

A photograph of a group of people, likely at a protest or rally, wearing traditional Filipino clothing. Several individuals have their right fists raised in the air. The people are wearing colorful, patterned shirts and headbands. The background is slightly blurred, showing a crowd of people.

**2014 KARAPATAN YEAR-END REPORT
ON THE HUMAN RIGHTS SITUATION
IN THE PHILIPPINES**

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ON DECEMBER 10, AS THE WORLD COMMEMORATED INTERNATIONAL HUMAN RIGHTS DAY, the Filipino people, represented by progressive people's organizations, put on trial the US-backed Aquino regime for crimes against the Filipino people.

For more than four years, the US-backed Aquino regime has only resorted to dishing out catchy slogans to mask its attacks on the Filipino people—an endless and unproductive loop of lies.

Oplan Bayanihan, which is instrumental in the bombing of communities, illegal arrests, detention, and killings of activists, hides behind 'peace and development, and respect for human rights' slogans.

The police brutality used against legitimate protest actions and during demolition of urban poor shanties masquerades as 'maintenance of peace and order'.

The pork barrel system and the Development Acceleration Program or DAP were brandied about as ‘economic stimuli.’”

Benigno Aquino’s rhetorics on extrajudicial killings and a host of human rights violations in the Philippines are pre-recorded responses that have become so predictable. It was his mantra to dupe himself and the public that his regime is different from all the other regimes in the past, which committed transgressions on people’s rights and lives.

If not using catchy phrases, BS Aquino’s statements could be as delusional as: “there has been a significant reduction of recorded or validated extralegal killings”. At times, he simply dismisses accusations of human rights violations committed under his regime as “baseless” or “propaganda”. He calls the people’s protests against human rights violations as heckling, hooliganism or vandalism.

Here’s a regime that looks at governance as a game of masquerade instead of looking into and addressing the roots of people’s dissent.

For violations of the people’s democratic rights, and transgressions on human rights and international humanitarian law, the people’s verdict on the US-Aquino regime is GUILTY!

With the resounding call “BS Aquino, Papanagutin! Palayasin! (Hold BS Aquino accountable, Oust BS Aquino),” the witnesses recalled and described their own harrowing experiences under the US-Aquino regime.

The accounts that follow in the 2014 year-end report provide a glimpse of the human rights situation in the Philippines—stories of brutal deaths and displacement; of how lies are woven to justify illegal arrests and detention and of the inhuman conditions in jails; of puppetry to the US; and treachery in achieving real peace.

The BS Aquino regime is only bent on waging a war that perpetuates the same rotten system that exploits and oppresses the Filipino people. Like his predecessors, he continues to wage a futile war that does nothing to address the roots of the civil war that is raging.

The neglected typhoon victims and many of those who are in the countryside have shown the rest of the Filipino people how not to depend on the government that is unreliable and useless; that the people’s safety and well-being rest in the people’s own hands and collective power. In the end, it is our right as a people to kick out and hold accountable a president that has only served well the corrupt bureaucracy, his own landlord class and his master, US imperialism.

Violation of Civil and Political Rights
under the Noynoy Aquino Government

TABLE 1

July 2010 to Dec 2014

VIOLATIONS	No. of Victims
Extrajudicial killing	229
Enforced disappearance	26
Torture	106
Rape	5
Frustrated extrajudicial killing	225
Illegal arrest without detention	293
Illegal arrest and detention	700
Illegal search and seizure	294
Physical assault and injury	420
Forced eviction and demolition	20,745
Violation of domicile	544
Destruction of property	12,696
Divestment of property	367
Forced evacuation	46,861
Threat/harassment/intimidation	91,381
Indiscriminate firing	11,228
Forced/fake surrender	59
Forced labor/involuntary servitude	174
Use of civilians in police and/or military operations as guides and/or shield	582
Use of schools, medical, religious and other public places for military purpose	149,134
Restriction or violent dispersal of mass actions, public assemblies and gatherings	27,129

TABLE 2

Victims of Extrajudicial Killing and Enforced Disappearance under the Noynoy Aquino Government
BY REGION

July 2010 to Dec 2014

REGION	Extrajudicial Killing	Enforced Disappearance
Ilocos	3	0
Cordillera Administrative Region	8	0
Cagayan Valley	10	2
Central Luzon	11	1
National Capital Region	10	0
Southern Tagalog	22	4
Bicol	53	3
Western Visayas	12	4
Central Visayas	4	0
Eastern Visayas	11	1
Northern Mindanao	12	0
Caraga	16	7
Soccsargen	10	0
Western Mindanao	7	1
Southern Mindanao	35	1
ARMM	5	2
TOTAL	229	26
Women	21	0
Organized	106	11

ManiLakbayan 2014: Food and Peace in MindaNOW



“**A**ng walang sala, siyang binibilanggo...Ilan pa kayang inosenteng Lumad ang Amatutulad sa kanya? (The upright are jailed... How many more innocent Lumad will be in his situation?” The line came from a poem Genasque “Apad” Enriquez Jr. recited at the gates of the Department of Justice (DoJ) on November 27. Apad, 11, was among the more than 300 ManiLakbayan delegates who arrived in Metro Manila on November 14 for a series of activities, which lasted until December 10, International Human Rights Day.

The ManiLakbayan 2014 took off from the 2012 ManiLakbayan. It aimed to bring the voices of the peoples of Mindanao to the nation’s capital. Mostly peasants and indigenous peoples, they came to Manila to gather support for the campaign to defend their communities against the onslaught of Oplan Bayanihan and the incursions of big business such as destructive mining operations and agri-business plantations.

In 2014, the Armed Forces of the Philippines (AFP) stepped up combat operations in Mindanao after it admitted the failure of Oplan Bayanihan to neutralize the revolutionary movement, especially in key regions in Mindanao.

At least 55 combat battalions of the Philippine Army were deployed in Mindanao, mostly in areas considered by the military as stronghold of the

New People's Army (NPA). Thousands of civilians were displaced and became victims of violations of human rights and international humanitarian law. The civilians bore the brunt of the AFP's brutal reprisals for the military's failure to decimate the NPA. Community members who protect and defend their rights and that of their communities became the AFP's target, and were branded as "NPA supporters/sympathizers."

Trumped-up criminal charges

Apad's father Genasque Enriquez Sr., a Manobo-Lumad leader and second nominee of the progressive Katribu partylist, is among the more than 500 mass leaders and members of people's organizations and community members who are falsely charged with criminal offenses. They are hunted down by state forces for speaking out against plunder and repression.

On August 22, 2014, Genasque spoke at a forum on the pork barrel system in Surigao City. Right after the media conference, he was arrested by members of the Criminal Investigation and Detection Group (CIDG), Philippine National Police (PNP)-Surigao City, and the 30th Infantry Battalion-Philippine Army (IBPA). The arresting officers showed no warrant but claimed he was arrested for frustrated murder charges. Members of people's organizations, nuns, priests and pastors trooped to the police station where he was brought. The next day, he was released after posting bail raised by church groups, people's organizations, and civil society organizations.

Genasque, secretary general of the Kahugpungan sa mga Lumadnong Organisasyon-Caraga (Kasalo-Caraga),

a regional alliance of Lumad groups in Caraga region, opposed the heightened militarization, corporate mining, and commercial plantations that affect the Lumad and peasant communities.

False criminal charges were also lodged by the military against civilians whenever they fail to get at their armed opponents. The "Matanao 9" are civilians who were arrested, right after an armed encounter between government and NPA troops.

On March 10, members of the 39th IBPA illegally arrested nine farmers and rubber tappers in Matanao, Davao del Sur. The military accused the nine as among the NPA members who raided the Matanao Police Station in the morning of March 10. Those arrested were Julito Sales, Joey Alberca, Roger Natonton, John Rey Pabillo and Christopher Sales who are all members of the Free Tappers Federation, an association of small rubber planters and tappers; Renante Orot, a member of Piston drivers' organization; Laudemer Gama is secretary general of Nagkahiusang Mag-uuma sa Davao del Sur (NAMADDS) and regional coordinator of the Anakpawis partylist organization; Rufoboy Gama and Noel Maranggit are members of the South Cotabato Farmers Association for Development (SOCFAND). Christopher Sales is also a local government official.

The nine were on their way to Brgy. Savoy, Matanao to attend a town fiesta when soldiers and policemen blocked their way. The military confiscated their voter's identification cards and driver's licenses. The Matanao PNP charged the nine with three counts of multiple murder, three counts of frustrated murder, robbery-in-band and malicious mischief.

The nine were detained in two separate jails in Davao del Sur. In the afternoon of March 25, members of the CIDG took Christopher, Rufoboy and Orot from their prison cell and interrogated them from 5:00 p.m. to 3:00 a.m. the following day. Laudemer, Julieto and Noel were taken to the Hagonoy precinct and interrogated. The CIDG members offered to put them under the government's witness protection program in exchange for any information on the NPA.

In a news report, the Valentine Palamine Command of the NPA claimed responsibility for the police station raid, calling the arrest of the Matanao 9 illegal and the victims as "hapless civilians." The same news report cited nine soldiers and policemen were killed, while 11 were wounded in said NPA raid.

Children raised in violent environment

When an anti-riot policeman at the DoJ gates heard Apad's poem, he contemptuously remarked, "*Taga-Mindanao ba 'yan? Bakit matatas mag-Tagalog?* (Is he truly from Mindanao? Why, he speaks Tagalog fluently)" and quickly added, "*Pinapalaki ninyo ang mga bata sa karahasan* (You are raising children in violent environment)," referring to the content of Apad's poem.

The policeman's words reflected how lowly people of Mindanao, specifically the indigenous peoples, are perceived by state forces and how they turn the table on the victims of state violence.

Apad, during the ManiLakbayan activities, did not only talk about how his father was hunted down by the military but also of his own situation as a pupil of

a Lumad learning center that has become a target of military attacks, with the AFP tagging the school as an "NPA school."

"Og Iskwela Puron" (To school, I wish)

At a young age, Lumad children studying in indigenous people's learning centers in Mindanao are confronting bullies who are stronger, bigger and more powerful—the soldiers encamped in their classrooms.

The BS Aquino regime justified the military presence in these schools through the AFP Guidelines/Letter Directive #25 and the Department of Education's Memorandum no. 221 series of 2013 that legitimized attacks against children. Through these memoranda, the military is allowed to use the schools/educational institutions for military purposes, in the guise of "civil-military operations."

A month before the ManiLakbayan started, 14 children from the Salupungan Ta Tanu Irganugon Community Learning Center (STTICLC) arrived in Metro Manila for the Save our Schools (SOS) campaign. They went around schools, government agencies, and civic organizations. They made representations in both houses of Congress. In a cultural caravan, the children dramatized their plight through indigenous songs, dance, and skit. They demanded the pull-out of military troops so they can continue their studies. "Hayaan ninyo kaming sumayaw sa saliw ng aming katutubong musika, hindi sa tunog ng mga bala! (Let us dance to the beat of our indigenous music, not to the sound of gunfire)."

On January 25, 2014, the 25th IBPA, armed with high powered rifles and in full battle gear, occupied the STTICLC, a self-help community-based school of Matigsalog

Lumad in Mangyon village, municipality of Compostela, Compostela Province.

Classes of some 230 pupils were suspended because the school became military barracks, where soldiers slept and cooked. Lt. Heruben Romare insisted to stay even after tribal leaders asked the soldiers to leave the school. Lt. Romare claimed they were there to conduct “Peace and Development Outreach Program.”

However, there is nothing peaceful about the AFP’s “peace and development program” as soldiers threatened pupils and teachers and forcibly entered several homes near the school. The soldiers only left the school after a quick reaction team from several people’s organizations held a dialogue with the 25th IBPA. The soldiers however only set up a camp near the community.

In the nearby province of Agusan del Sur, in Sitio Tabanganan, Brgy. Binicalan, San Luis town, school activities were disrupted when, on March 19, pupils, parents, and teachers of the Tabanganan Community Learning Center heard a series of gunshots some 100 meters away, where the members of the 26th IBPA were stationed. It was supposed to be the school’s recognition day.

The Banwaon children scampered for fear they would be hit by bullets. The 26th IBPA claimed the gunfire on March 19 was a result of an encounter with the NPA, which the residents refuted. They view the incident as a retaliatory action for their resistance against the entry of rubber and cacao plantation companies into their ancestral land.

A month before, several Banwaon datu (chieftains) of Tabanganan and Tambo

villages refused to attend an assembly where an agreement that would allow entry of the plantation companies would be signed. The assembly was initiated by Ben Hur Mansulonay, a leader of an indigenous paramilitary group controlled by the AFP in San Luis town. Since then, the datu were under threat.

On March 20, more than 50 villages evacuated to the nearby village of Tambo.

In Kabuloohan, Brgy. Buhisan, San Agustin, Surigao del Sur, six armed men set on fire a school and a corn sheller on October 27. The incident happened three days after farmer Henry Alameda was killed by the military on October 24.

The men also set on fire a UNICEF tarpaulin with a sign, “All schools are peace zones. Don’t use it as command post, detachment and supply depots. RA 7610 Protection of the Rights of Children”. The corn sheller was a donation of the International Committee of the Red Cross (ICRC) to the community. The school is operated by the Tribal Filipino Program of Surigao del Sur (TRIFPSS), the group that put up a similar learning school in Apad’s community.

The residents tried to put out the fire but the men indiscriminately fired their guns causing the people to scamper to safety. One of the school’s teachers, Josephine Trimidal, who was eight months pregnant, and her husband jumped from their house to avoid the bullets. The teachers living in the teachers’ cottage, Julieto and Melanie Trimidal and their one-year old son also jumped from the cottage and ran towards the nearby river.

Like Apad, Bandam Dumanglay, 12, is a pupil of a literacy-numeracy school

set up by the Rural Missionaries of the Philippines (RMP) in the village of Mintake-I in Lapaz town, Agusan del Sur. He was among the children who joined the Manilakbayan contingent.

Bandam, his classmates, and teachers had their own share of harassment and threats from the military and paramilitary groups. But what happened on August 9, 2014 onwards was worse for their community.

August 9 was a Saturday. Since it was not a school day, Bandam was to visit his uncle and cousins. But on his way, he met members of the Bagani Force, a paramilitary group. The men, led by Ugjab Laygayan, were armed with high-powered guns. They pointed their rifles at Bandam, who bowed his head in fear. Laygayan warned Bandam they will kill all members of his community, including women, children, and his teachers at the RMP Literacy-Numeracy School. Ugjab added they could use helicopters if their guns won’t be enough to kill them all. He told Bandam he would fire warning shots by 2:00 p.m. Bandam ran as fast as he could to inform his elders.

Upon hearing the news from Bandam, the community chairman immediately called for a meeting. The villagers’ decision was to immediately leave their homes when they hear Ugjab’s warning shots. Right after the meeting, they heard two gunshots. Thinking that it was Ugjab’s warning fire, the residents immediately left and hid in the vicinity of the community. But then they heard gunfires near their hiding place. Thus, they were forced to leave the community, carrying nothing. They slept in the forest without eating.

On August 10, 15 families of about 160 individuals evacuated to Libon, Lydia, La Paz to seek shelter among relatives and friends. The following day, the community chairman went to check their community and saw some of the houses destroyed, their clothes torn to pieces, their things broken, and the rice fields destroyed.

On the days that followed, residents from four more neighboring villages started evacuating to Libon. They took the threats of the Bagani Forces seriously. By August 29, 2014, all evacuees and the community of Libon went to the Brgy. Lydia Proper, La Paz, Agusan del Sur.

The Bagani Forces’ actions against the communities stemmed from the refusal of 16 datu (tribal chieftains) to sign a Memorandum of Agreement (MOA) with Malampay Mining in October 2013 for the latter’s entry into the ancestral lands of the Banwaon tribe. The 16 chieftains did not sign the MOA knowing the entry of the mining company would damage the environment and seriously affect their sources of livelihood. Since then, the villagers, their organization and the RMP-NMR-operated schools were tagged as “hindrance to the development of Lumad.”

The evacuation disrupted the classes of the three RMP-NMR learning centers in Brgy. Lydia, affecting about 75 school children.

By the end of September, the evacuees started to return to their homes.

Forced evacuation in communities

At a very young age, children like Apad and Bandam have gone through a lot

as their communities are subjected to fascist attacks by the BS Aquino regime through Oplan Bayanihan. They experienced leaving their homes, hiding in the forest or walking their way to the city centers for safety.

In 2014 alone, there are already 12 documented incidents of forcible evacuation in 39 Lumad communities, affecting more than 1,112 families with over 4,735 women, men and children.

Prior to the evacuation of Bandam's community, on March 28, the Talaingod Manobo in Davao del Norte left their villages and trekked to Davao City for six days to take refuge from the atrocities of the 60th IBPA. It was a choice between bombs and bullets or the harsh condition during travel and in living in an evacuation center.

A 12-day-old baby Biboy Manabay passed away during the evacuation. He died of pulmonary ailment and was buried in a village that was halfway through the evacuation site.

Several incidents led to the evacuation. On March 10, a 75-year-old Lumad woman Ubony Botod Manlaon from Brgy. Palma Gil was illegally arrested by soldiers and was forced to serve as the troops' guide in the search for NPA members. At night, when the soldiers encamped, Manlaon was left out in the cold, her hands and feet tied. At times, she was fed with scraps of food. Luckily, she was able to escape. Traumatized, she joined the exodus of her community to Davao City.

On March 20, two helicopters and four aircrafts bombed the villages of Panggan, Pongpong, Brgy. Dagohoy, which sent the

farmers scampering to safety. Military troops encroached on the people's houses and threatened them because they were considered as NPA members.

The Pantaron range, home to the Talaingod Manobos, is also the last remaining primary forests in Mindanao. Its biodiversity is well preserved due to the resistance of the Talaingod Manobo to the entry of big logging firms such as the Alacantara and Sons (Alsons) and mining corporations. Since the early 1990's the Alsons company has been trying to enter Talaingod and employed both deception and force against the Manobo.

Killings, frustrated killings, and enforced disappearances

Most often, evacuation of families are preceded by killings, bombings and indiscriminate firing in the course of military combat operations in the communities.

Such was the case of the killing of Henry Alameda on October 24, 2014 when 17 members of the 2nd Scout Ranger Battalion, including members of Datu Calpit Egua's paramilitary group went to the sitio Cabalawan, San Isidro, Lianga, Surigao del Sur. The troops were part of a bigger contingent that was on foot patrol in Lianga.

At around 7 a.m., three armed men carrying M14 and M16 rifles went up the house of Alameda and dragged him towards the forested area of the community. When they passed through a waiting shed, Alameda held on to one of the posts, refusing to go with the men. One of the armed men shot Alameda twice, hitting him on the chest while another one shot him in the head. The killing was witnessed

by Alameda's wife and their children. The men simply left after the shooting.

Alameda was a council member of Malahutayong Pakigbisog Alang sa Sumusunod (MAPASU), a Lumad organization in Surigao province. He campaigned against the entry of mining corporations in the Andap Valley complex and against military operations in their ancestral lands. He was also involved in the campaign against the pork barrel system.

A day before Alameda's killing, on October 23, Jojo Tejero and Elde Martinez went to their farm in the mountain area of Sitio Kapatagan, San Roque, San Miguel, Surigao del Sur to harvest abaca. That was the last time they were seen. On October 22, the same military units involved in the Alameda killing were seen in these communities. Families of Tejero and Martinez believed the two were forced to guide the military in their operation and/or were killed.

The presence of the military in the areas and the successive killings and disappearances forced some 240 families to leave their villages.

On November 3, as the more than 300 Manilakbayan members were travelling thousands of kilometers to get to Metro Manila, Philjohn Poloyapoy, 22, was found dead while his two brothers were missing. While conducting military operation, elements of the 75th IBPA arrested the three on November 1 at Purok 13, Bagong Silang, Brgy Bayugan 3, Rosario, Agusan del Sur. The incident again led to the evacuation of some 400 individuals to the Bayugan 3 gymnasium.

2014, for the Mindanaoans, was opened with the killing of activist Marcelo Monterona. On January 3, Monterona, 41, was shot in Maco town, Compostela Valley. He was a council member of Indug Katawan (People Rise Up!), a group of typhoon Pablo/Bopha survivors.

In the next months, more activists and suspected NPA sympathizers would be killed or hunted down by the AFP in the government's bid to silence opposition.

On February 5, Julieta Lauron, chairperson of Kahugpungan sa mga Mag-uuma (Kasama or Association of Farmers) - Vintar Chapter, Valencia City was shot dead by men riding-in tandem. He was onboard his motorcycle with Kasama-Valencia secretary Nermie Lapatis when the killing happened. Lapatis was hit in the knee.

Lauron and Lapatis actively campaigned against the entry of large-scale mining companies in Valencia. Lapatis also reported several incidents of harassments from the paramilitary group New Indigenous People's Army for Reform (NIPAR) and the 8th IBPA.

Marcel Singaman Lambon, 28 years old, was gunned down on August 14 in front of a sari-sari store in Barangay Kalabugao, Impasug-ong, Bukidnon. Lambon, a motorcycle driver, was a council member of the PIGYAYUNGAAN (a Lumad organization representing the Higaonon tribe of Kalabugao, Impasug-ong, Bukidnon). Lambon led his organization in the campaign against environmental destruction and the expansion of an oil palm plantation in the municipality of Impasug-ong.

Proliferation of paramilitary groups, a divide-and-rule tactic

Just like in the days of martial law, paramilitary groups composed of indigenous people now abound in Mindanao. They may bear different names—Alamara, Black Fighter, Mapando, Bagani, Laplap, NIPAR, Wild Dogs, BULIF, BIN, Black Shirt, K9, Blue Guards, and Kalpet—but these groups are all aided, trained, controlled and protected by the AFP.

