar Leuterio's head with a 2x3 piece of wood that produced a big gash in the left side of his head. The same piece of wood was also used to pound the fingers of his hands and feet causing them to burst open. This was also used to clobber his legs and knees. When Boy Muslim once again struck his head with the piece of wood, Oscar lost consciousness. The other three victims suffered the same fate as Oscar's. He related that before he lost consciousness, he witnessed the beatings suffered by his other companions since they were all placed inside the same hut.

When Oscar regained consciousness, he saw his companions and an investigator who did not identify himself. The investigator told him that they were thankful that he regained consciousness because they all thought that he was already dead. The investigator attempted to mollify him by saying that Boy Muslim is really evil when drunk and he was only doing his job.

In the morning of April 18, 2006, Oscar was taken out of the hut and was brought to a table beside it for questioning. The investigator asked him who are the members of the NPA and where are they hiding. Oscar told him that as far as he knows, the NPA usually inhabited the forest and places where there is water. The questioning lasted for half an hour, after which, he was brought back inside the hut and the rest of the victims were also taken out for questioning. They were given lunch and were given first aid treatment. They applied betadine on Oscar's head wounds and he was also given antibiotic and pain reliever.

Since they were blindfolded and their hands were tied, Oscar related that a boy who introduced himself as Noli fed him during lunch. Noli was an altar boy of Fr. Viola, a Roman Catholic priest from their hometown and the son of Oscar's friend Lito. Noli was arrested because his brother is suspected to be an NPA member and allegedly the whole family is an NPA supporter.

They were made to take a rest after lunch and at about 8:00 in the evening they were taken on board a van; Oscar assumed this because they entered it through a sliding door on its side. He also sensed that other than the four of them, there were military men on board the van.

The travel lasted for about three hours. They were brought to a house in the middle of the woods, which they later found out to be inside Fort Magsaysay in San Jose City, Nueva Ecija. They figured this out when they heard male voices talking planning to go to market in Cabanatuan upon their arrival. This was later confirmed when they heard aircrafts landing and taking off in a nearby airstrip. Only Fort Magsaysay is the closest military installation with an airstrip.

They were taken into a house with four adjoining cells. Each cell has a measurement of about 6x3x5 feet. It has concrete walls and floor and with metal grills topped with galvanized iron roofing. It also has a toilet made of hollow blocks at its other end.

Oscar was placed in the cell closest to the door, to his right was placed the Calilap couple, next to their cell was Bernabe Mendiola's and the last cell was occupied by the brothers Raymond and Reynan of Bohol na Manga, San Miguel, Bulacan. Until now, Bernabe Mendiola remains missing.

The following day, they were untied and their blindfolds taken off. They were given respite and time for their wounds to heal. On the seventh day of their incarceration, the beatings resumed. They were whipped with a water hose in different parts of their bodies while being questioned on where they hid the guns and who were those who have guns. The whipping lasted for about 5 minutes.

They were blindfolded every time they were taken out of their cells for questioning but their blindfolds were removed once they were inside. Since Oscar's cell was beside the door, he can see the people outside through the space in the door when it's not properly closed.

The guards told them that "lolo's" replacement will take them home. Oscar found out that it was a certain Gomez who accompanied them. Oscar and Manuel together with another one abducted and finally released from Peñaranda and six more soldiers rode in a Pajero. Oscar was made to get off in San Idelfonso Bulacan and was told to hire a tricycle to go home. It took him two weeks to find a cellular phone to contact his son to pick him up.

