

**The decrease in number (of extrajudicial killings) while a cause to congratulate is likewise a cause to condemn because it merely shows clearly who are behind the extrajudicial killings," states Prof. Philip Alston, United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions.**

Karapatan congratulates the human rights (HR), sectoral and multi-sectoral organizations and individual HR defenders here and abroad and the solidarity groups and various church organizations in other countries which responded to the Karapatan-led national and international campaign, **Stop the Killings in the Philippines!**

Karapatan thanks the UN special rapporteurs and representatives who took up the complaints regarding extrajudicial, summary and arbitrary executions, enforced and involuntary disappearances and other gross human rights violations. We also thank the representatives of international NGOs, U.S. senators and congresspersons, Canadian and European Union parliamentarians and particular government officials and diplomats of Brazil, Finland, France, Germany, Japan, New Zealand, Norway, Switzerland and the United Kingdom who supported us in our defense of human rights in the Philippines. We recognize the role being played by Chief Justice Reynato S. Puno at whose helm the Supreme Court tries to find a solution to the problem of extrajudicial killings (EJK) and enforced disappearances (ED).

There is no denying that the political pressure created by all our efforts forced the repressive and corrupt U.S.-backed Arroyo regime and the Armed Forces of the Philippines (AFP) to grudgingly slow down on extrajudicial killings and enforced disappearances.

On the other hand, Karapatan condemns the Gloria Macapagal-Arroyo government, the AFP and the George W. Bush administration for perpetrating violent acts against our people, especially those who protest against worsening poverty, corruption, plunder, imperialist globalization and undeclared martial rule.

Contrary to what Executive Secretary Eduardo Ermita and U.S. Embassy officials trumpet, the Philippines is NOT a "vibrant democracy." Contrary to what GMA will most probably crow in her 2008 State of the Nation Address (SONA), the U.S.-Arroyo regime is NOT a "human rights advocate." The Philippine government was elected Vice President in the UN Human Rights Council (UNHRC) not because of a meritorious human rights record but because it was its turn among Asian countries, the position being filled up on a rotational basis.

Karapatan condemns the continuation of extrajudicial killings, enforced disappearances, illegal detention, torture, hamletting, forced evacuation and other human rights violations against men, women and children.

In the afternoon of April 15, elements of the 16th Infantry Battalion of the Philippine Army (IBPA), 202<sup>nd</sup> Infantry Brigade of the 2<sup>nd</sup> Infantry Division strafed without warning the house of the **Carser family** in Sitio Macalla, Brgy. Pagsangahan, General Nakar, Quezon. The indiscriminate firing instantly killed **Eliza Pera**, 26, and 12 year-old **Monica Carser**. Wounded were **Nerissa, Cristine and Monina Carser** along with **Rose Ann Gumanoy**, 21.

Rose Ann was taken to Camp Capinpin, Tanay, Rizal where she underwent tactical interrogation while her wounds remained unattended. To force her to admit that she was a member of the New People's Army (NPA), she was subjected to psychological torture and from time to time, an interrogator would nudge her wound to create pain. It was only the next day that she was brought to the V. Luna Medical Center in Quezon City where members of her family were denied visitation rights. She was again interrogated and threatened.

On April 28, rebellion charges were filed against Rose Ann in Branch 65 of the Infanta Regional Trial Court in Quezon. A petition for the writ of amparo

**Table 1**  
**Violations by the Gloria Macapagal-Arroyo Government**  
January to June 30, 2008

Violation of Civil and Political Rights	Number of Incidents	Number of Victims
Extrajudicial, summary and arbitrary killing	12	20
Frustrated killing	2	12
Enforced or involuntary disappearance	1	1
Abduction	6	8
Torture	9	12
Illegal arrest	32	67
Illegal detention	22	41
Forced/fake surrender	4	11
Physical assault and injuries	27	91
Threat, harassment and intimidation	117	3,424
Indiscriminate Firing	4	7,404
Illegal search and seizure	3	70
Forcible evacuation and displacement	30	9,130
Hamletting	2	2,172
Use of schools, medical, religious and other public places for military purposes; and endangerment of civilians	6	3,088
Violation of children's right to protection or safety by the state or its agents	14	468
Food and other economic blockade	7	3,333

*Based on reports gathered by Karapatan*

was filed in the Supreme Court on May 2 for her protection and safety. On May 29, she was ordered released on bail. Subsequently, she returned home, underwent medical examination in the Philippine General Hospital in Manila and was operated on to fix her broken arm.