Although these groups exist separately from the CAFGU, the Special Civilian Armed Auxiliary (SCAA), and the Investment Defense Force (IDF), they nevertheless serve as AFP's force multipliers in its counterinsurgency campaign and as protectors of big business intruding into the lands of peasants and indigenous peoples.

But aside from the terror it attempts to sow in communities, the creation of paramilitary groups is also an affront to indigenous culture. The AFP and National Commission on Indigenous Peoples (NCIP) go as far as “baptizing” members of the tribe they coopted or coerced and some AFP officers as “datu”, which breaks the customary laws on the selection of tribal leaders.

Palparan generals

To complete the massive deployment of AFP troops in Mindanao, the BS Aquino regime appointed and promoted Palparan protégés and Gloria Arroyo generals in the highest and strategic command posts in Mindanao, based on their bloody track record.

At the helm of the Eastern Mindanao Command (EastMinCom) is Brig. Gen.

Aurelio Baladad, a successor of Maj. Gen. Jorge Segovia. Both Baladad and Segovia were involved in the arrest and torture of the 43 health workers in Morong, Rizal in 2010.

Gen. Eduardo Año, accountable for the series of human rights violations including the disappearance of Jonas Burgos in 2007, was appointed to head the 10th “Agila” Infantry Division, a post held by Baladad prior to his appointment as EastMinCom commander. Año promised to have a ‘decisive win’ against the NPA in Southern Mindanao ‘through preponderance (sic) use of force’. But, like the Butcher General Jovito Palparan, Año and his men also train their guns on civilians.

With Gen. Año at the 10th ID, soldiers have implemented hamletting in several villages in Davao del Norte. Hamletting is the practice of placing a community in direct and strict military control. This includes, among others, imposition of curfew hours, listing of names per household, and controlling the mobility of people in and out of the ‘hamlet’. Año uses the same formula Palparan used under Oplan Bantay Laya.

Another Palparan protégé Brig. Gen. Ricardo Visaya was appointed to the 4th ID based in Cagayan de Oro City and has since sown the same seeds of terror in Mindanao. Visaya transferred to the Southern Luzon Command in the last quarter of 2014. He was replaced by Maj. Gen. Oscar Lactao who promised to pursue what Visaya started with the 4th ID. Lactao indeed continued the terror. The 4th ID and units under it are responsible for the attacks in Surigao del Sur, Bukidnon and other provinces in Northern Mindanao and Caraga.

Visaya was commanding general of the 69th IBPA implicated in the Hacienda Luisita massacre in 2004. He was also responsible for the abduction and torture of farmers Raymond and Reynaldo Manalo on February 14, 2006.

People’s movement remains strong

Children like Apad and Bandam may be suffering from hunger and poverty. They may have no access to government schools and social services. Their fertile lands and rich mineral resources may be targets of or under the control of multinational agrobusiness plantations, logging companies, and foreign large-scale mining companies. But they, together with their elders, try hard to survive.

With hunger comes the struggle for a better future. The people of Mindanao have been used to a life without help from the Philippine government. It is through their unity and own initiatives that they were able to slowly build their own schools, establish cooperatives, and develop their production capacity.

The people are defending their communities in many forms—organizing themselves, lobbying in various government agencies, rallies and demonstrations. Some have taken other

forms of defense such as waging the traditional pangayaw (tribal war) against foreign mining businesses, which destroy their lands and lives; while others joined the NPA to wage war against imperialist plunder and fascist attacks by the regime.

Thus, despite military attacks under BS-Aquino’s Oplan Bayanihan, the achievements at the grassroots level, gained through genuine people’s struggles and perseverance, are preserved and consolidated.

Going to Manila, Apad and Bandam saw the tall buildings, the big shopping malls. They also saw the street hawkers, the people living in pushcarts, and those Bandam called as “dead people”—those sleeping on the sidewalks. “How can Noynoy see us, when he cannot even see and do something about the people sleeping on the sidewalks near his palace?” Bandam mused.

At the end of their Manila journey, the 11 year-old Apad and 12-year old Bandam have become determined to keep their schools, their ancestral lands, their culture and identity. The future is in their hands. Behind the colorful traditional garb they wore are stories of their struggle to keep the people and their land intact.

Killings under Aquino marked by brutality

TABLE 3 Victims of Extrajudicial Killing and Enforced Disappearance under the Noynoy Aquino Government BY SECTOR
July 2010 to Dec 2014

SECTOR	Extrajudicial Killing	Enforced Disappearance
Church	3	0
Entrepreneur	5	0
Environmentalist	7	0
Fisherfolk	5	0
Government employee	3	0
Indigenous people	55	1
Media	3	0
Minor	19	1
Peasant	138	20
Teacher	1	0
Urban poor	13	1
Human rights worker	2	0
Worker	8	1
Youth & students	8	1
Moro	5	1
Transport	6	0



In the first quarter of 2014 alone, there were already 21 documented cases of extrajudicial killings. The number of victims of extrajudicial killing under the BS Aquino regime is not only rising but has also become alarming because of the brutality by which the victims were killed.

As of end December 2014, there were 229 victims of extrajudicial killings and 225 frustrated killings since July 2010 when BS Aquino assumed presidency. Of these victims, at least 15 were brutally killed—tortured to death, beheaded, hogtied and dumped in a shallow grave, among others.

On April 27, 2014, farmer **Ricardo Tuazon, Sr.**, was hunting wild birds in the forest of Nakabdong, Brgy. Anticala, Butuan City. He was with son **Ricardo Jr.** and a neighbor, **Jessan**.

On their way home, Ricardo Jr. went back to the hunting ground where he left the bait they used. Ricardo Sr. and Jessan waited for him when suddenly the military, partly hidden from where they were, fired at them. Jessan ran but heard Ricardo Sr. fall. Jessan saw the bullet came from the military and continued to run. Ricardo Jr. heard the shots and chose to go straight to the village to wait for his father and Jessan. But his father did not come home that night.

The following day, Ricardo Jr. and Jessan went back to the site where the latter last saw Ricardo Sr.'s body, but it was not there anymore. After searching the surrounding area, they found the body of Ricardo Sr. riddled with bullets. His intestines were exposed and his face had a large hole from gunshots. Over the radio, the AFP's Capt. Maglinao of the 29th Infantry Battalion-Philippine Army (IBPA) claimed they killed a member of the New People's Army (NPA).

In Baay-Licuan, Abra, on March 8, remains of **Licuben Ligiw** and his sons **Fermin** and **Eddie** were found in a shallow grave piled on top of the other. Both wrists of Eddie and Fermin were tied with thick nylon ropes. Licuben's neck also showed rope marks. They all had bruises.

The three were last seen alive on March 3 by one of the siblings, Jessie, at their *pacalso*, a hut used as shelter of farmers and small-scale miners. When Jessie left at around 8:00 a.m., he saw soldiers heading towards their *pacalso*. When he returned at dusk, there was no one in the *pacalso* but their things were scattered. By daylight, on March 4, Jessie saw combat boot prints around the hut.

Elements of the 41st IBPA have been conducting combat operations in the municipalities of Lacub, Licuan-Baay, and Malibcong in Abra since February 16. The soldiers even forced Fermin to serve as their guide in the operation on February 22.

Members of the Ligiw family are known leaders of the organization Baay-Licuan Takderan Umno a Karbengan (Balitok or Stand Up for your Rights). The Ligiws were among those who resisted the entry

of Olympus Mining Company in Baay-Licuan, Abra.

Other documented cases of those brutally killed were farmers and indigenous people's leaders: Datu Anting and Victor Freay (Davao del Sur), Genesis Ambason (Agusan del Sur), Martin Copino, Jemson Copino (Camarines Sur), Jovito Pajanustan (Northern Samar), Elmer Valdez (Ilocos Sur), Rudy and Rudyric Dejos (Davao del Sur), Rene Quirante (Negros Oriental), and Ely Oguis (Albay).

All over the country, especially in areas considered by the government as NPA stronghold, the monstrosity of the BS Aquino government and the AFP looms over the people. On an average, there is at least one extrajudicial killing per week.

Development and human rights workers

There is also a marked increase in the number of development and human rights workers in communities engaged in self-help projects who became victims of extrajudicial killings.

Romeo Capalla, brother of Bishop Emeritus Fernando Capalla, was shot at close range by two gunmen at around 6:30 p.m. on March 15, 2014. Capalla was at the Oton public market in Iloilo Province to fetch his mother-in-law. He succumbed to two gunshot wounds in the head, and was pronounced dead on arrival at the Western Visayas Medical Center.

Capalla, 65, was a member of the Board of Directors of the Panay Fair Trade Center (PFTC), and former manager. The PFTC, a member organization of the International Federation of Alternative Trade, exports certified-organic muscovado sugar and banana chips.

In August 2005, Capalla was arrested on false charges of arson allegedly committed by the New People's Army in Guimbal, Iloilo. Capalla's co-accused was Fernando Baldomero, then town councilor of Oton. Both Capalla and Baldomero were released after the charges against them were dismissed. Baldomero was killed five years later, on July 5, 2010--shortly after Aquino took his oath of office on June 30, 2010. Capalla and Baldomero were also in the Order of Battle of the 3rd Infantry Division of the AFP.

Capalla was an activist and a political prisoner during martial law. After the fall of the Marcos dictatorship, Capalla devoted his time to fair trade advocacy and production of organic food.

Through PFTC, the sugarcane workers in Panay are able to actively participate in running their cooperative and mill, and in marketing their produce.

On May 28, 2014, two months after the killing of Capalla, another PFTC member was gunned down. Eric Nonato was driving a cargo truck in front of **Dionisio Garete's** pick-up truck loaded with freshly cut sugarcane. They were on their way to the muscovado mill of the Janiuay-Badiangan Farmers Association (Jabafa) to deliver sugarcane.

On the road, near Brgy. Danao, Janiuay, Nonato heard gunshots, followed by the blowing of horn of Garete's truck. Garete's truck fell down a steep slope on the side of the road. He was found on the driver's seat barely breathing but still alive. He was bleeding from the injuries on his head and chest. It took Nonato and his companions a few minutes to rescue Garete and brought him to the Janiuay

District Hospital. Garete died on the way to the hospital from gunshot wounds in the head. Another bullet went through his chest, which punctured his lungs.

In January 2014, Garete already received a "warning" from a member of the paramilitary Revolutionary Proletariat Army-Alex Buncayao Brigade (RPA-ABB), for "being too active in the other side." A relative reported that suspected RPA-ABB members often tailed Garete.

During a fact-finding mission that investigated the killing of Garete, police officials said that Malacañang often called them to order the release of members of RPA-ABB whenever they are arrested. There are about 80 criminal charges against the RPA-ABB members in Janiuay.

In Ifugao, **William Bugatti** was killed on March 25 on his way home to his family in Bolog, Kiangan.

Bugatti was a member of the Regional Council of the Cordillera Human Rights Alliance-Karapatan. He also represented the Ifugao Peasant Movement in the Regional Council of the Cordillera People's Alliance. He was also provincial coordinator of Bayan Muna partylist.

Bugatti was a diligent human rights worker. Despite the threats to his life, he persisted in doing his work. As a paralegal, he always took care of the welfare and rights of human rights violation victims. Bugatti had received threats to his life and security from state security forces and agents since the implementation of Oplan Bayanihan. He was number 21 in a "target list" of the 5th Infantry Division and 86th IBPA, with 28 others tagged as "brains" and "members

and supporters” of the NPA. Three bullets pierced Bugatti’s heart.

On the day of his death, Bugatti attended the hearing of the case of political prisoners Rene Boy Abiva and Virgilio Corpuz in Lagawe, Ifugao. He went to the office of Ifugao Peasant Movement and was last seen alive by his colleagues at around 5:00 p.m. shortly before he went home.

Killing of relief and rehabilitation workers

The BS Aquino government called the survivors of typhoons the “resilient Filipinos,” as if saying they would survive despite the regime’s criminal neglect. Survive they did, because they were organized and they collectively rehabilitated and rebuilt their lives and livelihood without the government’s help. For that, they were called NPA supporters and their efforts NPA-initiated. Because of this, they were targeted by the regime’s state forces.

He survived the wrath of typhoon Pablo/Bopha in 2013. He also survived the subsequent neglect of the BS Aquino government. He and the members of his community picked up the pieces and started projects to rebuild their community. But he did not survive the fascist attack of the BS Aquino regime. He was **Marcelo Monterona Jr.**, 41, the regime’s first documented victim of extrajudicial killing in 2014.

On January 3, Monterona was shot in Maco town, Compostela Valley province while driving his multi-cab some 13 meters from his house. Two men came near the driver’s seat and shot Monterona with a .45 caliber pistol. He was hit on the

left side of his mouth. Monterona tried to crawl out of the vehicle through the passenger’s side but the gunman got on the vehicle through the driver’s side and shot Monterona several times more. He was already declared dead-on-arrival at the hospital in Tagum City.

Monterona, a farmer, was an active council member of Indug Kautawan (People’s Rise Up!), a group of typhoon Pablo survivors in Maco. In 2013, Indug Kautawan and other victims barricaded the gates of the Apex Mining Company. They held the company accountable for the destruction of their environment, making the people more vulnerable to disasters such as typhoons. As a result, Apex agreed to compensate the people with Php 3.6 million and 300 sacks of rice, and the rehabilitation of infrastructure and damaged communities.

Monterona also campaigned for the pullout of the 71st IBPA from their community. The military unit dropped bombs on the communities in Compostela Valley, among other violations and abuses committed against the people.

Peasant leader **Gildegardo Hernandez** was working on the preparations for the Relief Delivery Operation (RDO) for the survivors of typhoon Glenda/Rammasun when he was killed on August 6 along the Candelaria-San Juan Diversion Road in Candelaria, Quezon province.

The RDO was scheduled the following day, August 7, by the Southern Tagalog People Corps (STPC), Kalipunan ng Samahang Magbubukid ng Timog Katagalugan (KASAMA-TK or the alliance of peasant organizations in Southern Tagalog), and the Pamatid-Central Quezon, a peasant organization led by Hernandez.

Hernandez was waiting for a ride when a man got off his motorcycle and shot him. Another man who served as backup was onboard another motorcycle. Hernandez fell on the ground but the assailant fired more shots. Hernandez, sustained gunshot wounds on his head, chest and face. He died on the spot.

Jefferson A. Custodio, 25, a member of the Municipal Farmers Association in Carigara (MUFAC), was shot dead on August 23 at Brgy. Punong, Carigara, Leyte by two men on motorcycle. The perpetrators wore masks.

The MUFAC is involved in the rehabilitation of communities affected by typhoon Yolanda/Haiyan, providing farmers with shelter materials, seeds and seedlings, and farm tools.

Custodio was at Brgy. Punong to deliver farm tools to the farmer-beneficiaries in upland barangays of Carigara when two men, riding a new blue XRM motorcycle without a plate number, shot and hit him in the arm and chest. He died on the spot.

Earlier on July 2, as soon as soldiers from the 78th IBPA and members of the PNP Regional Mobile Group arrived in Capoocan, Leyte, they immediately looked for members of MUFAC. While they were encamped at the barangay hall, tanod outposts and chapel, they also held meetings with the residents and warned them against joining rallies.

Custodio was among those summoned by the military for they claim Custodio is involved with the NPA.

“NPA sympathizers and supporters”

Several other documented cases of extrajudicial killing showed the victims were

all tagged by the military as “sympathizers” and “supporters” of the NPA.

In Kapalong town, Davao del Norte, a Cebuano speaking man approached **Wilfredo Estrebillo**, a habal-habal (motorcycle) driver, at a tricycle terminal at around 7:30 a.m. on June 4. The man asked Estrebillo to bring him to Brgy. Florida and offered Php 80 for fare, which was more than the usual. Estrebillo agreed. Thirty minutes later, Estrebillo’s lifeless body, with 17 gunshot wounds, was found in a secluded area in Brgy. Mabanta.

According to police investigators, they found a small pack of shabu in one of the victim’s pockets. Rosita, Estrebillo’s wife, was sure her husband never used drugs. She believed her husband was killed because the military claimed he was a sympathizer of the NPA.

Rosita recalled that in April and May soldiers of the 60th IBPA linked Estrebillo to the capture of Army Corporal Rogelio Rosales, NPA-declared prisoner of war. Estrebillo and five other *habal-habal* drivers reportedly ended up arbitrarily in the military’s “Order of Battle” after the incident.

Like Estrebillo, **Tony Bago**, 46, a Blaen farmer was summoned by the 73rd IBPA twice before he was killed. The military accused him of supporting the NPA. On May 20, Bago was shot dead by two motorcycle riding men.

Bago and his nephew **Junior** went to Brgy. Laes, Malita, Davao Occidental to purchase goods, which they intended to re-sell. On the way home, two men on a motorcycle flagged them down. Thinking the men will buy their goods, Bago

stopped. One of the men showed Tony's picture and asked him if he was "Tony Bago." As soon as Tony said yes, the man pulled out a gun and shot Tony twice, hitting him on the neck and arms.

Bago was Chairperson of Pigsambukan, an organization of indigenous farmers of Kaulo and Blaan tribes. He campaigned against the entry of a mining corporation and a banana plantation owned by Eduardo Cojuangco, BS Aquino's uncle.

A few days after Bago was buried, Junior received an unsigned note threatening to kill him if he spoke of the incident.

Still in Malita, Davao Occidental, another person was peppered with bullets because the military suspected him to be an NPA sympathizer.

Arnel Tanduyan, 30, was found dead with at least 48 gunshot wounds.

Tanduyan was driving home to Kibalatong village on his motorcycle when he saw a large piece of wood blocking the road. As he got off his bike to remove the wood, three shots were fired at him, but he was not hit. He quickly drove home and told his wife, Ruby Linda, to flee with their 4-year-old child.

As soon as his wife left the house, he locked the door and hid in the ceiling.

Armed men believed to be soldiers of the 73rd IBPA forced their way into the house. They were not in uniform but they had firearms with laser pointers. Ruby Linda, who was running away from the house, heard several gunshots. Later that night, Ruby Linda and a former village councilor returned to Tanduyan's house and found Arnel's body sprayed with bullets.

No doubt, BS Aquino's Oplan Bayanihan kills—targeting farmers, indigenous peoples and those who work with them. They are killed because they oppose those who intrude into, and grab, their lands. BS Aquino's famous line, "Kayo ang boss ko" (You are my boss) actually refers to those who rake in profits and are fully-protected by law and by state forces. Clearly, BS Aquino's Oplan Bayanihan is just a continuation of Arroyo's bloody Oplan Bantay Laya.

The killings are meant to silence people and quell protests and resistance. The monstrosity by which people are killed may be intended to sow terror but it only bares the regime and the AFP's desperation and its own fear of a people rising against the status quo.

The fascist attacks only drive people to fight for their rights and protect the gains of their struggle.

On the rise: criminalization of political acts



The year is over. It's time to divide the booty—P53.7 million for 2014 alone.

Mar Roxas's Department of Interior and Local Government (DILG) and Voltaire Gazmin's Department of National Defense (DND) spent this much of people's money in 2014 to go after those in the DILG-DND hitlist or "Order of Battle", with more than 200 names of "communist leaders." The total reward money was pegged at PhP466 million.

The BS Aquino government conducted a series of illegal arrests and detention on false criminal charges based on planted evidence and fake witnesses. The result is the persecution of many activists and non-activists alike, and peace consultants of the National Democratic

Front of the Philippines (NDFP) as the regime implements its counterinsurgency program, Oplan Bayanihan.

The arrests add to the increasing number of political prisoners languishing in jails all-over the country. By the end of 2014, there are 498 documented political prisoners. The arrests show the BS Aquino regime's intolerance for dissent, disregard for agreements signed with the NDFP and penchant for money-making schemes in the guise of going after "enemies of the state".

Since 2012, the DND-DILG Joint Order No. 14-2012 has become one of BS

Aquino's ways of criminalizing political dissent. It legitimized illegal arrests and false charges, aside from being a bigtime syndicated money-making venture. The AFP, its fake and recycled witnesses and informants have already amassed millions of pesos by arbitrarily arresting innocent individuals. Such amount of money could have been used in a more productive manner instead of pursuing perceived 'enemies of the state'.

The growing number of political prisoners is a product of the machinations not only of the DND and DILG, the AFP and the PNP but also of the oppressive and exploitative system of the ruling class represented by BS Aquino.

Like most victims of human rights violations, majority of the political prisoners are peasants and indigenous peoples fighting for their land rights and against plunder of the country's resources; workers and urban poor dwellers who want decent jobs and wages and livable houses with source of livelihood; and activists working for social and political change to free the country from foreign domination and feudal exploitation.

The political prisoners expose the repressive character of a regime. The US-backed Aquino regime can only tolerate those who agree with how big business and foreign interests plunder the country's resources and exploit the Filipino people.

NDFP peace consultants, violation of JASIG

Despite the protection and immunity from rights violations guaranteed by the GPH-NDFP Joint Agreement on Safety

and Immunity Guarantees (JASIG), consultants of the NDFP continue to be hunted down and illegally arrested based on multiple fabricated criminal cases.

Benito Tiamzon and **Wilma Austria-Tiamzon**, who were arrested with five others on March 22, were charged with illegal possession of firearms and explosives. The evidence against them was planted.

Shortly after their arrest, the two consultants had to face the Manila Regional Trial Court (RTC) for the murder charges in relation to the so-called mass grave discovered by the military in Inopacan, Leyte in the 1980s.

