Catapulted into power on the merit of his parents’ legacy, Benigno S. Aquino easily and quickly used up all of his parents’ magic.

In his fourth year in power, BS Aquino can no longer hide in his parents’ cloak. The rotten presidential and congressional pork in his cauldron stinks up the whole country, making the Filipino people sick. His decrepit deodorizing potions or witching incantations of “inclusive economic growth”, “infrastructure development”, “pro-human rights”, “disaster preparedness”, and benefits of the Disbursement Acceleration Program (DAP) cannot blind the nation’s eyes.

More and more people, including those who campaigned for Aquino’s presidential bid, are crying out “walang pagbabago sa ilalim ni Aquino!” (There has been no substantial change under the Aquino government).

Aquino faced the Filipino people in his State of the Nation Address with three impeachment complaints hanging over his head—a portent of more things to come for the Cojuangco-Aquino scion.

The impeachment cases against BS Aquino—two complaints for his insistence on his presidential pork, the Disbursement Acceleration Program (DAP), and one complaint for signing the Enhanced Defense Cooperation Agreement (EDCA) with the Obama Administration—all sum up to BS Aquino’s betrayal of public trust and culpable violation of the Constitution.

Caught with a steady decline of his performance rating and of people’s outrage, BS Aquino resorted to emotional blackmail by again tearfully imploring the name of his parents, cooking up threats against his life, and peddling coup rumors with the hope of recovering trust in him.

To many Filipinos, Aquino’s consistent PR stunts about economic growth and development were plucked out from some unknown planet in the universe.
without any reference to the real issues and concerns of the Filipino people—hunger, joblessness and landlessness, to name the most basic. It shows how disconnected BS Aquino government is with the real world, especially the world of the poor majority of the Filipino people. For the BS Aquino belongs to the world of the landed elite, big business, the bureaucrats and the imperialists.

The EDCA: Aquino's treachery against the Filipino people

Three months after the GPH and the US government signed the EDCA on July 24, members of progressive people’s organizations including Karapatan, filed an impeachment complaint against BS Aquino “for giving away the Philippines to the dogs.” The BS Aquino government paved the way for US reoccupation of the Philippines through EDCA, a total sell-out of the country’s sovereignty. That makes BS Aquino guilty of treason.

Karapatan signed the impeachment complaint in memory of the thousands of victims of human rights violations under the US-Aquino regime, as it holds the US government also accountable for all the human rights violations in the country. The US-engineered Aquino’s counterinsurgency program, Oplan Bayanihan. The US military guides the AFP’s implementation of Oplan Bayanihan and provides continuous and increasing foreign military aid. Expectedly, the EDCA puts US interest over the civil and political rights of the Filipino people. With the signing of EDCA, the human rights situation is bound to get worse.

As in the days when the US held permanent bases in the country, US facilities in the Philippines through EDCA may now accommodate and be used to transport or preposition US personnel and war matériel. As the US engages in wars of aggression in the different parts of the globe, EDCA extends the Philippines in the forefront of US interventionist wars and becomes a more convenient tool in the oppression and repression of the struggling peoples of the world.

Aquino’s pork fattens the killing machine

Aside from the yearly huge budget, the AFP reportedly received additional P665.6M from DAP. Going by the human rights record of the AFP, the huge amount of money, packaged as AFP modernization, actually goes to intelligence and combat operations used especially against those perceived by the government as “enemies of the state.” The AFP’s 2014 budget is at least Php 82.1 billion.

Also, the Office of the Presidential Adviser on the Peace Process (OPAPP) admitted having received Php 248 billion of DAP funds in 2012 spent for “development projects” of known paramilitary groups. By its own account, OPAPP funded groups such as the Revolutionary Proletarian Army-Alex Boncayao Brigade (RPA-ABB) and the Cordillera People’s Liberation Army (CPALA) because these groups are purportedly engaged in peace negotiations with the government. The CFA got Php725 million supposedly for projects coursed through PAMANA while the RPA-ABB received Php 31 million. Both RPA-ABB and the CFA are sowing terror in the Negros provinces and the Cordilleras.

The CFA members are now integrated into the 86th Infantry Battalion of the 9th Infantry Division, a notorious unit in Northern Luzon known for a string of human rights violations. The Cordillera Human Rights Alliance-Karapatan documented several involvement of said unit in state terrorism. Among the cases are the killing of William Bugatti in Ifugao on March 25, 2014 and the harassment, intimidation and red tagging of Judge Bago, secretary general of the Cordillera Human Rights Alliance (CHRA). Bago and 28 other human rights defenders and development workers are among those listed in the 86th IB’s document “Municipality of Tinoc Target Persons” for supposedly supporting the New People’s Army (NPA). Bago and Bugatti, the Ifugao provincial human rights focal person of the CHRA, were both marked as “Utak ng NPA” (Brains of the NPA).

The newly appointed Chief of Staff Lt. Gen. Gregorio Catapang of the Armed Forces of the Philippines (AFP) was commander of the Northern Luzon Command. As such, he is accountable among others for the massacre of the Ligalov family in Abra on March 2, 2014 and the extrajudicial killing of Bugatti.

Catapang’s appointment reflects the intertwining corruption and terror propagated by the US-Aquino regime. It is a case of a people held up by its own government and gunned down by its supposed protector, the AFP. It is using the people’s money against the people.

Also, the bureaucrats in the executive and legislative branches who benefitted from the DAP now act as BS Aquino’s PR machinery maneuvering to make it legal despite the high court’s pronouncement that it is unconstitutional.

Jail the plunderers, free all political prisoners

The DAP controversy brought to fore the situation of prisoners, including the political detainees. The glaring contrast in the government’s handling of arrested plunderers and the inhuman jail condition and callous treatment of political prisoners was barefaced before the public. The Aquino government saw to it that senators are in ‘special’ detention cells and accorded ‘special privileges’ such as immediate hospitalization without any court order and special visitation rights, among others.

The DAP and the inequality and inconsistency in the government’s attitude towards the common crime violators, the political detainees and those accused of plunder led to the call to “jail the plunderers, free all political prisoners.”

There are now 504 political detainees, most of them arrested through trumped up criminal charges. The cases of Andrea Rosal and Maria Miradel Torres embody the inhuman jail condition and inequality before the law.

Andrea Rosal was arrested in March 2014 when she was seven months pregnant. She was dumped into a cramped jail based on trumped up criminal charges and false testimony of a hired witness used by state security forces to justify false arrests. Rosal went through the maze of bureaucratic red-tape before she was hospitalized in May 2014, and eventually lost her two-day old daughter Diona. The court denied Rosal’s petition to attend the burial of Diona and was only granted three hours to attend the wake, the state’s version of ‘compassionate justice’.

On June 20, Maria Miradel Torres, 26, and four months pregnant was arrested by the joint elements of Philippine National Police Special Weapons and Tactics (SWAT), the Criminal Investigation and Detection Group (CIDG) and Southern Luzon Command of the Armed Forces of the Philippines (SolCom).

Before her arrest, Torres was undergoing treatment in a hospital in Quezon province for threatened abortion. During her confinement and when she was discharged Torres noticed several men tailing her.

Torres, a member of a local chapter of Gabriela, was arrested without a warrant. The police took her to Camp Gen. Guillermo Nakar Station Hospital at the Solcom headquarters in Lucena City. She is charged with murder at the Infanta Regional Trial Court, Quezon province. The said court issued an alias warrant on the same day Torres was arrested.

The police did not inform the relatives of Torres of her arrest. Her mother learned of her arrest two days later, but was denied by jail authorities to visit her and to assist Torres in her personal needs.