Rose Ann is a daughter of the peasant leader Eddie Gumanoy who was a victim of extrajudicial execution together with Eden Marcellana on April 22, 2003.

*Note: The constant harassment that the Gumanoy family suffers continues. On July 3 Rose Ann and her 17 year old sister, Fatima, failed to meet with their mother. Rose Ann's last text message to her mother was that they have been taken by soldiers. The sisters were later surfaced at the Philippine Army Hospital in Fort Bonifacio, where the Karapatan quick reaction team found them. The military alleges that the two voluntarily sought its help. Visitation has since been limited to those allowed by a lawyer of the Judge Advocate General's Office of the AFP. Despite her mother's claim for custody, Fatima, who is a minor, remains in the custody of the military.*

Peasant leader **Celso Pojas**, 45, Secretary General of the Davao City Farmers Association, was gunned down by motorcycle-riding men on May 15 in front of the DCFA office on Fatima St., Brgy. Mandug in the heart of Davao City. Such a method is associated with extrajudicial killings by military death squads as part of the government's counter-insurgency program, Oplan Bantay Laya I and II. Pojas is the first victim of extrajudicial killing in Davao City proper.

The next day on May 16, **Kelly Delgado**, 31,

**Table 2**  
**Victims of Extrajudicial, Summary or Arbitrary Execution under the Arroyo Government**

Annual Totals: January 21, 2001 to June 30, 2008

Year	Total	Organized	Women
2001	99	35	11
2002	118	44	13
2003	123	32	14
2004	83	41	9
2005	187	101	14
2006	210	108	25
2007	70	35	12
2008 (half year)	20	5	4
<b>Total</b>	<b>910</b>	<b>401</b>	<b>102</b>

*Based on reports gathered by Karapatan*

**Table 3**  
**Victims of Enforced or Involuntary Disappearance under the Arroyo Government**

Annual Totals: January 21, 2001 to June 30, 2008

Year	Total	Organized	Women
2001	7	1	2
2002	9	3	2
2003	11	2	1
2004	26	10	5
2005	28	6	0
2006	78	26	16
2007	33	13	4
2008 (half year)	1	1	0
<b>Total</b>	<b>193</b>	<b>62</b>	<b>30</b>

*Based on reports gathered by Karapatan*

Secretary General of Karapatan – Southern Mindanao, was interviewed about the Pojas assassination over Charm Radio. Soon after, the radio station received three text messages in Visayan threatening Delgado with “You are next to be eliminated . . . You're already six feet below the ground . . .” Delgado leads quick reaction teams which respond to reports of human rights violations. He is a vocal critic of human rights abuses by the military and police.

On the same day that Pojas was killed, **Randy Felix Malayao**, 39, former Vice President for the Visayas of the College Editors Guild of the Philippines (CEGP) and former Editor-in-Chief of *Ang Mangingisda* (The Fisherman), official student publication of University of the Philippines in the Visayas. He was a consultant for the peace process of the National Democratic Front of the Philippines (NDFP) in Cagayan Valley when he was abducted by suspected agents of the Military Intelligence Group (MIG).

Malayao was missing for five days before he was surfaced by the Philippine National Police Criminal Investigation and Detection Group (PNP-CIDG). According to the victim, he was grabbed by government agents as he got off a bus at around 9:45 p.m. He was shoved inside a vehicle and was immediately blindfolded. He recalled that he could hear the sound of airplanes passing over the place to which he was brought.

During the whole torture ordeal, Malayao remained blindfolded and had no concept of time. A plastic bag was put over his head. He was hit in different parts of his body. His interrogators threatened that he would be killed and that his mother would never see him again. His blindfold was removed only when he was presented to the media at Camp Melchor dela Cruz, Upi, Gamu, Isabela on May 20. Malayao is currently detained in the Cagayan provincial jail facing murder charges.