On April 8, Benito and Wilma Tiamzon had to face yet another trumped up criminal case of kidnapping and serious illegal detention of military officers in Quezon province. The two were arraigned before the Quezon City RTC for a case that dates back in 1988, or 26 years after the crime was supposedly committed.

Tiamzon and Austria-Tiamzon were arrested at the boundary of San Fernando and Aloguinsan, near Carcar, Cebu with **Joel Enano**, **Jeosi Nepa**, **Arlene Panea**, **Rex Villaflo** and **Lorraine Villaflo**. Joel Enano, Rex Villaflo, and Panea were charged with illegal possession of firearms and explosives; while Lorraine Villaflo and Nepa were charged with illegal possession of firearms at the Toledo City Regional Trial Court. Lorraine Villaflo and Nepa were released on bail in September.

Two months after the arrest of the Tiamzons, another NDFP consultant was arrested. In May, **Roy Erecre** was illegally nabbed on false charges of robbery in band, frustrated murder and rebellion.

Erecre, 50, was arrested by the joint forces of the Eastern Mindanao Command of the Armed Forces of the Philippines (AFP) and Philippine National Police Criminal Investigation and Detection Group (PNP-CIDG) in Davao City. Erecre has venous insufficiency, peripheral arterial disease and diabetes. He was due for a medical check-up when he was arrested. He was interrogated and held incommunicado for several days before he was transferred from several jails in Davao City and Cebu City. He was finally brought to Bohol District Jail where he spent four months in detention. In September, Erecre was released on bail.

Benito and Wilma had PhP 10 million bounty each while Erecre had PhP 5.6 million bounty under the DILG-DND "wanted" list. For criminalizing acknowledged JASIG holders, the government stashed away some PhP 25.6 million of people's money.

Aside from portraying peace consultants as criminals, the BS Aquino government continues to display contempt for previous peace agreements and ignores the existence of JASIG through a maze of excuses, to the extent of declaring it as inoperable. All three are acknowledged JASIG-protected consultants of the NDFP and are holders of Documents of Identification.

Working with the poor, a crime

Aside from the NDF peace consultants, peasant leaders, community organizers and development workers in depressed communities of peasants and indigenous peoples were not spared. The work they do to develop these communities and uplift the lives of the people are subject to government's red tagging, their acts

criminalized, and their arrest has become a government and AFP racket.

Agriculturist **Dominiciano Muya** had a PhP 4.8 million reward for his arrest. Muya was arrested on October 6 in Tagum City, Davao del Norte by elements of the 10th Infantry Division-Philippine Army for charges of multiple murder and frustrated murder.

At the time of his arrest, Muya was a staff member of the Rural Missionaries of the Philippines in Northern Mindanao. He is also a consultant of the Salugpungan Ta Tanu Igkanugon Learning Center (STTILC), a community-based school for Lumad children. The school itself has been subjected to red tagging; its teachers and students subjected to harassment and intimidation by the military.

During his interrogation, Muya learned he had been under surveillance by the military, which knew a lot about his activities. The soldiers took Muya's cellphone and PhP40,000 for the purchase of materials for the construction of the school.

Dionisio Almonte, a peasant organizer, has a PhP5 million bounty. Almonte was undergoing medical treatment when he was arrested with his wife **Gloria Almonte** on January 9 in Valenzuela City, Metro Manila. Dionisio is an organizer in Pagsanjan, Laguna while his wife Gloria was a sari-sari store owner. Dionisio stayed in Valenzuela to seek treatment for his severe diabetes, slip disc, and other ailments.

Farmer **Jordan Donillo** of the Mansaka tribe was arrested without warrant on December 14, 2014 at Compostela Valley by joint forces of the AFP and PNP.

Donillo, 31, whom the military claimed as a ranking member of the New People's Army, has a PhP2.5 million bounty based on the DND-DILG "wanted list." He went through interrogation for hours and was only served a warrant of arrest the following day, December 15. The arrest order was issued by the Mati Regional Trial Court Branch 6 for trumped-up charges of murder. Donillo is detained at the Provincial Rehabilitation Center of Compostela Valley located in Tagum City, Davao del Norte.

His military captors planted two improvised explosive devices (IED), one Colt MKIV Caliber .45 pistol among the things Donillo had with him when he was arrested—a NOKIA 100 cellular phone and two sling bags.

"Mistaken identity": an obvious money-making venture

Eduardo Esteban was arrested on August 5 in Jaro, Iloilo using a warrant meant for a certain Manuel Esteban. "Manuel Esteban", with aliases Bonnie/Jun/Bennie, is an alleged ranking leader of the New People's Army in Ilocos-Cordillera. He has a PhP5.8 million bounty, which was rewarded to a so-called informant for the arrest of Eduardo.

The arresting officers showed a warrant of arrest for a murder charge issued by Judge Corpus B. Alzate of the Abra RTC Branch 2. A court order amending the information filed by the Provincial Prosecutor was attached to the arrest warrant. It stated, "the name Esteban Manuel or Manuel Esteban appearing on the face of the information be changed to Eduardo A. Esteban to conform with the evidence/documents submitted to this Court." This order was dated June 26, 2013.

A statement issued by Communist Party of the Philippines said Eduardo Esteban was never part of revolutionary forces in Ilocos-Cordillera Region. Eduardo Esteban has been suffering from diabetes and is a cancer survivor.

Reynaldo Ingal, a driver, was arrested on the AFP's insistence that he is "Agaton Topacio," whose arrest has a PhP5 million reward. He was arrested with **Lourdes Quioc** whom the military claimed as "Eugenia Topacio," also with PhP5 million reward. Quioc was a cook.

The two were charged with murder in relation to an alleged NPA ambush on soldiers in San Ildefonso, Bulacan in November 2004. Both were arrested in Mexico, Pampanga.

Although there was no bounty money involved, the arrest of **Romeo Rivera**, 52, is just as arbitrary and illegal.

Rivera, an environmental activist, was arrested by some 20 armed men in plainclothes on May 2 in his house at Barangay San Roque, Koronadal City, South Cotabato. The following day, the Eastern Mindanao Command of the AFP announced it captured the "notorious NPA front secretary Felix Armodia who operated in Davao del Sur, South Cotabato and Tulan, North Cotabato."

Rivera is a co-convenor of the *Tampakan Panalipdan* (Defend *Tampakan*), an organization campaigning against large-scale and destructive mining in *Tampakan*, South Cotabato.

He was falsely charged with slight illegal detention, robbery with violence, murder, and murder with frustrated murder. Rivera was blindfolded, handcuffed, and was forced into a grey Toyota Tamaraw

FX that fled with two Hilux vans towards Digos City, Davao del Sur. Rivera was forced to admit he is Felix Armodia. One of his abductors told Rivera that his case would be reduced if he cooperated, while another threatened to kill him.

Since 2012, at least PhP88 million was already dispensed with as bounty. Such huge amount of money is turned over to some unknown "informants", the modern-day *makapili* who now wears sunglasses and black masks when they face the media instead of the old bayong. Their testimonies are deemed infallible, yet no due process was observed to prove the veracity of the "information" they give, to the detriment of the persons arrested and detained. Only the government knows who these people are.

The DND-DILG Order of Battle was highlighted in the case of security guard Rolly Panesa who was accused as 'CPP leader Benjamin Mendoza'. In 2013, Panesa was illegally arrested, tortured and detained for 10 months. A reward of PhP5.6 million for his arrest was given to the alleged "tipster" who supposedly gave information leading to his arrest.

More arrests: peasant leaders, community organizers

On August 9, two members of Kabataan Partylist and Anakbayan, **Gerald Salonga** and **Guiller Cadano**, were arrested without warrant in Carranglan town, Nueva Ecija. The two were volunteers of Alyansa ng Magbubukid sa Gitnang Luzon (AMGL) working on their research on the life and plight of farmers in Nueva Ecija and the impact of the major road projects being implemented for tourism. Both were graduates of the University of the Philippines-Clark, Pampanga.

During their arrest, Salonga and Cadano were held at gunpoint and dragged into two separate vehicles. Salonga was able to read the patches of "Scout Ranger," "3rd IB" and "7th ID" on the men's uniform. Their abductors blindfolded them and brought them to an undisclosed location where they went through interrogation. They were accused as members of the New People's Army.

The 3rd IB and 7th ID of the Philippine Army claimed they were in the vicinity to serve a warrant of arrest to a certain "Ely Agbaliw Taray" for charges of murder and attempted murder. But when they reached Barangay Padilla, Carranglan, the PNP and the AFP arrested Salonga and Cadano instead. The military claimed they saw the two running with a sack full of firearms. The two were charged with illegal possession of firearms and explosives. They are now detained at the BJMP detention center in San Jose, Nueva Ecija.

Peasant leader **Lito Lao** was arrested on October 7 at the ABC Hall in Kapalong, Davao del Norte while he was facilitating a dialogue between farmers and a land grabber in the area. Lao faces charges of qualified theft. He was arrested through a warrant of arrest on the case filed against him and 12 other farmer-activists by a landlord, Ms. Vivien Jubac, way back in 2012.

A news report on DavaoToday said the case stemmed from the conflict between Jubac and tenant Arnando Diones arose. Lao and the other co-accused in the case previously helped Diones keep his land. Jubac's 52-hectare land was subject of land distribution under the Comprehensive Agrarian Reform Program (CARP), but the Jubac family found a

way to keep the land. Diones, instead of receiving his part of the land and cash share, was evicted by Jubac with the backing of the police and the members of the 28th IBPA. The Jubac family also demolished Diones's house, destroyed his hut and fenced off a 10-ha. farm which was up for distribution. Also, with the help of the military, the Jubacs were able to harvest 40 sacks of rice from the field Diones worked on.

Lao did not know how he ended up in the list of those in the warrant of arrest. Jubac first filed cases of grave coercion, grave threat and theft against Diones. All the cases however were dismissed. Later, she filed new charges against Diones that included Lao and the 11 others.

On July 22, 2014, at around 12 p.m., farmer **Melvin R. Espinoza**, 20, was arrested with **Geoffrey Ganacia**, 18, and **"Mike"**, 16, by some 30 elements of the Philippine National Police (PNP) in front of a sari-sari store owned by Caridad Fiel in Purok 10, Bulak, Iba, Cabangsalan, Bukidnon.

The three were brought to the PNP Cabangsalan station "for investigation" supposedly for their involvement in the burning of two heavy equipment of SUMIFRU Philippines Corporation, a pineapple and banana plantation of a Japanese company Sumitomo Corp. The PNP claims the equipment were burned by the NPA at around 10:50 a.m. on the same day at Purok 12, Bulak, Iba, Cabangsalan.

The police easily and swiftly captured the three, in just a span of few hours after the burning. How the PNP quickly knew that these men were involved in the incident

is beyond logic, unless they were picked randomly just to have someone to blame.

The three, and their parents, are active in the community's campaign against the expansion of the plantation. Their parents are members of the local peasant organization, but that does not justify their arrest.

"Mike", a minor, was released to his parents but Espinoza and Ganancia were brought to the PNP provincial command the following day, July 23. It was only then that a complaint was filed before the National Prosecutors Office (NPS) for destructive arson against the two.

In the subpoena dated July 23, Espinoza and Ganancia were given 10 days to file their counter affidavits but on July 28, five days after, the NPS came out with a recommendation to file charges in court for destructive arson. Anggumao and Ganancia were not given due process to defend themselves in their counter-affidavits within the 10-day prescribed period.

On January 28, **Remigio Espinas**, 62, was arrested by the military in Silay City, Negros Occidental. Espinas is an organizer of the National Federation of Sugarcane Workers (NFSW) and the Kilusang Magubukid ng Pilipinas (KMP). The military arbitrarily tagged him as a member of the "Finance Bureau and Executive Committee of the Komiteng Rehiyonal-Negros." He is facing false murder charges, along with Romulo Biton for the killing of 1Lt. Archie Polenzo in Cadiz City, four years ago.

Three days after, on February 18, **Romulo Biton** of the Samahan ng Ex-

detainees Laban sa Detensyon at Aresto (SELDA) was arrested by operatives of the PNP and Special Action Force in Barangay Dos Hermanas, Talisay City, Negros Occidental. Biton was re-arrested using the same warrant of arrest issued against him two years ago, despite the dismissal of the case. Aside from the trumped-up murder charge filed against him and Espinas, he was also implicated for arson, robbery in band and homicide, which were added to legitimize his arrest.

Then seven-month pregnant **Andrea Rosal**, with **Edward Lanzanas**, hit the headlines when she was arrested on March 27 and eventually lost her two-day-old daughter Deona in May. Rosal and Lanzanas are peasant organizers in Laguna under the Pagkakaisa at Ugnayan ng mga Magsasaka sa Laguna (Unity of Peasants in Laguna, PUMALAG).

Andrea Rosal is the daughter of former Spokesperson of the Communist Party of the Philippines (CPP) Roger Rosal.

Rosal's arrest was followed by the arrest of another pregnant woman, **Miradel Torres**, a member of Gabriela. On June 20, four-month pregnant Torres was arrested without a warrant in Lucena City, Quezon by joint elements of the Criminal Investigation and Detection Group (CIDG) and Southern Luzon Command (SOLCOM).

Torres was profusely bleeding and was confined at the Quezon Memorial Hospital prior to her arrest. Despite her condition, she was brought to SOLCOM where she underwent interrogation. Five days later, on June 25, she was transferred to Taguig City Jail Female

Dorm. Torres was falsely charged with murder and frustrated murder. Torres gave birth to a baby boy on November 9.

Anti-pork activists arrested, released on bail

Indigenous people's leader **Genasque Enriquez** was arrested on fabricated charges of frustrated murder in Surigao City on August 22. He posted bail and was released the following day. Enriquez was arrested after he attended a Congress and press conference for the People's Initiative against the pork barrel system. Enriquez is the national vice chairperson of Katribu Partylist and secretary general of Kahugpungan sa mga Lumadnong Organisasyon sa Caraga (Kasalo.)

Four days after, trade union leader **Hernan Certeza**, spokesperson of Kilusang Mayo Uno-Bicol, was also arrested after joining the People's Initiative signature campaign against the pork barrel system on August 25 in Sto. Domingo, Albay. He was charged with grave coercion for an incident that supposedly happened when he attended a rally against the privatization of Albay Electric Company six months earlier, on February 24. Certeza was released after posting bail.

The BS Aquino regime has this notion that by arresting leaders of people's organizations, organizers, and activists he can derail the people's movement for change; or he can silence those who oppose the exploitative and oppressive system his government represents.

The Aquino government and its predecessors have been using its vast resources to suppress dissent and resistance of the people. It's time for

BS Aquino to review history and learn that harassment, arrest and detention of people will only drive them to pursue their fight against this corrupt and repressive government.

Tales of unwavering call for justice



Neither wails nor words were heard, only tears of a grieving mother, a silent yet deafening cry for justice.

It was a long queue to the only functioning elevator used by visitors at the Philippine General Hospital (PGH) in Manila. The hospital premises were strewn with state security forces in bullet proof vests and high-powered guns. The elevator door ticked open and her visitors at the Neonatal Intensive Care Unit (NICU) were confronted by a grieving Andrea Rosal on a wheelchair. She had in her arms her swaddled and lifeless baby. The sight of Andrea and baby Diona, whose face was already blue, moved everyone to tears except a number of guards from the Bureau of Jail Management and Penology (BJMP) who guarded her tightly, fearing an improbable escape or rescue attempt.

A few minutes later, Andrea's aunt Fely Inandan took baby Diona from her

mother's arms and brought her to the morgue. The expression on Andrea's face showed her unyielding determination to seek justice.

When news broke that Andrea gave birth to a baby girl on May 17, 2014 at the PGH, her family and friends were jubilant. Her daughter was named Diona Andrea. But joy quickly turned into anguish and mourning after baby Diona succumbed to pulmonary hypertension secondary to neonatal pneumonia and hypoxic encephalopathy two days later.

"Compassionate justice"

On May 15, Andrea already experienced uterine contractions but was not admitted to the hospital purportedly for

lack of available room. Instead, she was brought back and forth to PGH and Camp Bagong Diwa, some 15 kilometers apart. She was finally admitted in the morning of May 16 and gave birth the following day. Her baby was immediately placed in an artificial respirator.

Andrea's counsel filed a motion for hospitalization as early as April 2 at the Mauban Regional Trial Court (RTC) Branch 64, which refused to decide on the motion. Instead, the RTC transferred the motion to the Pasig RTC Branch 266 granting the motion after six long weeks—just in time for Andrea's delivery.

The tragic photo of a lifeless baby in her mother's arms circulated all over the social media and news dailies. It called attention to the inhuman state of detention and dismal human rights situation in the country.

Andrea did not receive proper prenatal check-up during her detention. She was placed in an extremely hot 5 x 10 meter cell she shares with 31 other female detainees. She slept on the floor. She was forbidden to use her own electric fan due to the limit in the number of fans in a cell. She had to bear with the usual inadequate food ration.

To rub more salt to the wounds of a grieving mother, the court allowed Andrea to attend the wake of her daughter for three hours "in the interest of compassionate justice." Even if recuperating from childbirth, she was branded "high-risk" detainee and thus prevented from attending her daughter's burial.

As baby Diona was laid to rest on May 22 in Ibaan, Batangas her mother was kept

at the PGH, unable to bid goodbye to her child whom she will never see again.

Trumped-up charges and false witness

Andrea Rosal was arrested on March 27 with Edward Lanzanas in Caloocan City. She was preparing to go to her doctor for her pre-natal check up. She was seven months pregnant.

In July 2014, the fabricated kidnapping with murder charge against Andrea was dismissed for lack of sufficient evidence by Judge Toribio Ilaog of the Pasig RTC Branch 266. However, Andrea remains in detention at the Taguig City Jail female dorm for a pending case of murder.

The cases against her are based on the testimony of a 'professional witness' paid by state security forces. The witness has been to many courts peddling AFP-concocted lies to justify the arrest of those branded as 'enemies of the state'.

One of the 'witnesses' against Andrea is Erwin Rosales, the same 'witness' used by the military in the case of security guard, Rolly Panesa. Rosales swore before the court that Panesa was "Benjamin Mendoza", a high-ranking official of the Communist Party of the Philippines (CPP). The Court of Appeals (CA), citing inconsistencies in the statements of the military, ruled that it was a case of mistaken identity and ordered Panesa's release. Panesa was tortured to extract a confession and was detained for 10 months before his case was dismissed.

A motion to quash the murder case against Andrea was filed in April 2014 and remains pending before the Mauban RTC Branch 64.

On June 26, Rosal filed contempt charges against Jail Senior Inspectors (SI) Dr. Jaime A. Claveria Jr., Atty. Crisyrel P. Awe and Ellen B. Barrios of the Bureau of Jail Management and Penology (BJMP).

Without her prior knowledge, and that of her doctor and counsel, Rosal was forcibly returned on June 4 from PGH to the Taguig City Jail at Camp Bagong Diwa. She was given two minutes to pack her things and was shoved to a wheelchair, which forced open her birth stitches.

J/SI Barrios invoked the order by the Pasig City RTC Branch 266, issued on the same day, to return Rosal to the jail based on BJMP's petition and on Dr. Claveria's findings. Claveria had not done any check up on Rosal since her confinement at the PGH.

Meanwhile, the case of Andrea's companion, Edward Lanzanas, is similar to Panesa's illegal arrest and detention due to mistaken identity. He was hastily and falsely charged with murder and kidnapping with murder based on an information that did not bear his name. The arresting officers claimed without any supporting evidence that Lanzanas was a certain "Ka Jomel".

Lanzanas filed a petition for habeas corpus on April 14. It was denied by the CA the following day. A month later, on May 14, a motion for reconsideration was filed. It was likewise denied two months later, on July 14. Lanzanas, through his legal counsel, filed a petition for Certiorari filed on August 29 and is now pending before the Supreme Court.

Lanzanas is still illegally detained at the BJMP-Special Intensive Care Unit (SICA) in Camp Bagong Diwa.

Miradel, yet another Andrea

Three months after Andrea's arrest, another pregnant woman, Maria Miradel Torres was arrested in Lucena City, Quezon Province on June 20 by the combined elements of the CIDG and Southern Luzon Command (SolCom). Miradel was four months pregnant. She was slapped with trumped-up charges of murder and frustrated murder. Prior to her arrest, she was confined at the Quezon Memorial Hospital in Quezon province due to profuse bleeding.

According to the house owner where Miradel stayed, the latter was weak and pale when taken by the operatives. She was immediately brought to the SolCom headquarters. Despite the doctor's advice of complete bed rest due to threatened abortion, Miradel was surreptitiously transferred to the Taguig City Jail in Camp Bagong Diwa on June 25. Her medicines, cellphone and bag were confiscated.

At the detention center, Miradel shared a small cell with three other inmates. She was assigned to the third deck of a bunk bed despite being pregnant.

Miradel was lying on a makeshift bed of plywood when Andrea came to meet her. It was *deja vu* for Andrea to see Miradel going through the same suffering. It was a great help that their fellow political prisoners took turns in taking care of them. Sitting on Miradel's bed and in a mother to another mother huddle, Andrea told Miradel that their fight and struggle continue.

Despite her bleeding, Torres was only brought to the Taguig-Pateros District Hospital a week after her arrest. After three weeks at the hospital, she was

brought back to the jail. On November 9, she gave birth to a baby boy at the PGH.

The fabricated cases against Torres are still pending before the Infanta RTC.

Special treatment for the privileged

The plight of Andrea and Miradel inside jail speaks loudly of injustice. It underscores the disparity in the callous treatment of the marginalized and the special treatment afforded the rich and powerful. Examples of the latter are detained senators Juan Ponce Enrile, Jinggoy Estrada and Bong Revilla along with Janet Napoles and Gigi Reyes, all of them charged with having pocketed millions from PDAF or Priority Development Assistance Fund. They have individual detention rooms and can go to private hospitals even in the absence of court orders and at the expense of the taxpayer's money.

