

Arrest and detention of peace consultants, companions

- Case** : Arbitrary/illegal arrest and detention
Psychological torture
Violations of the rights of arrested or detained persons
[includes violation of Miranda rights, right to counsel and visit by a human rights organization, among others]
- Victim/s** : **BENITO E. TIAMZON**, 63, consultant of the National Democratic Front of the Philippines to the peace negotiations with the GPH, with the assumed name of Crising Banaag [Document of Identification Number ND978227]
- WILMA AUSTRIA TIAMZON**, 63, publicly known consultant of the National Democratic Front of the Philippines to the peace negotiations with the GPH [Document of Identification Number ND978226]
- ARLENE J. PANEA**, 25, caregiver of Wilma Austria Tiamzon
- REX G. VILLAFLOR**, 34, call center company employee and freelance online trading agent, spouse of Lorraine
- LORRAINE A. VILLAFLOR**, 38, freelance online trading agent, spouse of Rex
- JOEL E. ENANO**, 35, freelance driver and mechanic
- JEOSI M. NEPA**, 35, housewife
- Place of Incident** : Brgy. Zaragosa, Aloguinsan, Cebu
- Date of Incident** : March 22, 2014
- Alleged Perpetrator(s)**: Elements of the Philippine National Police Criminal Investigation and Detection Group (PNP-CIDG) and PNP-Carcar, Intelligence Security Group (ISG) of the Philippine Army (PA), Central Command (CentCom) of the Armed Forces of the Philippines (AFP), and the Intelligence Service of the AFP (ISAFP)

Account of the Incident:

Wilma Austria Tiamzon and Benito E. Tiamzon, national consultants of the National Democratic Front of the Philippines (NDFP) in the ongoing peace negotiations between the Government of the Philippines (GPH) and the NDFP, were travelling all over the country and conducting intensive consultations with respect to socio-economic issues.

Before their arrest, they were travelling to various provinces in the Visayas to conduct consultations with the people and on the adverse effects of super typhoon Yolanda on their socio-economic conditions. In Cebu, they subleased a house in San Fernando via online from spouses Rex and Lorraine "Nona" Villaflor.

Rex Villaflor is employed in a Business Process Outsourcing (BPO) call center company. The spouses

Villaflor are also engaged in online trading. Aside from sub-leasing a portion of the house to augment their income, the spouses Villaflor also rent out their Starex van. They had arrangements with Joel Enano, a freelance driver and mechanic, as their driver.

On March 22, 2014, Saturday, the Tiamzons rented the Starex van as they planned to go to Negros Oriental to conduct further consultations with basic sectors on socio-economic reforms. They asked the Villaflors to drop them off at Aloguinsan, and from there, they will proceed on their own together with the caregiver of Wilma, Arlene Panea.

On the other hand, Jeosi Nepa was invited by an aunt to visit her farm in Valencia, Cebu on that day. The aunt who was a real estate agent requested Nepa to assist her and also discuss some business proposals. Lorraine Villaflor was interested in this business opportunity and decided to come along with Nepa. Jeosi's aunt rented an Innova for them so they could visit her farm.

At around 2:00 P.M., the Tiamzons together with Rex Villaflor, Joel Enano and Arlene Panea left the house on board the Starex van and proceeded to Aloguinsan, Cebu City.

At around 2:30 p.m., the Starex van was cut off by a Carcar police mobile at the boundary of San Fernando and Aloguinsan, near Carcar, Cebu. Thereafter, their path was blocked by a Carcar City police vehicle and at least three (3) motorcycles. They noticed that their van was surrounded by several men, some in police uniforms with others in civilian clothes, all of them carrying high-powered firearms. When Enano asked the armed men what is the problem, they were simply told to stay inside the van and open all its windows.

After about thirty (30) minutes of waiting, several vehicles arrived and on board were many armed men all in civilian clothes, some of whom identified themselves as CIDG policemen. The five were then ordered to get out of the Starex van, raise their hands and line up beside the armed men's vehicles. They were also asked if they were carrying guns to which they replied they do not have any. Thereafter, all of them were handcuffed.

A police personnel who did not introduce himself then read to the Tiamzons a supposed photocopy of a document which was purportedly a warrant for their arrest. When the Tiamzons asked that the document be shown to them or that they be allowed to read it, the police refused.

No warrant of arrest was shown to their other three companions in the Starex van – Rex Villaflor, Joel Enano and Arlene Panea. No reason was given why they were being arrested together with the Tiamzons either.