At dawn of June 25, despite a doctor’s order for complete bed rest...
due to threatened abortion, Torres was transferred to the Taguig City Jail in Camp Bagong Diwa, a four-hour travel from Lucena City. The following day, she was asked to be brought to the hospital for check-up. Despite her condition, she was not allowed hospital confinement for lack of a court order. The following day, Torres refused to be brought back to the hospital for another test because she felt too weak to travel.

Torres is now at the Taguig City Jail Female Dormitory (TGFJF) after she was hospitalized at the Taguig-Pateros District Hospital. The Infanta RT Branch 65 granted, on July 1, her motion for urgent hospitalization. The Infanta-office as soon as she arrived at the RTC, immediately took her to the hospital, without any court order, allegedly because of anxiety attack, dyspepsia, heart problem and hypertension.

If these ailments were the bases for Reyes’s immediate hospitalization, then the 53 other ailing political prisoners and the 42 elderly should be accorded the same. More importantly, the government should release them, without any more delay, on humanitarian grounds.

Adding insult to injury, the BS Aquino government is building a ‘first-class jail’ for the likes of Senators Enrile, Estrada, Revilla and their co-conspirators Reyes and Napoléso while the political prisoners and common crime violators struggle daily to survive inhumane jail conditions. The ‘first class jail’ is partly funded with DAP funds amounting to PhP 20 million.

Intolérance for dissent and criticism

The presence of political prisoners is a testimony of the government’s intolerance for dissent and criticism. Currently, the outrage against the pork barrel system and all its forms does not sit well with the administration. BS Aquino considers critics and protesters as anti- development and stumbling blocks to his ‘righteous path’.

The layers of barricades—of police and stun guns, container vans and fire trucks, concertina wires and water cannons—put up against the protesters during the SONA literally and figuratively mark the isolation of BS Aquino from the people. They are signs of a beleaguered presidency.

Karapatan documented the arrest of four activists during the SONA: Maria Luisa Garcia, 46, and Rosita Labarez, 57, of Controlled Economic Zone Federation; Rodel, 35, of Migrante International, and his daughter Rochel Ann Tortola, 12. All are residents of Bgy. Holy Spirit, Quezon City. The police used a stun gun to immobilize Rodel and Rochel Ann, while they were inside a jeepney. They were later released as NUPL lawyers and Karapatan paralegals insisted on the illegality of the arrest.

On June 12, police arrested and detained for three days a student of the Ateneo de Naga University, Pino Emmanuel Mijares, 19, after he raised a banner with a call ‘Education for All’ while BS Aquino delivered his Independence Day speech in Bicol. He was arrested for supposedly violating Article 153 (Tumults and other disturbance of public orders) of the Revised Penal Code. The three police officers who arrested Mijares later filed additional charges of direct assault. An anti-pork activist, Mijares is a member of Youth Act Now!, an anti-pork youth group, and also of the Kabataan partylist, one of the groups calling for the dismantling of the pork barrel system. The police officers dragged, punched, handcuffed and gagged Mijares with the banners he carried. He was not informed of the charges filed against him.

Similarly, the Manila police violently dispersed protest actions held during the visit of US President Barack Obama and the signing of EDCA on April 23 and 29.

In both instances, crowd dispersal units of the police blocked the road leading to the US embassy and whacked the protesters with tear gas. The police also used water cannons against the rallyists. Among those hurt during the rally were Rep. Neri Colmenares of Bayan Muna, Rep. Antonio Tinio of ACT Teachers Partylist, former representative Teddy Casino and other leaders of people’s organizations.

Aquino’s villainous human rights record

BS Aquino’s use of brute force against the people is nothing new. His four years in Malacanang is marked by human rights violations committed against those opposed to the anti-poor policies and programs of the US-Aquino regime. Five days after Aquino took his presidential oath Fernando Baldomer was killed. Noynoy Aquino may blame his predecessor for all his and his regime’s woes but he cannot deny his similarity with Gloria Arroyo in perpetuating the same brand of corruption and terror. A continuum exists.

From July 2010 to June 2014, there are 172 peasants killed for asserting their land rights against the big-time land grabbers, big business and large plantations; and 49 indigenous peoples became victims of extrajudicial killing for defending their ancestral lands against foreign big mining corporations and other ‘development’ projects.

For the same period, Karapatan recorded 204 victims of
extrajudicial killing and 207 victims of frustrated killing.

**Extrajudicial killings**

Armed men believed to be members of the RPA-ABB gunned down another member of the Panay Fair Trade Center. Dionisio Garete, 57, was killed on May 28 on his way to deliver freshly harvested sugarcane to a muscovado sugar producer. Kamada is an association of small farmers, and the Panay Fair Trade Center (PFTC) was shot in Oton town.

Garete died on the way to the hospital from gunshot wounds in the head. Another bullet also went through his chest, puncturing his lungs. Aftermaths of the incident. Prior to the incident, Garete was in the process of harvesting cane on Sasa Island for sale at the Fair Trade market through the PFTC. Kamada is an association of small farmers, and a major producer of muscovado sugar sold to the fair trade market through the PFTC.

Garete’s wife, Rosita, was sure that her husband was not a drug user. She recalled that in April and May this year soldiers of the 50th BPA linked Estrebillo to the capture of Army Corporal Rogelio Rosales, declared as “prisoner of war” by the New People’s Army (NPA). They accused Estrebillo of being an NPA sympathizer. He and five other motorcycle ("halal-halil") drivers were reportedly in the military’s "Order of Battle". On May 20, two motorcycle-riding men gunned down Tony Bago, 46.

Bago was a B’laan farmer and chairperson of Pigsambukan, an organization of indigenous farmers from the Kaulo and B’laan tribal groups. Bago campaigned against the entry of large-scale mining and a banana plantation owned by Eduardo Cojuanco, uncle of President B.S. Aquino. The mining operation will eat up at least 300 hectares of their ancestral lands.

As soon as his wife left, he locked the door and hid in the ceiling of their house. Soon after, several armed men believed to be from the 73rd forced their way into the Tanduyan house. They were not in uniform but they had firearms with laser pointers.

Rubyilda, who was running away from the house, heard several gunshots. She immediately sought the help of a cousin and several other neighbors. At around 10:30 p.m., the Bagos stopped. One of the men pointed a gun and shot Tony twice, hitting him on the neck and arms. Tony said yes, the man pulled out a gun and shot Tony twice, hitting him on the neck and arms. Tony said yes, the man pulled out a gun and shot Tony twice, hitting him in the head.

Rubyilda and a former village councilor returned to Tanduyan’s house. They found Arnel, dead and with at least 48 gunshot wounds. On May 23, three trucks of soldiers from the 5th Scout Ranger Company of the 31st IB of the 309th Brigade arrived in Sito Hucdong, Bgy. Balocawe, Matnog, Sorsogon. Some of them sprayed bullets at the house of Elias and Cynthia Garduque. At the time, Cynthia was cooking breakfast while Elias was feeding his derby cocks outside the house, carrying their one year and seven month old son Eddie. In his arms, Elias died on the spot as the bullet hit the left side of his body and ended up in his heart. His son Eddie was wounded in the thigh.

Upon hearing the gunfire, Cynthia took cover under the kitchen sink. Soldiers later forced her to come out. She was shot multiple times. Her lifeless body was found in a secluded area in Barangay Mahanta with multiple gunshot wounds. His motorcycle was gone. Police investigators allegedly found a small pack of shabu in one of the pockets of the victim’s pants. Estrebillo’s wife, Rosita, was sure that her husband was not a drug user. She recalled that in April and May this year soldiers of the 50th BPA linked Estrebillo to the capture of Army Corporal Rogelio Rosales, declared as “prisoner of war” by the New People’s Army (NPA). They accused Estrebillo of being an NPA sympathizer. He and five other motorcycle (“halal-halil”) drivers were reportedly in the military’s “Order of Battle.”