At the TCJ female dormitory, nine political prisoners and 130 other inmates share four cells on the fourth floor. Each 5 meter by 10 meter cell is occupied by 28 to 35 detainees. They are assigned to triple bunk beds meant for 18 persons only. The rest sleep on the cold cement floor with cardboard or thin mats under them. The one meter by 30 meter corridor serves as visiting and activity area for the 139 prisoners. The infirmary in the female dorm has neither a faucet for running water.

In contrast, Gigi Reyes who is charged with plunder went hysterical as soon as she entered the female jail and saw the miserable condition there. She now occupies a room all by herself beside the warden's office. She eats restaurant food

while the other inmates make do with a meager daily food ration of Php 50.00.

Janet Napoles, known for having led the PDAF scam, defrauded the government of millions of pesos was granted VIP treatment. No less than Noynoy Aquino and his escorts served as advance party to Camp Crame when Napoles was brought there. The government has also admitted spending P150,000 a month for her high security detention before she was transferred to the TCJ female dorm. Another P120,000 is spent when she is brought to court hearings. Napoles now occupies a room next to Gigi Reyes on the ground floor of the detention center, beside the warden's office.

Injustice to the last breath

On September 18, Benny Barid, a political prisoner from Ilocos Norte detained at the National Bilibid Prisons (NBP), died of chronic asthma bronchitis with emphysema. He has been in and out of jail through different regimes. He was jailed under the Marcos dictatorship, released and rearrested during the time of Gloria Arroyo. He was constantly tagged by the military as a member of the New People's Army (NPA). Once, Benny's child was held hostage by the military to force his surrender.

The ailing Benny did not get sufficient and appropriate medical attention in the last three years. The other political prisoners, helped by human rights organizations, provided the means to acquire his needed medicines. His arrest, release, rearrest and continued persecution is proof that nothing has changed since the years of martial law.

Another political prisoner, Alison Alcantara, went in and out of the NBP hospital because of various ailments. Alcantara died of pneumonia, sepsis and fatal arrhythmia on September 19, 2013. His consistent request to be confined at the PGH was only heeded after he went into a coma at the NBP hospital.

The campaign to release prisoners on humanitarian grounds has fallen on deaf ears. Instead, Malacañang sticks to its ridiculous and infuriating stand that there are no political prisoners in the Philippines.

Other ailing political prisoners who should be released for humanitarian reasons include Ramon Argente who suffered a heart attack in 2007, and underwent a triple heart bypass. He still complains of chest pains and difficulty in breathing. He was arrested in February 2013 for trumped-up charges of kidnapping, arson, murder and frustrated murder. There is even a threat of Ramon being brought back to a Bicol jail.

The Alegre family (husband Jesus, 67; wife Moreta, 65; and son Selman, 37) has been languishing in jail for 10 years now. They were sentenced to life imprisonment after defending the land they were tilling from a landgrabber who later falsely accused them of murder. Not having any resources to get a competent defense counsel, the three were convicted.

Of the 498 political prisoners in various prisons in the country, 53 of them are sick and in need of immediate medical attention.

The government's inhuman treatment of mothers like Andrea, Miradel and many more ailing political prisoners compared to the protection Malacañang provides to the nation's plunderers and pillagers is undoubtedly a testament that the scales of justice are tilted in favor of the powerful few.

BS Aquino regime makes war not peace

TABLE 4
as of December 2014 Political Prisoners

REGION	TOTAL No. of PPs	WOMEN	NDFP CONSULTANTS	ARRESTED UNDER PNOY	
Ilocos	0	0	0	0	
Cordillera Administrative Region	8	1	0	8	
Cagayan Valley	5	3	0	5	
Central Luzon	12	2	1	7	
National Capital Region	208	15	10	43	
Southern Tagalog	24	2	0	7	
Bicol	37	3	0	26	
Western Visayas	20	1	0	20	
Central Visayas	2	0	0	0	
Eastern Visayas	25	9	1	20	
Northern Mindanao	18	0	2	12	
Caraga	13	0	0	12	
Socsksargen	28	1	0	15	
Western Mindanao	26	5	0	18	
Southern Mindanao	44	1	0	20	
ARMM	28	0	0	11	
TOTAL	498	43	14	224	
SICKLY	53	ELDERLY	43	ARRESTED MINOR	7



Sometime in July, Manila was abuzz with talks about BS Aquino's bid for a Nobel peace prize.

Yet, for the toiling masses of peasants and workers who sweat out to make a living but end up with nothing at day's end, there can be no just and lasting peace unless the root causes of their daily misery are addressed.

Genuine peace does not exist in BS Aquino's vocabulary. Instead of going the way of peace, the government's war machinery works overtime to implement its counterinsurgency program Oplan Bayanihan in going after critics and suspected rebels. The BS Aquino regime's road to peace leads to the cemetery—a silencing of dissent, a death sentence to those who oppose

the exploitative and repressive system that BS Aquino represents.

By all indications, BS Aquino is no person of peace but an arrogant warmonger. Here are five of the many reasons why:

1. Oplan Bayanihan budget to kill

The Department of National Defense's proposed budget for 2015 is a whopping PhP99.5 billion. It is PhP17 billion higher than 2013's actual budget of more than PhP82 billion.

Items in the budget include the same old annual allocation such as modernization budget of the Armed Forces of the

Philippines at PhP20 billion and PhP2 billion compensation and separation benefits for the hated paramilitary group Civilian Auxiliary Force Geographical Unit (CAFGU). The latter has been implicated in numerous human rights violations since its creation in 1987 under the Cory Aquino administration. All post-Marcos dictatorship regimes however have refused to dismantle the CAFGU despite widespread calls for its abolition.

But the budget for the implementation of the US-backed Aquino regime's Oplan Bayanihan is not dependent on the DND's budget alone.

The 2015 total budget for Oplan Bayanihan amounts to more than PhP200 billion, PhP40 billion more than 2013's budget. The funds are spread out

in different government agencies namely, the Department of Interior and Local Government (DILG), Department of Social Welfare and Development (DSWD), and the Office of the Presidential Adviser on the Peace Process (OPAPP).

The DSWD and OPAPP funds for PAMANA (Payapa at Masaganang Pamayanan) and Kalahi-CIDSS (Kapit-Bisig Laban sa Kahirapan-Comprehensive and Integrated Delivery of Social Services) are part of Oplan Bayanihan's implementation, particularly for its psy-war component. PAMANA and Kalahi-CIDSS programs are allocated with PhP9 billion and PhP17 billion more, respectively.

These projects are categorized as "pro-development and pro-people" in counter-

insurgency parlance; implemented in areas considered by government as hotbeds of rebellion. However, PAMANA and Kalahi-CIDSS projects are considered palliatives meant to douse dissent over government's anti-people policies and programs. Both programs have not addressed the worsening situation of poverty and hunger, in rural and urban areas.

AFP chief of staff Gen. Gregorio Catapang based his empty boast that the New People's Army (NPA) would be 'history' by 2015 on this bloated defense budget. But since the Marcos dictatorship, it has been proven that government's unchanged militarist approach to armed conflicts has been a failure. The government may spend hundreds of billions of pesos for all its Oplan but unless it addresses the root causes of armed conflicts it will only bring about peace of the graveyard.

2. The use of the presidential pork, the Disbursement Acceleration Program (DAP) to fund paramilitary groups through the Office of the Presidential Adviser on the Peace Process (OPAPP)

The much-hated presidential pork also found its way to the so-called peace initiatives of the government through the Office of the Presidential Adviser on the Peace Process (OPAPP).

The OPAPP received funds from the Disbursement Allocation Program (DAP), which is 300-400% bigger than its approved regular budget in the General Appropriations Act (GAA) for 2011 and 2012.

More than PhP2 billion went to OPAPP each year from 2011 to 2012. The amount

includes the combined 2011 and 2012 approved budget allocation of PhP475 million and the PhP1.819 billion and PhP248 million DAP funds for 2011 and 2012, respectively. While OPAPP acknowledged the PhP248 million DAP in 2012, the figure was not included in the Malacañang list of DAP-funded projects released in public. All in all, the OPAPP received more than PhP2.067 billion from DAP.

Whatever budgetary tricks happened between OPAPP and Malacañang—where the DAP funds ended up with and why such expense was not included in the regular budget items of OPAPP—the huge amount of people's money supposedly spent for the peace initiatives of the government did not result in tangible and comprehensive services and livelihood for the people.

At best, only allies of the administration benefited from the DAP funds. Worse, part of the funds went to paramilitary groups such as the Cordillera People's Liberation Army (CPLA) in Northern Luzon and to the Revolutionary People's Army- Alex Boncayao Brigade (RPA-ABB) in Negros province. Some of the funds for the CPLA and the RPA-ABB were coursed through PAMANA with CPLA receiving PhP264 million while the RPA-ABB got PhP31 million.

Despite repeated calls both in and out of the country, the BS Aquino government continues to prop up the existence and operation of paramilitary groups. Even in the guise of livelihood projects through the PAMANA, the OPAPP has no excuse to the use of billions of people's money to finance paramilitary groups like the CPLA and the RPA-ABB. Both groups are notoriously involved in several

OPLAN BAYANIHAN PROPOSED FUND ALLOCATION FOR 2015	
Agencies	2015 (proposed)
DND	99,469,167,000
DILG – PNP	70,763,289,000
DILG – Napolcom	1,426,813,000
DILG - Support for Peace and Order Councils	34,177,000
DILG - Comprehensive Local Integration Program	131,254,000
NICA	530,030,000
OPAPP	582,280,000
NSC	91,622,000
Budget for PAMANA	9,220,070,000
Budget for Socio-Economic Component of the Normalization Process	2,462,283,765
DSWD – Kalahi CIDSS	17,530,737,000
TOTAL 2015 BUDGET FOR OPLAN BAYANIHAN	202,241,722,765

cases of human rights violations in the Cordillera region and Negros provinces, respectively.

The members of the CPLA-turned-paramilitary were integrated into the 86th Infantry Battalion of the 5th Infantry Division of the AFP, a notorious unit in Northern Luzon known for a string of human rights violations such as extrajudicial killing, rape, torture and several incidents of divestment and destruction of property.

The government's peace process caters to few groups that sow terror. Through DAP, the money stolen from the people are used against the people. It becomes worse as paying lip service to the peace process only denies the people of a venue where their basic social and economic problems can be discussed and solved.

Parenthetically, the Supreme Court ruled against the DAP in July, declaring it unconstitutional.

3. BS Aquino's utter disregard of previous agreements with the National Democratic Front of the Philippines and the continuing arrests of JASIG-protected peace consultants

While obliging to paramilitary groups such as the CPLA, RPA-ABB and engaging in so-called peace talks, the continued detention and the non-stop arrests of the NDFP peace consultants manifest the government's malice and disinterest in truly solving the roots of the armed conflict and in finding the way to genuine peace.

The arrest of Benito Tiamzon and Wilma Austria-Tiamzon in March and of Roy Erecre in May are violations of the Joint

Agreement on Safety and Immunity Guarantees (JASIG) signed between the GRP/GPH and National Democratic Front of the Philippines (NDFP) in 1995.

The three are holders of Documents of Identification: Benito Tiamzon is holder of NDFP Document of Identification ND978227 under the assumed name 'Crising Banaag'; Wilma Austria-Tiamzon is holder of NDFP Document of Identification ND978226 under her real name; while Erecre holds NDFP Document of Identification ND978243 under the assumed name 'Vide Alguna'.

The JASIG protects the rights of negotiators, consultants, staff members, security and other personnel involved in the peace negotiation. It ensures an atmosphere conducive to free discussion and mobility during the negotiations, and averts any incident that may jeopardize the peace negotiations.

When he was arrested, Erecre presented a copy of his JASIG Document of Identification but his captors only brushed it aside. The act shows the government's contempt for the peace negotiations with the NDFP.

Shortly after the arrest of the Tiamzons, GPH peace panel head Atty. Alex Padilla and Justice Secretary Leila de Lima alternately dismissed the JASIG, issuing statements that the Tiamzons were not immune to arrests, and went as far as unilaterally declaring the JASIG inoperative.

However, the BS Aquino peace panel's pronouncements was contradicted by the amended DND-DILG Joint Order No. 14-2012-A where the names of NDFP peace consultants, among them Wilma

Austria-Tiamzon, were deleted in the list of 'wanted communist leaders'. The amendment was made "in recognition of the pending peace negotiations and conditions upon the existence of said peace negotiations." Despite this, Austria-Tiamzon remains detained.

The amendment also ordered the deletion of the names of Rafael Baylosis, Vicente Ladlad, Reynaldo Bocala and Jose Maria Sison from the list of so-called 235 "communist personalities" who are targets of arrest or "neutralization," and with corresponding reward money. Sison is NDFP chief political consultant, while the rest are all consultants in the GPH-NDFP peace negotiation.

As of December 2014, there are 14 NDFP consultants imprisoned by the GPH facing several trumped up criminal charges. They are Tirso Alcantara, Emeterio Antalan, Leopoldo Caloza, Pedro Codaste, Alfredo Mapano, Edgardo Frigal, Renante Gamara, Alan Jazmines, Eduardo Serrano, Eduardo Sarmiento, Loida Magpatoc, Jaime Soledad, Benito Tiamzon, and Wilma Austria-Tiamzon.

There are also 13 other peace consultants and staff who remain missing since the time of Gloria Macapagal-Arroyo up to the present; and whose disappearance is simply ignored by a regime who professes to be the complete opposite of its predecessor. They are: Leopoldo Ancheta, Philip Limjoco, Rogelio and Gabriel Calubad, Prudencio Calubid, Celina Palma, Ariel Beloy, Gloria Soco, Federico Intise, Gloria Canaveral, Nelly Intise, Cesar Batralo, and Leo Velasco.

Malacañang gloats over the capture of these NDFP consultants as if it would curb people's dissent and end

the revolutionary movement. This kind of narrow-mindedness only exposes the GPH's desperation to eliminate its perceived enemies, force them to surrender in whichever form, no matter how unprincipled and dirty it is. But this is no way to real peace.

4. Harassment of NDFP peace consultants inside jails

While in detention, political prisoners especially the NDFP peace consultants have become targets of harassment and repression.

Loida Magpatoc, arrested in July 2013 and detained at the Taguig City Jail-Female Dorm, was punished by the jail's Disciplinary Board for raising concerns on the condition of prisoners in the detention facility. In defiance, Magpatoc ignored the disciplinary action.

Magpatoc, in a statement, said the measure aimed to silence the inmates and send the message 'bawal ang magreklamo' (you should not complain). Magpatoc caught the ire of the Bureau of Jail Management and Penology (BJMP) authorities when she submitted letters of complaint to the Commission on Human Rights (CHR) and some members of the Senate. Among those she cited were the: lack of medical facilities and neglect of inmates who are sick; the death of two inmates, one of them Leticia Socito who suffered from hypertension but was only brought to the hospital when she fell into a coma. She also cited the lack of water supply in the female dorm and their reliance on the water supply coming from the male dorm.

She also complained about the jail's overpricing of raw materials used to

produce crafts that detainees and other inmates sell for income. Aside from overpricing, the BJMP also takes 30% from the sales of these products.

At the male dorm of the Special Intensive Care Area (SICA) in Camp Bagong Diwa, Taguig City, NDFP consultants and other political detainees also protested the “arbitrary confiscations, theft and wastage of essential necessities, livelihood handicraft products and valuable items of detainees” committed by the BJMP-National Headquarters (BJMP-NHQ) forces during its ‘greyhound’ operations on June 12.

The signed letter by the NDFP consultants Alan Jazmines, Emeterio Antalan, Tirso Alcantara, Leopoldo Caloza and other political detainees said the BJMP-NHQ concentrated on “non-contraband, harmless and essentially needed items of detainees, as kerosene stoves, livelihood handicraft production raw materials and finished products, educational and entertainment CDs/DVDs, lighters, sewing needles, ballpens, nailcutters, tweezers, toothbrushes, and disposable shavers.” These items are sold in the cooperative store run by BJMP employees.

On May 1, the BJMP guards also confiscated the transistor radios of Emeterio Antalan and an inmate. The transistor radios are still in the possession of jail authorities.

5. The Armed Forces of the Philippines commits war crimes against the people in violation of CARHRIHL

On October 24, families of victims of war crimes in Lacub, Abra filed complaints at the GPH section of the Joint Monitoring

Committee (JMC) in Quezon City. The JMC was created in 2004 by the GPH and the NDFP to monitor and investigate violations of the Comprehensive Agreement on the Respect for Human Rights and International Humanitarian Law (CARHRIHL). CARHRIHL, the first of the four substantive agenda in the peace talks, was signed by the GPH and NDFP in 1998.

The filing of complaints came after members of the 41st IBPA killed seven members of the NPA and two civilians in Lacub, Abra in a military operation on September 4-6. The NPA members who were killed were: Pedring Banggao, Robert Beyao, Arnold Jaramillo, Brandon Magranga, Recca Noelle Monte, Robert Perez, and Ricardo Reyes. The two civilians were development worker Engr. Fidela Salvador and Noel Vistre, a resident of Lacub.

Most, if not all, of the remains bore signs of torture and/or desecration of remains. Civilians were also used as guides. All these violated several provisions of the International Humanitarian Law.

This is not the first time the GPH’s armed forces brutally killed and desecrated the remains of NPA fighters. On October 10, 2011, the remains of eight NPA fighters killed in Tineg, Abra were mutilated by elements of the 503rd Brigade and the 41st IBPA, led by Col. Eliseo Posadas and Col. Noel Baluyan.

Since its establishment, the Joint Monitoring Committee on the implementation of CARHRIHL has not yet convened, especially to take on the task of investigating the numerous violations committed by state forces. The GPH had always found ways to extricate

itself from its commitments and the peace negotiation.

War is already bloody and costly as it is. International humanitarian law exists precisely to make armed conflicts respectful to both civilians and fighters. Yet, the GPH and its armed forces keep

violating human rights and international humanitarian law.

Over-all, the militarist approach of the BS Aquino regime does not only dishonor the CARHRIHL but also deviates from the path to peace.

The neo-liberal policies of the Aquino government, no different from the past governments, only exacerbated the poverty in the country and the exploitation of the Filipino people by foreign big business and local elite. It has resulted in the further marginalization of the majority of people as the legitimate interests of peasants for land and workers for jobs and wages are subordinated in favor of the interests of the imperialists and landlords. These are the same root causes of the armed conflict.

But the government’s peace initiatives have become a business venture rather than a sincere effort to go into the root causes of the armed conflict and solve poverty, landlessness and joblessness.

The savagery by which the government responds to the people’s resistance does not address the problem but only worsens the country’s situation, including that of human rights. There can never be real peace regardless of the mouthful of peace slogans the government’s PR machinery whips up every day; and despite the hundreds of people dead or arrested.

The GPH and the NDFP should go back to the negotiating table. The only place where two conflicting parties can equally talk about the limits of war, reiterate rules of engagement and agree to respect the rights of civilians, even fighters, is at the negotiating table. Going back to the negotiating table would mean substantially tackling the agenda on social and economic reforms. The Aquino government could learn from the past that ignoring the root cause of unrest and toying with meaningless development statistics to deceive will never quell dissent.

Trampling on people’s rights and perpetuating injustice and impunity will only infuriate the people and enflame dissent and armed resistance.

Waksi: end of grief, the people's fight continues

TABLE 5 Victims of Extrajudicial Killing and Enforced Disappearance under the Noynoy Aquino Government
BY AFFILIATION
July 2010 to Dec 2014

AFFILIATION	Extrajudicial Killing	Enforced Disappearance
ACT Teachers Partylist	1	0
Anakbayan	3	0
Anakpawis	8	0
Bayan	1	0
Bayan Muna Partylist	8	0
Courage	1	0
Gabriela	1	0
Kabataan Partylist	0	1
Kadamay	2	0
Katibu Partylist	6	1
KMP	19	2
KMU	0	1
NFSW	2	2
Piston	1	0
Selda	1	0
UCCP	2	1
Various other organizations	24	3



The elders came all the way from Kalinga, others were from the Mountain Province. They joined the elders of Lacub in Abra province.

They were around a hut used by the slain members of the New People's Army. It was their final destination after hours of retracing the steps of the seven NPA members and two civilians killed. The nine were their brothers, sisters, aunts and uncles, sons and daughters. Those who joined the trek wanted to see the specific sites where the NPA and two civilians died or where their dead bodies were left behind by the soldiers. The hut was burned by the soldiers, with only a few things left.

The elders wailed, ten times to be exact, to let all the pain and anger out. Then they chanted as they played the gongs.

They slaughtered a chicken, and then let out the remaining grief and pain by shouting—three times this time. Those who witnessed the ritual tried to hold back their tears. And the gongs played again as they concluded the ritual of *waksi*, to end the grief and to continue the fight.

The *waksi* is usually done a year after the time of death. But this time, it was done in less than a month. The time for grieving is over, they said. There is a fight to pursue— for justice for the slain and the continuing defense of their ancestral land and resources.

To the people of Lacub, the two civilians and seven NPA members were martyrs who served them. The nine were killed in the military operations on September 4 to 6, 2014 by elements of the 41st Infantry Battalion under the 503rd Brigade.

The two civilians killed were NGO worker Engineer Fidela “Delle” Bugarin Salvador and Lacub farmer Noel Viste. The slain NPA rebels were Arnold Jaramillo, Recca Noelle Monte, Pedring Banggao, Robert Beyao, Robert Perez, Brandon Magranga, and Ricardo Reyes. They came from different places and classes but were united in their desire to serve the people, in the best way they can.

