



# OPLAN BANTAY LAYA

**BLUEPRINT FOR TERROR AND IMPUNITY**

**KARAPATAN 2009 REPORT**  
on the Human Rights situation in the Philippines

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**2009 YEAR-END REPORT**  
ON THE  
**HUMAN RIGHTS SITUATION IN THE PHILIPPINES**



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Oplan Bantay Laya (OBL) is by far the bloodiest and most brutal counter-insurgency campaign unleashed on the Filipino people by any president. Gloria Macapagal-Arroyo and her state security forces will long be remembered for having created a generation of victims of human rights abuses and of having deprived people of their lives and security. GMA fosters a reign of terror and climate of impunity that encourage even her warlord minions to massacre scores of men and women including journalists, broadcasters and two women lawyers in a gruesome carnage in Ampatuan, Maguindanao last November 23.

Her OBL's criminality is unparalleled as it lumps together as targets the armed revolutionary movement, the legal, democratic organizations which have been historically in the forefront of the protest movement in the country, media and the political opposition.

OBL's murderous attacks are done with impunity. Its victims and their families continue to be denied justice. The almost nine years of the U.S.-backed Arroyo government is characterized by the use of its military for political repression coupled with deception to cover up the gross human rights violations committed against the Filipino people.

Like the years 2005 - 2006 as OBL 1 approached its deadline, 2009 - 2010 are critical as OBL 2 approaches its end-implementation. President Gloria Macapagal-Arroyo (GMA) and the Armed Forces of the Philippines (AFP) will surely rush to meet the touted OBL goals by 2010 especially since they are far from fulfilling their objectives, particularly their military targets. OBL 2's thrust remains to be the "dismantling (of) the political structure of the communist terrorist group" through neutralization (physical elimination) of perceived "enemies of the state," whether combatants, social activists, media persons, church people, lawyers or doctors.

Still, OBL is doomed to fail just like any program that goes against the people. There will always be protest and resistance especially from the most economically deprived and politically marginalized sectors. The defiant people will always be encouraged and bolstered by the strong public outcry here and abroad against the militarists and human rights violators.

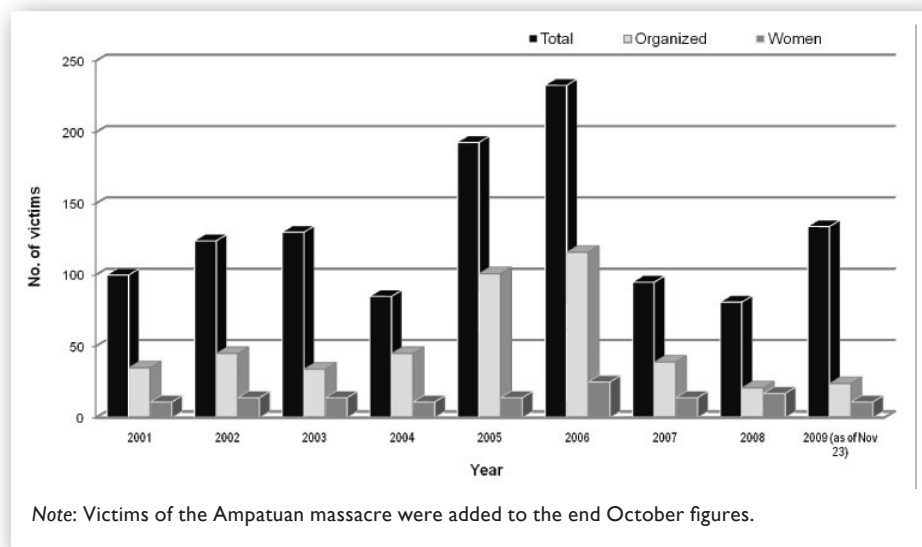
**From the time GMA assumed the presidency through People Power II in 2001 and up to 31 October 2009, there are a total of 1,118 victims of extrajudicial killings (EJK) and 204 who have been forcibly disappeared and are still missing. With the 57 victims of the Ampatuan massacre in November 23, the 2009 EJK total has surpassed those in all the years of GMA's rule except in 2005 and 2006.**

Only a criminally minded President and a killing machine AFP will boast of an improvement in its human rights record when the trend in political killings has been reduced to once a week in 2007 and 2008 from once every other day in 2006. Only a cold-blooded President

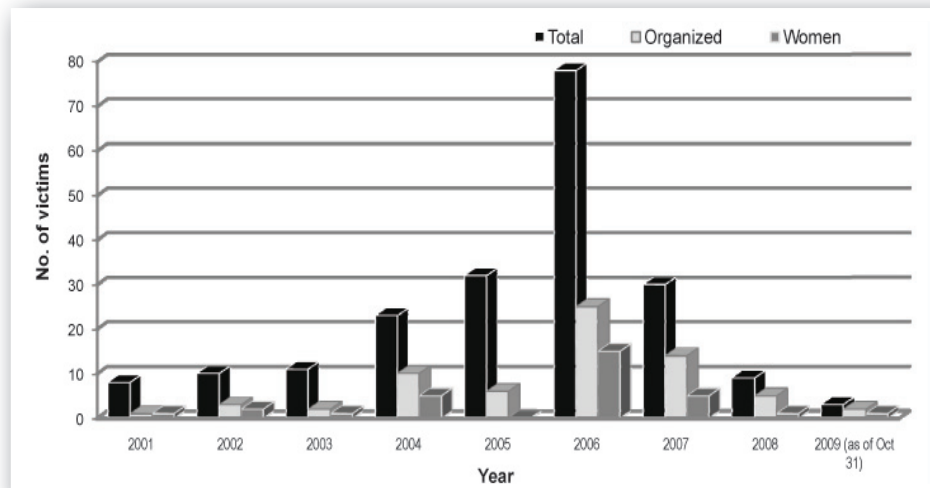
and a terrorist AFP will boast of an improvement in its human rights record when enforced disappearance occurred “only” twice a month in 2007 compared to the six cases per month in 2006.

**Because of strong national and international condemnation, the U.S.-Arroyo regime had to temporarily de-escalate extrajudicial executions and involuntary disappearances but shifted to illegal arrests which increased by 109 incidents (by 48%) in 2007 and 94 (by 42%) in 2008 compared to 2006.**

**Chart 1**  
**Victims of Extrajudicial Killing under the GMA Presidency (by year)**  
*January 21, 2001 to November 23, 2009*



**Chart 2**  
**Victims of Enforced Disappearance under the GMA Presidency (by year)**  
*January 21, 2001 to October 31, 2009*



## State Terrorism Intensifies Under OBL

Human rights violations in 2009 are numerous and varied and no sector of society is exempted. They belie the Arroyo government's claim, echoed by the U.S. State Department Secretary Hilary Clinton, that steps have been taken to improve the Philippine government's human rights record. Masked motorcycle-riding gunmen continue to shoot and abduct victims in urban areas, while uniformed soldiers did the same as they created terror in remote villages.

### Unparalleled massacre in Ampatuan

At least 57 people were waylaid and "salvaged" or summarily executed allegedly by more than a hundred of the Ampatuan clan's private army consisting of members of the CAFGU (Civilian Armed Forces Geographical Units) and CVO (Civilian Volunteers Organization) in collaboration with the local units of the Philippine Army (PA) and Philippine National Police (PNP). This happened in Ampatuan, Maguindanao on November 23. Among the victims were women members of the opposition party challenging Ampatuan's rule in the province, 30 media people and two women public interest lawyers.



Authorities recovered the wrecked vehicles of the victims, which were hastily dumped and buried along with the victims' bodies.

The Ampatuan massacre was a carnage waiting to happen with the Arroyo government's zealous implementation of OBL. Formation of paramilitary groups, which act as auxiliary units of the PA and PNP, is part of OBL's counter-insurgency design. They have been tagged, together with the military and the police, as perpetrators of gross human rights violations nationwide.

Now the country is jolted by a brutal crime ostensibly committed by a private army of a warlord in one of the so-called election hotspots in the country. But the Ampatuan massacre is not a simple election-related violence. It has been referred to as an act of "brutal ruthlessness all in the name of power." The Ampatuans have banked on GMA's unwavering "friendship". After all, they delivered the fraudulent votes she needed to beat her main presidential opponent in 2004 and conjure a 12-0 win for her senatorial slate in 2007. Taking the cue from Malacanang's state terrorism and the culture of impunity that prevails among the ruling class, the Ampatuans did not hesitate to commit mass murder.

### A first in post-martial law era: the killing of a Roman Catholic priest

For the first time since the Marcos Dictatorship, a Catholic priest was assassinated in the morning of 6 September 2009. Based on testimonies of witnesses, **Fr. Cecilio Lucero**, 48, was driving a maroon Toyota van in Brgy. Layuhan, San Jose, Northern Samar when he was ambushed by



five men. The perpetrators waited on both sides of the road at the San Jose Public Cemetery then fired at the priest's passing van.

The armed men chased the van as it crisscrossed out of control. As it came to a halt, three of the men approached and again fired at the vehicle, while the two others ran to the hilly part of the area. Fr. Lucero sustained multiple gunshot and shrapnel wounds in his head and body. One of his companions was wounded and is in critical condition while the other was unhurt. The three came from a wedding which Fr. Lucero officiated as celebrating priest and also as principal sponsor.

Before the ambush, witnesses had ignored the perpetrators as they sat on the tombs by the road, assuming they were just ordinary military men. They all wore ski masks and backpacks and carried long firearms.

A few days before the incident, on September 4 at around 8:00 p.m., soldiers who introduced themselves as members of the 63<sup>rd</sup> Infantry Battalion, Philippine Army (IBPA) arrived at the convent in Catubig, Northern Samar where Fr. Lucero lived. Five of them were heard by a convent helper talking to the priest about an incident in Lope de Vega, Northern Samar. Fr. Lucero had then just given sanctuary to a victim who survived a strafing, which killed two farmers. The priest was heard raising his voice, after which the soldiers left.

Fr. Lucero had taken up the cudgels for victims of military abuses in the province. The priest used to give his mobile phone number to representatives of peasant organizations so they could report cases of abuse to him. Whenever there were reports of human rights violations, he would rush to the abusive soldiers' camp or the 803<sup>rd</sup> Infantry Brigade Camp in Catarman, Northern Samar and confront the commanding officer.

What is especially vicious about OBL is that no sector of society is exempted from state violence. Aside from Fr. Lucero, the cases in 2009 include state violence against Lumad leaders in Mindanao, pregnant women, doctors, peasants, barangay/village officials, health worker, children, youth, whole family, indigenous people, Moros and, of course, human rights defenders.

#### A young Fil-American abducted and tortured

The case of three persons missing in Central Luzon in May 2009 became a big issue. One of the three who were later freed was Melissa Roxas, an American citizen of Filipino descent. She related her ordeal of torture in the hands of her abductors whom she identified as members of the military.

Roxas, 30, was in La Paz, Tarlac conducting a survey for future medical missions when she, along with Juanito Carabeo and John Edward Jandoc, was abducted by unidentified armed men believed to be members of the military on 19 May 2009. The three were brought to a place

strongly believed to be Fort Magsaysay in Nueva Ecija, home of the 7th Infantry Division of the Philippine Army (IDPA).

Roxas was handcuffed and blindfolded throughout her captivity. She was beaten up, threatened and was being forced to sign a document and to admit that she was a member of the New People's Army (NPA), which she refused to do. The perpetrators alternated between using force and the "soft approach" to convince her to "return to the fold of the law." Despite her constant demands, she was deprived of her right to legal counsel.

After seven days of torture and interrogation, Roxas was dropped off near her uncle's house in Quezon City. She was warned that she and her relatives should not talk to human rights workers from Karapatan. Days after her release, her captors still kept in touch. Traumatized and fearing for her life and her family's safety, Roxas went back to the U.S.

She later sought legal remedy by filing a petition for the writ of amparo. She came back to appear in court after the Court of Appeals required that she should affirm her testimony personally or the petition would be archived. Lawyers of the Judge Advocate General's Office (JAGO) argued that Roxas's abduction was stage-managed, her injuries were self-inflicted and that she was an NPA member who was kidnapped by the NPA themselves!

The AFP continued to deny that its officers and soldiers were involved in the abduction and torture of Roxas. The Presidential Human Rights Committee (PHRC) accused Karapatan of concocting the story and issued a statement that a "more credible" non-government organization (NGO) has not reported such an abduction. Instead of conducting deeper investigation on the case, Malacanang's human rights arm tried to sow division among human rights (HR) organizations.