### Table 3: Victims of Extradjudicial Killing & Enforced Disappearance under Noyney Aquino Gov’t by Region (July 2010 to June 2014)

<table>
<thead>
<tr>
<th>Region</th>
<th>Extrajudicial Killing</th>
<th>Enforced Disappearance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bicol</td>
<td>9</td>
<td>2</td>
</tr>
<tr>
<td>Cordillera Administrative Region</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>Cagayan Valley</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Central Luzon</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>NCR</td>
<td>9</td>
<td>4</td>
</tr>
<tr>
<td>Southern Tagalog</td>
<td>12</td>
<td>2</td>
</tr>
<tr>
<td>Bicol</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>Western Visayas</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Central Visayas</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Northern Mindanao</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Capiz</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Soccsargen</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>Western Visayas</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Southern Mindanao</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>ARMM</td>
<td>40</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>204</td>
<td>48</td>
</tr>
<tr>
<td>Women</td>
<td>19</td>
<td>4</td>
</tr>
<tr>
<td>Organized</td>
<td>94</td>
<td>12</td>
</tr>
</tbody>
</table>

### Table 4: Victims of Extradjudicial Killing & Enforced Disappearance under Noyney Aquino Gov’t by Sector (July 2010 to June 2014)

<table>
<thead>
<tr>
<th>Sector</th>
<th>Extrajudicial Killing</th>
<th>Enforced Disappearance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Church</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Entrepreneur</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Environmentalist</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Fisherfolk</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Government Employee</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Indigenous People</td>
<td>49</td>
<td>1</td>
</tr>
<tr>
<td>Media</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Minor</td>
<td>18</td>
<td>0</td>
</tr>
<tr>
<td>Peasant</td>
<td>117</td>
<td>14</td>
</tr>
<tr>
<td>Teacher</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Urban poor</td>
<td>13</td>
<td>1</td>
</tr>
<tr>
<td>Human rights worker</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Worker</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Youth and Student</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>Mora</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Transport</td>
<td>6</td>
<td>0</td>
</tr>
</tbody>
</table>

Elias and his wife, Rosita said the 60th IBPA accused Estrebillo of being an NPA sympathizer. As well, they accused him of being a member of the Citizen Armed Force Geographical Unit (CAFGU).
out and that was when she saw her husband's lifeless body. There were five other dead bodies said to be members of the NPA. Apparently, the soldiers were in the community in a pursuit operation against the NPA.

Cynthia had a wound on her back grazed by stray bullets that grazed her. Their neighbors, local officials and a representative from the Department of Social Work and Development (DSWD) attempted to help the Garduque family but the soldiers prevented them. It was only at noon when she and son Eddie were brought to the hospital. The boy’s left leg was put in a cast. Cynthia was under tight surveillance, she was charged with illegal possession of explosives. She is still in jail with son Eddie.

Three trucks they boarded slammed into a newly constructed signboard by Affiliation (July 2010 to June 2014)

TABLE 5: Victims of Extrajudicial Killing & Enforced Disappearance under Noyen Aquino Gov’t by Affiliation (July 2010 to June 2014)

<table>
<thead>
<tr>
<th>Affiliation</th>
<th>Extrajudicial Killing</th>
<th>Enforced Disappearance</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT Teachers Partylist</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Anakbayan</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Anakpawis</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Bayan</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Bayan Muna</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>Courage</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Cordillera People’s Alliance</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Gabrielia</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Kabataan Partylist</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Kadaday</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Katribu Partylist</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>Karapatan (CHRA)</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>KMP</td>
<td>20</td>
<td>3</td>
</tr>
<tr>
<td>KMPU</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>NFSW</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Piston</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>SAISA</td>
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<td>0</td>
</tr>
<tr>
<td>UCCP</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Various other organizations</td>
<td>30</td>
<td>3</td>
</tr>
</tbody>
</table>

After walking for six days because of abuses, threats and harassments, bombings and indiscriminate firing by the soldiers of the 60th IB, 68th IB of 1003rd Brigade, and 4th Special Forces.

Given a choice between bombs and bullets and the unfamiliar life in the city, the Talaingod-Manobo tribe chose the latter to get away from the abuses of the military.

Like in many communities considered by the military as stronghold of the NPA, the Manobo tribe in Talaingod has a host of stories on military abuses – military troops encroaching on people’s houses, schools and other public structures; soldiers’ threats because they consider the people as NPA members or supporters; and worse, indiscriminate bombing of their communities. About 60% of the AFP force are now in Mindanao, in identified priority areas of Oplan Bayanihan.

After the dialogue with the Davao del Norte Gov’t, Rodolfo del Rosario, Talaingod Mayor Basilio Libayao and AFP Gen. Ariel Bernardo, the Talaingod-Manobo are now back in their lands. The military agreed to pull out temporarily from their communities due to public pressure.

Harmassment of residents

The incident involving the Garduque family resulted in the evacuation of some 15 families from the nearby sitio of Hucdong and 10 families from Balocawe. The soldiers consider the Balocawe residents as NPA members. After the military operation, soldiers interrogated several other residents such as Grace Gibaga who was arrested and later released after interrogation. Barangay council member Arnel Gibaga, who lives near Elias Garduque, was threatened with arrest.

While the military used force, they also tried to bribe the residents by offering payments to anyone who can lead them to the NPA. Later, the military compelled the village chief to issue a certification that they did not harm any civilian during their military operation against the NPA.

When the soldiers left, one of the three trucks they hoarded slammed into a newly constructed signboard that cost Php 3,000.

At the height of another military operation in Talaingod, Davao del Norte in March, soldiers arrested 75-year-old Ata-Manobo woman Ubsoy Gibaga Botod Manlaon from sitio Bagay, Bgy. Palma Gil. Soldiers forced Manlaon to guide the troops in their search for NPA members.

On April 3, some 1,153 members of the Talaingod-Manobo tribe arrived in Davao City.
On May 19, the provincial prosecutor dropped the charges against the family for lack of probable cause. They were released the same day.

Meanwhile, the Cojuangco-Aquino clan showed its contempt for the Supreme Court ruling for land distribution in Hacienda Luisita. Instead, it continues to use brute force against the hacienda’s rightful owners, the tiller-workers, by destroying their crops, burning farm huts, harassing farmers and conducting illegal arrests.

According to Hacienda Luisita Watch, “Since June 25, the aggressive moves by the Department of Agrarian Reform (DAR) to impose its anomalous land distribution scheme have resulted in the destruction of a farmhut and around 50 hectares of productive palay and organic food crops. The crops were cultivated under the Alyansa ng mga Manggagawa Bukid sa Ayyenda Luisita’s (AMBALA) bungkalan. Around 12 uniformed and plain-clothed police personnel assisted in the forcible eviction of farmers.”

On June 25, personnel from the DAR, local barangay officials and village watchmen demanded that AMBALA members abandon the lots they cultivated, to which the AMBALA members tried to negotiate with the DAR officials. However, after an hour of discussion, a tractor owned by DAR proceeded to destroy the crops: around half a hectare of squash with abundant fruits, edible tops and flowers; 25 beds of mushrooms; three fields of string beans with trellises; three fields of sweet potato. Catalan earns a minimum of Php 500 a day from camote tops. Ambala believes that DAR’s action is meant to “evict farmers engaged in paddy and vegetable production to make way for the Cojuangcos.”

Eirece arrest

On May 7, Roy Eirece, 50, was arrested in Bgy. Bajada in Davao City. He now faces charges of robbery in band and is detained at the Bohol District Jail.