At a tribute done after a solidarity mission in Lacub, the men and women shed tears as they shared and listened to the stories of how the nine martyrs lived their lives, for them and with them. To their families, those killed were their pride.

Violations of human rights and international humanitarian law War crimes against the people

The AFP committed war crimes against the people of Lacub.

On October 24, families of the slain NPA members and the two civilians filed complaints against the 41st IB in various government agencies and at the International Committee on the Red Cross. They also sought out the Makabayan bloc and other members of the House of Representatives and the committees on indigenous peoples and human rights to conduct a congressional inquiry on the AFP violations on human rights and international humanitarian law.

Karapatan, Cordillera Human Rights Alliance joined families of victims of

war crimes in Lacub, Abra in filing complaints at the GPH section of the Joint Monitoring Committee in Quezon City. The JMC was created in 2004 by both panels to monitor and investigate violations of the Comprehensive Agreement on the Respect for Human Rights and International Humanitarian Law (CARHRIHL). CARHRIHL was signed by the GPH and NDFP in 1998. Second Lt. Jose Mari Landicho of the 41st IB was named as head of the perpetrators.

AFP savagery: NPA members and civilians tortured, killed, mutilated

The findings of the two factfinding and solidarity missions conducted said the killing of the seven rebels and two civilians was a violation of the IHL, specifically the rights of combatants who were captured or unable to fight and the rights of the civilians during fire fights.

Jaramillo’s body, the factfinding mission results stated, was “riddled with multiple gunshot wounds in his back and lower extremities, with one particular gunshot wound fired at close-range such that the skin surrounding the bullet’s point of entry had a burnt appearance.”

The findings were confirmed by the National Bureau of Investigation based on the autopsy on the remains of Arnold Jaramillo and Recca Noelle Monte.

The NBI autopsy report stated both arms of Jaramillo’s were riddled with bullets down to his wrists and thumbs. His internal organs appeared “macerated” and his body looked like a “sponge” due to the multiple gunshot wounds. There was also massive laceration of his upper lip; his upper and lower jaws were fractured. The NBI report also said

both jaws were shattered “inward into his throat” necessitating the embalmer to insert cement into his mouth to keep the architecture of his mouth intact.”

Recca Noelle Monte’s autopsy report found no gunshot wound on her body. Monte died of “blunt traumatic injuries, massive head, face and chest... Her skull resembled that of a crushed egg and her brains were missing.” There was also massive hematoma in Monte’s torso and multiple fractures on her legs and parts of the bone were shattered.

The remains of the other NPA bore signs of torture and mutilation.

Development worker Engineer Fidela “Delle” Salvador of the Cordillera Disaster Response and Development Services (CorDis-RDS) was in Lacub for project evaluation when the fighting between the NPA and AFP troops happened. She was among the civilians killed.

Autopsy report indicated multiple lacerations and massive hematoma at the back of her head. All gunshot wounds entered through her back. Salvador’s heart and lungs were damaged. Like Monte, her skull was also broken from “blunt traumatic injury.” The military claimed she died in the encounter.

The other civilian who died, Noel Vistre, was among the 24 men used by some 100 soldiers as shield on their way back to the town center. The civilians were summoned by the military to retrieve the remains of Ricardo Reyes or “Ka Tubong”, one of the slain NPA members. Reyes was from Lacub. The soldiers forcibly positioned themselves among the 24 residents. On the way, firefight ensued resulting to the death of Viste.

“Boyette”, one of the 24 men who retrieved Reyes’ body recalled that the elders at Bgy. Guinguinabang wanted to keep Reyes’s body overnight for the *bangunon*, a ritual for someone who died within the Tingguian ancestral territory. The military however, rejected the elders’ request.

“The military said we had to go because they had to report immediately to their detachment at the town. They were bent on going to town with us,” said “Boyette”.

“Somehow we felt we had no choice at the time so we conceded but offered that we either walk ahead or follow the soldiers’ group. But the military insisted to mix with the civilians. As we walked single file, two civilians were ahead of some 70 soldiers, followed by our group who carried Reyes’ body. There were more than 20 soldiers who were behind us,” he added.

How the military insisted and positioned themselves among the civilians was a clear case of using humans as shield during the operation. It contradicts the military’s claim they simply “escorted those who retrieved the body of Ricardo Reyes.

Encampment in schools

A helicopter flying above the school ground was among the disturbing images in the drawings of the Grade 5 and 6 pupils of the Bantugo Central School during the psychosocial first aid conducted by members of Salinlahi and the Children’s Rehabilitation Center (CRC) as part of the National Solidarity Mission in Lacub, Abra.

Many of the pupils said their classes were often disturbed because of the ear-

deafening sound of the helicopter that land and bring in supplies to the soldiers encamped near their school.

Noticeably, most of the children skipped the military detachment in their drawings. Salinlahi-CRC facilitators said it may be due to fear of talking about the detachment and that children naturally draw “happy things”. The military detachment is on the elementary and high school grounds, separated only by a basketball court and a volleyball court.

At the height of the military operation on Sept. 5, parents decided not to send their children to school for fear of military action. School authorities were forced to suspend classes for almost two weeks, as students were no longer coming to school.

During the psychosocial first aid, the students talked about the gunshots they heard. Two of the pupils who joined the psychosocial first aid were children of those used by the military as human shields. The children knew of the word torture. Some of the students said they saw the mutilated bodies of the NPA members, without eyes and broken arms. Another boy said every time he passes by the covered court at the municipal hall, he is reminded of the dead bodies lying on the court.

The teachers said they await the local government’s response to the parents’ petition to remove the 41st IB detachment near the school premises. The teachers are aware of the Department of Education’s

memorandum to the Department of National Defense. But, they wonder why the local government has not acted on the petition.

Monstrosity of the AFP

The same display of the AFP’s barbarity happened on October 10, 2011 when the eight members of the New People’s Army were killed in a firefight also with elements of the 503rd Brigade and the 41st IB in Tineg, Abra.

Those killed were Edgar Balbin, Reynaldo Masadao, Miguel Anggaboy, Rodel Corpus, Reyna Villacarlos, Dorothy Ating, “Ka Omeng”, and “Ka Berlin”.

The bodies of the NPA guerillas also bore signs of torture and desecration violating international humanitarian law and the CARHRIHL. Like what happened to Monte, the skulls of at least two rebels were crushed and the brain was scooped out of the skull. Some bodies were hacked. Bones had fractures and gunshot wounds indicated close-range firing. Villacarlos’ short pants and panties were torn in the crotch area. Some residents claimed they found her naked.

On March 7, 2014, in Baay-Licuan Abra, three farmers-smallscale miners were massacred by the 41st IB on mere suspicion that Eddie Ligiw and his sons Freddie and Licuben were NPA sympathizers. The three were found in a shallow grave near the victims’ pacalso (hut). They were piled up on top of the other, gagged and bound.

All-over Abra, Kalinga, Mt. Province, Baguio and Manila—where the slain red fighters came from—friends, former classmates and members of organizations they belonged to before they joined the NPA paid tribute to their martyrs.

The rebels who died were admittedly close to the hearts of the people—they helped build their payao (ricefields), taught them how to read and write, cared for the sick, built dams for their electricity, helped them in their house and farm chores, fought with them to defend their lands.

The fascist attacks against the people of Lacub and those they hold dearly are meant to destroy the community spirit, to lower their morale and will to fight.

But the people of Lacub will not succumb; they had decided to end their grief. The elders were confident that someone will take the place of the killed NPA.

After the *waksi*, the elders from the Mt. Province gathered soil where the NPA hut stood. They would bring home the soil to where their beloved were born. The earth symbolizes the beginning and the end of life. Now, the earth unites the people of Abra, whom their loved ones served, and the people of Mt. Province from where their loved ones came. Their unity is a potent force.

EDCA and the continuing war of aggression vs the Filipino people



From the time of the Balangiga bells to Jennifer Laude, women are raped and prostituted, the environment ravaged by toxic wastes, the country's rich natural resources are plundered. Filipinos go to war for the US; Filipinos are killed. All these images came back to the collective memory of the people when the US-PH Enhanced Defense Cooperation Agreement (EDCA) was signed in time for the visit of US President Barack Obama in April 2014.

From the Balangiga bells to Jennifer Laude, US troops never left the country. After the junking of the 1947 RP-US Military Bases Agreement in 1991, the Philippine government acceded to US pressure and approved the RP-US Visiting Forces Agreement (VFA) eight years later, in 1999.

The VFA gave the word "visiting" a different meaning. The supposedly "just visiting" US soldiers are actually based

in the country, albeit on a rotational basis. The troops are involved, directly or indirectly, in actual combat operations under the guise of the Balikatan exercises.

A "visiting" US Marine Private Joseph Scott Pemberton took the life of transgender woman Jennifer Laude in a gruesome manner. While the court trial is ongoing, the physical custody of Pemberton as the main suspect for the killing remains with the US government—

in a protected US facility inside the Defense Department headquarters at Camp Aguinaldo. Once again, the primacy of US interest and jurisdiction in the VFA becomes more evident.

Through time, the VFA is proven to be a lopsided treaty in favour of the interests of the US government. The VFA, like the Mutual Defense Treaty (MDT), the Mutual Logistics and Support Agreement (MLSA) and other treaties and agreements, has shown that our relationship with the US is not of friendship and mutual benefit. It is all about the Philippine government's subservience and puppetry to US dictates. It has been this way.

The signing of EDCA has now legitimized the presence and permanent physical basing of the US troops nationwide, including its unhampered military activities. The EDCA now allows the US military troops to build US facilities inside Philippine camps and park its ships and aircraft, preposition and store US weapons and war materiel including armed drones, nuclear and other weapons of mass destruction. For free. It allows the increased presence of an indefinite number of US troops in the country for an indefinite period, trampling on national interest and in violation of the Philippine Constitution. EDCA was BS Aquino's welcome gift to Obama.

EDCA is the re-colonization and re-occupation of the Philippines by the US. It is BS Aquino's ultimate act of betrayal of the people's trust and surrender of the nation's sovereignty and independence. It repositions 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.

Human rights violations bound to worsen

In exchange of EDCA, Obama gave BS Aquino a stamp of approval for the regime's crime against the Filipino people—corruption, criminal negligence, and human rights violations.

Even before Obama landed on Philippine soil, the master and the puppet were already dishing out the all-too-familiar “anti-corruption, pro-peace and human rights” slogans to dissipate people's anger around the world. The catch phrases, the two leaders expected, would lend a veneer of acceptability to their treachery to the Filipino people. It was a desperate attempt to cover-up its war agenda, especially in the Asia-Pacific region.

The US's so-called concern on human rights abuses in the Philippines is a double-deal. The US is equally responsible as the Aquino government for human rights violations as it foments war, pour military aid, deploy troops, and direct Oplan Bayanihan. The US is the main funder of the AFP's war chest.

From 2001 to 2010, the US government funded the Philippine military with \$507 million. At the time, gross human rights violations perpetrated by the AFP caught the attention of the international community and became a subject of public pressure. The international campaign to stop the killings and other rights abuses led to a temporary and conditional reduction of US military aid to the Philippines. Thus, in 2011, the US reduced its military aid to \$11 million. But in 2012, through the Philippine government's aggressive lobby work, exchange deals, and cover-up schemes, the aid was again increased to \$30 million.

After the EDCA was signed, the BS Aquino regime expected more funds and equipment from the US to ‘modernize’ the Armed Forces of the Philippines and its numerous paramilitary groups. To the US, this means providing the Philippines more second-hand and antiquated weapons and surveillance technology to hasten the implementation of Oplan Bayanihan.

Oplan Bayanihan is a carbon copy of the US 2009 Counterinsurgency Guide. Both project the illusion of a shift from primarily military means to non-military means in dealing with “insurgencies” and “terrorism.” It has popularized the bywords “from combat to non-combat”, and so-called human rights-based, whole-of-nation and people-centered approaches. In reality, Oplan Bayanihan and the 2009 US Counterinsurgency Guide give primacy to military means and suppress the people's rights.

EDCA will definitely lead to more violations of human rights and international humanitarian law in the country. Most likely, the cases of human rights and IHL violations perpetrated by US troops in its wars of aggression in Afghanistan and Iraq will happen in the Philippines. Correspondingly, EDCA will drag the Philippines in the US's interventionist wars the world over.

US pivot in Asia

Both the US and Philippine government used the dispute between the Philippines and China as an excuse to hasten the approval of the EDCA. However, Obama categorically said that the US would not engage in armed conflict with China, to the dismay of BS Aquino and the believers of the “mutual defense” between US and the Philippines.

The four-country visit of US President Barack Obama in 2014 only stamped Japan, South Korea, Malaysia and the Philippines with ‘US property’ seals on the world map—meant to strengthen its economic interests, military presence and its geo-political dominance in Asia-Pacific.

Part of Obama's agenda in the region is to push for the Trans-Pacific Partnership Agreement (TPPA). The US leads and pushes the participation of Asian countries in the TPPA. The Philippine participation in the TPPA would mean the removal of any remaining barriers to foreign investments. It would pave the way for a hundred per cent foreign ownership of land, utilities, media and educational institutions. It would enforce stricter laws on intellectual property that would consequently raise pharmaceutical costs and stifle digital innovation and freedom of expression. The TPPA would give more power to the trans- and multi-national corporations' to sue the Philippine government before an international tribunal, if its policies run counter to the interests of the TNCs and MNCs.

Correspondingly, the US Asian pivot brings its interventionist wars to Asia like it did to Haiti, Libya, Afghanistan, Iraq and many other countries using pretexts like “humanitarian aid”, “restoration of democracy”, or “mutual assistance”.

The statement released by the Global Council of the International Coalition for Human Rights in the Philippines (ICHRP) during the Obama visit said the Asia Pacific pivot “has already resulted in the 60 per cent increase in the deployment of the US Navy forces in the Western Pacific and an increase frequency and scale of military exercises.”

Already there are about 49,000 US troops in Japan and 30,000 in the border of North and South Korea. The deployment only serves to agitate both countries. It is no different from what the US has been doing in Israel and Pakistan to justify military assistance to its allied countries; and how it sabotaged countries that refused US dictates like Cuba, Bolivia and Venezuela.

The EDCA is nothing but a magnet for war, not a mechanism for “peace and friendship” as US President Obama wanted the people to believe. Throughout history, the US government has been engaged in both overt and covert operations such as assassination plots, mounting *coup d’etat*, bombing communities, torture, and even support to terrorists to secure its economic, politico-military interests in all parts of the world. EDCA strengthens the Philippine’s role as a party to US occupation and intervention of other countries and the oppression and repression of the struggling peoples of the world.

Peoples of the world vs imperialism

The Obama visit in Asia was an occasion for the many peoples’ organizations in various countries to gather against the US neoliberal and interventionist policies imposed in many countries of the world.

The Bagong Alyansang Makabayan (Bayan) worked with groups in the US, Japan, South Korea and Malaysia in mounting protest actions against the US pivot, the TPPA, and the US bases worldwide.

In the United States, at least 20 organizations joined Bayan-USA in protest actions on April 25 in New York,

Seattle, San Francisco and Los Angeles. Those involved in the protest actions were Filipino migrants, Japanese and Korean activists in the US; anti-war coalitions; solidarity groups working with the peoples of Korea, Taiwan, Iraq, China; war veterans groups, unions, and anti-bases formations and justice and peace groups.

The Global Council of the ICHRP also called for internationally coordinated actions “to raise the alarming rate of extrajudicial killings, stalled peace talks, and the increased and permanent presence of US troops in the Philippines.”

In the Philippines, nationwide protest caravans and marches were held. In Manila, organizations led by Bayan marched to the historic Mendiola bridge. A giant effigy of a puppet president Benigno Aquino dragging Obama on a chariot was burned to symbolize the people’s condemnation of US imperialism and of BS Aquino’s puppetry.

Bayan, in a statement said, “We demand regional peace and development. We join our friends from Japan, Korea, Guam, and Australia to demand the removal of US troops in Asia and the Pacific. We reject US economic dictates as we fight for genuine economic sovereignty. We condemn both the Aquino and Obama regimes for exploiting the maritime dispute with China in order to justify entrenching US troops in the region. Our national interest will not be served if we take the side of one bully against another.”

In a statement after the killing of Jennifer Laude, renowned peace and human rights advocates in the US led by Prof. Noam Chomsky, former US Congresswoman

Cynthia McKinney, former US Attorney General Ramsey Clark, CODEPINK for Peace founder Medea Benjamin, among many other organizations and individuals, said “Peace and justice for Jennifer and the Filipino nation cannot be realized under a framework of unequal power relations between the United States and the Philippines. It can only be genuinely realized under a framework of mutual respect, mutual benefit, non-interference, and respect for national sovereignty.”

The BS Aquino regime inevitably clings to the US government for support as it becomes more and more isolated from the Filipino people because of its many crimes.

In December 2014, eight months after the EDCA was signed, Obama endorsed to the US Congress the \$1.1 trillion US budget, which included “\$50 million in credits for the AFP to buy arms from the US” according to the Ecumenical Advocacy Network on the Philippines (EANP), a US-based rights group.

Yet, BS Aquino’s expected monetary reward for the signing of EDCA may not come. The continuing lobby work and actions from Philippine-based and international groups resulted in the US Congress’ hesitation to release

said allocation for the AFP, citing the continuing human rights violations committed under the BS Aquino regime.

The EANP said the US Congress had “serious concerns” on the human rights situation in the Philippines, citing “a shocking increase in killings in 2014 with 19 reported for the first three months of the year.” The EANP said “US Secretary of State John Kerry is prevented from releasing the \$50 million unless he certifies that the AFP has met the requirements.”

These requirements include the prosecution of military personnel involved in rights violations; and to ensure that “troops and paramilitary groups under its control are not engaging in acts of intimidation or violence against journalists or human rights defenders.”

This vicious cycle of domination and puppetry is one that binds the BS Aquino regime and the US. Yet despite the wars of aggression and the rights abuses, the Filipino people and the struggling peoples of the world are ever more defiant to bring US imperialism down, including its puppets like BS Aquino. There is no other way but for the Filipino people to stand by the sovereignty of the nation and fight for genuine freedom, free from any foreign dictates.

NXP workers fight union busting



On May 5, 2014, the management of NXP Semiconductors Cabuyao Incorporated (NXPSCI), a subsidiary of American-owned electronics giant NXP Semiconductors, illegally terminated 24 top officials of the militant NXPSCI Workers Union.

The reason it cited: the union officials led an illegal strike. It blamed the union leadership for the absence from work of the majority of the 4,000-strong workforce on April 9, 17, 19 and May 1.

The truth, however, is that said dates were declared regular holidays by the national government. April 9 is National Day of Valor, April 17 is Maundy Thursday, April 19 is Holy Saturday, while May 1 is International Labor Day.

The workers merely spent the first three dates with their families. For May 1,

even the existing Collective Bargaining Agreement (CBA) between management and the union recognizes the workers' participation in Labor Day protests.

Union busting during CBA

The workers condemned the management's actions. They claimed that management has no right to force workers to work during holidays and that the illegal dismissal and filing of charges of illegal strike constitute excessive punishment.

The workers believed that management's action was meant to decapitate their union and weaken their bargaining position. At the time, there was a deadlock in the ongoing negotiation for a new CBA, which started in November 2013. The workers were pushing for an improvement from the existing CBA.

The workers wanted an eight percent (8%) increase in their wages, an increase of one percent from the previous CBA. Under the pretext of a "global policy" on wage increase, management offered a mere 3.5% increase, equivalent to an amount less than the price of a kilo of rice.

The workers also demanded that 200 contractual workers be regularized. Most of them, after all, have served the company for more than two years. Management's response: it has to honor contracts with service agencies that provided the company with contractual workers.

But, it was clear that NXP could easily meet the workers' demands. NXP is a supplier of well-known brands Apple, Bosch, Continental, Delphi, Huawei, Panasonic, Samsung, among others, and has registered huge profits for years. Established in 2006, the NXP was a division of the Dutch company Royal Philips.

Management skirted the issue of the dismissal of the 24 union members during the CBA, saying it was not part of the negotiations. It offered wage increase agreements on individual basis, and outside of the stalled CBA. It also pushed some workers to initiate an election for a new set of union officers.

The Center for Trade Union and Human Rights (CTUHR) noted, "Even before the

CBA started, management reportedly started hiring contractual workers en masse just before the new round of CBA negotiations started in November 2013. Prior to the negotiations, NXP has an estimated workforce of 2,600, a great majority of which are the regular rank and file (1,666), while around 300 are regular indirect labor (i.e. supervisors and engineers) and only around 600 are contract workers. Hiring contractual workers were done in batches: first, 900 in November 2013, then was increased to 1,200 then 1,500. This multiplied the total number of contract employees three-fold, from 600 to over 2,000 in a few months."

Workers strike back

In response to the illegal dismissal and charges filed against them, the Union led the workers in various forms of protests. They reached out to other workers and sectors in the Philippines and across the globe for support.

The NXP Workers' Union is one of the few unions in the country's special economic zones, where a "no union policy" exists. The NXP-Philippines is in the Light Industry and Science Park (LISP), a special economic zone in Cabuyao, Laguna. These special economic zones are characterized by repression against workers and are havens for contractual employment.

As one of the oldest and biggest militant unions in the country, the NXP Workers' Union believes that their fight has wide and deep implications for workers all over the country. Their fight is especially for the benefit of the vast ranks of non-unionized workers who are bullied by big foreign capitalist firms.