#### A daughter killed for her father's revolutionary zeal

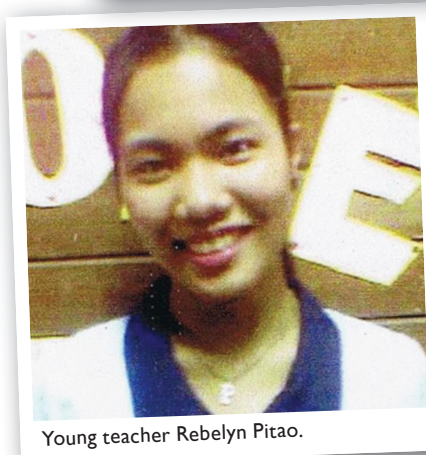
A most gruesome and contemptible case of summary execution was that of **Rebelyn Pitao**, daughter of NPA leader Leoncio Pitao popularly known as Commander Parago. According to the account in the First Quarter issue of Karapatan Monitor:

"There is strong indication that she (Rebelyn) was abducted, tortured and killed by the military in retaliation and as punishment for her father's revolutionary zeal and successes.

"On March 5, at around 6:30 in the evening, Rebelyn's body was found in a river in Purok 5,



Melissa Roxas



Young teacher Rebelyn Pitao.



Brgy. San Isidro, Carmen, Davao del Norte. Her mouth was covered with packing tape, her pants partially pulled down and her underwear missing.

“An autopsy conducted by the Scene of the Crime Operatives (SOCO) showed that Rebelyn’s eyes were badly bruised and bleeding which could be due to a blow from a hard object. She sustained five stab wounds and had lacerations around her genital area which could have been caused by insertion of a hard object.

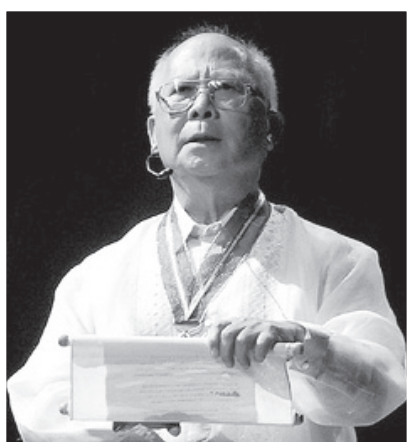
“At the time Rebelyn was found, she had been dead for almost 24 hours which meant that she was brutalized and killed right after her abduction.

“Rebelyn was a substitute teacher in St. Peter’s College in Toril, Davao City. She did not belong to any activist organization. She might have shared the same ideals and dreams with her father but she chose to pursue them by teaching children. Rebelyn was 20 years old, just out of her teens, when she was killed.”

#### Harassment of a National Artist

In the early morning of September 17, house helpers of National Artist and Ramon Magsaysay Awardee **Prof. Bienvenido Lumbera** alerted the Security Unit in their subdivision about an unidentified man who was taking photographs of Lumbera’s house. The intruder was apprehended and was identified through his AFP-issued identification card as Naval Corporal Hannival Mondido Guerrero.

Guerrero explained that he was interested in the vacant lot beside Lumbera’s house and he was to meet his girlfriend at a nearby church. When she did not show up, he decided to take pictures of the place as evidence that he arrived at their meeting place.



Prof. Bienvenido Lumbera

However, the Philippine Navy confirmed that Guerrero is a member of the Philippine Marines and that he was undergoing “surveillance training” under the Naval Intelligence Security Force. The Navy issued a statement to the media that the intelligence trainees were randomly given an address for surveillance exercise, along with a storyline that it is “frequented by communist insurgents.” What a coincidence indeed!

Dr. Lumbera is founding chairperson of ACT Teachers Partylist and his address was registered as the National Headquarters of the partylist group, which will participate in the 2010 elections. He is also Chairperson of the Concerned Artists of the Philippines (CAP). Weeks before the incident, Dr. Lumbera was one of the artists who protested against Malacañang’s intervention in the selection of National Artists.

### Two pregnant women lost their lives

**Wilma Ambil**, 19 years old and seven months pregnant, was killed at 6:00 a.m., September 20 when an OV10 plane and two helicopters dropped bombs where Muslims pray in Sitio Talibang, Brgy. Buansa, Indanan, Sulu. Her mother received a call at around 8:00 p.m. on her cell phone from a man who refused to identify himself. He informed her that Wilma died from the bombings and that they had buried her body. Wilma visited the village upon invitation of her brother-in-law who was to celebrate Eid'l Fitr.

On May 6 at around 4:00 p.m., **Charito Caspillo**, who was three months pregnant, was at home with her partner, Jeson Eulalio, in a remote mountainous village in Brgy. Rizal Sur, Tapaz, Capiz. Eulalio observed movement in the thick brush near their house. He called out to whoever was there to come out and if they were soldiers they should present themselves so he could be assured that they meant his family no harm. He did this twice after which he saw a man run to what could be his companions.

Sensing danger, Eulalio took a home-made gun that he kept in the house for self-defense. He fired a shot in the air, a pre-arranged signal among the village residents, meaning that there is imminent danger in the neighborhood. He told Caspillo to go to his parent's house which was a kilometer away.

As sudden gunfire erupted, Eulalio ran to take cover behind a fallen tree near their house. He shouted at Caspillo to lie on the ground. He ran farther away when he was hit on his back. The armed men, whom he later recognized as soldiers, chased him.

The soldiers belonged to the 47th IB which was conducting counter-insurgency military operations as part of the 3rd Infantry Division's training program. The 3<sup>rd</sup> ID is based in Camp Macario Peralta, Jamindan, Capiz.

Caspillo was not able to flee. While she lay on the ground near their house, a soldier came and shot her hitting her right thigh. She raised her hand in surrender and shouted that she was a civilian.

The next morning, Arside Eulalio, Jeson's father, along with some village council members and his nephews came to check on the couple having heard gunfire the day before in the direction of their house. He came upon 15 or 16 soldiers of the 47th IB, Alpha Company. In the woods nearby, Arside cried when he saw Caspillo lying unconscious and bloody on a sack. The soldiers were apparently in no hurry to bring Caspillo to a hospital.

An army officer asked for Jeson and told Arside to make his son surrender so nothing would happen to him. The officer promised that the Army would have Caspillo hospitalized because the two were mistaken to be members of the New People's Army (NPA). A barangay councilman immediately left and returned with Jeson and the home-made shotgun he used.

The soldiers started to walk to Tapaz town taking the victims with them. They were accompanied by some officials and residents of Rizal Sur. Caspillo told her partner what happened to her and how she discharged a big lump of blood while she lay in the woods. She must have had a miscarriage. At around noon of May 14 Caspillo died at the Capiz Memorial Provincial Hospital in Roxas City.

#### A child's life lost in strafing

Also in Mindanao, the child **Halima Bansil**, 11, was killed when members of Task Force Tugis under the 6<sup>th</sup> ID strafed her house. On July 12 at around 2:00 a.m., the couple Salambai Ali and Indal Bansil, together with their youngest son, Yasser, were asleep on their terrace. Their son Mohaliden, 18, and daughter Halima, 11, were sleeping in the room upstairs. All of a sudden, they heard a series of gunfire coming from outside. Salambai covered Yasser with her body.

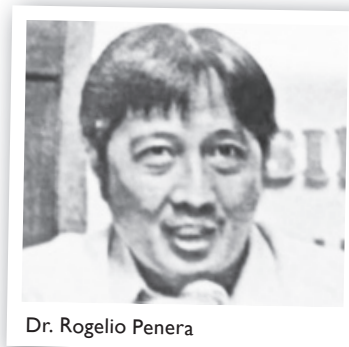
When the gunfire ceased, Salambai immediately went upstairs to check on her two other offspring. She found Halima already dead. One of the bullets hit her right hand and went through her head. She was a Grade 5 pupil in Muamad Elementary School.

Mohaliden was wounded on his back. Two armed military men belonging to Task Force Tugis and wearing camouflage uniforms came in to search the house. Salambai heard one of them say in their dialect that, "There is nothing here. We have to leave this house." As they left, they brought with them her husband, Indal, and Mohaliden supposedly for treatment. Indal and Mohaliden went, with some 30 other soldiers also in camouflage uniforms, on board three military speedboats as identified by witnesses in the area.

#### Killing of doctors

Two activist doctors were assassinated by masked armed men in separate incidents in Davao City and Northern Samar.

**Dr. Rogelio P. Penera**, 45, was a Medical Specialist 2 assigned in the Regional Epidemiology Unit of the Department of Health. He was a member of the Alliance of Health Workers (AHW) in Davao City and a Regional Executive Committee member of Bagong Alyansang Makabayan (Bayan-SMR). He was also Convenor of Katawhan Kontra Kartel and the U.S. Troops Out Now Coalition.



Dr. Rogelio Penera

On 24 June 2009, at around 5:30 in the afternoon Dr. Penera was interviewed in one of the local television stations regarding AH1N1 and dengue fever. After the interview, at around 6:30 in the evening, Dr. Penera left for home together with his daughter, Lian Rey Ivina, 15, a senior student in the Philippine Science High School, Davao City. At the crossing near Cabantian-Jehovah Witness Church, two motorcycles, each with two armed men on board, sped up to Dr. Penera's car. The men, who were wearing jackets, caps and ski masks, started shooting.

Dr. Penera tried to drive away from the assassins, hitting two vehicles. The motorcycles followed, and the perpetrators continued shooting. When Dr. Penera's vehicle reached an intersection on Dela Peña Street at Country Ville Executive Homes, Brgy. Cabantian, it turned and hit another vehicle. When the car stopped, the doctor was already dead.

Dr. Penera sustained gunshot wounds on the neck and in nine other parts of his body. His daughter was wounded on her right hand.

In the afternoon of April 1, **Dr. Bartolome Resuello**, 62, was killed in Brgy. Cababtuan, Pambujan, Northern Samar by men wearing ski masks and carrying M-16 rifle and .45 caliber pistols. He was riding home on his motorcycle when he was shot several times by men believed to be elements of the military.

Dr. Resuello was listed as a "revolutionary tax collector" in the Order of Battle handed to the fact-finding team investigating the extrajudicial killing of Fr. Cecilio Lucero. The doctor was an activist during the Marcos dictatorship, the Chairperson of Bayan Muna partylist chapter in the province and Convenor of the farmers' organization, Pesante-Northern Samar.

#### Attacks against Lumad leaders opposing mining

**Datu Maampagi Belayong**, chairman and founding member of Linundigan-Kalumbay, was with his family when he was shot dead by elements of Task Force Gantangan-Bagani Force (TFGBF) on September 2 in Esperanza, Agusan del Sur. One of the gunmen was identified as Datu Manlapangan Bato, known to be a member of TFGBF which was organized by the 402<sup>nd</sup> IB.

On September 28, another tribal leader of the Banwaon tribe, **Aladino "Datu Mansubaybay" Badbaran**, was shot and killed by unidentified men believed to be members of the CAFGU under the 23<sup>rd</sup> Cadre Battalion. Datu Mansubaybay was on a motorcycle on his way home with wife, Demesia, when they were ambushed along the road of Kilometer 6, Brgy. Balit, San Luis, Agusan del Sur. The seven-month pregnant Demesia survived the attack, but Datu Mansubaybay died from gunshot wounds in his right eyeball, skull and genitals.

Datu Mansubaybay was a former Public Information Officer of Tagmudahan, a militant and progressive Banwaon organization in San Luis. It is a member organization of Kalumbay. Kalumbay and Tagmudahan have been fighting for the protection of their ancestral lands from incursions of large-scale mining owned by local and foreign corporations. Expectedly, Tagmudahan was tagged by the AFP as a CPP-NPA front organization. Its leaders were listed in the AFP's Order of Battle and were threatened and harassed. Many of the Lumad were recruited and conscripted to the CAFGU. There have also been reports of torture, illegal arrest and detention of civilians.

### This time, a Barrio Captain

On September 23 at around 10:00 a.m. an unidentified gunman killed 46 year old **Glorito P. Mahumas**, or “Cap Momoy” to his friends. He was Barangay Captain of Brgy. Canidkid, Montevista, Compostela Valley Province. The shooting happened at an LGU outpost in Purok 5, Poblacion, Montevista.

Mahumas was about to get on his motorcycle when the gunman approached from behind and shot him. The first bullet hit his left wrist and he rolled on the ground. The gunman kept on shooting while walking backward towards a red Honda XRM motorcycle waiting in front of a Phoenix gasoline station.

Mahumas shouted for help as he crawled away but was shot again. This time the bullet entered his right armpit, went through his heart and exited at his left armpit.