The NDFP Negotiating Panel acknowledged Eirece’s Document of Identification (DID) No. NDFP 2003 under the assumed name Vite Alguna. On April 20, 2001, then GRP Negotiating Panel Chairman Silvestre H. Bellos III issued a Letter of Acknowledgment to Eirece as NDFP peace consultant for the Visayas.

Eirece was undergoing a series of medical tests and treatment for venous insufficiency, peripheral arterial disease and diabetes when he was arrested. His arrest is another violation of the JASIG. He should be released immediately, not only because he is JASIG-protected but also on humanitarian grounds. Eirece’s family also complained about the jail management’s refusal to allow Roy to keep books and other reading materials, to watch television or listen to the radio.

Contradictory position on the JASIG

The US-Aquino regime’s seriousness in peace negotiations is again put into question when the GPH Peace Panel Head Atty. Alex Padilla and Justice Secretary Leila de Lima insisted that the arrest of NDFP national consultants Benito Tiamzon and Wilma Austria-Tiamzon does not violate the JASIG. The JASIG, according to Padilla and De Lima, was inoperative at the time of the arrest. However, a DND-DILG Order on Reward No. 14-A(2012) issued on December 12, 2012 contradicts such a claim. The order states that earlier DND-DILG JO 14-12 stating, “Pursuant to the Joint Agreement on Safety and Immunity Guarantees (JASIG) dated 24 February 1995 and the current GPH list of JASIG-covered personalities, the following names are to be deleted from DND-DILG JO Number 14-12 in recognition of the pending peace negotiations and conditions upon the existence of said peace negotiations.”

The amendment ordered the deletion of the names of Wilma Austria-Tiamzon, Rafael Baylosis, Vicente Ladlad, Reynaldo Rosala and Jose Maria Sison. They are among 235 so-called “communist personalities” who are targets of extrajudicial assassinations, with corresponding reward money.

DND Sec. Voltaire Gazmin and DILG Sec. Mar Roxas signed said amendments concurrently. The latter states, “All previous Joint Orders contrary to or inconsistent with this Order are hereby rescinded.”

The DND-DILG Joint Order Number 14-12 is a hit list akin to the JASIG. However, the guards confiscated instead a kerosene stove and a bottle of Thyroid Gland Care capsules used as maintenance medicine of political detainee Fidel Holanda. Later, one of the guards dumped the medicine bottle onto Holanda’s tarima (cot), which rolled off and its contents poured out on the floor. It was the second time the BJMP guards confiscated the kerosene stove used by the political detainees.

“Pursuant to the Joint Agreement on Safety and Immunity Guarantees (JASIG) dated 24 February 1995 and the current GPH list of JASIG-covered personalities, the following names are to be deleted from DND-DILG JO Number 14-12 in recognition of the pending peace negotiations and conditions upon the existence of said peace negotiations.”

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tweezers, toothbrushes, and disposable shavers.” These items, they said, are sold at the cooperative store run by BJMP employees.

On May 1, the BJMP guards also confiscated the transistor radios of NDFP consultant Emeterio Antalan and another inmate. The transistor radios are still with jail authorities.

Both the political detainees at the SICA and TADU branches complained of the guards’ arrogance. The political detainees have yet to receive response from the jail authorities on their complaint.

Impunity’s peak

Such display of arrogance is widespread in the BS Aquino government, a hallmark of the culture of impunity that pervades Philippine society.

BS Aquino codifies the military officials involved in human rights violations as he does the plunderers. They are his breed.

With plunderers getting special treatment in jail and military generals with bloodied hands are promoted, the US-Aquino regime garners high marks with bloodied hands are promoted, the US-Aquino regime garners high marks with bloodied hands are promoted, the US-Aquino regime garners high marks with bloodied hands are promoted, the US-Aquino regime garners high marks.

Both the political detainees at the SICA and TADU branches complained of the guards’ arrogance. The political detainees have yet to receive response from the jail authorities on their complaint.

The DOJ resolution said there is violation of the anti-torture law by these state security forces. However, it clarified that there is no physical torture committed against Panesa and Mendoza.

The recent promotion of Año and Geslani shows Aquino’s contempt for the victims of human rights violations and their cry for justice.

DOJ drops high ranking PNP and AFP officials, fake witnesses from torture complaint

On June 26, security guard Rolly Panesa filed a petition for partial review as a response to the Department of Justice’s resolution absolving high-ranking AFP and PNP officials from any accountability and responsibility in the torture case he filed against them. Panesa’s petition was filed on the ground of grave abuse of discretion of the investigating prosecutor.

In his petition,Panesa said he was severely tortured, while undergoing interrogation in the hands of the PNP and the AFP. Meanwhile, P/Insp. Bonifacio Guerra, SPO1 Christopher E. Flores, Police Ariel dela Cruz, Police Joseph M. Fernandez were indicted for less serious physical injuries, violation of section 4 (mental and psychological torture), the anti-torture law (RA 9745), violation of the rights of arrested persons (RA 7438) and grave coercion.

The DOJ’s resolution exposes the government in implementing the anti-torture law. The high ranking officers of the AFP and the PNP have obvious knowledge of, and acquiescence to, the arrest and torture of Panesa. They were the brains behind the arrest of Panesa. They even bragged about the capture of this supposedly high-ranking NPA commander with a PhP 3.6 million bounty.

In January 2014, the former 5th division of the Court of Appeals granted the petition for writ of habeas corpus filed by Panesa. The Court ruled that Rolly Panesa is NOT “Benjamin Mendoza.” The military and police respondents questioned the Court’s decision and filed a motion for reconsideration.

Case vs. Palparan drags as court extends court hearings for the nth time

The defense in the Cadapan-Empeño case has consistently delayed court proceedings since the kidnapping and serious illegal detention case was filed against retired Major General Jovito Palparan, Jr. et al in 2011.

The June 23 hearing was supposed to be the last presentation of the defendant’s witnesses, but Maloles RTC Branch 14 Judge Teodora Gonzales allowed another extension for the defense to present its witnesses for another “last time.”

Judge Gonzales fined the defense several times and warned that the case is deemed submitted for resolution if the defense fails to present their witnesses. The defense should have presented its witnesses as early as September 2011 but failed to do so even after nine months.

Torture survivors ask Ombudsman to resolve finally case vs. Palparan

For the third time, torture victims Raymond Manalo and Oscar Leuterio asked the Ombudsman to resolve the case of kidnapping, arbitrary detention, torture, physical injuries, threat and involuntary servitude and violation of RA 7438 (Rights of Persons Arrested or Under Custodial Investigation) filed against their military torturers.

Manalo and Leuterio were both victims of enforced disappearance and torture who were able to escape from their military captors. Both witnessed how soldiers under the command of then Maj. Gen. Jovito Palparan, Jr. tortured UP students Karen Empeno and Sherlyn Cadapan.

Manalo filed the complaint on September 12, 2008, while Leuterio filed his complaint on November 6, 2008. Three years without any resolution, on July 26, 2011, the first motion to resolve was filed. Five months later, on December 12, 2011, a second motion to resolve the case was again filed. It was only then when Leuterio learned that his complaint was dismissed as early as August 22, 2008. Leuterio, through his lawyers from the National Union of People’s Lawyers (NUPL), filed a motion for reconsideration. It has been three years since then but the Ombudsman has yet to come out with a resolution.


Respondents to the Leuterio complaints are Maj. Generals Palparan and Gomez. Added respondents are Lt. Col. Manuel Clement, 2nd Lt. Ferdinand Basas, Alvin Pastrana, alias “Boy Muslim”, Amaron Galopa, alias “Sotto”, alias “Bitoy” and alias “Aladin.”