On May 18, **Bernadith Dignos**, 26, a peasant leader of Kilusang Magbubukid ng Pilipinas (KMP), was



Maria Gumanoy (L), mother of captive Rose Ann and Fatima and wife of slain Eddie Gumanoy. Celso Pojas (R), gunned down in front of his organization's office on May 15, 2008.

abducted by three unidentified men aboard an orange Isuzu Crosswind bearing plate number LDU 925. It happened across the street from Dr. Uy Hospital, on Roxas Ave., Poblacion, Iligan City.

Dignos was missing for four days before she was surfaced in a detention cell. On May 22, her family was able to visit her in the Misamis Occidental Provincial Jail in Oroquieta City. During an interview, she identified her abductors as elements of the Military Intelligence Battalion (MIB) under the command of Col. Sison, of the 1st Infantry (Tabak) Division PA based in Camp Cesar L. Sang-an, Pulacan, Labangan, Zamboanga del Sur.

Dignos was slapped with multiple murder and quadruple frustrated murder charges in the Regional Trial Court Branch 36 in Calamba, Misamis Occidental.

Pastors of the United Methodist Church (UMC) and the United Church of Christ in the Philippines (UCCP) have also come under attack.

UMC **Pastor Mel Abesamis** was abducted on March 15 in San Jose, Mindoro Occidental. He went missing for two days before he was brought to the provincial jail. Trumped-up charges of four counts of murder and theft were filed against him. He was linked to an alleged May 10, 2007 encounter between the PNP 407<sup>th</sup> Provincial Mobile Group and the NPA. Yet he was charged with a criminal offense. Abesamis was Secretary General of Karapatan - Mindoro Occidental and also of Bayan - Southern Tagalog from 2000-2003.

On May 2, in Jala-Jala, Rizal UCCP **Pastor Rodel Canja**, 25, was to attend the annual meeting of the Northeast Southern Tagalog Conference of the UCCP in Jala-Jala, Rizal. He arrived at the UCCP Parish in Pililia at around 9 o'clock in the morning. He went outside to look for a store to reload his mobile phone when suddenly a man forced him at gunpoint into a van. Once inside, a man covered his nose with a handkerchief after which he blacked out.

When he came to, he was asked about Pastor Berlin Guerrero, a UCCP pastor abducted last year and is currently detained in the Cavite Provincial Jail in Trece Martires. Guerrero was Canja's classmate and roommate in the seminary.

Canja was kept in the same room for four days and three

nights. On the first day, he was not given any food. On his second day, he was given food but was too stressed up to eat because his guard kept on cocking a pistol while walking around the room. On the third day, his mobile phone and wallet were taken, then he was warned that something might happen to his sisters now that the military has their IDs.

At one point one of the men grabbed Canja by his hair and forced a gun in his mouth. He heard a gunshot and he thought he was dead. On the fourth and last day, he was released with a stern warning to keep mum about what happened or something bad might befall him.

Hina Jilani, former UN Special Representative on human rights defenders, observes that the high incidence of enforced disappearances and extrajudicial killings of human rights defenders in the Philippines remains a deep concern and that the absence of any credible investigation may indicate that "human rights defenders in the Philippines are unable to fully carry out their work due to fear of intimidation and reprisal."

For exposing human rights atrocities committed by soldiers belonging to the 3<sup>rd</sup> Infantry Division, Philippine Army in Guihulngan, Negros Oriental, **Fred Caña**, 43, Secretary General of Karapatan - Negros and a colleague **Zara Alvarez**, 27, became targets of a campaign of incitement to violence. Caña's effigy and that of peasant leader **Erwin Sabijon**, 46, of Kaugmaon, a local peasant organization affiliated with KMP, were burned in a military-sponsored rally on June 14 at the Guihulngan public market. Also, the village officials were coerced into declaring Karapatan *persona non grata* in the area, thus banning entry of human rights defenders.