The police investigators promptly accused the NPA for the killing but the Mahumas family did not believe them. His wife said that if the NPA had intentions of killing her husband, they would have done so earlier when the NPA took him, along with Sgt. Reyes and Rudy Villaflor.

According to Mrs. Mahumas, her husband was being rumored as a member of the NPA after the CAFGU detachment was raided on Oct 7. On that day at around 7:00 a.m., Sgt. Reyes and a CAFGU member, Rudy Villamor, went to Cap Momoy and informed him that there was an NPA member who wanted to surrender. They asked him to go with them to the cemetery in Brgy Canidkid where they would meet the surrenderee.

When they got to the cemetery, Mahumas found out that instead of a surrenderee, there were around 30 NPA fighters waiting for them. They surrendered to the NPA and were brought to the CAFGU detachment in the same barangay. The CAFGU members were caught unaware and had to turn over their firearms to the NPA. The NPA unit took the three with them after assuring the barrio residents that Cap Momoy was in good hands and would be released unharmed.

The CAFGU members blamed Mahumas, claiming that he ordered them to surrender and hand over their guns to the NPA. He denied the accusation and explained that his hands were tied behind his back as he was also a captive. He pointed out that the CAFGU men voluntarily surrendered their firearms to the NPA because they were outnumbered.

### A family massacred

On March 25, at around 3:00 p.m., a two-hour encounter allegedly took place at Takokonan, Sitio Sioan, Brgy. Malinao, Gingoog City between the NPA and the composite elements of the 21<sup>st</sup>, 29<sup>th</sup> and 30<sup>th</sup> IB joined by the combined forces of the Bungkatol Liberation Front (BULIF) of Datu Ronald Manhumosay and Wild Dogs of Datu Manpatilan, both paramilitary forces.

The military declared Sitio Sioan and Sitio Kidahon of Brgy Malinao as “no man’s land.” They forced the Higaonon, indigenous people in the area, to vacate their communities. Sitio Sioan is about 18 kilometers away from the center of Brgy. Malinao. On March 31, the soldiers ordered the Barangay Captain and Council members of Brgy. Malinao to tell the residents not to enter particular areas in the mountains where the encounter took place and which were marked with red flags mounted for the next three months.

Two weeks later on April 7, a farmer from Sitio Silangan named **Manuel Suarez, his wife Jocelyn and four children** were reportedly massacred because they allegedly refused to follow the orders of the 29<sup>th</sup> IB to leave their home. Their neighbors said that the Suarez family could not leave immediately because Jocelyn just gave birth and would have difficulty evacuating.

#### Electoral consultation in Cagayan Valley raided

On June 11, a consultation meeting of partylist groups in Cagayan Valley was raided by suspected military men. Present were 19 representatives of people’s organizations, as well as local coordinators of the progressive partylist organizations Bayan Muna, Anakpawis, Gabriela Women’s Party and Kabataan.

At around midnight, no less than 30 men, some of whom were masked and wearing camouflage pants, combat boots, and armed with M16 rifles and .45 caliber pistols, forced their way into the sleeping quarters in MasCoop Resort, Brgy. Masisit, Sanchez Mira, Cagayan. They threatened to kill the victims and took all of their personal belongings including laptop computers, personal documents and money. The manner, accuracy and swiftness of the raid showed a similar pattern of military attacks in many cases of abductions and raids in other areas.

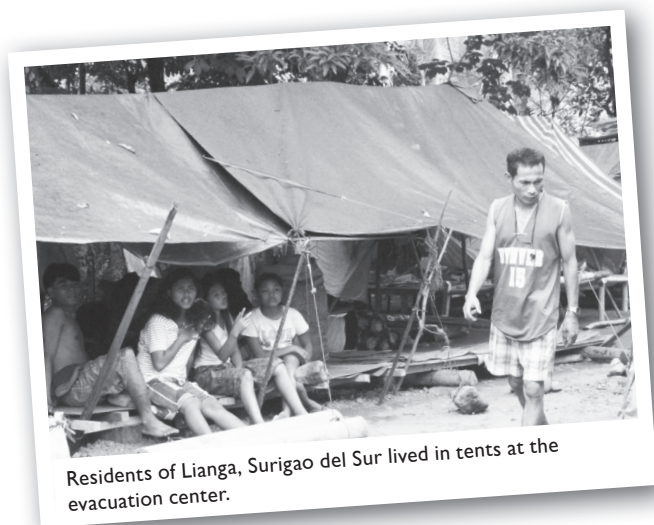
**Table 1**  
**Victims of Extrajudicial Killing and Enforced Disappearance**  
**under GMA’s Presidency (by sector and special group)**  
January 21, 2001 to October 31, 2009

<b>Sector/Special Group</b>	<b>EJK</b>	<b>ED</b>
Peasant	560	129
Moro	90	9
Indigenous people	89	5
Worker	63	15
Children	77	4
Unborn	12	0
Urban poor	49	7
Church	27	1
Youth & students	26	9
Fisherfolk	23	3
HR worker	23	2
Gov’t employee	18	1
Entrepreneur	23	10
Teacher	10	0
Health worker	4	0
Media	6	1
Lawyer	5	0
Others	8	5
Unclassified	5	3
<b>Total</b>	<b>1,118</b>	<b>204</b>
Organized	460	68
Women	131	31

*Based on reports gathered by Karapatan*

## OBL targets whole communities

### Military operations and food restriction



Residents of Lianga, Surigao del Sur lived in tents at the evacuation center.

Military operations of the 58th IB just before the harvest season in June to July caused the evacuation of 300 families composed of 1,795 individuals, most of them from the indigenous group Manobo in **Lianga, Surigao del Sur**. The soldiers claimed they came as “Research Teams for Peace and Development,” tasked to “identify development projects” for the communities. But in reality, the military not only uprooted the families from their homes but also threatened their livelihood and their lives. The soldiers forcibly stayed in civilian homes, schools and other public places. At the main entry point going to the upland areas, the military maintained a checkpoint which monitored and limited the entry of food into the Lumad communities. Only up to

five kilos of rice was allowed per family at a time. To be able to bring in more than this amount, people were required to get five kinds of permits, with fees amounting to a total of PhP1,500. With their high-powered firearms displayed, the soldiers forced the Lumads to enlist in the paramilitary groups they organized.

Fearing for their lives and a repeat of the violence they suffered at the hands of the same military unit in 2005 and 2007, the Manobo tribe was forced to flee their communities and evacuate to the town centers where they, especially the children, suffered hunger and sickness, cramped in makeshift shelters. They left behind acres of unharvested farmland in the municipalities of Lianga, San Isidro and Tago, Surigao del Sur which became inaccessible to the residents due to military operations.

The military operations in **Cariraga, Leyte** affected 2,524 individuals in 421 families. In the first week of April, the 19th IB occupied the villages of Camansi, San Isidro and Tinaguban in Carigara. They occupied the barangay hall and made it their headquarters.

They imposed curfew and restricted the movement of residents particularly in Brgy. Tinaguban. Especially affected were those who were prevented from leaving their homes to tend their farms which were some distance from the village. The soldiers threatened that they would bring the villagers to the barangay hall for interrogation if they disobeyed orders.

### Forced evacuation in Davao del Sur

On August 10, the villagers were evacuated to the barangay center and food restrictions were imposed as part of military operations in Purok 1 and 2 of Sitio Datal Fetak, Brgy. Colonsabac

and in Sitios Gopkalahan, Bantong and Datal ‘ta Sultana, Brgy. Dungan Fekong, all in **Matanao, Davao del Sur**. A total of 72 households involving 462 individuals were affected.

Each household was allowed only four kilos of rice or corn to bring to their farm. It is the military’s claim that when residents transport big amount of food ration, part of it must be for the NPA units in the area and should therefore be confiscated.

Because of food restrictions and the threat of military interrogation if suspected of defying orders, the villagers had no choice but to stay at the barangay center where they had been evacuated to. As a result, they could not tend to their crops in the fields, most of which rotted away.

The 39th IB continues to encamp around these communities trying to sow fear among the residents.

#### Use of schools and villagers’ homes by soldiers

Elements of the 60th IB and members of Community Assistance Development (CAD) under the command of Lt. Dennis Ayungo arrived in August in Sitio Dulyan, Brgy. Palma Gil, **Talaingod, Davao del Norte**. The soldiers occupied several Ata-Manobo homes for three days and two nights, as well as the local school, Salugpungan ‘Ta’ Tanu Igkanugon Learning Center (STTILC). Noel Casagda, a village resident and hired carpenter of the Rural Missionaries of the Philippines (RMP), who helped build the school was questioned by a certain Sgt. Bandiola who inquired about Casagda’s work. The sergeant also asked about his and his wife’s family background and affiliation. Casagda surmised that he also wanted to extract information about his father-in-law, Datu Dawsay.



The couple Lorenzo and Stella Bontola returned home to find soldiers led by a Lt. Ayungo inside their house. The soldiers asked if they could stay until they finish building a temporary detachment. The residents eventually built a temporary shelter for the soldiers in an area about 200 meters from the STTILC building. The military said that they would stay in the community for six months.

On August 20, the military ordered the residents of Sitio Dulyan to gather at the basketball court for a “pulung-pulong” (meeting). Sgt. Christopher Oliveros said they wanted to help the community through road repairs and construction of a school which is to be owned and operated by the government. He then announced that STTILC, which was set up by the RMP, is a “communist school” and that no graduate from that school would get a job in the future. He warned that residents would be harmed if they resisted recruitment to the Civilian Volunteer Organization (CVO) to help the soldiers monitor the NPA.



It was the same case in Logdeck, Purok 5, Sitio Oregon, Brgy. San Isidro in Lianga, where soldiers of the 58<sup>th</sup> IB installed their hammocks inside civilian homes, without the consent of the residents.

The soldiers also targeted the Alternative Center for Agricultural Development (ALCADEV), a Lumad boarding school which is the equivalent of a public high school in Han-ayan, Brgy. Diatagon, Lianga, Surigao del Sur, which soldiers of the 58<sup>th</sup> IB claimed to be an “NPA school.” Sacks of rice intended for the 110 students were held up at the checkpoint and the students had to subsist on rice porridge (lugaw) for three days until they eventually had to join the evacuation. The military claimed the NPA brought in rice to their area through ALCADEV.

#### Clearing operations for RP-U.S. Balikatan in Sorsogon

In Sorsogon, the much-flaunted “humanitarian mission” by American troops resulted in less “benefits” but more damage to village residents as the Philippine Army conducted “clearing operations” months before the U.S. troops arrived in April.

At least two victims were reportedly killed by suspected military men in the wake of clearing operations for the Balikatan. **Noel Encinares**, 41, and **Noe Gumba**, both residents of Aroroy town, were shot by death squads on March 12 and 19, respectively.

The killings happened a few days after soldiers arrived in the area in March and began their operations.

#### **Human rights defenders (HRDs) as victims**

Quoting from the Karapatan Monitor, First Quarter Issue,

“On March 31, **Edelina Jerus**, 37, was shot dead in front of her two children by two motorcycle-riding men outside her house in San Juan, Sorsogon, Bicol Region. Edelina was not a member of any organization until her husband, Willy Jerus, was killed on April 16, 2007. Willy was a member of Samasor, a member organization of KMP.

“Edelina witnessed her husband’s execution and was herself killed two years later almost at the same location. Since her husband’s death, she has been an active member of Hustisya ....”

The attacks on human rights defenders (HRDs) take varied forms. A recent example is the wholesale filing of trumped up charges against 72 leaders and members of people’s organizations in Southern



Edelina (top) and husband Willy.



72 activists of Southern Tagalog called for an end to political repression



Labor lawyer and columnist Atty. Remigio Saladero

Tagalog (ST) who are vocal in their criticism of government policies which they find inimical to the people's interest. The HRDs, who came to be known as the **ST 72**, were charged with blowing up a telecommunication cell site.

There was only one witness against them who said that he was in a meeting attended by the 72 where they agreed to blow up the facility. He unbelievably memorized the name of each individual making it possible to lump all of them in the information-complaint under one charge. An original warrant of arrest was for just one accused but was conveniently and suspiciously expanded to include an additional 71 names.

One of the names in the warrant of arrest was that of **Atty. Remigio Saladero**, a labor lawyer handling 700 cases involving members of unions affiliated with the Kilusang Mayo Uno (KMU). He was arrested with eight others and spent five months in a Mindoro jail. All nine were eventually released. To date, cases were refiled against all of the ST 72.