Raymond Manalo, a farmer, was abducted on February 14, 2006 with his brother Reynaldo in San Ildelfonso, Bulacan. They were in captivity for 18 months until they escaped. Military personnel abducted Leuterio, a security guard, on April 17, 2006 in San Manuel, Bulacan. His captors brought him to different military camps in Central Luzon. In Fort Magaysay, Nueva Ecija, he saw the two missing UP students Cadapan and Empeno. Later, the military released him after he pretended to cooperate with them.
Claims Board on the spot

The Human Rights Victims Claims Board (HRVCB) was formed in February 2014 in accordance with RA 10368, or the Human Rights Victims Reparation and Recognition Act of 2013. The Board is tasked to receive and process applications of martial law victims.

SELDA, an organization of former political detainees, protested Aquino’s appointment of a “martial law relic” retired General Lina Sarmiento as head of the Claims Board.

In mid-May 2014, the Board has officially started accepting claims from the victims. However, two months after the law’s supposed implementation, problems are starting to pile up.

Firstly, the Claims Board has made no categorical statement that it recognizes the 9,539 members of the class suit and the 24 direct action plaintiffs against Marcos.

Secondly, the application process does not accommodate and even discourages martial law victims from filing applications.

SELDA members personally monitored the application process carried out by the HRVCB in its main office in UP Diliman and at its on-site regional centers, particularly in Hoilo on June 30 to July 1. They observed that the HRVCB has lined up too many application requirements from the victims, many of which were unnecessary.

The martial law victims described their “ordeal” as applying as “para kaming pinadadaluan sa butas ng kanyon. (It’s like going through the eye of a needle).” The victims were asked to produce NSO-issued birth certificates, marriage certificates, death certificates, original release papers, among others.

SELDA members observed that the board’s employees, the paralegals and lawyers, lack the sympathy and caring attitude towards the martial law victims thus, the insensitive treatment. Most of them are in the dark about what happened during martial law. ML victims say they were treated like mendicants.

The law’s implementing rules and regulations state that only the legal heirs are required to present birth certificates for proof of relationship with the victim. For applicants who are conclusively presumed victims, all they need to submit are government-issued IDs and an affidavit narrating the details and circumstances of the violation committed against them.

The HRVCB still does not hold a copy of the original list of the 9,539 class suit members from the Hawaii Court. This poses a problem to the more than 9,000 ML victims as the board has no reference of those who are conclusively presumed under the indemnification and recognition law.

Because of the short stay of HRVCB members and personnel in the region and the complicated and even chaotic application process, only a small percentage of the expected applications from thousands of victims were accepted.

As it is, the BS Aquino government is not interested in implementing the law intended to recognize martial law victims and indemnify them for the sufferings they experienced.

Counter-charges

Everyone who stands by the people has become a target by the Aquino regime. But the victims and their supporters are not taking it sitting down. Court cases, among other people’s actions, are filed against the perpetrators of human rights violations.

Rosal’s family files contempt charges against BJMP lawyer, doctor and warden

On April 11, Atty. Catherine Danning Salucon filed petitions for writ of amparo and writ of habeas data at the Court of Appeals (CA) for the continuous harassment and surveillance conducted against her by the PNP and AFP specifically the Philippine Army and ISAFP. Atty. Salucon asked the CA for a temporary protection order. She also requested the court to disclose to her and to provide her with copies of all the facts, information, statements, records, photographs, dossier, and all other evidence pertaining to her in their files or record; and to direct the respondents, and/or any persons acting on their behalf, to destroy any information gathered on her.

On March 24, Atty. Salucon was with William Bugatti before he was gunned down. The latter had warned Salucon to change her routine in going to hearings for her own safety.

After Bugatti’s death, Salucon pieced together details confirming she was also under surveillance and was among those in the military’s watch list of “communist terrorists” for defending in court alleged rebels.

A long-time public defender, Atty. Salucon is the National Auditor of the NUPL. Respondents to the petitions are Pres. BS Aquino in his capacity as the Commander-in-Chief, AFP Chief of Staff Gen. Emmanuel Bastista, ISAFP Commanding Officer Gen. Eduardo Año, PA Commanding Gen. Hernandez Irribarri, and 3rd Infantry Division Commanding Gen. Joel Balisacan.

The legal actions taken by the people against state repression complement their fight against lawlessness and plunder of the country’s resources; against bureaucrat capitalism that breeds corruption and abuse of power; and, the control and intervention of imperialist countries, specifically the US, in the economic, political and cultural fiber of our society.

Igno ring the root causes of unrest and toying with meaningless development statistics to deceive will never quell dissent but will only infuriate the people. Trampling on people’s rights and perpetuating injustice and impunity will indeed fuel rebellion.

The pork scam, the PDAF and DAP, exposed the filthy governance that BS Aquino tried to cover-up in his earlier years. Above all, it brought out the best in our people—the vigilance, the unity, and the will to change the bankrupt system that breeds corruption and exploitation of our people. The impeachment of BS Aquino is definitely just the beginning of the people’s show of unity to discard another undeserving figure in Malacanang.

The Filipino people know BS Aquino does not deserve to stay a moment further at the helm of government and to continue his policy of deceit, treachery and terror. The need for a moral regeneration and system change is evident.
This famous line of multi-awarded actor Ms. Nora Aunor in the 1976 movie, *Minsa’y Isang Gamu-gamu* (Once a Moth) is again a relevant line today as the United States government repositions and beefs up its military presence in the Philippines.

“Aunor’s character, Cora dela Cruz, a nurse who wanted to work in America, cried out at the American soldiers who shot her brother to death. The scenes that showed the killing of fisherfolk at the periphery of the US bases by American soldiers again came to life with the signing of the Enhanced Defence Cooperation Agreement (EDCA). The images of rape, arbitrary killing/shooting, and the toxic wastes come back to the collective memory of a people who, in the 1990s, rejected the continued presence of the US military bases. The people remember how easily the US military got away with their crimes, and with impunity.

The Philippine and US governments, in time for Barack Obama’s Philippine visit, signed the EDCA in April. The agreement essentially provides unlimited and free basing rights for US troops in Philippine military camps and elsewhere deemed necessary. EDCA is the government’s ultimate act of betrayal of the people’s trust and surrender of the nation’s sovereignty and independence. It puts the Philippines in the orbit of imperialist wars. Internally, it is bound to escalate and prolong conflict in the country and the resultant human rights violations.

They never truly left us

The Philippine senate, due to massive protests of freedom loving Filipinos, junked the 1947 RP-US Military Bases Agreement in 1991 forcing the US soldiers to pack up and leave. In 1999, the Philippine government acceded to US pressure and approved the RP-US Visiting Forces Agreement (VFA), giving the word “visiting” a different meaning. The supposedly “just visiting” US soldiers are actually based permanently in the country and are involved directly or indirectly in actual combat operations under the guise of Bailiwicks or Exercises.

Though they never really left the Philippines through the Visiting Forces Agreement (VFA), the increased and more permanent physical basing of US troops are back through the EDCA; and, so is the outrage of the Filipino people. For a reason, a whole list of reasons.

Because even without the EDCA, human rights have already been committed involving US troops, albeit concealed and most often denied.

Kawagib Moro Human Rights Organization documented human rights violations perpetrated by US soldiers embedded in combat operations in Mindanao in the guise of going after the members of the Abu Sayyaf group.

- July 25, 2002, at around midnight, three soldiers forced themselves into the house of Buyong-buyong Cardeno in Barangay Datu Saber, Marawi City. Cardeno was found dead in the barracks of the Philippine Army’s 103rd Infantry Brigade at Camp Ranao, Brgy. Datu Saber, Marawi City. His job started January 30, 2010. On February 2, at 2pm, Carivel, Gregan’s sister received a call through her phone. SPO3 Ali Goubon Rangiris of Marawi Police Station was on the line informing her that Cardeno was found dead in the barracks of the Philippine Army’s 103rd Infantry Brigade at Camp Ranao, Brgy. Datu Saber, Marawi City. Ignacio of the Philippine Army, a friend of Cardeno who recruited him for the job, was gunned down. Ignacio helped Cardeno’s family shed light on Gregan’s mysterious death.