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## **APPENDIX K**

### **FACTSHEET**

**TYPE OF VIOLATIONS:** Forced Servitude, Torture, Illegal Arrest and Detention

**DATE OF INCIDENT:** May 22, 2006

**PLACE OF INCIDENT:** Pantabangan, Nueva Ecija

**VICTIM:** Ruel Marcial, a member of the United Church of Christ in the Philippines (UCCP) in Pantabangan, Nueva Ecija

**ALLEGED PERPETRATORS:** 48<sup>th</sup> Infantry Battalion led by Lt. Ariel Galado and Lt. Lobusta

**MOTIVE:** under suspicion of being an NPA member

#### **SUMMARY OF INCIDENT:**

On May 22, 2006, a day after the shooting incident involving a UCCP pastor, Pastor Andy Pawican, Ruel Marcial together with other barriomates Roger Binlingan, Blacio Binlingan, Mempe Ruiz, Marlon Tarlac, Mariano Muling, Pastor Sebio Guindayan, Carlito Hongduan, Telio Palting, Paredes Baguilat, Anton Balectad and Fidel Palting was ordered by the military elements of the 48<sup>th</sup> Infantry Battalion led by Lt. Ariel Galado and Lt. Lobusta to bring the body of Pastor Andy to Brgy. Tayabo, San Jose City, Nueva Ecija. There were a lot of soldiers who accompany them in bringing the body to Brgy. Tayabo and it was almost noontime when they reached there. Upon reaching the area, they were told to place the body of Pastor Andy in an army 6x6 truck. Some of Ruel's barriomates accompany the body to the funeral parlor while some were allowed to go home.

Ruel was surprised when the military told him and his cousin Fidel Palting to remain. The military suspected Fidel of being an NPA member because he had a long hair. Fidel was coerced by the military to disclose who the other NPA members were. Due to extreme tension and fear, Fidel was forced to name Ruel as one of the members of the NPA.

The two were separated. Ruel was brought behind a piggery and was forced to admit that he really is a member of the NPA. When he was unable to respond due to extreme fear, his interrogator said, "You will reveal everything once you get to the camp!"

A single motorcycle arrived; Fidel was forced to board it and was brought to the broken bridge. Ruel was likewise forced to board another single motorcycle; he was blindfolded with a towel and was brought to a camp. Blindfolded, he was made to lie face down on the ground and was accused by the military of being a member of the NPA. They were forcing him to disclose where he hid the guns and questioned him whether Pastor Andy Pawican was an NPA commander. While he was being interrogated, they inserted a cogon reed into his penis and poured water into his

mouth. The interrogation lasted for almost two hours but Ruel had no idea what military were talking about.

Ruel was handcuffed and was still blindfolded when he was brought to an elevated part of the camp. The interrogation resumed. Once again water was poured into his mouth and a reed inserted into his penis. His thighs were also burned with cigarettes and a heated wire. He was ordered by his interrogators to disclose the names of his fellow NPA members. They were forcing him to admit their allegations. When Ruel told them that he is an ordinary farmer and has no acquaintance from the NPA, the military refused to believe him and continued torturing him. They cut his hair using a bolo, kept on kicking him, pummeled his abdomen, kept on hitting his face and when it swelled, the military put salt on his face. The military peeled the skin in his head and when it started to bleed, they forced him to admit their allegations. A gun was also aimed at his head during the interrogation. Three of his toenails were also pulled out. They forced him again and again to admit his involvement with the NPA and coerced him to guide them and lead them to where the NPA dens are.

In the course of Ruel's ordeal, he kept hearing what he believed was Fidel's screams in another part of the camp. The military tied both of his feet to a tree using a wire and his butt was repeatedly smacked with a bolo while his hands were clobbered with a bamboo.

When Ruel couldn't bear the torture anymore, he told them that he will cooperate and help them in looking for the lairs of the NPA just to stop them from torturing him further. It was only then that the soldiers stopped hurting him.

A soldier came and asked, "Sino and may gawa nito?" The soldiers guarding him replied, "mga bata ni Palparan"

After two days of severe torture, his blindfold was taken off but he remained tied. He studied his surroundings and realized that he was close to Brgy. Tayabo because he could see the Tayabo tower. He also tried to get information on what part of the camp was Fidel placed. Although he was unable to see Fidel, he noticed a hut with a soldier guarding it and food also brought there just like what they did in his case.

After a month of illegal detention, he noticed laxness in the security, and finally he was able to free himself.

Ruel recalled that during his detention, he heard the names of the soldiers De la Cuesta and Mendoza mentioned in the camp.

Fidel Palting remains missing today. Ruel is concerned about his cousin's fate.