Over *Radyo Natin* a radio program run by the Civil Military Office of the 11<sup>th</sup> IB PA is being used to vilify and demonize leaders of progressive peasant organizations. Soldier "broadcasters" slandered and threatened to arrest community leaders **Lo urdes Baloy**, **Josephine Saguran**, **Amy Tapalis**, **Erwin Sabijon** and **Rene Quirante**.

On May 15 the military filed a case of grave coercion against **Lourdes Baloy**, 54, in Brgy. Linantuyan. Prior to the incident, her house was ransacked by ele-

**Table 4**  
**Victims of EJK and ED under**  
**GMA's Presidency (by region)**

January 21, 2001 to June 30, 2008

Region	EJK	ED
CAR	31	1
Cagayan Valley	28	4
Ilocos	7	1
Central Luzon	137	62
Southern Tagalog	165	28
Bicol	128	12
NCR	39	6
Eastern Visayas	91	24
Central Visayas	22	2
Western Visayas	24	6
Northern Mindanao	7	1
Caraga	32	11
Socskargen	22	4
Weste Mindanao	34	10
Southern Mindanao	78	13
ARMM	65	8
<b>Total</b>	<b>910</b>	<b>193</b>
<i>Organized</i>	401	62
<i>Women</i>	102	30

Based on reports gathered by Karapatan

ments of the 11<sup>th</sup> IBPA. Baloy helps victims of human rights abuses in their village and has consistently opposed the establishment of military outposts in their town. To date, she and her family are in sanctuary to protect them from more serious human rights violation.

### Militarization in the Countryside

In **Guihulngan, Negros Oriental** the military lords it over the local government officials by acting virtually as martial law administrators. They keep detachments or command posts in several populated areas. In Brgy. Linantuyan more than a hundred soldiers of the 11th IB headed by Lt. Col. Franco Nemesio Gacal, camp at the barangay hall and public market. Soldiers of the 79<sup>th</sup> IB are stationed in the barangay hall of Brgy. Magsaysay.

Soldiers keep their true identities from the residents to escape accountability for human rights violations and other transgressions against the residents. Villagers of legal age, aside from being required to pay for and always carry a community tax certificate, are ordered to have their photographs taken by the military.

Barangay Councils are required to hold assemblies where the soldiers harangue farmers with anti-communist propaganda, malicious intrigue and threats against farmers' organizations and certain individuals. The village folk are coerced into "surrendering" and

"clearing their names."

Extraction of extrajudicial confession under duress has become routine in these areas. Residents are "invited" to the army barracks for questioning. The interrogation lasts up to four hours and is most intense for those listed in the military's Order of Battle (OB).

There is also conscription into the CAFGU and Barangay Defense System (BDS). The latter is a component of the AFP's Integrated Territorial Defense System where the civilians are used for counter-insurgency operations, intelligence gathering and other combatant work. Many farmers are recruited into paramilitary service against their will. Refusal to join the CAFGU is basis for suspicion of being an "NPA coddler." Residents render forced labour in military camps and detachments.

In **Tubo, Abra** soldiers from the Bravo and Charlie Company of the 50th Infantry Battalion under the 503<sup>rd</sup> Infantry Brigade headed by Lt. Dalven Abdul Rashid



One of the military checkpoints in Guihulngan, Negros Oriental.

**Table 5**  
**Victims of EJK and ED under**  
**GMA's Presidency (by sector & special group)**  
January 21, 2001 to June 30, 2008

Sector/Special	EJK	ED
Peasant	424	116
Moro	62	9
Indigenous People	85	7
Worker	56	16
Children	62	4
Unborn	11	0
Urban Poor	40	7
Church	24	1
Youth and Students	23	10
Fisherfolk	21	3
HR Worker	22	1
Gov't Employee	9	1
Entrepreneur	15	7
Teacher	9	0
Media	6	0
Lawyer	5	0
Others	24	6
Unclassified	12	5
<b>Total</b>	<b>910</b>	<b>193</b>

*Based on reports gathered by Karapatan*

Avila and Lt. June Pedregoza arrived on March 12 and began their internal security operations.