- In June 2012, NDFP peace consultant Alan Jazmines wrote government agencies and human rights organizations on “intelligence operations of the FBI (Federal Bureau of Investigation) within the sovereign territory of the Philippines were being undertaken underhandedly and without the Filipino people’s full knowledge. The absence of a formal treaty allowing such involvements makes such spy operations and rendition illegal even from the point of view of the laws of the reactionary Philippine government.”

Jazmines said, “Three of the prisoners detained at the Custodial Center were Indonesian nationals who were arrested in Malaysia and Indonesia, and who were apparently brought to the prison facility in the country allegedly at the behest of US government.” The Indonesians were said to assume “false Filipino identities to ‘legalise’ their detention” at the PNPF Custodial Center in Camp Crame.

The US troops never left the Philippines. They are able to deny their transgressions legally through the various treaties that favour them. With the signing of EDCA, atrocities of US troops in the country are bound to worsen, at the same time drag the Philippines in US interventionist wars the world over.

The permanent and increased basing of US troops in the Philippines is bound to embolden the Aquino government in implementing Oplan Banyan, a counterinsurgency program patterned after and financed by the US. The Aquino administration will inevitably cling to US support as it becomes more and more isolated from the Filipino people because of the many issues lodged against the president and the whole bureaucracy.

The Aquino regime’s resorting to EDCA has put the people’s lives and liberties at stake, it is our duty to resist it. We have done it before by pressuring the Philippine Senate to junk the RP-US Military Bases Agreement. We can do it again, and more. This time we will ensure that the US troops will go, along with the American puppets in the Philippine government.
Karapatan Monitor

TO CONTINUE TO SEEK JUSTICE FOR VICTIMS OF THE HACIENDA LUISITA MASSACRE and subsequent political killings related to agrarian unrest in this sugar estate, Luisita Watch has launched a year-long commemoration campaign. This seeks to compel concerned state agencies to finally prosecute and punish the perpetrators of the infamous Hacienda Luisita massacre, which happened 10 years ago in November.

The commemoration started on March 13, 2014—the 9th death anniversary of Aglipayan priest William Tadena. Iglesia Filipina Independiente Bishop Lito Cruz led an outdoor ecumenical service at the AMBALA hut in Hacienda Luisita, Tarlac City. Fr. Tadena was killed on March 13, 2005.

The event also commemorated the other leaders in Hacienda Luisita who became victims of a series of extrajudicial killings all in the month of March from 2003-2006: Tarlac City Councilor Abel Ladera (March 3, 2005); Anakpawis leader Victor “Tatang” Ben Concepcion (March 17, 2005); and, slain United Coconut Workers Union leader Tirso Cruz (March 17, 2006).

The ecumenical service was followed by a “Jericho march” around the walls of the disputed agricultural lands in Barangay Balete, now controlled by the Cojuangco-Aquino owned Tarlac Development Corporation (TADCO). Alluding to the Old Testament account of people who, through unity and thundering shouts, set the walls of Jericho crumbling down, the “Jericho March” inspired the Luisita farm workers to continue their struggle for genuine land reform and justice amid the literal wall of tears and impunity of the Cojuangco-Aquinos.

On August 4, victims of the Hacienda Luisita massacre asked the Ombudsman to reopen the case. They were assisted by a battery of people’s lawyers from the SENTRA (SENTRY), Public Interest Law Center (PLIC), and La Union Political Party (LPPP). They strongly questioned earlier resolutions by the Ombudsman, dismissing both administrative and criminal cases filed against the perpetrators of the massacre.

Pastor Gabriel Sanchez of Barangay Balete and Violeta Basilio of Barangay Mapalacacao, parents of the youngest massacre victims Juancho Sanchez and Jhaviie Basilio, and AMBALA Chairperson Florida Sibayan, who also sustained gun shot wounds during the November 16, 2004 massacre, led the survivors and victims’ kin in filing the motion. The original complaint was filed at the Ombudsman by 52 victims in January 2005.

The Ombudsman’s first resolution dismissed charges against civilian respondents DOLE Sec. Patricia Sto. Tomas, USEC Manuel Inson, Sherriff Francis Reyes and members of the Cojuangco-Aquino family. The resolution was released in July 2005, eight months after the massacre.

President BS Aquino, who was a congressman then and active administrator of his family’s sugar business during the Luisita massacre, is among the civilian respondents for charges of multiple murder, multiple frustrated murder, multiple attempted murder, theft and malicious mischief.

Also charged was Lt. Gen. Gregorio Pio Catapang, Jr. then commander of the Northern Luzon Command (NOLCOM). Recently, Aquino appointed him the new AFP Chief of Staff. As one of the ground commanders during the massacre, Catapang ordered the deployment of NOLCOM soldiers and armored personnel carriers in the lake area.

A second resolution by the Ombudsman’s Military and Law Enforcement Offices (MOLEO) dismissed all charges against police and military respondents. This was released in December 2010, six months after BS Aquino assumed presidency. The cases were dismissed based solely on reports submitted by the National Bureau of Investigation (NBI) and without any other effort on the part of the Ombudsman to conduct a thorough investigation. Copies of the Ombudsman’s resolutions did not reach most of the complainants and their lawyers.

“Every year we make a public appeal to the Ombudsman’s Office to actively probe the Luisita massacre case. Yun pala na-dismiss na lahat ng mga kaso nang wala man lang imbestigasyon at hindi nalalaman nang wala man lang imbestigasyon at hindi nalalaman (Not knowing that all the cases were dismissed without investigation and without informing the victims),” said Sibayan.

Since the massacre, while perpetrators like Gen. Catapang and the notorious Palparan henchman Col. Ricardo Visaya were promoted to higher posts in the military, some of the original complainants like Central Azucarera de Tarlac Labor Union (CATLU) President Ricardo Ramon and United Luisita Workers Union (ULWU) officer Tirso Cruz became victims of extrajudicial killings.

Catapang immediately received flak as AFP Chief after he reportedly urged soldiers to “defend” the unconstitutional Disbursement Acceleration Program (DAP). DAP funds were allegedly used by Aquino to bribe legislators and to compensate his relatives for Hacienda Luisita.

Luisita Watch plans to file new cases against the Cojuangco-Aquino family, Armed Forces of the Philippines (AFP), and the Philippine National Police (PNP), Department of Agrarian Reform (DAR) personnel and barangay officials before the Department of Justice (DOJ) and the Supreme Court.

These agencies filed spurious charges against members and advocates of Alyansa ng Manggagawang Bukid sa Aiyenda Luisita (AMBALA) starting in September 2013. They also committed various human rights violations against AMBALA members.

Despite the Supreme Court decision to distribute Hacienda Luisita in 2012, farmworkers continue to struggle with landlessness and state terror. AMBALA described the Aquino administration’s land distribution scheme as a “monumental sham” designed to re-concentrate land back to the control of the Cojuangco-Aquino clan. The President’s relatives currently engage in aggressive land grabbing, eviction of farmers, destruction of crops, burning of homes, mauling, illegal arrest and detention of farmers with the help of state forces and with ruthless impunity.

“The situation in Hacienda Luisita today is not unlike the period which led to the bloody massacre,” said Ranmil Echanis, deputy secretary general of UMA.

The 10th year of the Hacienda Luisita massacre (HLMX) will be commemorated by continuing the fight for genuine land reform and justice.