On March 12, NCCP General Secretary Fr. Rex Reyes, Jr. received a text message from another church leader inquiring if there was any truth to the news that **Rev. Dionito Cabillas** of the Iglesia Filipina Independiente (IFI) had been "arrested in Manila for a rebellion case." He added that his Bishop received the information from a retired IFI priest and a former chaplain in the AFP. He said that the news was aired on March 9 and that Fr. Cabillas was "blacklisted" by the military and was in the "top ten" of the "order of battle".

As a member of Karapatan's National Council, Fr. Cabillas's work includes providing assistance to relatives of victims of human rights violations. He often participated in fact-finding missions and searches for desaparecidos in military camps.

On August 22, a squad of soldiers led by 1Lt. Frank Suelto of the 101<sup>st</sup> Infantry Brigade arrived on August 22 in Sta. Felomina, Dipolog City where human rights worker, **Floro Tabalina** resides. Tabalina is the coordinator of Karapatan's Western Mindanao Regional Chapter.

The soldiers, accompanied by Brgy. Captain Nelson Saldon, inquired about Tabalina's whereabouts. When Tabalina arrived home, Lt. Suelto asked for his cooperation in the AFP's community development service and for a possible joint effort between Karapatan and the AFP. When Tabalina declined, he was threatened that he would be slapped with the same criminal charges filed against alleged NPA members whom the military had arrested.

# Conclusion

While hiding under the cloak of democratic rule, the U.S.-backed Arroyo regime is trying to silence her most vocal critics and political opponents with Oplan Bantay Laya 1 and 2. OBL erases the line that differentiates the unarmed protest movement from the armed resistance movement. Under this iniquitous program, the country has been thrown back to the bigoted military mindset of labeling those who criticize the anti-people policies of government and those who struggle for fundamental reforms in society as “enemies of the state,” “front organizations” or “sympathizers” of “communists or rebel groups.” Thus, it is only under the GMA regime that the Cold War atmosphere of persecuting the “Leftists or Communists” has again become legal, permissible and tolerated .

Incitement to violence against persons branded as such are encouraged by no less than the President, who herself has labeled in derision, some people’s leaders like the late Rep. Crispin Beltran as “that Communist,” in her public pronouncement. On the other hand, she publicly heaped praises on those who figured in several human rights violations cases, like Major General Jovito Palparan, Jr. as a “defender of democracy.”

OBL whips up in the mind of the public a return to the McCarthyist period and the dark days of martial law in which everything wrong is attributed to the “communists.” All it takes is to label one a “communist member, supporter or sympathizer” to justify the different forms of attacks against their person. Under Oplan Bantay Laya, persons branded as such are evil, have no place in society and, therefore, must be “neutralized” and eliminated.

Quoting the Report to the UN Human Rights Council on April 29, 2009 by Special Rapporteur Philip Alston:

“However, the AFP has not, to the Special Rapporteur’s knowledge, changed its counterinsurgency techniques in such a way as to eliminate the likelihood that leftist activists will be killed. Moreover, forced disappearances and illegal detentions remain all too common, as does the bringing of trumped up charges against Filipino activists and human rights abuse victims.

“. . . Numerous statements continue to be made via print, television and broadcast media by other military officials identifying and vilifying members of civil society organizations. Such statements continue to be justified by reference to President Arroyo’s order that the AFP should end the insurgency “once and for all” by 2010. Whatever may have been conveyed in private, the Special Rapporteur is not aware of any public statement by the President instructing the security forces to stop the targeting and public labelling of political and civil society organizations as fronts for NPA operations.

...

“While some public statements have been made, the Special Rapporteur has not received evidence of any institutional reforms by the Government designed to prevent the targeting and execution of civil society activists. Deeper reforms thus remain essential in order to pull back the curtain of impunity that has existed for many years, and to prevent a return to those policies.”

The human rights situation in the Philippines in 2009 further proves that Oplan Bantay Laya is a national policy that unleashes state terrorism on the Filipino people. 2009 further proves that President Gloria Macapagal-Arroyo, as Commander-in-Chief of the Armed Forces of the Philippines, knowingly and willfully leads the implementation of OBL and has repeatedly exhorted the military and related government agencies to meet the brutish targets set for 2010 despite the loss of lives, liberty and security of the victims of OBL.

In closing, we quote from Prof. Jose Ma. Sison’s *The Structure of Reactionary Violence and Human Rights Violations in the Philippines*:

“The structure of reactionary violence and human rights violations in the Philippines has several levels, including those of the US, the puppet Manila-based government and the local tyrants like the Ampatuans. The US has been the most culpable for whipping up state terrorism and vigilantism by local tyrants and by army and police commanders under the pretext of combating communists and Muslims who are unjustly labeled as terrorists.

“The US is the imperialist master that has dictated upon the Arroyo regime to adopt and implement Oplan Bantay Laya and use the regular armed forces, the police and the paramilitary forces of the Ampatuan type to suppress the national and democratic rights of the people. Along the way, the puppets use their armed power to intimidate and kill their intrasystemic political rivals.

“The US has provided the doctrine of warfare against the people and supplied the military equipment and training and other wherewithals of the reign of terror. It has embedded advisors, trainers and operatives within the reactionary armed forces and has deployed its own units in Mindanao and elsewhere to ensure puppet obedience to its imperialist dictates.

“Together with the Manila-based puppet government, local tyrants like the Ampatuans and all their military, police and paramilitary minions, the US is culpable and condemnable for pushing state terrorism and the gross and systematic human rights violations and emboldening the human rights violators to commit their crimes with impunity under the pretext of combating terrorism.”

# INDICTMENT

Based on the human rights record of the U.S.-backed government of Gloria Macapagal-Arroyo in almost nine years of repressive rule made distinct by undeclared martial law, KARAPATAN and its member organizations Ecumenical Movement for Justice and Peace (EMJP), DESAPARECIDOS, HUSTISYA and SELDA, on behalf of the victims of human rights violations and their families, bring this indictment to the Filipino people.

## **Parties**

This is an indictment being brought to the Filipino people by the victims of human rights violations, including their families, coming from various sectors of Philippine society – peasants, workers, women, indigenous peoples, Moro people, urban poor, youth and students, children, church people, human rights workers, entrepreneurs, fisherfolk, lawyers, media persons, teachers, government employees, local government officials and others – through the following human rights organizations:

KARAPATAN (Alliance for the Advancement of People’s Rights);  
Ecumenical Movement for Justice and Peace (EMJP);  
DESAPARECIDOS (Families of Desaparecidos for Justice)  
HUSTISYA (Victims of the Arroyo Regime United for Justice)  
SELDA (Society of Ex-Detainees Against Detention and for Amnesty)

hereinafter referred to as the “Complainants.”

This indictment is against GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, the Armed Forces of the Philippines (AFP), Philippine National Police (PNP) and their officers and operatives involved in cases of human rights violations like retired Major General Jovito Palparan, Jr.

hereinafter referred to as the “Defendants.”

## Charges

The defendants are hereby charged with the following offenses committed through the national counter-insurgency program, Oplan Bantay Laya (OBL):

**Extrajudicial killings, enforced disappearances, illegal arrests, arbitrary detention and torture;**

**Vilification campaign and filing of trumped-up and politically-motivated charges against leaders and activists of the democratic movement;**

**Indiscriminate firing, forced evacuation, militarization and other human rights violations directed at communities;**

**Denial of justice through circumvention of the judicial system, cover-up and whitewashing;**

**Persecution of human rights defenders;**

**Repressive policies and legislation; and**

**Abetting U.S. military intervention.**

## Prefatory Statement

No other regime has been so extremely discredited and detested by many since the Marcos dictatorship. Surveys consistently evidence the people's rejection of Gloria Macapagal-Arroyo's reign to no one's surprise. GMA not only fails to deliver promised economic and social reforms but also robs the country coffers through graft and corruption led by her own family.

Her neo-liberal policies favor big business and foreign capital. Her commitment to globalization has driven the country into heavy government debt, huge deficit and the financial crisis. Her government resorted to increasing tax burdens and drastic budget cuts on health, education and other social services while increasing debt servicing and military spending. It also further opened up the country's mineral resources to multinational corporations (MNCs) and accelerated the program of exporting cheap labor.

In an attempt to portray a rosy picture of the economy, the Arroyo government opted to advertise claims of economic recovery and progress. But in truth, the crisis that the Philippines is mired in preceded the global economic and financial crisis.

The Arroyo government has been rated as the most corrupt regime in Asia and one of the most corrupt in the world. The series of corruption cases include cutting into all major business contracts requiring approval of public officials, overpricing of government purchases and infrastructure projects, misuse of government loan guarantees and even misappropriation of funds intended for the indemnification of victims of human rights violations during Marcos's martial rule.

Arroyo has been able to remain in Malacanang by bribing Comelec officials to cheat for her in the 2004 presidential elections. She again resorted to electoral fraud in the 2007 elections to make her candidates win. Despite this, the opposition managed to capture more seats in the Philippine Senate than GMA's senatorial line-up.

As the economic and social crisis worsens, the political crisis that beset the Philippines also worsens. There is widespread dissatisfaction by the populace that threatens the very survival of the regime. The stability of the government has been threatened by the year in and year out series of big protest actions. At the center of the mass protest is the people's movement that calls for GMA's ouster.

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**She resorts to undeclared martial law  
and unleashes the most savage and  
brutal war of terror against the people.**

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Despite boasts of wiping out the CPP-NPA-NDFP and the Bangsa Moro secessionist movements, these armed revolutionary movements have gained more adherents and strength during her incumbency.

Instead of persevering in making changes to improve the lot of her constituency, Gloria Macapagal-Arroyo uses an iron fist to perpetuate her hold on political power. She conveniently commits her government and military to the U.S. "war on terror" and uses it to intensify political repression against her critics. She resorts to undeclared martial law and unleashes the most savage and brutal war of terror against the people.

Oplan Bantay Laya embodies the Arroyo government's counter insurgency strategy aimed primarily at the revolutionary forces led by the CPP-NPA-NDFP. It ensures unification on and coordination of all AFP services and governments agencies of a nationwide counter insurgency plan. OBL 1 spanned 2002-2006 and was extended as OBL 2 covering 2007-2010 because of the government's and the military's failure to meet the targets despite vicious and extensive implementation.

OBL utilizes various ways to solve the insurgency problem except addressing the basic problems that beset the Philippine society. Its political component includes the use of local government units to "legalize" military incursions in rural and urban communities. They resort to "local peace initiatives" and set up their own so-called civil society organizations (CSOs). Programs under its security component are military operations by units of the AFP and law enforcement operations of the PNP.

The socio-economic component includes clearing the way for "economic projects" which are actually multinational mining ventures, agro-industrial and other foreign and big business interests. There is also the Balik Baril (return the gun) and rebel amnesty programs under

the Social Integration Program (SIP) and rehabilitation of supposed child warriors. Under information are counter propaganda, disinformation and psychological operations (psy-ops).

The aim is closer coordination among the AFP, PNP, government agencies and civil society. The implication is undermining civilian authority especially at the local level because the whole program of government is placed within the framework of counter-insurgency. LGUs are practically placed under the military's chain of command.

OBL has pinpointed priority areas where large deployment of AFP units are dumped to conduct continuous and extended military operations. The initial seven OBL priority areas include Southern Tagalog with Mindoro as the laboratory, Central Luzon, Bicol, Eastern Visayas, Bohol in Central Visayas, Compostela Valley in Southern Mindanao and Caraga. Cagayan Valley, Ilocos and the Cordillera were later added.

In addition, OBL combines combat operations, psychological warfare cum civilian-military operations and intelligence work. They are mainly carried out by Re-engineered Special Operations Teams (RSOTs), an improvement of the SOTs. Their main task is to dismantle the insurgents' political infrastructure, set up counterpart military-directed community organizations and establish the Barangay Intelligence Network (BIN). They do not discriminate between NPA forces and villagers. They are "re-engineered" because they are bigger in number, have more fire power, in direct coordination with combat and neutralization operations, have defined objectives and comprehensive tasks and receive adequate military support, e.g. communications, etc.

What makes Gloria Arroyo's Oplan Bantay Laya different from all hitherto AFP Oplans is its unfounded assertion that the progressive people's movement in the urban areas is no different from the guerrilla fronts in the countryside. The former aims to pave the way for a communist takeover, the latter to conduct armed struggle. According to the AFP, these are the

two main components of the armed revolutionary movement's political structure and grand design to seize political power and impose their own brand of political order in the country. To defeat them is to dismantle them swiftly and quickly.