Up to mid-April, soldiers tried to make the people of Pananuman, Tubo, Abra live in fear. The residents were not allowed to tend their farm and buy enough food supply. Two cows and other farm animals were butchered by the soldiers without permission. Houses were illegally searched and properties confiscated and destroyed. For five days from March 22 to 27, aerial bombs destroyed their forests and rice fields. Afterwards, mortars, which were previously stored on school grounds adjacent to residential houses, were fired for almost 24 hours straight.

**Lakay Mariano Galisen**, a sixty-year-old community member who insisted on tending his farm went missing. The community leaders had to repeatedly plead with the government troops before they were allowed to search for him. Galisen's body was found near his farm on April 1, already in an advanced state of decomposition.

To date no evidence of a sincere effort to respect human rights has emerged from Malacañang and

**Table 6**  
**Victims of EJK and ED under GMA's Presidency**  
**(by sectoral & multi-sectoral organization)**

January 21, 2001 to June 30, 2008

<b>Organizations</b>	<b>EJK</b>	<b>ED</b>
Bayan		
KMP	106	11
KMU	22	3
Anakbayan	13	3
Pamalakaya	7	2
Kadamay	7	0
LFS	5	1
Courage	3	0
PCPR	2	0
SCMP	1	0
Kalikasan	1	0
Piston	0	1
Secretariat	3	1
Karapatan		
Selda	2	2
Kasimbayan	2	0
Chapters	20	1
Other Organizations	21	3
Partylist		
Bayan Muna	132	13
Anakpawis	49	8
Gabriela Women's Party	2	0
Kabataan	2	0
Suara Bangsa Moro	1	2
Anak ng Bayan	0	1
NDFP Consultants/Staff	0	10
<b>Total</b>	<b>401</b>	<b>62</b>

*Based on reports gathered by Karapatan*

**Table 7**  
**Victims of Illegal Detention**  
**under the Arroyo Government**

Annual Totals: January 21, 2001 to June 30, 2008

<b>Year</b>	<b>Total</b>	<b>Organized</b>	<b>Women</b>	<b>Children</b>
2001	361	106	54	9
2002	135	40	10	5
2003	133	54	28	6
2004	203	66	32	13
2005	127	22	19	8
2006	207	71	31	5
2007	335	56	57	31
2008 (half year)	105	49	29	2
<b>Total</b>	<b>1,606</b>	<b>464</b>	<b>260</b>	<b>79</b>

*Based on reports gathered by Karapatan*

the AFP. They continue to insult and malign UNSR Philip Alston and refuse to carry out his recommendations among which are: as Commander-in-Chief the President should "take concrete steps to put an end to those aspects of counterinsurgency operations which have led to the targeting and execution of many individuals working with civil society organizations" ♦ abolish the Inter-Agency Legal Action Group (IALAG) which supervises the filing of charges against leaders of the open democratic movement like the Batasan 6 ♦ "refocus" the criminal justice system which for him (Alston) was "distorted" being more "focused on prosecuting civil society leaders rather than their killers" ♦ the Philippine government to order all military officers to stop linking people's organizations to the armed groups since this "public vilification" had been "accompanied by operational measures" ♦ and "necessary measures should be taken to ensure that the principle of command responsibility, as it is understood in international law, is a basis for criminal liability within the domestic legal order."

Likewise ignored by the Arroyo government are recommendations of the Sub-Committee on East Asian and Pacific Affairs co-chaired by Sen. Barbara Boxer of the U.S. Senate Committee on Foreign Relations. The sub-committee set three conditions for its proposed additional US\$ 2 million military aid to the Philippines: "that the Philippine government implement the recommendations of UNSR Philip Alston ♦ that ... (it investigate and prosecute) military personnel and others who have been credibly alleged to have committed extrajudicial executions or other violations of human rights ♦ and that the Philippine military is not engaging in acts of intimidation or violence against members of legal organizations who advocate for human rights."

Instead, GMA sticks to Oplan Bantay Laya II and grants promotions to perpetrators of human rights violations instead of bringing them to court. She creates redundant bodies like Task Force Usig, the Presidential Committee on Human Rights, Task Force 211 on Political Killings and special courts on EJK to make it appear that her government is doing something to get to the bottom of the killings. As expected, the military-police-Malacañang-created bodies end up defending the perpetrators and maligning the victims and human rights advocates defending them.