Other activities lined up by Luisita Watch for the year are: book launching and poetry reading of “Mga Tula” ni Gelacio Guillermo; commemoration of the death anniversaries of IFI Bishop Ramento, CATLU Pres. Rie Ramos, Dennis dela Cruz, Florante Collantes and Marcelino Beltran.

In October and November, there will be an International Fact Finding Mission (IFFM) and an International Solidarity Mission. Ecumenical masses will also be held in at least three churches. There will be a solidarity night on November 15. A concert, photo exhibit and video documentary showing are also planned.

(Continued on page 22)
Human rights situation bailed before international community

CONTINUING EXTRAJUDICIAL KILLINGS. Detention and injustice against Andrea Rosal and all political prisoners. Bombings and forced evacuation due to military operations in indigenous communities, especially in Mindanao. Attacks on human rights defenders. Stalled peace talks between the Philippine government (GPH) and the National Democratic Front of the Philippines (NDFP) and the arrest of national peace consultants Benito Tiamzon and Wilma Austria-Tiamzon. Gross incompetence and criminal negligence in addressing the various needs of typhoon Yolanda victims.

These are among the issues raised before the international community this June 2014 through the advocacy and solidarity efforts of Karapatan Secretary General Cristina Palabay in Switzerland. Germany, Austria and the United Kingdom. Karapatan and the International Coalition for Human Rights in the Philippines (ICHRP) organized the tour with the support of the United Church of Canada, Civicus World Alliance for Citizen Participation and the German Action Network for Human Rights-Philippines gave their support.

HR issues brought before the United Nations

Human rights defenders under the Ecumenical Voice for Peace and Human Rights in the Philippines (EcuVoice) participated in the 26th United Nations Human Rights Council (UNHRC) sessions in Geneva, Switzerland. The delegation made oral interventions before the rights body. They met with Geneva-based missions of government, independent experts and special rapporteurs, and international human rights organizations. EcuVoice’s participation in said session is a follow up to the international lobby and advocacy mission in line with the 2nd Universal Periodic Review (UPR) of the Philippines in May 2012, and the succeeding interventions and reports submitted to the UNHRC and the UN Human Rights Committee.

The EcuVoice delegation led by Palabay is composed of Atty. Edre Olalia, secretary general of the National Union of Peoples’ Lawyers (NUPL), typhoon Yolanda (Haiyan) survivor Rev. Irma Balaba (National Council of Churches of the Philippines – NCCP), Sr. Stella Matutina (Sisters’ Association in Mindanao) and Dr. Angie Gonzales, Atty. Mary Kristerie Baleva and Julie Palaganas of the ICHRP.

The delegation met with independent expert Dr. Chaloka Beyani, UN special rapporteur on the rights of internally displaced persons. They welcomed the news of his upcoming official visit in the Philippines. Beyani will investigate reports and complaints on the continuing displacement and poverty in the typhoon Yolanda affected areas, forced evacuation brought about by Philippine military operations, especially in rural and indigenous communities, and forced eviction of urban poor communities displaced by projects of big business. They also met with Prof. Philip Alston, newly appointed special rapporteur on extreme poverty and human rights.

In 2007, Alston, then the UN Special Rapporteur on extrajudicial, summary or arbitrary execution, went to the Philippines for an official visit to investigate the cases of extrajudicial killings under the Gloria Macapagal-Arroyo administration.

In what would be referred to as the Alston report, he pointed out the responsibility of the government, military and police in the targeted killings and disappearances of hundreds of political activists and those tagged as rebel supporters as part of the counter-insurgency campaign of the State. He recommended a list of concrete steps the Philippine government should take to address and abate the rights violations.

Palabay told Alston, “seven years after his report most of the recommendations remain unheeded or are just paid lip service to as gross rights violations and impunity persist.”

EcuVoice submitted to Alston a report on the impoverished conditions of the 2,902 displaced farmworkers in Hacienda Luisita. They lost their livelihood due to the maneuvers of the Cojuangco-Aquino clan that circumvented the Supreme Court order to redistribute land.

Several complaints of forced eviction of residents in many Metro Manila urban poor communities were also submitted to Alston. Yolanda survivor Rev. Irma Balaba emphasized that seven months after the typhoon, hunger, absence of shelter/housing and a dearth of livelihood still pervade the eastern Visayan region.

Alston expressed concern over these reports and said he will look into these issues complementary to the actions of other UN human rights experts’ mandate-holders.

Atty. Olalia updated Knaul on the tactics employed by the State to jeopardize not only the independence of lawyers and judges but also their very lives and personal security. He cited the continuing killings of lawyers and judges, particularly human rights lawyers, as well as various acts of political harassment and vilification like red tagging, surveillance, hacking of phones and emails and filing of nuisance charges.

Olalia underscored the imminent threat against NUPL officer Cathy Salucon. “The human rights lawyers in the frontline are also under attack and immediate steps must be taken by the international community, on top of domestic efforts, before things even get worse.”

Members of the delegation also met with Geneva-based country missions of Ireland, Austria, Canada, Norway, The Netherlands, Mexico, and the Holy See. They informed the independent experts and country missions about the “escalation of extrajudicial killings, arbitrary arrests and detentions, torture and enforced disappearances of human rights defenders, political activists and community leaders, specially indigenous leaders, who resist large scale development projects.”

They said that in the first quarter of 2014 alone Karapatan documented 21 victims of extrajudicial killings and 23 of frustrated killings. The members of the delegation made oral interventions during the reporting of the special

Rapporteurs on peaceful assembly and association and extreme poverty and human rights Prof. Philip Alston.

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indigenous peoples in Talaingod, Davao del Norte at the height of military operations early this year. Women’s League Courage in Gelsenkirchen, Germany organized the “Mosquito demonstration” and later an indoor gathering to hear updates on the case of political prisoner Andrea Rosal. The group expressed support for Karapatan’s campaign to free all political prisoners.

Migrant-Austria hosted a round table discussion for the Filipino migrants in Vienna. At the end of the activity, participants signed a statement that called on the Philippine government to stop suppression of legitimate protests; stop filing fabricated charges against activists; stop red-tagging and political persecution of activists; and to rescind its counter-insurgency program Oplan BAYANIHAN.

There was a resounding call among the participants to resume peace talks between the GPH and the NDFP, to respect all signed agreements between the two parties, and the release of JASIG-protected peace consultants.

In London, Palabay spoke before human rights lawyers and activists in a forum organized by the Haldane Society of Socialist Lawyers, Campaign for a Democratic Europe, and the Filipino Activist Network in Unison. A video of the event was produced by War on Want.

In a fundraiser event for typhoon Yolanda/typhoon Haiyan victims, Palabay called on the British public to show solidarity to the victims, amid the corruption scandals under the Aquino administration. The event was organized by Kanlungan Filipino Alliance, UK public service union UNISON, and the Filipino Activist Network in Unison.

Indeed even if for the sake of argument we grant the administration’s erroneous claim that the DAP was a “stimulus package” it is still clear that the DAP was not really all that significant. Total government spending – computed as the sum of government final consumption expenditure (GFCE) and public construction from the national accounts information to make a sound conclusion.