Thereafter, Wilma was asked to board one of the vehicles with Panea, while Benito was asked to board a separate vehicle. Rex Villaflor and Enano while handcuffed were made to ride an Innova vehicle of the police. At SRP, Pier 3, they were blindfolded.

Meanwhile, Lorraine “Nona” Villaflor and Jeosi Nepa on board a rented Innova vehicle also took the same route going to Barangay Valencia, Cebu. At past 4:00 PM, they noticed the traffic build up since many vehicles were blocking the road. They were informed that they could not pass because there was an arrest operation and were advised to turn back.

As Lorraine was maneuvering the Innova, a CIDG personnel approached them and said “you are being invited for questioning. It is a coincidence that both of you are here also”. They asked why they were being invited for questioning since they are not aware of any wrongdoing. The CIDG personnel did not answer but instead asked them to get out of the vehicle. Thereafter, three police personnel took over their vehicle. They were asked again to board their vehicle but it was the police who drove the Innova.

Inside the vehicles, some of the arrested persons were blindfolded, others were asked to bow their heads or were made to use a cap so they could not see where they were being taken. All of them were subjected to interrogation while inside the vehicles.

All the arrested persons were brought to the AFP Central Command (CentCom) compound located at the back of Marco Polo Hotel at around 6:00 P.M.

At the CentCom, they were again interrogated separately. They continually demanded their right to counsel, but this was ignored. Nepa was even threatened that she could be killed if she refused to tell the truth. After several hours of interrogation, their fingerprints, handprints and mugshots were taken.

Wilma told her interrogators that she is an NDFP consultant to the peace negotiations with the GPH (also a holder of the Document of Identification (DOI), which former Pres. Fidel Ramos himself can attest to.

Benito also told his interrogators that he is an NDFP consultant to the peace negotiations with the GPH and a holder of the Document of Identification (DOI), and that his DOI is among his personal belongings inside the Starex van.

At around 2:00 a.m. of March 23, 2014, Sunday, Lorraine was asked to check the inventory of the things that were taken from their Innova and from their bags. A video was also taken of the following things that were taken from the Innova and their bags: some pieces of broadband stick, some sim cards, cellphones and laptop being used by spouses Villaflor in their online business. Also taken from them were some ATM cards and last month's salary received by Rex. Lorraine signed the list of inventory but she was not given a copy of the same.

Similarly, Rex was also asked to make an inventory of the things that were taken from the Starex van and from their bags. The following were among those taken from the van: several pieces of flash drive, cash, laptop, tablet, identification cards, and medicines of Wilma. There were also three puppies and four cats inside the van. An inventory of the things confiscated from the Starex was signed by Rex, but he was not given a copy of the signed inventory.

Neither inventory listed guns and explosives as included in the things taken from the arrested persons or their vehicles. There was also no receipt of the confiscated items issued to the arrested persons.

At around 4:00 A.M. of March 23, 2014, the arrested persons were all brought to a camp in Lahug, Cebu, where they stayed in handcuffs and separate from each other. Spouses Villaflor were met together by the chief of police and were offered protection if they cooperated. Lorraine was made to write down her personal background and was incessantly bombarded with questions.

At around 11:00 A.M., the arrested persons were brought to the Mactan airport and made to board an airplane to Manila. They arrived in Manila at around 1:00 P.M., and were brought straight to the CIDG-NCR office in Camp Crame, Quezon City.

It was only at around 3:00 P.M. of March 23, 2014, that the arrested persons were able to see and talk to their counsels from the Public Interest Law Center and the National Union of Peoples' Lawyers, together with paralegals. The lawyers demanded to see the warrant of arrest or the charges against their clients, but were refused. After being allowed to consult with their lawyers for 30 minutes but within sight and hearing distance of the police, all the arrested persons were transferred to the PNP Custodial Center at around 4:30 P.M. where they continue to be detained up to the present. #

UA Date : 13 April 2014

Recommended Action:

Send letters, emails or fax messages calling for:

1. The immediate release from detention of Benito Tiamzon, Wilma Austria Tiamzon, Arlene Panea, Rex Villaflor, Lorraine Villaflor, Joel Enano, and Jeosi Nepa
2. The immediate formation of an independent fact-finding and investigation team composed of representatives from human rights groups, the Church, local government, and the Commission on Human Rights that will look into their arrest, detention and other rights violations.
3. The Philippine government to observe, respect and abide by peace agreements with the NDFP, such as the The Hague Joint Declaration, the Joint Agreement on Safety and Immunity Guarantees (JASIG) and the Comprehensive Agreement for the Respect for Human Rights and International Humanitarian Law, which were