This is the substance of the information and education being spread and circulated through lectures, books and articles among officers and rank and file in AFP camps since 2002, the year OBL was launched. The objective of the intensive indoctrination is to prime military units to conduct unrestricted military offensives against the people's movement and the communities suspected of supporting insurgents. Also, the troops are desensitized from human rights violations



Soldiers make their presence felt in most rural communities in Southern Mindanao.



committed during counter-insurgency operations dubbed as internal security operations. The military and police can subject people's organizations, their leaders and allies to campaigns of terror without qualms and with no feeling of guilt.

A policy shift in the GMA government and military's counter insurgency program focuses not only on communities suspected of supporting insurgents but also on individuals who lead open democratic organizations in the urban and rural areas. Target research adds to area studies, which classify contested areas in the countryside as communist 'controlled', 'influenced' or 'threatened,' profiling of sectoral organizations and their leaders and activist based on which an "order of battle" is drawn. Those in the OB are subjected to intensive surveillance after which, within three months, a decision is made if neutralization will be in the form of arrest, torture and detention, extrajudicial killing or enforced disappearance.

Civil-military operations are conducted not only in rural communities but also in urban areas suspected of being strong urban bases of the CPP-NPA-NDFP. The Integrated Territorial Defense System (ITDS) is set up in coordination with the LGUs, CAFGUs and other paramilitary forces and armed civilians supposedly to defend their areas from the NPA. But in truth they are being used to assist in military operations. They are supervised by the Civil Military Office (CMO) in the Philippine Army divisions and brigades.

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**Concomitant to target research are  
vilification campaigns directed especially  
at individuals targeted to be neutralized.**

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RSOTs are dispatched to conduct civil-military operations. Currently, the objective and operational tasks of the RSOTs have been modified to suit the requirements of target research. They are also directly engaged in combat and military operations. At any rate, civil-military activities by the RSOTs are used to cover for the surveillance of legal democratic organizations and individuals, for anti-communist seminars, forced surrender, setting up of anti-communist organizations and conscription of residents to paramilitary organization. Intelligence materials gathered by RSOTs are passed on to military units engaged in direct security and combat operations. They are believed to be responsible for drawing up the OB and "neutralizing" those in the list.

Concomitant to target research are vilification campaigns directed especially at individuals targeted to be neutralized. The never-ending accusation and filing of false charges against personalities of the legal democratic movement are meant to portray them as guilty of whatever charges thrown at them. They are aimed at encouraging and justifying acts of aggression and violence without benefit of the judicial process. The mobilization of anti-communist grouplets to sow intrigue and slander people's organizations and their leaders is a regular feature of an OBL psychological offensive.

In 2009, Arroyo, Defense Secretary and anointed 2010 presidential candidate Gilbert Teodoro and her pack of Generals have gone back to counting decreases in the number of NPA guerilla fronts supposedly to prove the success of OBL 2. They boast of guerilla fronts being dismantled year in and year out with 2010 as the final year of destruction and defeat of the armed revolutionary movement. These pronouncements make savage military operations legitimate with unavoidable human rights violation casualties dismissed by the government as collateral damage – an acceptable price to pay to maintain the national security of the state.

Areas identified by the AFP as priority targets, where guerilla fronts are allegedly established, are subjected to sustained military operations lasting from six months to one year. Battalion- or brigade-size operations are used to wreak havoc on the lives and livelihood of the people in the area. Gross human rights violations by the military are common occurrence. Military detachments are set-up. Food restrictions and blockade and other forms to control the mobility of the people are imposed on the civilian population.

Military control on the communities is maintained through the establishment of the Barangay Defense System (BDS). Adult residents are forcibly recruited as BDS members. They are required to hold duty in watch posts and are forced to make rounds of security checks at nighttime.

In the meantime, extrajudicial killings, enforced disappearances and other gross human rights violations persist. Majority of the OBL priority areas suffer the most number of victims of EJK and ED as shown in Table 2.

**Table 2**  
**Victims of Extrajudicial Killing and Enforced Disappearance**  
**under GMA's Presidency (by region)**  
January 21, 2001 to October 31, 2009

<b>Region</b>	<b>EJK</b>	<b>ED</b>
Ilocos	7	2
Cordillera Autonomous Region (CAR)	34	2
Cagayan Valley	30	4
Central Luzon	154	66
National Capital Region (NCR)	41	6
Southern Tagalog (ST)	177	29
Bicol	196	10
Eastern Visayas	126	27
Central Visayas	26	4
Western Visayas	28	6
Northern Mindanao	10	1
Caraga	34	11
Socsksargen	25	5
Western Mindanao	41	10
Southern Mindanao	103	13
Autonomous Region of Muslim Mindanao (ARMM)	86	8
<b>Total</b>	<b>1,118</b>	<b>204</b>
<i>Organized</i>	460	68
<i>Women</i>	131	31

*Based on reports gathered by Karapatan*

## Specific Allegations

**Extrajudicial killing** (EJK) is the act of unlawful and deliberate killing carried out without due process and outside of the judicial process by state agents or with their complicity, inducement, tolerance or acquiescence. With it are also classified summary execution, arbitrary killing, assassination and massacre. The increase in cases of EJK became apparent in 2002-2003. They averaged twice a week and were committed primarily against Bayan Muna partylist coordinators. It escalated in 2005 and peaked in 2006, the deadline of OBL 1, averaging at one killing every other day.

In the early stages of the implementation of Oplan Bantay Laya, Mindoro Oriental was the sight of brutal murders and disappearances with the presence of the notorious butcher then Col. Jovito Palparan, Commanding Officer of the 204<sup>th</sup> Infantry Brigade. On 21 April 2003, the Secretary General of Karapatan-Southern Tagalog, **Eden Marcellana**, together with **Eddie Gumanoy**, Chairman of Kasama-TK, and an 11-member Quick Reaction Team (QRT) went to Gloria, Mindoro Oriental to conduct a fact-finding mission to investigate the torture of a village captain. On their way home, the van that was to take them to Calapan was blocked by a jeep loaded with some 20 bonnet-wearing men. They took Eden, Eddie and Virgilio Catoy III, a member of the multi-media group Southern Tagalog Exposure. The dead bodies of Eden and Eddie were found the next day. King was left alive in a village, physically unscathed but visibly shaken.

The case filed against alleged perpetrators was dismissed by the local court even before it completed preliminary investigation. Three appeals before the Department of Justice (DOJ) were turned down. On 9 March 2006, Karapatan Secretary General Marie Hilao-Enriquez together with Legal Counsel Atty. Edre Olalia filed before the United Nations Human Rights Committee in New York the cases of Eden and Eddie together with two other victims of extrajudicial killings. In a 12-page decision released on 30 October 2008, the UNHR Committee held the Philippine Government accountable for the summary execution of Marcellana and Gumanoy.

**Bishop Alberto Ramento** was a former Supreme Bishop of the Philippine Independent Church (PIC). He was an independent observer in the peace negotiations between the Government of the Republic of the Philippines (GRP) and the National Democratic Front of the Philippines (NDFP) prior to his death on 3 October 2006.

Bishop Ramento was found dead from multiple stab wounds, lying face down and drenched in blood on the floor of his room inside the church quarters in



From top: Eden Marcellana,  
Eddie Gumanoy and Bishop  
Alberto Ramento

Tarlac City. His family believes that he was killed because of his involvement in the democratic movement as former Chairperson of Karapatan – Tarlac and the Promotion of Church People’s Response (PCPR) – Tarlac. In particular, he actively gave support, especially after the massacre, to the Hacienda Luisita farmers who often held meetings in his church.

Despite evidence to the contrary, the police and military tried to make the public believe that the extrajudicial killing of the Bishop was not politically motivated but was a case of robbery with homicide.

First and foremost a human rights lawyer, **Atty. Juvy Magsino**, 34, was the Vice Mayor of Naujan, Mindoro Oriental when she and her companion, **Leima Fortu**, 27, a teacher and likewise a human rights defender, were killed on 13 February 2004 by armed men believed to be members of the 204th Infantry Battalion. The van they were riding in was riddled with bullets killing both women.

Magsino received death threats and was constantly under surveillance prior to her death. She was very vocal against heavy military presence in their province as well as atrocities committed by soldiers in Mindoro Oriental.

Two days after the International Human Rights Day in 2006, **Atty. Gil Gojol**, married and with three children, was on his way home from a hearing at the Municipal Trial Court when four armed men on motorcycles swooped down on his vehicle and shot him and his driver along the road in Brgy. Carriedo, Gubat Sorsogon, some 200 meters from the 22<sup>nd</sup> Infantry Battalion detachment. Both were dead on arrival at the hospital. Atty. Gojol for many years served as a lawyer for farmers and political detainees in Bicol.

**Siche Bustamante-Gandinao**, 56, was killed on 10 March 2007 barely a month after she testified before UN Special Rapporteur Prof. Philip Alston on the summary execution of her father-in-law, Dalmacio Gandinao. She was shot dead near an Army detachment in Guinalban, Salay, Misamis Oriental. Siche was a member of the Misamis Oriental Farmers Association and Bayan Muna.

**Grecil Buya**, nine years old, wanted to become a nurse when she grew up. But she and her family will never see her fulfill that dream after she was shot by soldiers belonging to the 8<sup>th</sup> IB on 31 March 2007 during an alleged encounter with the NPA in Brgy. Kahayag, New Bataan, Compostela Valley.



Clockwise from top: Magsino, Fortu, Gojol, Gandinao, Buya

The soldiers insisted that Buya was a “child warrior” but strong statements from her neighbors and other villagers forced Brig. Gen. Carlos Holganza, Commanding Officer of the 101<sup>st</sup> Brigade, to retract the military’s allegation that the child was an NPA recruit.

GMA, the AFP and PNP are likewise accountable for massacres of agricultural workers in Central Luzon, peasants in Eastern Visayas and inmates of a detention center in the National Capital Region.

After weeks of strike and failed negotiations, violence erupted in **Hacienda Luisita**, Tarlac City. The Department of Labor and Employment (DOLE), through the Assumption of Jurisdiction, ordered the return to work of the members of the United Luisita Workers Union (ULWU) and the Central Azucarera de Tarlac Labor Union (CATLU). The workers found the order unjustified, arbitrary and partial to management so they decided to remain at the picket site. The workers were on strike fighting to get an increase in their wages as well as gain better working conditions.

On the 16 November 2004, after three attempts to disperse the strike failed, the PNP and AFP threw tear gas and started shooting at the picketing Hacienda Luisita workers, leaving seven dead and 72 others injured.

Forty-six farmers belonging to the San Agustin Farmer Beneficiaries Multipurpose Cooperative (SAFaBeMCo) and Bayan Muna Partylist in **Palo, Leyte** were victims of gunfire and grenade blasts by elements of the 19<sup>th</sup> IB at dawn of 21 November 2005. They were about to go out to till a 12-hectare rice land awarded to them by the Department of Agrarian Reform (DAR) when government soldiers, acting on alleged intelligence report, attacked the hut where the farmers were gathered. Nine were killed including seven-month pregnant Alma Bertoline. The military claimed that the attack was a “legitimate encounter” with members of the NPA.

Abu Sayyaf leaders detained in **Camp Bagong Diwa** attempted to escape on 15 March 2005. They tried to involve other Moro detainees, more than a hundred of whom were ordinary residents of Basilan and other parts of ARMM, but who were loosely referred to as Abu Sayyaf members. Before the incident, the Moro inmates were unsuccessful in getting their demand for speedy and fair hearings of their cases as well as better jail conditions.

To subdue the Abu Sayyaf men who were holding the other inmates as hostage, the Camp administration sought assistance from the PNP SWAT. According to some witnesses, despite heated negotiations the hostage-takers were about to come out. That was when the SWAT

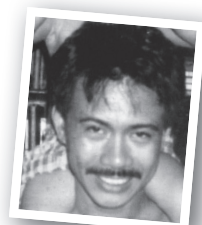


Massacred farmers of Hacienda Luisita (L) and Palo, Leyte (R).

opened fire and killed 22 inmates, as well as several minors and a 75 year-old man afflicted with Alzheimers Disease.

A CHR investigation revealed that it was a case of PNP overkill and recommended the filing of a criminal case against those involved. There is no information as to whether this has been implemented.