The workers and their supporters held numerous caravans inside the special economic zone and protest actions in front of the plant's gate. They also held noise barrages and other forms of protest inside the company's premises during work hours.

The special economic zone's security forces repeatedly tried to prevent the participants of the protest caravans from entering the zone's premises. The NXP management also issued various memoranda that violate their right to protest.

The Center for Trade Union and Human Rights (CTUHR) reported that the police charged five of the NXP 24 with "slight physical injury". The same police officers dispersed the protest action in front of the LISP on May 26. "The management installed additional CCTV cameras inside the factory premises and in the canteen, turning the entire workplace into a 'big brother house'. To quell any form of collective action by workers the company issued a memorandum prohibiting too much noise when the workers held daily noise barrage during their break time. Workers joining or initiating the noise barrage were warned of being sanctioned when caught," stated the CTUHR report.

The NXP management repeatedly made overt and covert threats to retrench all NXP workers if they continue to join protests. The NXP workers and their supporters remained undaunted, however, and carried on with protests.

They gathered broad local and international support. The walls of Cabuyao town, as well as Facebook walls, were filled with their calls. Major international labor formations issued

statements. Supporters picketed NXP offices in various countries.

For a long time, management tried to make it appear that it was holding negotiations with the workers. The workers negotiated in earnest, even lowering their demands to move closer to the offers made by the management.

However, the workers discovered that management was only buying time until the labor courts decide on the illegal strike case, which it filed against the workers. This angered the workers and thus, intensified their protests for their demands.

Labor Department remains 'neutral' amid violations

The NXP workers' case is an example of the many cases of illegal dismissal and violation of the right to unionize and to collective bargaining. In its mid-year report, CTUHR cited some 7,800 workers affected.

The same report said about 445 workers were also illegally dismissed due to labor disputes in the following companies: 21 workers in Express Coat Enterprises Inc.; 400 workers in Carmen Copper Corporation-Galeo Equipment and Mining Company; and, the 24 from the NXP.

CTUHR also documented 13 cases of non-recognition of union, union-busting, harassment of unionists inside the workplace, interference on trade union affairs, anti-union discrimination. There were also some 4,340 workers affected by four cases of bargaining in bad faith.

The union in NXP Semiconductors Inc. Philippines faced both union busting and issues in collective bargaining negotiations.

All through the months of NXP workers' struggle against deceit and repression by the NXP management, the Department of Labor and Employment remained "neutral" and stuck to its position as "mediator".

Victory in struggle and unity

In the end, the workers' unity and collective action paid off. After four months of protests, on September 26, 2014, the NXPSCI Workers Union and the NXPSCI management signed a Memorandum of Agreement ending the dispute.

Twelve out of the 24 union leaders were reinstated, while the remaining 12 received decent separation packages. The wage increase was as follows: 5.25% first year, 3.5% second year, 3.5% third year. Most of the contractual workers were made regulars.

According to the NXPSCI Workers' Union, "what we got constitutes a significant improvement from what the management

was willing to give at the start. [S]acrifices had to be made on our part to get the best deal given the existing conditions."

It claimed, "This is a victory against the management's attempt to bust the NXP Semiconductors Cabuyao Incorporated Workers' Union-National Federation of Labor Unions-Kilusang Mayo Uno (NXPSCIWU-NAFLU-KMU)."

"Many lessons were affirmed in the course of this struggle. Foremost among these is the need for unity and collective action in defending... workers' rights," unity and collective action "at so many levels and in so many forms," the workers further stated.

"With this victory, an important union is strengthened and steeled, serving as an inspiration to all Filipino workers, even those still hoping to unionize. Our struggle underscores the necessity and possibilities of forming unions."

Continuing struggle of Hacienda Luisita farmers for their land and human rights

Contributed by *Unyon ng mga Manggagawa sa Agrikultura (UMA)*



"As long as there is land to till, we will assert our right to farm."

–Tatang Gerry Catalan

Tatang Gerry's assertion best exemplifies the determination of the farm workers in Hacienda Luisita to continue with their struggle for land and human rights.

Today, despite the 2012 Supreme Court ruling on land distribution, thousands of farmworkers still struggle with landlessness, poverty and hunger. Gross human rights violations related to land grabbing and the Cojuangco-Aquinos' aggressive bid to retain control of the estate continue unabated, defying its own Court's decision.

On April 3, 2014, the Philippine National Police (PNP) illegally arrested and detained Tatang Gerry or **Charlito Catalan** and four others, ironically for violating the land reform law or RA6657. The "crime" stemmed from their act to approach a team of surveyors from the Department of Agrarian Reform (DAR) and ask them what they were doing in their farms.

On June 25, 2014, personnel of the DAR-Tarlac, the police, and officials of Barangay Lourdes destroyed Tatang

Gerry and his family's farm lot. The authorities accused them of tilling the land, which the authorities claim was allotted to farm worker beneficiaries (FWB) from said barangay.

Destroyed were banana plants, squash, 12 cavans of rice seeds, 25 beds of mushrooms, three fields of string beans (sitaw) with trellises, three fields of sweet potato (camote), and their fertilizers and herbicides.

Despite this, Tatang Gerry and his family chose to replant with rice and banana. In October, he was able to harvest rice and his banana plants are now strong and healthy again.

It was in 2005 that farmers initiated the "bungkalan", where they started to till the idle but arable lands inside the hacienda after the management failed to address the farmers' demands to immediately distribute the lands in the hacienda.

But, on December 9, 2014, the Department of Agrarian Reform Adjudication Board (DARAB) in Tarlac sent summons to Tatang Gerry and at least seven other farmers in barangay Mapalacsiao for "unlawful occupation and possession of land that is not theirs."

Tatang Gerry and the others have been cultivating the farm lots since 2005 when the "bungkalan" started. However, in 2013, when DAR started implementing the Supreme Court's decision to distribute the lands, it awarded the farm lots to other farmers via a lottery drum (tambol) raffle. The DAR's anomalous lottery scheme of land distribution has already caused conflict among the "farmworker-beneficiaries" in Hacienda Luisita.

Defiance amid spurious charges and human rights violations

Tatang Gerry's situation and defiance is not an isolated case but is replicated by other farm workers who are members of the Alyansa ng mga Manggagawang Bukid sa Asyenda Luisita (AMBALA, Alliance of Farmworkers in Hacienda Luisita). Since September 18, 2013 when a fact-finding mission was held inside the Hacienda and up to April 3, 2014, a series of criminal cases were filed against 182 farmers and among advocates of farmers' rights in the plantation. The government and the hacienda management have criminalized the farmers' initiatives to resolve the long-drawn agrarian dispute in the hacienda.

The charges include unlawful detainer, direct assault against persons in authority, malicious mischief, threat, trespassing, slight physical injuries, and violation of RA6657. The cases were filed by the Cojuangco-Aquino owned Tarlac Development Corporation (TADECO), DAR, PNP, and security guards employed by TADECO.

These criminal charges do not include human rights violations against the farm workers and their families committed by the same entities and individuals cited above. Among these violations are attempted murder, assault and harassment, illegal arrest and detention, including minor; bulldozing and fencing of farms, destruction of crops, and burning of farm huts; and, theft.

Victories

There have been small victories in the legal cases filed against the farm workers.

The Branch 1 of the Municipal Trial Court (MTC1) either immediately dismissed most, if not all, of the unlawful detainer cases or referred to the DAR. TADECO filed these cases from October to November 2014 against 108 farm worker-beneficiaries in barangays Balete and Cutcut for allegedly occupying the land, cultivating and planting it with crops, and building their houses made of light materials without the plaintiff's knowledge and permission since 2011.

Other MTC 1 cases referred to DAR include trespassing, threat, and malicious mischief. Essentially these cases are spurious in nature and involve agrarian dispute.

These include the case of the "Hacienda 9" who were illegally arrested and detained on September 17, 2013 for "trespassing" on lands that were actually grabbed by TADECO. The nine persons were participants of a fact-finding mission.

Another case is that of **Vicente Sambu et al** who were also charged by TADECO on the same offense when, on December 21, 2013, they defended the farms they cultivated in Barangay Balete from destruction by company guards.

Other cases referred to DAR included threat filed by a TADECO security guard against **Florida Sibayan** and **Julius Loveland** in January 2014 and against Tarlac Municipal Councilor **Emily Ladera-Facunla** et al for malicious mischief.

On October 10, farm workers filed counter-charges at the Department of Justice (DOJ) against their oppressors. The DOJ has reportedly set up a special team to look into the criminal offenses perpetuated against the farm workers

but there has been no action taken as of this writing.

More than a hundred criminal complaints were filed against the Cojuangco-Aquino family and their minions before the local police and the Department of Agrarian Reform (DAR) for a series of violent assaults against farmer-beneficiaries since the BS Aquino administration implemented the sham land distribution in 2013.

A team of lawyers from Sentro para sa Tunay na Repormang Agraryo (SENTRA), National Union of People's Lawyers (NUPL), Public Interest Law Center (PILC), and the Pro-Labor Legal Assistance Center (PLACE) prepared and filed complaints of attempted murder, arson, child abuse, physical injuries, illegal arrest and arbitrary detention, theft, robbery, and malicious mischief in behalf of the Hacienda Luisita farmers under AMBALA.

Among the respondents are the President's close family members and top local police officials—uncle Jose "Peping" Cojuangco Jr, sister Maria Elena "Ballsy" Aquino-Cruz and other board members of the Tarlac Development Corporation (TADECO), known Aquino ally and "Kabarilan" Virginia Torres, Tarlac PNP Provincial Director Alex Sintin, and former Tarlac City PNP Chief Bayani Razalan.

Malacañang could only challenge the petitioners to prove their charges against the President's family members.

Other than these, the DAR subsequently was unable to disqualify 125 farmworker-beneficiaries (FWBs) from becoming awardees of the CARP-covered Hacienda Luisita lands. The 125 farm workers refused

to sign the Application to Purchase with Farmers Undertaking (APFU).

The APFU is a promissory note whereby FWB's promise to pay the land amortization for 30 years and to farm the lot awarded to them. Their refusal though to sign the APFU, or even the Certificate of Land Ownership Award (CLOA), is not a ground for disqualification.

The CLOA of lot allocation certificate does not vest ownership of the land to the FWBs. It is merely proof of their ownership. What matters is that the farmers possessed all the qualification, and none of the disqualifications, as provided under RA 6657 to become awardees or beneficiaries of CARP-covered land.

On August 26, 2014, the DAR ordered the disqualification of the 125 FWBs composed mainly of AMBALA leaders and members because they did not sign the APFU. The FWBs however, filed a complaint against DAR to the Supreme Court at the end of September 2014.

Ten years of the Hacienda Luisita massacre

Ten years, no justice. The line, also the theme of this year's commemoration, captured the plight of the November 2004 massacre victims and their kin.

A month before the commemoration of the massacre, on October 2, 2014, the Ombudsman denied the survivors' Motion to reopen the Hacienda Luisita massacre case filed against civilian and military perpetrators. The Ombudsman cited technical reasons for the dismissal.

The case was re-filed on August 2014 by the survivors after the Ombudsman, in

July 2005, dismissed the case for lack of merit against the civilian respondents. In December 2010, the Ombudsman for the Military and Other Law Enforcement Offices (OMBEA-MOLEO) also dismissed the charges against the police and military respondents.

The MOLEO's decision ignored the conclusions of the National Bureau of Investigation (NBI) report that GRP security forces unlawfully killed strikers, and did not fire in self-defense. According to news reports, NBI investigators conducted many interviews and reviewed media footage of the events, and had "found incredible the accusation of anti-riot forces that striking workers fired their guns at them," largely because investigators saw no armed men among the strikers, and because no policemen were wounded by bullets. In 2005, the NBI recommended to the DOJ the filing murder charges against nine police for their role in the Luisita Massacre.

The Unyon ng mga Manggagawa sa Agrikultura (UMA) saw this as new evidence in re-filing a case in the Ombudsman or even at the Supreme Court against the perpetrators of the massacre.

The campaign to commemorate the 10th anniversary of the Hacienda Luisita massacre dubbed HLMX was a huge success.

Several activities were also held to commemorate the killings of 10 other farm workers and their advocates after the massacre. It also conducted several cultural activities like a book launching of renowned poet Gelacio Guillermo; a concert at the University of the Philippines, and a solidarity night on

November 15. There were also activities jointly held with Karapatan and other groups in a campaign to "End Impunity".

On November 15-16, the activities included protest actions in Mendiola, in Angeles City and in front of the Northern Luzon Command (NOLCOM), not too far from the Hacienda.

Bungkalan (Tilling of the Soil), a way to genuine agrarian reform

Tatang Gerry and other farm workers' perseverance in bungkalan or tilling of the soil is a way by which the farmers initiate land distribution to the tillers,

not only in Hacienda Luisita but in other parts of the country as well.

DAR's implementation of the sham land reform in the Hacienda, which basically intended to destroy the bungkalan, sow disunity among the people, and grab more lands was only partially successful.

There is a need to continue and expand the bungkalan. This could only materialize if AMBALA itself and its allied organizations would also expand and consolidate. AMBALA and its mother organization, UMA are optimistic that these could be achieved in the next months to come.

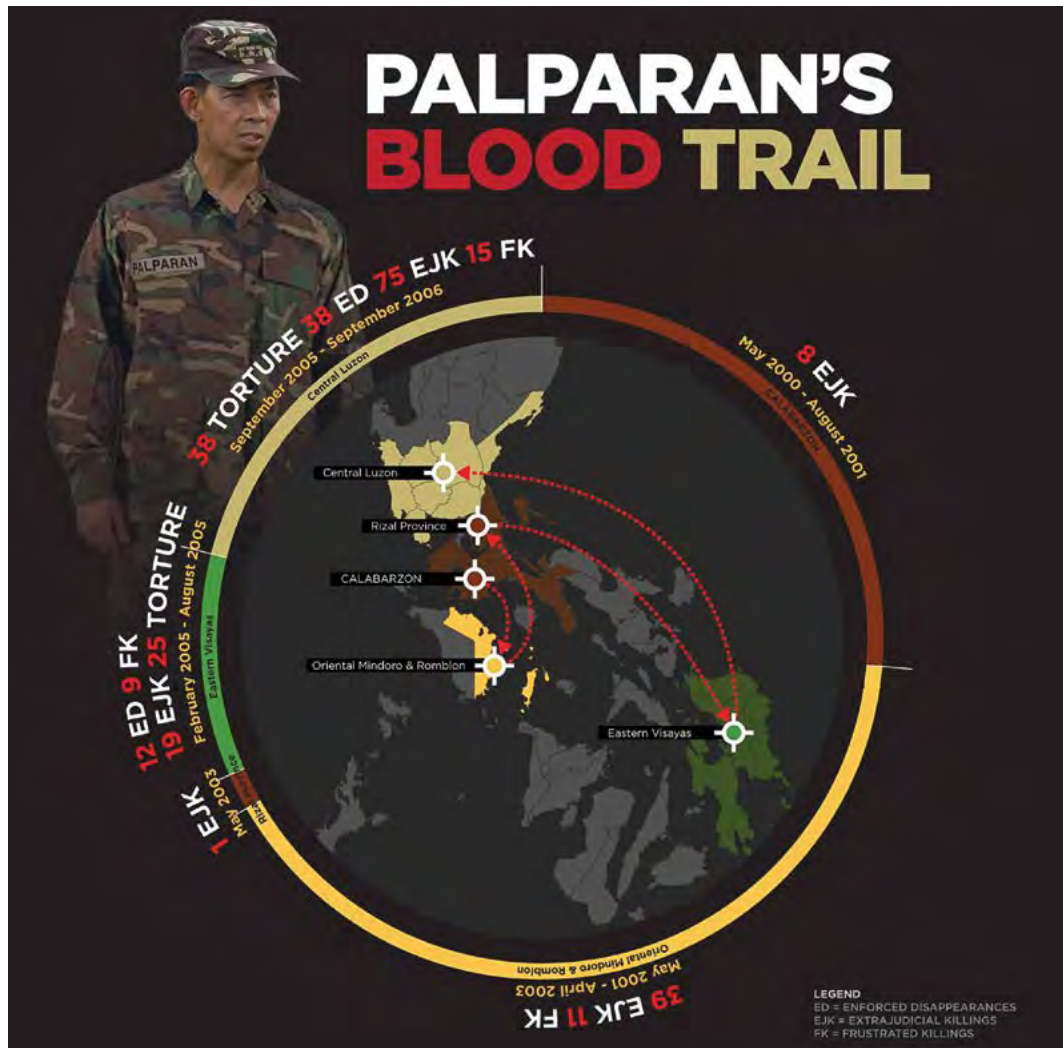
HACIENDA LUISITA HUMAN RIGHTS VIOLATIONS

DATE	INCIDENTS	CHARGES FILED VS FARMERS, SUPPORTERS	VICTIM / S	ALLEGED PERPETRATORS
Jan 16	Bulldozing of farmlot (Brgy. Cutcut)			
Jan 22	Assault attempted murder		Manuel Gomez	Faustino Corpuz, Jr.
Feb 2	Bulldozing (Brgy. Cutcut)			
Feb 8 onwards	Arson bulldozing of crops			
	Illegal detention of minor		Jerome "Rey" Flores (16yo)	TADECO guards
March	Fencing of farmlots destruction of hut (Brgy. Mapalacsiao)			
March 19	Arrest & Detention		Florida Sibayan Julius Loveland	Tarlac PNP
March 24	Assault attempted murder		Rosario "Rudy" Corpuz	Faustino Corpuz, Jr.
March 28	Assault attempted murder of AMBALA members		Renato Mendoza Jerry Mesa Ofelia Hernandez Romeo "Fernan" Corpuz Marcelino Lugay, etc.	TADECO hired thugs / security Rodrigo David Jovito Suelen Wilmin Cariaga Frank Taboc Taboc Roy Esteban Noel Barrantes Ryan Legaspi Ricardo Villanueva Tarlac PNP Brgy. Cutcut officials
	Destruction ransacking of AMBALA headquarters (Brgy. Cutcut)		AMBALA-Cutcut	
	Illegal Arrest and Detention (Cutcut 3)	Vs Cutcut 3 -Physical Injuries	Ofelia Hernandez Romeo "Fernan" Corpuz Marcelino Lugay	

HACIENDA LUISITA HUMAN RIGHTS VIOLATIONS

DATE	INCIDENTS	CHARGES FILED VS FARMERS, SUPPORTERS	VICTIM / S	ALLEGED PERPETRATORS
April 3	Illegal arrest & Detention (Mapalacsiao 5)	Vs Mapalacsiao 5 -Violation of RA6657	Charlito "Gerry" Catalan George Gatus Alvin Grapil Jaime Quiambao Leoncio Suarez	Tarlac City PNP P/Supt. Felix Bervo, Jr. (OIC Chief) PO2 Chester dela Rosa PO1 Raymundo Valencia PO1 Russell Rivera
May 16	Arrest & Detention		Vicente Sambu	Tarlac PNP
May 25	Burning of farmhut		Benjamin Duque	TADECO
June 21	Destruction of crops (Brgy. Asturias)			DAR, Tarlac PNP, Lito Bais
June 25	Destruction of crops (Brgy. Mapalacsiao)		Charlito "Gerry" Catalan AMBALA- Mapalacsiao	DAR Personnel Tarlac PNP Brgy. Officials
July 3	Destruction of crops (Brgy. Mapalacsiao)		Ofelia Ocampo	DAR Personnel Tarlac PNP Brgy. Officials
July 8	Destruction of crops / hut (Brgy. Mapalacsiao)			DAR Personnel Tarlac PNP Brgy. Officials
August 2	Destruction of crops (Brgy. Mapalacsiao)		Ofelia Ocampo	
August 6	Destruction of crops (Brgy. Mapalacsiao)			
Dec. 9		Unlawfully occupying and possessing the landholdings of others filed in Department of Agrarian Reform Adjudication Board (DARAB)	Charlito Catalan George Gatus Edith David Francisco Dizon May Quaimboa Mario Rivera Situng Maun Totoy Maniego And all persons claiming rights from them	Other farm worker beneficiaries given Lots by DAR in areas where those charged have been tilling the land since 2005

Arroyo's Palparan continues to be Aquino's poster boy of impunity



After three years in hiding, retired Major General Jovito Palparan was found by agents of the National Bureau of Investigation (NBI) Anti-Organized Crime Division and the Naval Intelligence Group in a house on a crowded street in Sta. Mesa, Manila on August 12.

The arrogant general who earned the monicker “The Butcher” was almost unrecognizable. He was immediately brought to the NBI headquarters on Taft Avenue, Manila where he was surprisingly allowed to hold a press conference.

Palparan evaded arrest after the Malolos Regional Trial Court (RTC) issued a warrant for his arrest for the abduction and serious illegal detention of two University of the Philippines (UP) students Sherlyn Cadapan and Karen Empeno in 2006. He was positively identified by

witness Raymond Manalo as responsible for the enforced disappearance. To appease public restiveness over the Noyon Aquino government’s inability to take Palparan into custody, Malacañang offered a reward of PHP 2 million for any information that can lead to his arrest.

Cradled in his own “home”

On August 18, 2014, combined elements of the NBI, Philippine National Police and the military escorted Palparan to the court hearing. He sat in a corner of the

court—in bullet proof vest, kevlar helmet and surrounded by layers of armed state security elements. Military and police in full battle gear littered the Bulacan RTC premises, obviously an overkill.

In front of the victims' mothers, Linda Cadapan and Connie Empeno, and key witness Raymond Manalo, Palparan entered a plea of “not guilty.”