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## APPENDIX L

### FACTSHEET

**Type of violation:** Summary Execution

**Victim/s :** Ofelia "Perla" Torno-Rodriguez known to many as Nanay Perla, 61 years old; Widow with 1 daughter and four (4) grandchildren; Peasant and mass leader  
Member of Divisoria Farmers Association affiliated with the Agumandareng Maglalatang Capampangan (AMC) and Alyansa ng Magbubukid sa Gitnang Luzon (AMGL)

**Date of Incident :** 16 January 2006 between 5:30 – 6:00 PM

**Place of Incident :** inside their home in Brgy. Divisoria, Mexico, Pampanga

**Suspected Perpetrator/s:** Two motorcycle-riding, armed men believed to be elements belonging to the 69<sup>th</sup> Infantry Battalion of the Philippine Army (IBPA) headed by 2<sup>nd</sup> Lt. John Paul Nicolas

#### Summary of Account :

At around 5:30-6:00 PM of 6 January 2006, Nanay Perla Rodriguez and her family had just finished eating their supper. Nanay Perla, who was carrying her one-year old granddaughter Eliza, was about to give water to her ailing mother Amalia de la Peña, 95 years old, when a man suddenly came inside their house. The man grabbed Nanay Perla's arm and shot her as she was about to put down her granddaughter Eliza. The bullet entered the top of her head and exited at her nape.

Nanay Perla only managed to shout "*Ay Diyos ko!*" ("My God!") then slumped on the ground.

Michelle, Nanay Perla's 14 year old granddaughter, was at the back of the house at that time and was with her younger brother when she heard a gunshot coming from inside their house. She only managed to see a tall, stocky man in civilian clothes and wearing a baseball cap walk out casually from their home. He was joined by another man in civilian clothes who stood outside of the house. They left together on board a motorcycle.

That morning, Michelle remembered her grandmother, Nanay Perla, as saying that she saw a man standing near a tree outside of their house, unusually observing them. A neighbor had likewise come that day informing Nanay Perla that a man was looking for her. In that neighbor's haste and fear, she forgot to tell the victim that the man was armed.

Prior to the incident, Nanay Perla and her family were constantly being harassed by elements of the 69<sup>th</sup> IBPA led by 2<sup>nd</sup> Lt. John Paul Nicolas.

In fact, on October 25, 2005, during the convenors' meeting in Quezon City of the STOP PALPARAN Alliance - a group calling on the government to discharge from service General Jovito Palparan, Jr., head of the Philippine Army's 7<sup>th</sup> Infantry Division covering the provinces of Central Luzon, including Pampanga, and who figured in many human rights violations complaints - Nanay Perla testified that she was invited to go to a military camp for questioning. In the said interrogation, 2<sup>nd</sup> Lt. John Paul Nicolas was forcing her to admit that she was a top-ranking NPA-leader. In another incident, her daughter confronted the said military official for spreading word that he was going to kill Nanay Perla.

After that meeting in Quezon City, the harassment on the victim and her family further intensified. At one time, a neighbor approached Nanay Perla and told her that 2<sup>nd</sup> Lt. John Paul Nicolas had approached him and tried to give him a gun to kill her, which the said neighbor refused.

Barangay Divisoria is one of the barangays (villages) of Mexico, Pampanga in which the military is conducting their Reengineered Special Operations Team (RSOT). The RSOT is a feature of the military's counter-insurgency program wherein military elements are deployed in the villages, stay there and supposedly "integrate" themselves with the populace. The integration is actually intelligence-gathering targeting leaders or active members of peasant associations, partylist organizations and people's organizations in the barrios.