***Enforced and involuntary disappearance*** (EID) is deemed as one of the cruelest of human rights violations. It is “a doubly paralyzing form of suffering: for the victims, frequently tortured and in constant fear for their lives, and for their family members, ignorant of the fate of their loved ones, their emotions alternating between hope and despair, wondering and waiting, sometimes for years, for news that may never come. The victims are well aware that their families do not know what has become of them and that the chances are slim that anyone will come to their aid.” (*Human Rights Fact Sheet No. 6*, Center for Human Rights, Geneva, 1998)



Cases of enforced disappearance started accelerating in 2004-2005 averaging at two cases a month. It peaked in 2006, tripling the average to six incidents a month or more than once a week. **From the time GMA became president until 31 October 2009, there are a total of 204 missing, 31 of them women and 68 belonging to cause-oriented organizations.**



The first victims of enforced disappearance, after OBL took effect in 2002, were **Honor Ayroso**, a poet and peasant organizer, and **Johnny Orcino**, also a peasant organizer, and a Bayan Muna coordinator in Nueva Ecija. The two were on their way home on February 9 when three armed men blocked the tricycle they were riding. The perpetrators forced the tricycle driver to get off, then drove off with the two victims on board, followed by other armed men on an owner-type jeep and a motorcycle. The perpetrators were believed to be elements of the 71<sup>st</sup> IBPA. Ayroso and Orcino are still missing.



Ayroso belonged to what was known as Pasig 10, a group of leaders and organizers of cause-oriented organizations in Nueva Ecija who were abducted in various points in Metro Manila in March 1989. They were tortured in a safehouse and were missing for a week. They were later surfaced, charged with illegal possession of firearms and inciting to sedition and detained at the Rizal Provincial Jail in Pasig. After a year, the local court dismissed the case against them.

NDFP Consultants, who were protected by the JASIG (Joint Agreement on Safety and Immunity Guarantees) went missing one after the other in 2006. **Philip Limjoco** disappeared on May 8 after seeing his son off to Manila in a bus terminal in Dau,

From top: Ayroso, Limjoco, Gabriel and Rogelio Calubad, Ancheta

Pampanga. On June 17, **Rogelio Calubad** and his son, **Gabriel**, were traveling in Calauag, Quezon when men riding in two motorcycles forced the Calubads' vehicle to crash to the ground. Four other men in a dark blue van took Rogelio with them. Gabriel was made to ride in one of the men's motorcycle. That was the last time they were ever seen.

**Leopoldo Ancheta** was abducted on June 24 in Guiguinto, Bulacan. Witnesses, who refused to testify for fear of their safety, said that they saw a man fitting Leopoldo's description being accosted by armed men and forced inside a silver Revo van with no plate number. **Prudencio Calubid** was traveling on June 26 along a highway in Southern Tagalog with his wife Celina Palma, niece Gloria Soco, and drivers Ariel Beloy and Antonio Lacno. One of the drivers escaped from the military abductors and was able to inform the families of the victims but had to hide for fear of his life. The rest remain missing up to this date.

On February 19 the next year, **Leo Velasco** was taken by six armed men in broad daylight in front of a public establishment in Cagayan de Oro City. He is now among the desaparecidos. The children of Velasco and Elizabeth Principe got a double whammy from the military after Principe was illegally arrested on 28 November of the same year.



University of the Philippines (UP) students **Karen Empeño** and **Sherlyn Cadapan** were abducted by a group of soldiers in the early morning of 26 June 2006. They were forced into a jeepney along with **Manuel Merino**, a peasant organizer who was forcibly taken from the house of one William Ramos. The jeepney sped towards the direction of Iba, Hagonoy, Bulacan where the headquarters of Bravo Company of the 56<sup>th</sup> IB is located.



Later, Raymond Manalo, who was missing for 18 months was able to escape military custody, related that he was detained at the camp of the 24<sup>th</sup> IB camp in Limay, Bataan, along with the two UP students and Merino. He said he last saw the three in April 2007 after the two young women were severely tortured. He claimed to have seen soldiers shoot then burn Merino.



In October 2008, a joint fact-finding mission by Karapatan and the CHR at the said camp – with Manalo's guidance – exhumed several burnt bones and a slipper supposedly owned by Merino.



The families of Cadapan and Empeño filed a petition for writ of habeas corpus with the Supreme Court which then directed the Court of Appeals to hear the case. During the last four hearings, respondent military and police officials did not bother to attend until the court threatened to cite them for contempt. Their testimonies consisted of denials and feigned ignorance.

Four burly men who introduced themselves as policemen picked up **Jonas Burgos**, 38, on 28 April 2007. Witnesses said that Burgos was handcuffed and dragged out of the restaurant in a Quezon City mall on Commonwealth

From top: Velasco, Empeño, Cadapan, Burgos

Avenue where he was having lunch. He was forced into a maroon Toyota Revo, which license plate was traced to a military camp in Norzagaray, Bulacan thus implicating the 56<sup>th</sup> IB.

Burgos is a graduate of Benguet State University who used to give agri-technology training to members of the Alyansa ng Magbubukid sa Bulacan, a chapter of the KMP (Kilusang Magbubukid ng Pilipinas or Peasant Movement of the Philippines). He is the son of the late Jose “Joe” Burgos, Jr. press freedom icon and pioneer of the alternative press during the Marcos dictatorship. His mother, Mrs. Edita Burgos, is now the Chairperson of Desaparecidos (Families of Desaparecidos for Justice).

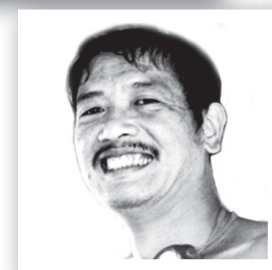


In the same month, **Luisa Posa-Dominado** and **Nilo Arado** were abducted by unidentified military elements in Iloilo. A green Mitsubishi van overtook the pick-up truck they were riding and forced it off the road. Dominado was dragged into the green van while Arado into a maroon Starex sedan. Also with the victims was Jose Ely Garachico, Vice-Chairperson of Panay Alliance – Karapatan, who survived a gunshot wound which passed through his neck and hit his left lung.



Arado was the Chairperson of Bayan – Panay while Dominado is the regional spokesperson of Selda, an organization of former political prisoners. They are both still missing.

On 17 September 2007, **James Balao** never made it to his ancestral home in La Trinidad, Benguet. He was abducted by armed men who claimed they were bringing him to Camp Dangwa and were believed to be military men. Balao was a founding member of the Cordillera People’s Alliance (CPA). He mentioned to his family prior to his abduction that he had been under surveillance since June 2008. He is the first victim of enforced disappearance in the Cordillera region since 2001.



Dominado, Arado and Balao

**Illegal arrest** can take the form of abduction, “picking up”, taking into custody or “inviting” for questioning. It includes the use of a blanket warrant using generic names, John and Jane Does, to justify or legalize an otherwise questionable arrest. Or the illegal arrest is “cured” by subsequent issuance of a warrant. The arrest of five or more persons can be termed as **mass arrest**.

Illegal arrest also includes the seemingly harmless practice of the police and military of inviting individuals and asking the latter questions in connection with a supposed crime or wrongdoing or inquiring about their membership in organizations and political affiliation.

The person who is illegally arrested can be subsequently released after undergoing interrogation and, worse, torture. Or he/she can be illegally or arbitrarily detained after being interrogated, held incommunicado and/or tortured.



**Table 3**  
**Victims of Illegal Arrest under GMA's Presidency**  
 January 21, 2001 to October 31, 2009

Year	Total	Women	Children	Organized
2001	342	54	9	106
2002	142	10	8	40
2003	147	28	12	54
2004	213	32	13	66
2005	127	19	8	22
2006	226	31	6	73
2007	335	57	35	60
2008	320	32	14	76
2009 (as of Oct)	94*	27	0	46
<b>Total</b>	<b>1,946</b>	<b>290</b>	<b>105</b>	<b>543</b>

\*Mass arrests not yet reflected

Based on reports gathered by Karapatan

**Arbitrary detention.** An illegally detained person continues to be arbitrarily deprived of liberty by being kept in a detention center, police station, city or provincial jail or in a military camp. Charges against the detainee can be filed one after another to prolong the detention. Court proceedings vary in frequency and speed of decision depending on how gravely the military and the government consider the detainee as an “enemy of the state.”

**As of end October 2009, there are 284 political prisoners in 62 prisons and detention centers all over the Philippines: 29 detention centers in Luzon, 15 in the Visayas and 18 in Mindanao. Of the total number, 28 are women and 6 are minors.**



At around 10:00 a.m. on 2 May 2004, **Eduardo Serrano** was forcibly taken just after he got off a bus bound for Lipa, Batangas by the AFP's Intelligence Security Group backed up by the PNP. He was manhandled and dragged into a jeep. Two women were likewise arrested from the same bus and shoved into another jeep.

Serrano was blindfolded and then brought to Camp Vicente Lim in Laguna. He was subjected to grueling interrogation without benefit of counsel. The AFP presented him to the media the next day as a high-ranking regional officer of CPP Mindoro, Southern Tagalog. Afterwards, he was subjected to more intensive interrogation and psychological torture. He was held incommunicado for ten days thereby denied counsel and access to his family. He was secretly transferred to the stockade of the 204th IB in Mindoro Oriental.

Serrano is currently imprisoned in the maximum security detention center in Camp Crame, Quezon City. He faces five criminal charges: murder, frustrated murder, multiple murder, frustrated multiple murder and kidnapping.

They are popularly known as **Tagaytay 5**: Riel R. Custodio of Batangas City; Michael M. Masayes, Tagaytay City; Axel Alejandro A. Pinpin, Indang, Cavite; Aristides Q. Sarmiento, Calamba City; and Enrico Y. Ybanez, Tagaytay City and Oriental Mindoro. They are all peasant leaders, organizers and advocates associated with the Katipunan ng mga Magsasaka sa Kabite (Kamagsasaka-Ka) and The Cavite Farmers Consultative Council (CFCC).



They were travelling along Ligaya Drive, Brgy. Sungay, Tagaytay City at sundown on 28 April 2006 when they were illegally arrested by an estimated 30 to 40 heavily armed men who turned out to be from the PNP and the Philippine Navy Intelligence and Security Force (NISF). Some of their abductors were in uniform. No one wore a nameplate. They carried no warrant of arrest.

The victims were kept blindfolded and hogtied for seven days. They were denied counsel, held incommunicado thus hidden from their relatives. They were beaten up, repeatedly threatened with electrocution and summary execution.

Unable to establish a shred of evidence, the police planted and declared in a press conference presided over by then PNP Director General Arturo C. Lomibao that those arrested belonged to a group of NPA sent to destabilize the Arroyo regime during the Labor Day celebration. Eventually, after more than two years of being illegally detained, charges against the Tagaytay 5 were dismissed for insufficiency of evidence.

**Elizabeth Principe**, 58, was illegally arrested on 28 November 2007 in Cubao, Quezon City by several men who turned out to be from the Military Intelligence Group. No arrest warrant was presented to her when she was accosted and forcibly taken while waiting for the results of her medical laboratory tests. She was surfaced three days later due to prompt inquiries from human rights defenders.



Principe, a health worker and community organizer, is a consultant in the stalled peace negotiations between the GRP and NDFP. Her husband, Leo Velasco, is also a peace consultant of the NDFP. He is still missing since his abduction in February 2007.

Principe was accused of rebellion and was also slapped with murder charges. All of them were eventually dismissed in six regional trial courts in Ilocos Sur, Isabela and Nueva Vizcaya. She was released from maximum security detention in Camp Crame in July 2009, more than one and a half years after her illegal arrest and detention.

The case of **Cadiz 13** is an example of how the AFP uses for its purpose break-away elements from the CPP-NPA-NDFP who have turned special military agents and at worst guns for hire. On 5 July 2008 at around 6:30 in the morning in Brgys. Bonifacio and Caduhaan, Cadiz City, seven members of the Revolutionary Proletarian Army (RPA), acting on the authority of the AFP, arrested 13 farmers, all members of PAMACAD (Paghiusa sang Mangunguma sa Caduhaan), a peasant organization affiliated with KMP.

The victims were forced to pose atop a pile of logs. Their photograph was taken as evidence that they are engaged in illegal logging in the area. They were then ordered to board a Canter truck and were brought to the Cadiz PNP station. They were deceived into signing an inquest letter a few days later.