Citing “threat to his life,” Palparan requested to be retained at the NBI headquarters. However, the judge ordered his immediate transfer to the Bulacan provincial jail. Palparan and his lawyer complained of high security risk.

Having been in jail for only a month and despite objections from the victims' family, the witnesses and their lawyers, Palparan was transferred to Fort Bonifacio on September 15. The general came home to the military camp where his colleagues and friends could protect him.

Legal maneuvers and delaying tactics

Right from the start, Palparan's camp has been trying to beat the legal proceedings in a bid to drop the charges against Palparan and keep him out of jail.

On January 2, 2012, in his absence, Palparan's counsel Atty. Jesus Santos filed an omnibus motion for a new Preliminary Investigation, to recall the warrant of arrest and hold departure order, and suspend proceedings against Palparan. The Judge refused to entertain the motion unless Palparan submits himself to the court. A motion for reconsideration was filed by Palparan's legal counsel which the court also denied. A petition for certiorari was subsequently filed before the Court of Appeals (CA),

questioning the denial of the Malolos court to Palparan's Omnibus motion but the CA denied it with finality.

The case of Palparan's co-accused Col. Felipe Anotado and S/Sgt. Edgardo Osorio, who are already in custody, is to be resolved by the court separately from that of Palparan's.

Anotado and Osorio employed the same delaying tactics to evade prosecution to the extent of using a lame excuse of a defense lawyer having “loose vowel (sic) movement” for the failure to present the defense's witnesses.

Anotado and Osorio were supposed to present their witnesses on September 2013. But hearing after hearing they failed to present all nine witnesses whom they claimed were all in active military service. The defense lawyers cited all possible reasons for their failure to bring the witnesses to the stand such as lack of finances, lack of transportation from the field and failure of communication. Ridiculously, Anotado and Osorio even went to the extent of taking the witness stand.

Except for the Php1,000 fine each for Anotado's and Osorio's legal counsels last February, the RTC granted them endless “last chances” to present their witnesses. It was only in August, when Palparan was first brought to court, that the judge told Anotado's and Osorio's legal counsels that their right to present witnesses was already “deemed waived”.

After a year of “last chances”, on October 20, the court decided that Anotado's and Osorio's case is up for resolution. But an uppity Anotado and Osorio instead of making a formal offer of evidence instead

submitted a motion for reconsideration to present witnesses. The motion is still pending in court as of this writing.

Palparan is now seeking redress again with the CA through a petition for certiorari filed on September 26. Judge Gonzales opined that the arguments used by Palparan are the same arguments previously raised and denied by the CA in 2012. Private and public prosecutors agreed the petition is a mere rehash and is meant to further delay the proceedings.

Having succeeded in being brought home to Fort Bonifacio, Palparan filed a petition for bail on October 20, in a belief that the evidence of guilt presented was weak. RTC Malolos granted the “the Butcher's” plea and would hear his petition for bail in December.

Killing fields

Palparan's arrest brought to fore the unsolved cases of human rights violations in places where he was assigned—in Central Luzon, Calabarzon, Oriental Mindoro and Eastern Visayas. Palparan gained notoriety for the killings, torture, disappearances and other abuses as a military officer under the US-Arroyo regime. He is accountable for at least 143 documented cases of extrajudicial killings, 55 of enforced disappearance and 87 of torture in these regions. In 2006, during her State of the Nation Address, Arroyo lauded Palparan for his implementation of Oplan Bantay Laya.

“The Butcher” masterminded the killing of Karapatan-Southern Tagalog Secretary General Eden Marcellana and peasant leader Eddie Gumanoy in April 2003. The two led a fact-finding mission when they and their companions were abducted by

men wearing ski masks. Their abductors were believed to be with the 204th Infantry Battalion under the command of then Col. Palparan. Gumanoy and Marcellana were found dead the following day while their companions were released.

Murder charges were filed against Maj. Gen. Jovito Palparan, M/Sgt. Donlad Caigas, M/Sgt. Rizal Hilario and others. Palparan, Caigas and Hilario were the same military officers involved in the abduction of the two UP students in 2006. The three military officers were identified by the survivors-witnesses. The case however, did not make it beyond preliminary investigation. The DOJ, then headed by the late Raul Gonzalez, bumped off the case three times.

With all the legal remedies exhausted under Philippine laws, families of the victims filed a complaint to the United Nations Human Rights Committee (UNHRC). On October 30, 2008, the UNHRC found the Philippine government “under obligation to provide complainants with an effective remedy, including initiation and pursuit of criminal proceedings to establish responsibility for the kidnapping and the death of the victims.” It also ordered the Philippine government to: “take measures to ensure that such violations do not recur in the future”; “provide the complainants appropriate compensation”; and “submit, within 180 days (from October 2008), information about the measures taken to give effect to the Committee's resolution.”

Despite his supposed abhorrence of anything identified with Arroyo, BS Aquino has not lifted a finger to address the case of Marcellana and Gumanoy. The Philippines is a signatory to the

International Covenant on the Civil and Political Rights (ICCPR).

On June 24, 2006, Leopoldo Ancheta, a staff of the National Democratic Front of the Philippines (NDFP) in the peace negotiations was abducted in Guiguinto town, Bulacan. Palparan was the Commanding General of the 7th Infantry Division in the province. Witnesses said that Ancheta was dragged into a silver Toyota Revo with its plate number covered with a plastic bag.

Palparan's list of atrocities continued on under the US-Arroyo regime. Despite strong criticism from victims and their families, Palparan was promoted to Brigadier General on February 4, 2004.

Impunity personified

Just like Gloria Macapagal-Arroyo, BS Aquino gave recognition to military officers who are in the forefront of his counter-insurgency campaign, Oplan Bayanihan (OpBay). A hundred more Palparans in the military, some of whom served under him, sow terror in the countryside and were promoted to higher positions despite being the worst human rights violators. None of the perpetrators of crimes against the people have been convicted.

One example is Major Gen. Gregorio Pio Catapang who is the new AFP Chief of Staff. He is accountable for the massacre of the Ligiw Family in Abra on March 2, 2014 as well as the killing of Cordillera leader and human rights defender, William Bugatti, on March 5, 2010 in Ifugao where Catapang was then head of the Northern Luzon Command.

Brig. General Eduardo Año, former Chief of the Intelligence Service of the AFP (ISAFP)

was promoted as the new commander of the 10th Infantry "Agila" Division in Davao. He is accountable for the abduction and enforced disappearance of Jonas Burgos and numerous human rights violations in Central Luzon. He is currently wreaking havoc in Compostella Valley, one of the priority areas pinpointed in the US-Aquino regime's Oplan Bayanihan.

Maj. Gen. Aurelio Baladad, having replaced Lt. Gen. Rainer Cruz, is now at the helm of EastMinCom in the area considered by the AFP as the "center of gravity for the communist insurgency." Already, cases of state terrorism have been reported in the Southern Mindanao region with the Año-Baladad tandem.

Baladad was commander of the 202nd Brigade based in Rizal where he ordered the arrest of the Morong 43, a group of healthworkers who were illegally arrested, tortured and detained in 2010.

Baladad was among those sued by members of the Morong 43 for torture and other criminal acts. His promotion was nonetheless confirmed by the Commission on Appointments in July 2013 despite the fact that the case against him is still pending in court.

Maj. Gen. Ricardo Visaya was also promoted as the new Chief of the Southern Luzon Command. He came from the Cagayan de Oro-based 4th Infantry Division responsible for military abuses against the Lumad in the Northern Mindanao region. Visaya's horrific record of human rights violations includes the abduction and torture of farmers Raymond Manalo and Reynaldo Manalo in Central Luzon in 2007 by elements of 69th IBPA and the massacre and frustrated killing of Hacienda Luisita

farmers and farmworkers in November 2002, ten years ago.

The commander of the 601st Brigade when the Ampatuan massacre happened in 2009, Col. Medrado Geslani, was also promoted to brigadier general in June—five years after the horrible incident happened. There is still no clear resolution of the case.

High ranking military officers were also dropped from being respondents in the cases of human rights like what happened in the counter-suit filed by security guard Rolly Panesa. Panesa, who was illegally arrested and tortured, filed case of violations of the Anti-Torture Act and violation of the rights of persons arrested, unlawful arrest, incriminatory machination and perjury filed on September 4, 2013 before the DOJ.

But the DOJ, in a resolution, dropped from the list of respondents high ranking military officials such as Maj. Gen. Alan Luga, Maj. Gen. Eduardo Del Rosario, P/Csupt James Andres Melad, P/SSUPT Manuel Abu, and P/CINS. Reynaldo Mendoza. The DOJ argued that Panesa failed to specifically allege their participation in the crime charged. It likewise absolved lawyer Alex Alberto Popanes of the Judge Advocate General Office (JAGO) from the charge of incriminatory machination. The DOJ also found no probable cause to indict Col. Generoso Bolina, and military "witnesses" Luis Grajo Rayos, Michael Rojo Alvarado and Erwin Rosales of perjury. On June 26, Panesa filed a petition for partial review of the resolution, now pending before the DOJ.

Long road to justice

After three years of trial, outraged Palparan victims and their families stormed the Malolos RTC during his first appearance in court on August 18. They came close to "The Butcher" despite overkill security measures to protect him.

Pickets have become a regular fixture during court hearings with victims, their families and human rights advocates holding pictures of those killed and disappeared during Palparan's military operations. They all call for his immediate conviction.

A cacophony of lousy chants from Palparan's paid "supporters" also tried to "steal the show" outside the Bulacan RTC but the victims and their relatives stood their ground.

On October 30, victims and survivors of human rights violations as well as various groups and individuals wrote the DOJ to express their "extreme disappointment, if not righteous indignation over the slow progress of many human rights cases."

They said the DOJ, in effect, protected Palparan by refusing to heed the demands of the mothers of Sherly Cadapan and Karen Empeño not to give Palparan special treatment. The letter was in reaction to the DOJ's position on the transfer of Palparan to a civilian detention.

On September 29, the mothers Cadapan and Empeño, through the private prosecutors, filed a motion to transfer Palparan to a civilian detention facility which requires the conforme of the DOJ

through the public prosecutors. However, the DOJ refused to give its conforme to the motion for “security reasons”, echoing the argument of Palparan and his camp. The court denied the prosecution’s motion on September 15 and allowed Palparan to stay in Fort Bonifacio where he is currently billeted.

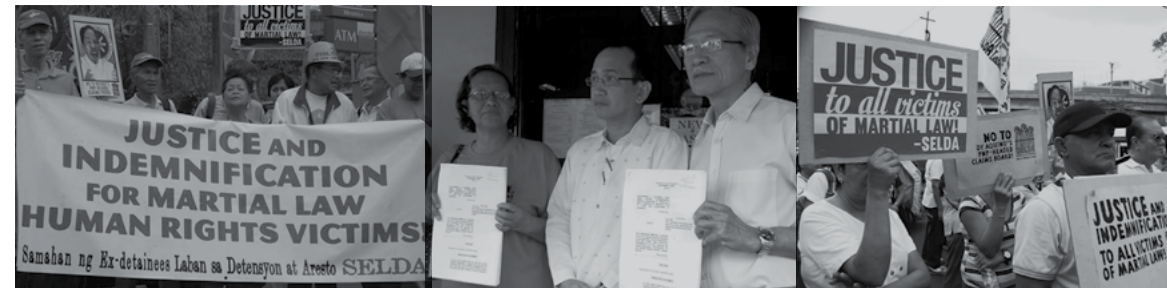
Signed by 33 individuals, the open letter to Sec. De Lima brought out the “possibility that Ret. Maj. Gen. Jovito Palparan Jr. will not be made accountable,” because “the DOJ has assumed the role of protecting Palparan...”

Aside from Cadapan and Empeño’s mothers, those who signed the open letter were: Glenda Co (wife of Leonard Co), Orly Marcella (husband of Eden Marcellana), Fr. Peter Geremia, PIME (for Justice for Pops Tentorio Movement), Dr. Merry Mia Clamor (“Morong 43”), Fr. Rex

Reyes, Secretary General of the National Council of Churches in the Philippines, Bsp. Reuel Marigza, Secretary General of the United Church of Christ in the Philippines, National Artist Bien Lumbera, artists Bibeth Orteza and Maria Isabel Lopez for the End Impunity Alliance, filmmaker Sari Dalena, human right lawyer Evalyn Ursua and, Satur Ocampo and Liza Maza of the Makabayan coalition, and Dr. Carol Araullo of Bayan.

It is still a long and arduous road to justice. Palparan’s camp in connivance with the BS Aquino government may have all the resources. They can employ all sorts of dilatory and dirty tactics but the victims and their families and their supporters will never get tired until Palparan, all of his kind in the military, and his coddler and successor to his commander-in-chief are made accountable for all their abuses and crimes.

Victims twice over



They were in the prime of their youth in the seventies. They were in the universities, communities, factories, in the fields. They studied history, ran discussion groups, worried over what was happening in their country and the world over and dreamed of a better world for generations to come. They organized in schools, factories, communities. They raised people’s political consciousness. Plaza Miranda was a freedom park where they mingled with people from all walks of life and discussed with them the issues of the day. They mobilized people, held rallies and stirred the nation. They immersed with the peasants in the countryside and the workers in the factories and learned from them. Their desire to get rid of the status quo and change the iniquitous system heightened.

Let a hundred flowers bloom, let a hundred schools of thoughts contend.

They stormed Malacañang and the halls of Congress. They marched to the US Embassy.

Down with imperialism, feudalism, bureaucrat capitalism.

The workers joined the youth. Arms linked, they poured into the streets of the cities crying out for change.

Workers of the world unite. You have nothing to lose but your chains and a world to gain.

The Establishment was shaken. Marcos and his cronies were threatened. They have a lot to lose – power and ill-gotten wealth.

Martial Law was declared on that fateful day of September 21, 1972.

Arrests without warrants, illegal detention, torture, salvaging, enforced disappearances, zoning and hamletting were the trend during those dark days in Philippine history.

Men and women among the youth and workers left the cities and joined the peasants in their agrarian war.

They were the ones who laid the foundation for the popular people uprising in February 1986. The lives they offered and the sacrifices they endured were valuable contributions that led to the overthrow of a US-backed dictator and end of the grim reign of corruption and terror.

They were the martial law victims.

The new battleground

After more than a decade of campaigning and lobbying by the martial law victims and their relatives with the support of human rights and people's organizations, the Human Rights Victims Reparation and Recognition Act of 2013 (Republic Act 10368) was finally passed by the upper and lower houses of the Philippine Congress. President Noynoy Aquino signed it into law on February 25, 2013 in an effort to deodorize the dismal human rights record of his administration.

It took three congresses before the bill could be passed due to strong objections from the military, pressure from the family of the dictator Ferdinand Marcos and lack of support from Malacañang. What finally bore fruit were the relentless campaigning for public support and lobbying of the martial law victims themselves, the human rights organizations especially SELDA (Samahang ng Ex-Detainees Laban sa Detensyon at Aresto) and the progressive party lists led by Bayan Muna, Gabriela and Anakpawis

But after having been passed the law went into hibernation for almost a year when Noynoy Aquino failed to appoint the members of the Human Rights Victims Claims Board (HRVCB or Claims Board), totally ignoring the nominees of SELDA. As soon as the year 2014 set in, SELDA members and other martial law victims put additional vigor to the protest actions and lobbying it started to push for the law's implementation right after it was signed.

Due to the persistent clamor of the victims, Aquino finally constituted the Claims Board in February 2014. It was mandated to draft the Implementing Rules and Regulations (IRR) and implement the Act.

Several issues arose in the formation of the HRVCB and its implementation of the law. Among them were the appointment of a former police general as head of the Board which the martial law victims saw as a slap on their faces, the chaotic application process the ML victims have to go through, and at the heart of the matter, the (non)implementation of the "conclusive presumption" clause of the law and the resultant delisting of the class suit plaintiffs who won their case against Marcos in a Hawaii court.

Conclusive presumption

The Claims Board has repeatedly refused to state categorically and publicly that it recognizes as automatic beneficiaries of RA 10368 the 9,539 members of the Hawaii class suit and the 24 direct action plaintiffs against Marcos who won the case they filed in the sala of Judge Manuel Real in Honolulu, Hawaii.

After all, the series of bills on recognition and indemnification came about to ensure that part of the recovered Marcos stolen wealth be given to the martial law victims in the spirit of the Hawaii decision and the stipulation by a Swiss bank which turned over discovered Marcos account to the Philippine government, confirmed by a Swiss court. Through the years that SELDA worked for the passage of a law, it fought for the automatic inclusion as martial law victims of the class suit members and the 24 direct action plaintiffs. SELDA succeeded in its bid when the "conclusive presumption" clause was included in the final version of the law.

Corollary to the automatic recognition of the 9,539 class suit members plus the 24 original plaintiffs, SELDA asserts that they should go through a simpler and shorter process. In the first place, they already went through the tedious and mostly traumatic experience of recalling their harrowing experiences. They have proven themselves as martial law victims and have been recognized by a court of law.

Delisting of martial law victims

SELDA's persistence on the categorical and specific coverage of the 'conclusive presumption' clause of the law is due to

the delisting that preceded the enactment of Republic Act 10368.

The dropping of victims' names from the original Hawaii list was done arbitrarily by Atty. Robert Swift, whom the Hawaii court appointed as class counsel. The lame reason given was that they did not reply to a second letter-announcement sent by the court through Swift's office. But many of the delisted victims did not receive such a notice because they have changed address or due to the inefficient postal system in the Philippines which definitely does not reach far flung villages where victims from the provinces resided.

The first time, the list was reduced to 7,526 or a delisting of about 2,000 Hawaii plaintiffs when Swift distributed US\$ 1,000 each from the settlement agreement with Marcos crony, Jose Y. Campos. This number was further reduced to 6,589 when a second compensation of US\$ 1,000 was distributed by Swift from the settlement with the buyer of a Monet painting.

Among those delisted from the list are well known martial law victims like Jose Maria Sison, Satur Ocampo, Boni Ilagan, Fidel Agcaoili, Eman and Pete Lacaba, Carol Araullo, Judy Taguiwalo, among many others.

The delisting of 2000 – 3000 ML victims is tantamount to denying them their right to be recognized and compensated under RA 10368.

A major problem that the Claims Board has not been able to solve is the absence in its hands of a certified true copy of the original list of the Honolulu Court. The martial law victims perceive lack of due diligence on the part of the Claims

Board. Worse, Swift is said to have a copy of the list which he refuses to share with concerned parties like the Claims Board and SELDA.

Said list is essential in implementing the 'conclusive presumption' provision of the law. Names of claimants can simply be compared to what are in the list, and all one has to do is to prove that he or she is that person.

Without categorically specifying coverage of the 'conclusive presumption' clause and without the original Hawaii list, the 9,539 victims and the 24 direct action plaintiffs will almost be treated as a new applicant who will undergo a tedious process of having to once more prove themselves as martial law victims. Requiring them to submit many documents is putting them on trial all over again when the Court has already handed its final judgment and indubitably recognized them as martial law victims.

The chaotic procedure

The martial law victims confronted tremendous difficulties in filing their claim applications, particularly in the regions. Based on actual observation in a couple of regions, the following problems were encountered.

The Claims Board failed to sufficiently circulate prompt and proper information. Most claimants did not know where the HRVCB was accepting claims, what documents to bring and steps to follow.

Also, the Claims Board staff stayed only two to three days in a place where there are a thousand applicants. As a result, hundreds could not be processed. This is another unjust act against the victims who came from distant places, some of whom borrowed money for their fare.

No one from the Claims Board was present thereby problems could not be solved with just the lawyer and paralegals present. More, they rigidly stick to their flawed system and are defensive when being given suggestions to improve the process.

The impatient and brusque treatment given the victims is deplorable. Many martial law activists are old now—hard of hearing, slow in reading and writing, sometimes even in understanding. Some need translators or interpreters in the vernacular. Instead of being assisted, they are snapped at. Many are not treated with the respect due them.

The lack of foresight, inefficiency and attitude of those implementing the law has turned the process of claim application into chaos, and the victims treated like mendicants scrambling for crumbs. This is contrary to the spirit of the law that aims to restore the "honor and dignity" of the victims.

Sarmiento's appointment

After the long wait and to the disappointment, even disgust, of most martial law victims, Aquino appointed as Chair of the HRVCB Gen. Lina Castillo Sarmiento, a retired two-star general of the Philippine National Police (PNP), the precursor of which is the infamous and dreaded Philippine Constabulary during martial law. The appointment once more blurred the lines separating Aquino and Marcos.

The appointment of Gen. Sarmiento is a mockery of the courageous and self-sacrificing struggle that the martial law victims waged against a dictatorship. It dampens the hard-earned gains in their

pursuit of justice. It is salt rubbed on the victims' unhealed wounds.

RA 10368 is explicit that among the qualifications of the members of the Claims Board are: "a deep and thorough understanding and knowledge of human rights and involvement in efforts against human rights violations during the regime of former President Ferdinand E. Marcos." It also stated that the members should "have a clear and adequate understanding and commitment to human rights protection, promotion and advocacy." Gen. Sarmiento served in the defunct Philippine Constabulary (PC) which, together with the Armed Forces of the Philippines, was the machinery of Marcos during martial law. The PC was notorious for heinous crimes and gross human rights violations.

Led by Bayan Muna former representative Satur Ocampo, a longtime political prisoner under martial law, a petition for certiorari was filed before the Supreme Court on February 25, 2014 to nullify the appointment of Sarmiento. The petitioners included Bayan Muna Rep. Neri Javier Colmenares, Bayan Chair Dr. Carol Araullo, Trinidad "Ka Trining" Repuno, Tita P. Lubi and Josephine Dongail. The Supreme Court has still to act on the petition.