HACIENDA LUISITA HUMAN RIGHTS VIOLATIONS (since implementation of the Aquino gov’t’s “sham land distribution” in 2013)

DATE INCIDENTS CHARGES FILED VS FARMERS, SUPPORTERS VICTIM / S ALLEGED PERPETRATORS
April 3 Illegal arrest & detention (Mapalacsiao 5)
Vsl Napalacsiao 5
-Violation of RA 6657
Charito “Gerry” Catalan
George Calvin
Alvin Grapil
Jaime Quiambao
Leoncio Suarez
Tarlac City PNP; P/Supt. Felix Bervo, Jr. (OIC Chief);
PO2 Chester dela Rosa; PO1 Raymundo Valencia;
PO1 Rossell Rivera
April-July 2014
May 16 Arrest & Detention
Vicente Sambo
Tarlac PNP
May 25 Burning of farmhut
Benjamin Duque
TACEDO
Jun 21 Destruction of crops
(Arturias)
DAR; Tarlac PNP; Lito Bas
Jun 25 Destruction of crops
(Arturias)
Charito “Gerry” Catalan
AMBALA-Mapalacsiao
DAR Personnel; Tarlac PNP; Brgy. Officials
Jul 3 Destruction of crops (Mapalacsiao)
Ofei Ocampo
DAR Personnel; Tarlac PNP; Brgy. Officials
Jul 8 Destruction of crops / hut (Mapalacsiao)
DAR Personnel; Tarlac PNP; Brgy. Officials
Aug 2 Destruction of crops
Ofei Ocampo
Aug 6 Destruction of crops
Ofei Ocampo

HLMX... / from page 19

T he Aquino administration’s budget department described its Disbursement Acceleration Program (DAP) “as a stimulus package to fast-track public spending and to push economic growth by investing on high-impact budgetary programs, activities and projects.”

Serious concerns have already been raised as to its legality (i.e. of being unconstitutional) and propriety (i.e. of being used as presidential pork barrel for patronage purposes). The DAP however is also economically irrational which will be consistent with the notion that the supposed stimulus effect is only a cover for various self-serving political agendas.

The practice of using government spending to stimulate or pump-prime the economy in a situation of low demand is well-established. But to generalize from this and claim that any and all government spending is a stimulus to the economy would render the notion of a genuine stimulus obsolete. Catallagical and meaningless. The activities that need to be met for the spending to be a genuine stimulus. The most basic is that the quantity of spending must be large enough and occur within a short enough period to actually make a discernible difference. The quality of spending also matters and this should be on items that will have the most immediate and greatest multipliers on the economy.

Notwithstanding all the justifications that the administration has raised, the DAP did not meet either of these, and the so-called stimulus argument is weak.

When the controversy first came out Pres. Aquino himself claimed that the DAP stimulated the economy in 2011 and created a momentum that continued until years after. He also specifically said that the DAP contributed 1.3 percentage points to growth in the fourth quarter of 2011, this is considerable considering that growth in that period was just 4.0 percent as reported by the NSCB. The government has released varying, incomplete and inconsistent figures on DAP but there is nonetheless enough information to make a sound conclusion.

First, regarding the quantity. The magnitude of the supposed stimulus program is the most important factor determining its magnitude. However, the DAP however was not additional government spending for any of the years it was implemented and was just, as the name says, merely an acceleration of the disbursement of budget amounts that were already established.

Early reports from the DBM had total DAP spending, of Php159.36 billion broken down into Php55.31 billion (2011), Php58.70 billion (2012) and Php51.13 billion (2013). But these DAP magnitudes are not additional to the spending programs for the respective fiscal years of Php1,580.0 billion (2011), Php1,829.0 billion (2012) and Php2,005.9 billion (2013), these figures are from the most recent Budget of Expenditure and Sources of Financing (BESF) documents. It is then grossly inaccurate for the administration to claim that a stimulus package were se it did not change these original magnitudes at all and if anything only changed how these amounts were spent (i.e. by changing the actual expense items). It did this through the various means declared unconstitutional by the Supreme Court.

So, in quantitative terms, the DAP was even at its peak in 2011 not very large and could not have had much impact on the economy. This can be compared with equivalent figures of more genuine stimulus programs. The US government’s stimulus program – consisting of the US$775 billion US economic recovery package of 2009 and US$700 billion in Troubled Asset Relief (TARP) funds, unemployment insurance, health care and others for instance – was, if spent as programmed, equivalent to about 20-30% of total annual federal outlays and some 4-6% of the US economy.

Why the DAP is economically IRRATIONAL

by Sonny Africa | Reprinted from Ibon Foundation

T he Aquino administration’s budget department described its Disbursement Acceleration Program (DAP) “as a stimulus package to fast-track public spending and to push economic growth by investing on high-impact budgetary programs, activities and projects.”

Claim that the DAP accounted for 1.3 percentage points of the 4.0% GDP growth in the fourth quarter of 2011 would have been meaningless then it would have matters more for than one-fourth of growth. However, 1.3 percentage point contribution to growth was not actually just of the DAP but rather of total government consumption and public construction for the period (of which the DAP was just a small part of).

The contribution of DAP-related spending to economic growth is likely just one-fourth of a percentage point at most in the fourth quarter of 2011 and less than a tenth of a percentage point for 2011 as a whole.
The DAP could plausibly even have reduced the contribution of the national budget to economic growth by actually reducing the quantity released to the economy. If for instance it is true that portions of the DAP were lost to corruption then this means that rather than the money being spent in the real economy then they were actually even diverted into hidden wealth bank accounts perhaps even abroad. From an economic perspective such a leakage further diminishes the impact of the supposed stimulus package.

Second, regarding the quality. Economic stimulus is conventionally most visible and effective with public works projects that immediately boost consumer and investment spending and then have long-term benefits in terms of improved infrastructure and other capacity. The ideal is to be able to immediately circulate money in the economy in a way that eventually also yields other productivity gains. This is why education and health care are also seen as legitimate items for stimulus. Overall, it does not appear that the DAP’s profile of projects meets these objectives.

There is no available information of the criteria applied by the government in deciding which projects to fund through the DAP nor indeed which projects to in effect discontinue by realigning funds away from them. Nor is there yet available a complete listing of the projects. A cursory glance of what projects have been made public is however enough to cast doubt that a systematic stimulus-defined criteria was applied. There are certainly various infrastructure projects covering roads, bridges, schools, hospitals, rural health units, transport, irrigation, and other presumably useful expenditures. But among the items of prima facie dubious stimulus impact are: Php30 billion capital infusion to the BSP; Php8.6 billion for ARMM peace and development interventions; Php5.4 billion in landlord compensation; and Php3.4 billion in landlord compensation; and Php3.4 billion GSIS premium payments; Php1.8 billion for the Moro National Liberation Front (MNLF); Php1.5 billion for the Cordillera People’s Liberation Army (CPLA); Php1.6 billion for the DOST’s DREAM project; Php1.1 billion for human resource development of BPOs; Php750 million to settle Napocor tax liabilities; Php666 million for the Department of National Defense (DND); and others.

It is important to stress that the point is not that these projects are desirable – they may or may not be – but that if they are part of a supposed stimulus package then they need to be assessed by how far they stimulate the economy in its time of need. A more complete inventory would give a better idea of how much by value went to projects with a presumed stimulus impact and which did not. It will also be important to compare the projects that were discontinued or perhaps not even started with the projects actually implemented to see if there was an improvement in the quality of spending.

The ultimate objective of any supposed stimulus package is to increase aggregate demand. The multiplier effect of any particular amount of government spending is however diminished to the extent that it is spent for foreign goods and services rather than locally (ex. did the DOST’s DREAM project purchase foreign equipment?). It is not spent by the recipients (ex. did the BSP and landlords just keep funds received in bank accounts or financial investments?), not spent on labor-intensive projects, and so on. Greater transparency by the Aquino administration on DAP implementation will help clarify the various aspects of the issue further.

From an economic perspective the issue of discretionary use of government funds by Pres. Aquino, or presidential pork barrel, is that such arbitrary decisions for political and patronage purposes will not always be in accordance with the nation’s economic and socio-cultural development needs. Worse is that they may even undermine these. IBON Features

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