**Table 4**  
**Political Prisoners**  
as of October 31, 2009

Region where detained	Total number of PPs	Women	Minors	Arrested under GMA
Cagayan Valley	2	0	0	2
Cordillera Administrative Region	4	2	0	4
Central Luzon	17	1	0	17
National Capital Region	103	4	6	74
Southern Tagalog	26	1	0	26
Bicol	16	4	0	16
Eastern Visayas	17	5	0	17
Western Visayas	24	2	0	24
Central Visayas	8	0	0	8
Caraga	1	0	0	1
Northern Mindanao	13	3	0	13
Western Mindanao	21	5	0	21
Southern Mindanao	26	1	0	26
SoCSKSargen	6	0	0	6
<b>Total</b>	<b>284</b>	<b>28</b>	<b>6</b>	<b>255</b>

*Based on reports gathered by Karapatan*

**Torture** is the application of severe pain or suffering on a victim, whether physical or mental. It is a deliberate form of cruel, inhuman or degrading treatment or punishment purposely inflicted by military or State agents to obtain information, extract a confession, implicate self and others, break the spirit and/or turn the victim into a military asset. **There are 1,026 reported cases of torture under GMA until the end of October 2009.**

On the night of 8 March 2005, **Angie Ipong**, 60, was forcibly taken by heavily armed men who identified themselves as PNP-CIDG agents. She was held incommunicado for almost two weeks.

While being held incommunicado, the military continuously denied taking Angie into their custody, moving her from camp to camp. During the series of interrogations, her captors hit her



Ipong was blindfolded before and after she was presented to the media.

head with rolled paper whenever they were dissatisfied with her answer. They tied her hands behind her back and hit her on her shoulders and abdomen. Later on they undressed her and played with her exposed private parts.

Ipong has high blood pressure. Since her torture she has twice suffered what were suspected as mild heart attacks. She remains in detention as the military refuses to release her for humanitarian reasons.

**Pastor Berlin Guerrero** of the United Church of Christ in the Philippines (UCCP), 46, was abducted on May 27, 2007 by a composite unit of Naval and PNP Intelligence Group. He was then the Secretary General of Bayan in Southern Tagalog.

During tactical interrogation, he was handcuffed. Men took turns hitting his head with their fists and blunt objects. They wrapped layers of plastic bags around his head and tightened them around his neck until he could no longer breathe. He passed out twice and pissed in his pants. His captors threw invectives and verbally abused him. They threatened to kill him by burying him alive. They also threatened to harm his family and rape his daughters in front of him if he did not cooperate. He was forced to reveal the passwords for his laptop computer and e-mail account, after which the intelligence operative proceeded to erase the contents and replace them with incriminating documents of the underground left.

The following day he was brought to Camp Panteleon Garcia, the PNP Provincial Headquarters. He was told that he was implicated in a 17-year murder case. It was only in the evening of his second day of ordeal that he was allowed to see his family, his counsel and the Quick Reaction Team of Karapatan.

**Randy Malayao**, 39, was forcibly taken by elements of the AFP-MIG in the evening of May 15, 2007. He was missing for five days until the CIDG presented him to the media at Camp Melchor in Gamu, Isabela.

During the days that he was missing, he was handcuffed and blindfolded all the time. He was beaten up by four soldiers who used their fists and hard objects. His head was wrapped with a plastic sheet to suffocate him and he was made to wear an improvised strait-jacket. He was also exposed to extreme cold in front of an air-conditioner. His captors threatened to harm his family. They were able to open his laptop computer and stole his electronic devices.



Randy Malayao



Malayao visited by fellow Guilder Bayan Muna Congressman Teddy Casiño in Tuguegarao City Jail. (Photos courtesy of Rep. Casiño)

Malayao is the former Vice President for the Visayas of the College Editors Guild of the Philippines (CEGP) and former editor-in-chief of *Ang Mangingisda* (The Fisherman), official publication of the University of the Philippines in the Visayas. He was an NDFP peace consultant in Cagayan Valley when abducted. He is presently detained at the Tugegarao City Jail.

**Pastor Rodel Canja**, 25, another UCCP pastor was abducted at gunpoint in Pililla, Eastern Rizal on 2 May 2008 before he could attend the annual meeting of the Northeast Southern Tagalog Conference of UCCP in Jala-jala, Rizal. He was kept in a military safehouse for four days and three nights before he was released with a stern warning to keep mum about what happened to him.

He was tortured to force him to give information and make a statement against Pastor Berlin Guerrero, who was his classmate in the seminary. The interrogators threatened to kill him with a pistol cocked all throughout the interrogation. When they read the identification cards they took from his wallet, they threatened to harm his family. Later they jammed a pistol in his mouth and told him that it was his last chance to confess regarding Pastor Guerrero's political activities. He was so terrorized that he was too frightened to eat the food served him lest he would be poisoned.

On the last day of his captivity he was blindfolded, led outside and into a waiting van. During the long trip, the captors talked aloud about killing him instead of letting him go. It was already dark when he was left at a place unfamiliar to him.

### ***Counter propaganda and vilification***

The vilification campaign against the critics of the U.S.-Arroyo regime continues even as UN mechanisms have repeatedly urged the government to stop the labeling of civil society organizations and their members and leaders as "enemies of the state." OBL requires that the "propaganda" strength of the so-called enemies of the state have to be countered more vigorously. As a result, the AFP has appointed spokespersons from the highest level to battalion command.

**Military-run radio programs** were set up in the regional centers. These programs regularly air and churn out tirades against persons in the open democratic movement, especially those listed in the OB. They are programmatically discredited on the air and after some time can end up dead or missing.

Military-backed anti-communist organizations like the National Alliance for Democracy (NAD) are also used in OBL's counter-propaganda. NAD got a morning slot for its radio program to counter the popular **Ngayon Na Bayan** (NNB) on DZRJ which discusses people's issues and views. NAD's preoccupation was to counter what NNB broadcasts the afternoon before. Eventually, in 2006, NNB's contract was not renewed by the station owner who is close to GMA.



News anchors of Radyo Cagayano.  
(www.bulatlat.com)

But a worse fate was to befall **Radyo Cagayano**, an NNB-affiliated community radio station in Baggao, Cagayan being built by a peasant organization, Kagimungan. It was burnt to the ground by the military in July 2006. In 2003, Joey Javier, Kagimungan's Chairperson, was on his way home when hacked in the arm with a bolo after the groundbreaking ceremony at the radio station. Despite all the harassment, the peasants insisted on rebuilding their radio station. In October 2006, Javier was shot dead by men on motorcycles. Two weeks later, Anthony Licyayo, who succeeded Javier, was killed in his farm by men in ski masks.

The People's International Observers Mission for the 2007 Elections (People's IOM 2007) reported posters and streamers accusing the progressive partylist organizations Bayan Muna, Gabriela Women's Party and Anakpawis of being "communist fronts". The nominees of said parties, especially Reps. Satur Ocampo and Liza Maza, did not escape **vilification in posters** put up in places near polling precincts. Actually, the more vigorous attempts to discredit and demonize them started in the 2004 elections after they won seats in the House of Representatives in 2001.

### *Trumped-up and politically motivated charges*

The Inter-Agency Legal Action Group (IALAG) was set up by Malacanang to directly supervise what OBL terms as "legal offensive" against those whom the GMA government has tagged as "enemies of the state." It was tasked to investigate, prosecute, monitor and handle litigation of cases involving national security. IALAG did this by systematically conjuring and fabricating charges against national and regional leaders of the open democratic movement.

"Legal offensive" refers to the systematic filing in court of trumped-up charges against the government's staunchest critics. Names of those in the underground and those in the open democratic movement are lumped together in a charge sheet and warrant of arrest. Aside from rebellion and inciting to sedition, the other charges usually slapped on the accused are murder, robbery-in-band, carnapping, kidnapping, arson and libel, the last usually directed against media persons. Charges are filed not only against one or two individuals but against groups of 20 to more than a hundred.

On 15 May 2009, GMA signed Executive Order 808 which abolished the Inter-Agency Legal Action Group (IALAG) reportedly because "IALAG has already accomplished its mandate." Actually the EO came after UN SR Philip Alston presented a follow-up report on the extrajudicial killings and other human rights violations in the Philippines which reiterated his recommendations which included the abolition of the IALAG.

Presidential Proclamation 1017 brought the Philippines under a “state of national emergency” in February 2006. Right after, Anakpawis partylist representative Crispin Beltran was illegally arrested based on a 21-year old warrant which has already been dismissed after the fall of the Marcos dictatorship. Bayan Muna Representative Joel Virador was arrested at the Davao Airport but released in the custody of Davao City Mayor Rodrigo Duterte who accompanied him to the House of Representatives. Representatives Satur Ocampo and Teddy Casiño of Bayan Muna, Liza Maza of the Gabriela Women’s Party and Rafael Mariano of Anakpawis were also charged but managed to elude arrest. The Arroyo administration alleged that the six progressive lawmakers conspired with the rebel soldiers who attempted to overthrow the Arroyo government on February 24, 2006. They became known as the **Batasan 6**.

Representatives Ocampo, Casiño, Virador, Maza and Mariano sought the protective custody of the House of Representatives where they stayed for more than two months. Congressman Beltran stayed at the Philippine Heart Center due to hypertension.

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“Legal offensive” refers to  
the systematic filing in court of  
trumped-up charges against the  
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Aside from the Batasan 6, six other leaders of the open democratic movement, namely Rafael Bayloysis, Rey Casambre, Randall Echanis, Vicente Ladlad, Tita Lubi and Nathanael Santiago, were among the 49 charged with rebellion. Eight others were implicated, namely Dr. Carol Araullo (Chair, Bayan), Emmi de Jesus (SecGen, Gabriela), Danilo Ramos (SecGen, KMP), Joel Maglunsod (SecGen, KMU), Renato Reyes (SecGen, Bayan), Atty. Romeo Capulong (eminent human rights lawyer), Rita Baua (International Relations Officer, Bayan) and Ruth Cervantes (Public Information Officer, Karapatan). Of those listed in the charge sheet, one was assassinated, three are still missing and five were arrested based on trumped up charges which were eventually dismissed, leading to the victims’ release.

The Regional Trial Court dismissed the case of rebellion against the 49 in July 2007 upon instruction of the Supreme Court which found insufficient evidence for the charges.

Rep. Satur Ocampo, Rafael Bayloysis, Randall Echanis and Vicente Ladlad were among the **51 charged with murder in Leyte** after the military purportedly unearthed mass graves of the victims of alleged NPA purging in the late 1980’s and early 1990’s. Warrants of arrest were issued against them and the regional leaders from Eastern Visayas.

Ocampo was temporarily detained at the Manila Western Police headquarters but was dragged to a helicopter in April 2007 in an aborted attempt to transfer him to Leyte. He was released later upon instruction of the Supreme Court. Echanis, on the other hand, was eventually

arrested in Bacolod City on 28 January 2008. He was detained first in Leyte after which he was transferred to the Manila City Jail. He was released on 14 August 2009 in preparation for the resumption of peace talks between the GRP and NDFP, of which Echanis is a consultant.

Based on “evidence” and dossier provided by the Arroyo government, NDFP Chief Political Consultant and Chairperson of the International League of Peoples’ Struggle (ILPS), **Prof. Jose Maria Sison**, was arrested on 28 August 2007 by Dutch authorities, a few days after the European Court of First Instance (ECFI) in Luxemburg annulled his name’s inclusion in the European Council’s “terrorist” listing. The NDFP office was raided and computers and files confiscated. Sison was released 17 days later.

On 31 March 2009, the Dutch prosecution also cleared Sison of the false charges of inciting the killing of former CPP-NPA leaders Romulo Kintanar and Arturo Tabara respectively in 2003 and 2004. On 30 September 2009, the ECFI annulled all decisions and a regulation of the Council of the European Union which maintained Prof. Sison’s name in its so-called terrorist blacklist. The decision of the Council to finally remove Sison from the terrorist listing still has to be made.

It has been the practice of the military and police under OBL to file **blanket charges against the regional leaders** of the democratic movement. Examples are the 115 charged with murder in Central Visayas, 17 charged with libel, coercion, unjust vexation and malicious mischief in Negros, eight charged with rebellion in Davao City and the latest, the 72 charged with multiple murder and multiple attempted murder in Southern Tagalog.

### *Indiscriminate firing, forced evacuation and other HRVs directed at communities*

Below are the reported number of people affected by human rights violations committed against communities, mostly in the rural areas, under GMA’s presidency up to end October 2009:

Heavily affected are the regions of Southern Tagalog, Bicol and Central Luzon; Samar, Leyte and Negros in the Visayas; and North Eastern (Caraga), Southern (Compostela Valley) and North Central Mindanao.