Time is up for the martial law victims as the deadline for submission of claim applications ended on November 10, 2014. However, it is expected that the House of Representatives and the Senate will approve the amendment extending the period of filing to six months or until May 2015.

The Aquino government's convoluted logic and facility for breaking and not implementing laws is understandable as this is nothing new. What is difficult to accept is its impudence in treating the martial law victims. They, who have suffered much. They, who have made it possible for a tyrannical reign to stop – for Cory and Noynoy Aquino to hold the reins of government. The martial law victims, many of whom are still fighting for fundamental changes in society, are still being treated as 'enemies of the state.'

The victims of Marcos martial law are now in the sunsets of their lives. Many have gone before us. Many are still missing. But their battles are far from over. Justice remains elusive. Their aspiration to dismantle this iniquitous system and bring about fundamental changes in society remains a dream. It is upon the new breed of youth today to take on the challenge and have that dream realized.



THE LEGISLATION OF THE INDEMNIFICATION BILL IS AN OFF-SHOOT OF THE PURSUIT FOR JUSTICE OF THE MARTIAL LAW VICTIMS AND THEIR FAMILIES. Led by SELDA, they earlier filed a class action suit against the dictator Ferdinand E. Marcos on April 7, 1986 in the Federal District Court of Pennsylvania. The suit was remanded to the Federal District Court of Honolulu, Hawaii where the Marcos family were brought by the US.

It took more than half a decade before the US Federal Court finally decided on the case in favor of the 9,539 victims who filed the class suit and the 24 direct action plaintiffs whose cases were consolidated with the class suit. Having found Marcos guilty of gross human rights violations, the court on September 22, 1992 ruled that the Estate of Marcos pays damages to the victims. The decision on that first- ever-filed case against the dictator Marcos has conclusively presumed them as martial law victims of human rights violations.

The Federal courts decision, which was upheld by the US Supreme Court in March 1997, is a landmark jurisprudence that serves as a legal precedent the world over for human rights victims to take refuge in and for present and prospective dictators to be warned of.

Since the Federal Court ruling could not be enforced in the Philippines as a sovereign State, a Philippine legislation is necessary.

The legislation of the recognition and indemnification of martial law victims was a painstaking task. After the Bayan Muna party list filed the bill in Congress in mid-2001, SELDA has persistently and relentlessly lobbied for its passage into law. The bill aimed for the government to take cognizance of the crimes of Marcos and give recognition to the heroism and sacrifices of the victims of human rights violations and their contribution in the defense of democracy. The reparation is just a component incidental to their pursuit of justice.

The local battle continued

While it took more than a decade to win the case in the US courts, it likewise counted a decade before the indemnification bill was legislated. SELDA's continuous lobby included endless discussions with lawmakers on the contentious provisions in the draft bills. SELDA went through three bicameral proceedings and exerted efforts to win over the independent-minded lawmakers to consider the human rights victims' viewpoint on the provisions and language of the consolidated bills.

Even the National Democratic Front of the Philippines (NDFP) brought the indemnification issue in the peace talks with the Philippine government. It negotiated for the inclusion in the Comprehensive Agreement on Respect for



Human Rights and International Humanitarian Law (CARHRIHL) the responsibility of the Philippine government to recognize and respect the rights of the victims for justice and indemnification. Article 5 of the CARHRIHL, which was signed in 1998 between the Government of the Republic of the Philippines (GRP) and the NDFP, provides that:

The Parties hereby respect and support the rights of the victims of human rights violations during the Marcos regime taking into consideration the final judgment of the United States Federal Court System in the Human Rights Litigation Against Marcos, Senate Resolution 1640, Swiss Supreme Court Decision of 10 December 1997; and pertinent provisions of the U.N. Covenant on Civil and Political Rights and the 1984 U.N. Convention Against Torture.

This is also manifested in the Oslo Joint Statements signed on February 14, 2004 and April 3, 2004, respectively, by the GRP and NDFP and attested to by the Royal Norwegian Government as Third Party.

Finally, on January 23, 2013, the Bicameral Committee of the Philippine Congress approved the version of the law that is acceptable to the majority of the victims. The law recognizes those who took up arms and the involuntarily disappeared as Human Rights Violations Victims (HRVVs). The “conclusive presumption” is also adopted to refer to members of the Hawaii class suit and the direct action plaintiffs. The HRVVs recognized by the Bantayog ng mga Bayani Foundation are likewise accorded the same “conclusive presumption”.

Hecklers and hooligans



Labeling the angry young people “hecklers” and “hooligans” for confronting the ills of society and daring to change it has given dignity to the semantics of the words. At least the terms are not synonymous to plunderer, thief, liar, fascist, tyrant, sycophant, puppet.

The idealistic youth regards plunder of public funds, that could have gone to save lives of the sick, educate the youth and feed the hungry, as unethical, irresponsible and shameful. The youth activist sees this as immoral, an affront to the life and future of a people and a subversion of the trust given those who should have guided and governed them, thus should be nipped and chastised.

The youth activists are hecklers wanting to exorcise the spell of ambition and greed of their nation’s debased leaders.

They are hooligans wanting to dismantle a rotten oppressive and exploitative order.

On June 12, 2014, a student from Ateneo de Naga University, Pio Emmanuel Mijares, unfurled a banner with a slogan ‘Education for All’ and ‘Aquino pork barrel king’ while B.S. Aquino delivered his Independence Day speech in Bicol. Mijares is a member of the anti-pork Youth Act Now and the Kabataan Partylist which also calls for the dismantling of the pork barrel system. Mijares was dragged, punched, gagged

with the banner he carried and arrested without being informed of the reason why. He was then charged with tumults and other disturbance of public order, as well as direct assault. He could not have fought back the armed authorities but the shirt he was wearing said them all—“At times you have to shout to be heard by those who play deaf”.

At the State University, on September 17, the students accosted Budget Secretary Butch Abad after coming from a forum on the national budget process, where he defended the controversial Development Acceleration Program (DAP) and the pork barrel system. The enraged students hurled crumpled paper balls and coins shouting slogans and invectives. Some members of the faculty of the School of Economics condemned the act as “hooliganism”, violating decency and courtesy, and a “blow to UP’s honor”.

Respect is earned. Civility and decorum are accorded only to those who deserve them. Rage is the height of anger and frustration, an emotion stripped of bourgeois pretensions.

The students, wanting to give their all for the country and the people, shed their bourgeois values, to challenge the rotten bureaucrat capitalist system now represented by Aquino and Abad.

Priority Development Assistance Fund (PDAF), Social fund and Special Purposes Fund (SPF)

The issues that fueled a nation’s protest and fired youth activism once more are the scandalous congressional and presidential pork barrels.

All the fixed lump-sum funds in the general appropriations, whatever their

names are, are pork barrel—the PDAF is for the congressmen and senators, the social fund and SPF are for the President. They are spent according to their whims. They are meant to perpetuate their political power through patronage and their economic interests through bribes, kickbacks and commissions.

The pork barrel system is a legacy of the US colonizer to co-opt the local rulers it has placed in power and to ensure protection of US political and economic interests in the country. The pork barrel system breeds corruption. Corruption and political patronage are ingrained in the bureaucrat capitalist order, where the bureaucrats run the government like their own business enterprise, using its resources and machinery to enrich and entrench themselves in power. The thing is they are raiding the public coffer to which the poor had contributed their lifeblood earnings for the country’s welfare, not to glut the rich’s greed.

Corruption hinged to the pork barrel has long been a public knowledge. But the magnitude, brazenness and brusqueness of the pork barrel scam pulled by Janet Lim Napoles and her bogus NGOs opened a pandora’s box. The accidental revelation by a whistleblower shocked, insulted and enraged a nation. With Noynoy Aquino’s defense of the PDAF and his leniency to the offenders, he himself lost credibility, sending his shaky popularity ratings down.

Disbursement Acceleration Program (DAP)

The “tuwid na daan” (righteous path) has reached the long and winding road. Again, an accidental revelation came up during the privilege speech

of a senator. So there is this so called Disbursement Acceleration Program (DAP) fund distributed by Malacañang to senators apparently for a “yes” vote to the impeachment of Chief Justice Renato Corona.

It appears that the DAP, concocted by Budget Secretary Florencio Abad, has been in existence since 2011 and given to favored house representatives, senators and executive departments. The fund comes from savings of various departments and juggled to serve the purpose that Malacañang chooses. In Abad’s own admission, savings were used to disburse an additional PhP50M–PhP10M to each senator and PhP10M to each congressman. It is another discretionary fund of billions of pesos for the Office of the President.

As in the case of the PDAF, the Supreme Court struck down the DAP and ruled that some of its parts are unconstitutional, hence its disbursement, not having been appropriated and approved by Congress, is illegal. But B.S. Aquino, in his arrogance and obstinate ways, continued to defend DAP and his Budget Secretary claiming that the high tribunal has become “too powerful” and that “someone needs to reassert executive authority”. He even attempted to pit the legislature with the high tribunal which would not only put the check-and-balance system of governance at risk but would undermine whatever democracy there is. Aquino wants to “clip the powers of the judiciary” in retaliation for its ruling of the PDAF and DAP, and earlier on Hacienda Luisita which the Cojuangco clan is clinging to. Malacañang even floated the idea of amending the 1987 Constitution which gives him an opening to run for a second term in 2016.

B.S. Aquino’s claim that the DAP stimulated the economy is a big lie. According to IBON Foundation, DAP was just 0.9% of GDP in 2011, 0.6% of GDP in 2012 and 0.1% in 2013. The 1.3 percentage points out of the 4.0% GDP growth reported in the fourth quarter of 2011 is not just of DAP but of total government consumption and public construction during the period. Presidential pork barrel, such as the DAP, which are meant for political patronage and to boost political and economic power of those in the helm of government, could not be a stimulus to the economy.

Some of those that DAP funded, which stimulus impact is doubtful, are: PhP30B capital infusion to the BSP (Philippine Central Bank), PhP750M to settle the National Power Corporation (Napocor) tax liabilities, PhP5.4B for landlord compensations, PhP1.1B for human resources development of BPOs which are low domestic value-added and 90% foreign-owned.

Others are those meant to oil Aquino’s killing machine and worsen human rights abuses, such as: PHP666M for the Department of National Defense (DND), PhP1.5 B for the Cordillera People’s Liberation Army (CPLA), PhP8.6B for ARMM peace and development interventions. The Office of the Presidential Adviser for the Peace Process admitted receiving PhP248B in 2012 for development projects of known paramilitary groups.

The issues on the PDAF and DAP went viral.

Hounded in Europe and USA

B. S. Aquino's visit to Europe from September 14-20 was met with indignation by concerned citizens and residents of Europe. Aside from the real purpose of his visit, which were to lift the sinking image of his regime and "beg for political and material support", questioned likewise were the various scandals confronting his administration, such as the trillions of public funds which were diverted from essential social services to "pork barrel" to benefit his allies; the criminal negligence and incompetence in the relief and rehabilitation of victims of typhoon Haiyan; and dismal human rights situation, among others.

At the Columbia University in the USA also in September, Aquino was hounded by protesters during a forum where he was guest speaker. Young Filipino-Americans with Anakbayan – New Jersey, the New York Committee for Human Rights (NYCHR) and Gabriela – New York threw questions at him on the pork barrel scam, the botched relief operations for typhoon Haiyan victims and human rights violations in the Philippines. A banner that read "End Impunity. Stop the Killings." was raised by young activists. A young lady, who had been to Hacienda Luisita and personally witnessed the plight of the farmers, castigated Aquino for the massacre of farmers which happened there. She cried, "Justice, Peace, Stop the Killings in the Philippines!" It will be noted that the Philippine Supreme Court has already ruled positively on the distribution of the land to the HLI farmers, but the Cojuangco-Aquino clan keeps on duping and denying the farmers what is due them.

Outside the venue, rallyists unfurled a banner reading, "Oust Aquino, Pork Barrel King".

Aquino and his buddies, Department of Social Work Secretary Dinky Soliman and Philippine Ambassador to the US Jose Cuisia scurried away from the campus as protesters chanted "Justice, Peace, Stop the Killings in the Philippines."

Pelting with crumpled paper balls and shouting slogans and even invectives have no comparison to the bullets that senselessly snuff out lives and lies that shatter dreams. Robbing the public coffer to further enrich and feed the political ambitions of those in the seats of power deserves more than crumpled paper balls and coins, more than invectives and howl, more than heckling and hooliganism.

Their families' pride, the people's comrades

The vim and vigor of the youth are boundless. The hecklers and hooligans are idealists dreaming of a perfect world for the future.

To Guiller Cadano and Gerald Salonga, a perfect world would be for the farmers to have their own land. Both are from the UP Diliman Extension Program in Pampanga. Cadano graduated with a Business Administration degree, while Salonga is a graduating student in Psychology. To them, the organizing and research work they do as volunteers of the Alyansa ng Magbubukid sa Gitnang Luzon (AMGL) is a way of working out the future.

Boy Cadano, Guiller's father and a retired bank employee, has this to say to his son: "He is a consistent honor student,

he graduated valedictorian in high school and cum laude in UP. That he chose to help the farmers is not a crime. I'm proud of him."

In 2013, Rendell Ryan Edpan Cagula or Perper, a Kabataan-Southern Mindanao coordinator and a member of Youth Act Now-Davao, called for the abolition of the pork barrel system and the rechanneling of funds to education and other social services for the people. He urged the students in Davao City to take a stand and join the protests. Cagula was a visible figure in the protest campaign against pork barrel.

On November 3, 2014, Cagula was killed in an encounter between the New People's Army and the AFP in Sitio Tubac, Barangay Nomoh, Maasim town, Sarangani province. He was 23 years old.

The former president of the University Student Council of the University of the Philippines-Mindanao spent 11 months in the mountains—teaching, at the same time learning from, the Lumad.

"My son, Perper, had always been a leader, a frontliner," proudly announced by his mother Marina in a news interview.

Teaching them how to read and write was also among the things the Cordillera people remember about Recca Noelle Monte. Recca was with the New People's Army. She and her unit "led campaigns on literacy and numeracy; on harnessing water resources to give indigenous homes electricity; on protecting mineral resources in ancestral lands," said Jang Monte, Recca's sister.

Recca was an Engineering student at the University of the Philippines-Diliman. Her family takes pride in how bright a student

she was—a valedictorian in elementary school and a silver medalist at the Manila Science High School. She passed the InterMed (Integrated Liberal Arts and Medicine) program at the UP.

In a tribute held for Recca on the 40th day of her killing, her father Noel Monte Sr., who is a retired officer of the Philippine Navy, said, "I am a proud father of a proud member of the New People's Army. I have never been prouder of my daughter as I am now."

Recca served the people of the Cordilleras for 10 years till her untimely death in September.

Arnold "AJ" Jaramillo was with Recca when he was slain in Lacub, Abra. In one of the tributes to AJ, his wife Cythia read a letter for her two children. The letter was from an unnamed person.

"Your father was no doubt Abra's man. There is so much Abra in him and Abra has so much of him. When the time comes when you get to visit the place, hug the people tight – they loved your father in a way no one among us can love him. They loved him because he was one of them, fought for them, lived his life like them so they could change their lives for the better. When he died, some houses closed some rooms permanently; they said in the dialect "that place is only for Ka Mando." These were the rooms he used for office work when he had to write. The Tingguians believe the barrios are forever positively haunted by his spirit."

In a way, Cynthia said, it's true. "*Umiiyak ang mga matatanda, bata, babae, lalake. Like us, naulila sila* (The elders, children, women, men cried. Like us, they were orphaned.)"

AJ, in the 1980s, was a student leader at the University of the Philippines-Baguio. He spent 14 years in the mountains of Cordillera.

The enlightened youth exemplified recently by UP alumni Recca Monte and

Arnold Jaramillo and Perper Cagula are determined to give their all—fervor and vigor, life and future—in the service of their country and people. They take up arms and boldly confront the savage system toe-to-toe.

ACRONYMS

AFP	Armed Forces of the Philippines	EastMinCom	Eastern Mindanao Command
Ambala	Alyansa ng Manggagawa sa Asyenda Luisita	ED	Enforced Disappearance
AMGL	Alyansa ng Magbubukid sa Gitnang Luzon	EDCA	Enhanced Defence Cooperation Agreement
APFU	Application to Purchase and Farmworkers' Undertaking	EJK	Extrajudicial Killing
Bayan	Bagong Alyansang Makabayan (New Patriotic Alliance)	FWB	Farmworker Beneficiaries
Bgy.	Barangay (community or village)	GAA	General Appropriations Act
BJMP	Bureau of Jail Management and Penology	GPH	Government of the Republic of the Philippines
BJMP-NHQ	Bureau of Jail Management and Penology-National Headquarters	HLI	Hacienda Luisita Incorporated
BSP	Bangko Sentral ng Pilipinas	HRVCB	Human Rights Victims Claims Board
Bsp.	Bishop	IB	Infantry Battalion
CA	Court of Appeals	IBPA	Infantry Battalion, Philippine Army
CAFGU	Civilian Armed Forces Geographical Unit	ICCP	International Covenant on Civil and Political Rights
CARHRIHL	Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law	ICHRP	International Coalition for Human Rights in the Philippines
CARP	Comprehensive Agrarian Reform Program	ID	Infantry Division
CBA	Collective Bargaining Agreement	IDF	Investment Defence Force
CCTV	Close-circuit Television	IDPA	Infantry Division, Philippine Army
CHR	Commission on Human Rights	IED	Improvised Explosive Device
CIDG	Criminal Investigation and Detection Group	IHL	International Humanitarian Law
Cordis-RDS	Cordillera Disaster Response and Development Services	IRR	Implementing Rules and Regulations
CPLA	Cordillera People's Liberation Army	ISAFP	Intelligence Service of the Armed Forces of the Philippines
CPP	Communist Party of the Philippines	Jabafa	Janiuay-Badiangan Farmers Association
CRC	Children's Rehabilitation Center	JAGO	Judge Advocate General Office
CTUHR	Center for Trade Union and Human Rights	JASIG	Joint Agreement on Safety and Immunity Guarantees
DAP	Disbursement Acceleration Program	JMC	Joint Monitoring Committee
DAR	Department of Agrarian Reform	Kalahi-CIDSS	Kapit Bisig Laban sa Kahirapan-Comprehensive Integrated Delivery of Social Services
Desaparecidos	Families of Desaparecidos for Justice	Karapatan	Alliance for the Advancement of People's Rights
DILG	Department of Interior and Local Government	Kasalo-CARAGA	Kahugpungan sa mga Lumadnong Organisasyon sa Caraga
DND	Department of National Defense	Kasama	Kahugpungan sa mga Mag-uuma
DOJ	Department of Justice	KMP	Kilusang Magbubukid ng Pilipinas (Peasant Movement of the Philippines)
DSWD	Department of Social Welfare and Development	KMU	Kilusang Mayo Uno (May First Movement)
EANP	Ecumenical Advocacy Network on the Philippines	LISP	Light Industry and Science Park
		MAPASU	Malahutayong Pakigbisog Alang sa Sumusunod

MDT	Mutual Defense Treaty	PGH	Philippine General Hospital
ML	Martial law	PILC	Public Interest Law Center
MLSA	Mutual Logistics and Support Agreement	PLACE	Pro-Labor Legal Assistance Center
MNC	Multinational Corporation	PNP	Philippine National Police
MOA	Memorandum of Agreement	Pumalag	Ugnayan ng mga Magsasaka sa Laguna (Unity of Peasants in Laguna)
MUFAC	Municipal Farmers Association in Carigara	RDO	Relief Delivery Operation
NAFLU	National Federation of Labor Unions	RMP	Rural Missionaries of the Philippines
NAMADDS	Nagkahiusang Mag-uuma sa Davao del Sur	RPA-ABB	Revolutionary Proletarian Army-Alex Bongcayao Brigade
NCIP	National Commission on Indigenous Peoples	RTC	Regional Trial Court
NDFP	National Democratic Front of the Philippines	SC	Supreme Court
NGO	Non-government organization	SCAA	Special CAFGU Active Auxiliary
NICA	National Intelligence Coordinating Agency	Selda	Society of Ex-Detainees Against Detention and Arrest
NIPAR	New Indigenous People's Army Reform	SENTRA	Sentro para sa Tunay na Repormang Agraryo
NMR	Northern Mindanao Region	SICA	Special Intensive Care Area
NPA	New People's Army	SOCFAND	South Cotabato Farmers Association for Development
NSC	National Security Council	SolCom	Southern Luzon Command
NUPL	National Union of Peoples' Lawyers	SOS	Save Our Schools
NXPSCI	NXP Semiconductors Cabuyao Inc.	SPF	Special Purposes Fund
NXPSCIWU	NXPSCIWU	STPC	Southern Tagalog People Corps
NYCHR	New York Committee for Human Rights	STTICLC	Salunungan Ta Tanu Igkanugon Community Learning Center
OFW	Overseas Filipino Worker	TADECO	Tarlac Development Corporation
OPAPP	Office of the Presidential Adviser on the Peace Process	TCJ	Taguig City Jail
OpBay	Oplan Bayanihan	TK	Timog Katagalugan (Southern Tagalog)
PA	Philippine Army	TNC	Transnational Corporation
Pamana	Payapa at Masaganang Pamayanan (Peaceful and Prosperous Communities)	TPPA	Trans-Pacific Partnership Agreement
PC	Philippine Constabulary	TRO	Temporary Restraining Order
PDAF	Priority Development Assistance Fund	UNHRC	United Nations Human Rights Council
PFTC	Panay Fair Trade Center	UNICEF	United Nations Children's Emergency Fund
		UP	University of the Philippines
		US	United States



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