The AFP, PNP and Department of Justice (DOJ) undermine positive steps taken by the Supreme Court under Chief Justice Puno like the rule on the writ of amparo and writ of habeas data. Petitions for a writ of amparo have been filed against chapters of Karapatan and some sectoral mass organizations.

Cover up is the operational procedure of the Arroyo government, hypocritically trumpeting its

**Table 8**  
**Political Prisoners (PPs)**

as of June 30, 2008

Region where detained	Total no. of PPs	Women	Minors	Arrested under GMA
Cagayan Valley	1	0	0	1
Central Luzon	8	1	0	8
Southern Tagalog	24	4	0	24
NCR	107	5	6	80
Bicol	16	2	0	16
Western Visayas	11	2	0	11
Central Visayas	11	0	0	11
Eastern Visayas	17	3	0	17
Southern Mindanao	12	0	0	12
Socskargen	4	0	0	4
Western Mindanao	13	4	0	13
Caraga	1	0	0	1
<b>Total</b>	<b>225</b>	<b>21</b>	<b>6</b>	<b>198</b>

*Based on reports gathered by Karapatan*

"commitment, constructive and consultative approach." It paints a glossy picture of being a "rights-based" State that has signed UN core documents and enacted laws that supposedly protect the rights of its citizens while it refuses to accept recommendations that would help stop the killings and disappearances and eliminate the system of impunity.

The U.S.-Arroyo regime lives up to the GUILTY verdict of the Permanent Peoples' Tribunal (PPT) which conducted hearings in den Hague, the Netherlands in March of last year. Charges were filed by Hustisya, Desaparecidos and Bayan. "The extension and the systematic nature of the violations of the rights of the Filipino people committed by the governments of Mrs. Gloria Macapagal-Arroyo and with the support and full awareness of the government of George Walker Bush, qualify the same violations as crimes against humanity, with all the consequences for the persons who are responsible for them. Such violations must be stopped immediately," reads part of the 13-page verdict.

The U.S. Arroyo regime continues to be "guilty of gross and systematic violations of human rights, economic plunder and transgression of the Filipino people's sovereignty." After seven and a half years of Gloria Macapagal-Arroyo's fake, undeserved, corrupt, servile presidency and fascist rule, there is only one conclusion we can make: to defend, protect and advance human rights is to oust GMA from Malacañang.

## On Karapatan's HRV data and documentation

**H**uman rights workers investigate and document reports on human rights violations (HRVs) to help put an end to them, prevent their repetition and secure justice for the victims and their families. It is not without risk to the lives and safety of human rights workers that this work is undertaken. Karapatan has a nationwide network of human rights workers who do documentation and reporting of HRVs as part of their human rights advocacy.

A case counted by Karapatan is accompanied by a factsheet, without which a case is held pending until verified. Each number that appears in a Karapatan HRV table or a public statement is backed up by a name and other information contained in the verified factsheet.

Classification under extrajudicial execution and enforced disappearance is guided by UN definitions reflected in the mandates of the UN Special Rapporteurs on extrajudicial, summary and arbitrary executions and on enforced and involuntary disappearance. Violations of International Humanitarian Law (IHL) are excluded.

Media EJK counts are based on data from news stories they cover in their reportage and are therefore expectedly less than what Karapatan has in its records.

Police and military data are another matter. In an attempt to evade accountability, Task Force Usig (TFU) keep the numbers small and cases downplayed. As an example, 79 victims of extrajudicial execution are classified as having been killed in "legitimate encounters" between the AFP and the NPA. When the victims are unquestionably civilians, as in the case of children, the military points the finger at the NPA. This happened in the massacre of peasants in Palo, Leyte in November 2005 and the killing of the Goloso children in Bicol in May 2004.

There are also many cases of victims and witnesses who decide not to report their case to the military or the police out of fear or distrust since human rights violations are largely being committed by state security forces.

It is with malice, deceit and evasion that Malacañang, Task Force Usig and other military and government agencies discredit as "bloated" Karapatan's EJK and other HRV data.

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