**Prepared by:**

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EMJP

17 January 2006 3:00pm



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## APPENDIX M

### FACTSHEET

#### Case 1

**VIOLATION:**

Threat, Harassment and Intimidation, Severe Torture Resulting to Suicide

**VICTIMS:**  
United

Librado Gallardo, Chairperson of the local

Methodist Church Council  
Martina Gallardo, wife of Librado

#### Case 2

**VIOLATION:**

Torture, Threat/Harassment/Intimidation, Violation of Domicile

**VICTIMS:**

Maura "Neneng" Villajuan

**DATE OF INCIDENT:**  
morning

October 9, 2006, at around 10:00 in the

**PLACE OF INCIDENT:**

Brgy. Conversion, Pantabangan, Nueva Ecija

**MOTIVE:**

under suspicion of being members and supporters of the New People's Army (NPA)

**ALLEGED PERPETRATORS:**

Elements of the 48<sup>th</sup> Infantry Battalion of the Philippine Army (IBPA) led by Lt. Noel Ruezal and Lt. Garcia

#### SUMMARY OF INCIDENT:

At around midnight of October 8, 2006, about 50 elements of the 48<sup>th</sup> IBPA led by Lt. Noel Ruezal and Lt. Garcia arrived at Brgy. Conversion, Pantabangan, Nueva Ecija. They occupied the barangay hall and turned it into a military detachment.

On October 9, 2006, the military called a public meeting. Lt. Ruezal and five other soldiers, fetched Neneng Villajuan from her house and brought her to the house of spouses Librado and Martina Gallardo using the barangay service vehicle. Librado and Neneng were then brought to the barangay hall for interrogation. Martina tried to follow her husband Librado but was not allowed to go inside the hall by the soldiers.

They were brought to the second floor of the barangay hall and were interrogated in separate rooms. The soldiers tried to blindfold Neneng but she resisted. She was accused of feeding the NPA to which she replied that she may have inadvertently given food to one of them because she couldn't possibly refuse anybody who asked for food. Neneng heard that her brother was forced by his interrogator to admit that he was a member of the NPA. The interrogation ended when the meeting started.

They were made to attend the meeting that lasted until around 6:00 to 7:00 in the evening. Neneng was allowed to go home after but Librado was told to remain in the barangay hall. He was finally allowed to go home at 8:00 in the evening.

When Librado got home, he related his ordeal at the hands of the military to his eldest son Rolando. He related that he accidentally soiled his pants due to the severe beatings he got from the military. He complained of pains in the chest, stomach and neck.

Twelve soldiers took up residence at the house of Neneng to monitor her and her family's movements and activities. Due to fear, she was not able to have contact with her brother after interrogation. The soldiers left her house only after the death of the couple.

On the following day October 10 at around 9 am, soldiers forcibly took Librado, Martina and Neneng. Librado was already blindfolded, kicked and beaten by the soldiers while still in his house. He was then brought to a house nearby where he was again beaten. The house was being used as a military detachment.

He was interrogated without any counsel in violation of his constitutional rights and forced to admit that he was a member of the NPA. He was even being asked to surrender his M-16 rifle. He was continually beaten during the interrogation. He was then allowed to go home before noontime.

He was however fetched by a barangay tanod in the afternoon and brought to the barangay hall where he was again beaten and interrogated.

It was already around 9pm when Librado was allowed to go home after his interrogation at the barangay hall. He narrated to his son Rolando his ordeal including the instance when his face was covered with a plastic bag while blindfolded. He could barely eat his dinner and was complaining of pain in his throat and chest as a result of the beatings he sustained. He also narrated that the soldiers threatened to kill him with his family should he fail to surrender an M-16 rifle, the sum of P40,000.00 and some documents.

On 11 October, between 7 and 9am, Martina went to Panciong Riparep's house to get pesticide. Upon returning to their house, the spouses gathered their children that they would be committing suicide because of fear and Librado could no longer bear the beatings and torture that he underwent in the hands of the soldiers. They then told the children to go outside.

The couple in fact committed suicide by drinking the pesticide Malathion. They were found lying in their terrace with their lips and fingernails dark. White foam was dripping from their mouths.

The Gallardo children sought the help of Marissa Tarlino, wife of Arturo, to bring the couple to the hospital. Arturo, however, was still being interrogated and beaten by the soldiers at that time. Neneng and the barangay captain arrived at the couple's house upon hearing the news.

The couple was declared dead on arrival. Rolando declined to have the bodies autopsied out of fear.

According to the other Gallardo children, several soldiers went to their house, while the couple was being brought to the hospital, and took the suicide note and the bottle container of the pesticide used in the suicide.