Indiscriminate firing	536,517
Forcible evacuation and displacement	873,431
Food and other economic blockade	84,626
Use of schools, religious and other public places for military purposes	55,388
Illegal search and seizure	52,310
Hamletting	38,616



With regards to urban militarization, the presence of soldiers in urban poor communities in the National Capital Region (NCR) started in June 2006. Quoting from the Karapatan 2007 Year-End Report:

“Soldiers in the communities became very visible in November 2006, six months prior to the May 2007 midterm elections. The military occupied barangay halls and other civilian structures and turned them into temporary detachments. They imposed formal and informal curfews, made rounds of the communities in full battle gear. They conducted house-to-house visits and took census to gather information about the leaders and members of the different community organizations and progressive party-list groups. They held meetings and played the video presentation of the AFP book, *Knowing the Enemy*. In it, legitimate organizations in the democratic movement, such as those found in the communities, were tagged as fronts of the CPP-NPA. Likewise, the military accosted, arrested and interrogated residents and kept them in short-term detention. Residents were required to give their addresses and name of the organizations they belonged to. The military accused a number of residents as members or supporters of the NPA.”

### ***Circumvention of the judicial system, cover-up and whitewashing***

The Arroyo government created Task Force Usig supposedly to investigate human rights violations. It eventually became apparent that the task force was another whitewash tool. No investigation of violators was seriously undertaken. No soldier or policeman was ever prosecuted and convicted. Instead, TF Usig concentrated more on blaming the killings on the NPA, discrediting Karapatan’s documentation and producing witnesses who gave false testimonies which were obviously made under duress.

It did not take long before TF Usig was totally discredited. GMA then created the Melo Commission which was supposed to be an impartial and reliable body to investigate HRVs. But the Commission could not earn the confidence and trust of the victims of HRV and their families because it had among its members the Director of the National Bureau of Investigation and the Chief State Prosecutor who had done nothing to assist the victims and were also involved in the GMA government’s repression of dissent. The victims were further driven away from participating in the investigation because the Commission started the process by interviewing the military generals first, could not guarantee the safety of the witnesses and ignored the guidelines on investigation that Amnesty International provided.

The victims and their families though appreciated the findings of the Commission implicating the much despised retired Major General Jovito Palparan, Jr. in extrajudicial killings by virtue of command responsibility and his acts virtually calling on his men to kill the “enemies of the state.” However, the Commission saved GMA from being held accountable by stating that there was no national policy to which killings and disappearances could be attributed.

The AFP has made a mockery of the writ of habeas corpus. All the respondent military officer has to do is to deny that his unit has custody of the missing person. To remedy this weakness

**Table 5**  
**Victims of Extrajudicial Killing and Enforced Disappearance**  
**under GMA's Presidency**  
**(by sectoral and multi-sectoral organizations)**  
 January 21, 2001 to October 31, 2009

Organization	EJK	ED
<b>Bayan</b>		
KMP	131	15
KMU	23	3
Anakbayan	15	3
Pamalakaya	8	2
Kadamay	11	0
LFS	5	0
Courage	4	0
PCPR	2	0
CPA	0	1
Kamp	10	0
SCMP	1	0
Kalikasan	1	0
Piston	1	1
Secretariat	7	2
<b>Karapatan</b>		
Selda	4	2
Kasimbayan	2	0
Chapters	21	1
<b>Other organizations</b>	16	5
<b>Partylists</b>		
Bayan Muna	142	12
Anakpawis	49	7
Gabriela Women's Party	2	0
Kabataan	2	0
Suara Bangsa Moro	2	2
Anak ng Bayan	0	1
<b>NDF Consultants/Staff</b>	1	11
<b>Total</b>	<b>460</b>	<b>68</b>
<i>Women</i>	<i>51</i>	<i>11</i>

*Based on reports gathered by Karapatan*

and in response to wide public outcry against EJK, the Supreme Court, under the leadership of Chief Justice Reynato Puno, Jr. came out in October 2007 with the Rule on the Writ of Amparo which is “a remedy available to any person whose right to life, liberty and security is violated or threatened with violation by an unlawful act or omission of a public official or employee, or of a private individual or entity.”

In addition, the Supreme Court issued the Rule on the Writ of Habeas Data that took effect in February 2008. It is “a remedy available to any person whose right to privacy in life, liberty or security is violated or threatened by an unlawful act or omission of a public official or employee, or of a private individual or entity engaged in the gathering, collecting or storing of data or information regarding the person, family, home and correspondence of the aggrieved party.” This writ can protect one from surveillance and being retained in an Order of Battle which is normally used as a hit list.

But the military commanders, police superintendents and their accomplices in the Department of Justice, who are more assiduous in protecting impunity than in stopping human rights violations and prosecuting the perpetrators, once more found ways of undermining the new writs. Most of the petitions for the writ of amparo have been dismissed. The military also turned the table and filed petitions against human rights organizations. They resorted to pressuring witnesses to claim that they were in “voluntary custody.” Court orders favoring the victims are questioned or ignored by the military and police respondents.

The result? Let us quote from UNSR Philip Alston's April 2009 report to the UNHRC:

“While an important informal message was clearly sent to the military, most of the Government's formal actions in response to the Special Rapporteur's recommendations have been symbolic, and lack the substantive and preventive dimensions necessary to end the culture of impunity.

“Since 2007, the Government has successfully prosecuted just one perpetrator of an extrajudicial execution. And not a single member of the armed forces has been convicted for killing leftist activists.”

GMA's appointment of Atty. Leila de Lima as Head of the Commission on Human Rights (CHR) is a master stroke. De Lima has turned out to be a genuine human rights advocate. She coordinates with HR NGOs and meets with victims of rights violations. She certainly gives the GMA government positive public projection. But she is only one person compared to the horde of militarists who could not care less about the rights of people who disagree with them.

### *Persecution of human rights defenders*

The human rights situation in a country is definitely dismal when even the rights of human rights defenders are violated. As of end October 2009, 460 human rights defenders have fallen victim to extrajudicial execution, 51 of them women. Eleven women are among the total of 68 HRDs still missing. Of the 543 illegally arrested, 98 are women.

“It has become increasingly difficult for Karapatan to conduct fact-finding missions and other activities that seek to gather evidence of abuses. Regional offices of Karapatan are either raided or burned to terrorize its members and volunteers. Karapatan has also been the subject of vilification campaigns during military operations both in rural and urban areas. Branded as a communist front, its fulltime staff and volunteers are spitefully labeled by the military and other hawks in government as “terrorist lovers” making them vulnerable to different forms of violence, threats, harassment and intimidation.” (2008 Karapatan Year-End Report)

**Table 6**  
**Violations of the Rights of Human Rights Defenders**  
January 21, 2001 to October 31, 2009

<b>HR Violation</b>	<b>Over-all Total</b>	<b>Over-all Women</b>	<b>Total HRDs</b>	<b>Women HRDs</b>
Extrajudicial killing	1,118	131	460	51
Enforced Disappearance	204	31	68	11
Illegal arrest	1,946	290	543	98

*Based on reports gathered by Karapatan*

**Table 7**  
**Human rights workers of Karapatan and allied organizations who have fallen victim to human rights violations by the Arroyo government**  
January 21, 2001 - October. 31, 2009

<b>Type of Violation</b>	<b>No. of Victims</b>
Extrajudicial killing	34
Enforced disappearance	3
Frustrated killing	8
Torture	13
Illegal arrest without detention	9
Illegal arrest and detention	53
Physical assault and injury	63
Threat, harassment and intimidation	143

*Based on reports gathered by Karapatan*

### *Repressive policies and legislation*

A state of national emergency was declared through Arroyo's Presidential Proclamation 1017 (PP 1017). It aimed to curtail civil liberties to clamp down on the growing movement calling for her ouster. In line with her allegation of the existence of a broad collusion of forces to destabilize her government, she ordered the investigation and arrest of leaders and personalities supposed to be active participants of or have links with the plot. Especially targeted was the Left which has been at the forefront of the campaign to remove GMA from power.

The military intensified its monitoring and harassment of people's organizations and their leaders. The headquarters of KMU, the Bayan, KMP, Gabriela and other activist organizations were subjected to heavy surveillance. The PNP's SWAT team intruded into the UP Diliman campus searching for student leaders. Military intelligence invaded the PUP campus in Manila profiling organizations and individuals.

The CIDG raided the office of the *The Daily Tribune*, a broadsheet which exposed corruption and anomalies involving GMA and her husband. It posted a team in the office for about a week. On 3 March 2006, the Tribune's Editor-in-Chief and columnists were charged with sedition.

The National Telecommunications Commission (NTC) on the same day warned that it would take over or cut a program off the air that defies its order that no one should broadcast calls and views calling for the President's ouster. The DOJ, on the other hand, admitted that it was monitoring seven broadcast stations.

Arroyo eventually withdrew PP 1017 due to strong public protest and political backlash.

On 21 September 2005, the 33rd anniversary of the declaration of martial law, and in the wake of rallies calling for GMA's ouster, Malacanang revived BP 880, a 1985 Marcos law which main feature is "**no permit, no rally**" and partnered it with the so-called **Calibrated Preemptive Response (CPR)**, a license for the police to violently disperse peaceful assemblies. Both emboldened the PNP to make unlawful arrest of rallyists, hose them down with water cannons and attack them with police shields and night sticks. Worse, Mendiola Bridge, the symbol of people's protest against the Marcos dictatorship and later in the ouster of President Erap Estrada, is now denied the people and declared as a "no-rally zone."



The people continued to defy the repressive policies of the Arroyo regime. ([www.arkibongbayan.org](http://www.arkibongbayan.org))

President Arroyo issued **Executive Order 464 (EO 464)** a week later on 28 September 2005 after National Security Adviser Norberto Gonzales embarrassed himself while testifying before a Senate hearing on the controversial Venable LLP contract and two military officers appeared in the Senate investigation on election fraud popularly known as the "Hello, Garci" scandal directly implicating GMA.

EO 464 violates the right to information especially on matters of public concern and governance. It prohibits government officials from attending Senate hearings and divulging information they were privy to. The executive order was issued after some of the Arroyo cabinet members and officials who have resigned announced that they were willing to testify in investigations on the cases of graft and corruption by the Arroyo government.

The **Anti-Terrorism Law (ATL)**, or what is euphemistically titled Human Security Act, took effect in July 2007. It is patterned after the Patriot Act in the U.S., and was strongly pushed by the George W. Bush administration. It was declared a priority bill by GMA.

The definition of “terrorism” was deliberately made vague and can be used as a catch-all term to target anyone criticizing or questioning any of the Arroyo government’s policies, programs and actions. ATL passing into law means even more violation of human rights. Suspected “terrorists” are denied their right to due process and presumption of innocence. The repressive law provides easy proscription and illegalization of people’s organizations and civil society groups. Other features that legitimize HR violations are warrantless arrest and indefinite detention; surveillance; house arrest, travel restricted to within a municipality and ban from use of telephone, fax, internet, computer; and looking into, freezing and/or sequestering of bank accounts.

### ***U.S. military intervention fostered by GMA puppetry***

The U.S. under George W. Bush used the tragedy that was 9/11 as a pretext to launch its “war on terror” which proved to be a **war of terror**. Iraq, Iran and North Korea were branded as the “axis of evil” and countries in Southeast Asia with Muslim presence, namely the Philippines, Indonesia, Thailand, Malaysia and Singapore, as the Second Front. American troops poured into Iraq and Afghanistan in a brazen display of imperialist aggression.



The CPP, NPA and Prof. Jose Maria Sison were included in the U.S.- initiated “terrorist listing” which vilified liberation movements and people’s leaders. Those in the list became targets of political and military attacks. The U.S. passed the Patriot Act after which anti-terrorist laws in other countries, especially its neo-colonies, are to be patterned. The law legalizes torture, wire tapping, profiling and other affronts to civil liberties.

For being such a puppet who was praised by Bush as his “major non-NATO ally,” GMA was rewarded with a 1,600% increase in **military aid** in 2008 compared to 2001. The Philippines is the beneficiary of the biggest military aid in the East Asia-Pacific region. It is 3<sup>rd</sup> in the world

among the recipients of additional funds for military training and education. No wonder the Arroyo government intensified its attacks on Moro areas in Mindanao where American economic interests are sizeable.

The **Mutual Logistics Support Agreement (MLSA)** of 2002 permits the U.S. to stock up on military equipment in the Philippines and to build structures to support U.S.-R.P. military exercises. The **Security Engagement Board (SEB)** of 2006 is a consultative group composed of the AFP Chief of Staff and the Commander of the U.S. Pacific Command who are tasked with operationalizing security cooperation between the two countries based on a broader definition of security which now includes non-traditional threats like terrorism, drug trade, piracy and natural calamities. It is another move to legitimize the entry of U.S. troops in any part of Philippine territory for the flimsiest of reasons.

The Arroyo regime's hold on power is bolstered by the presence of U.S. troops in different parts of the country. U.S. concern centers not only on the defense of American mining, trade and other corporate interest, but also the defeat of the biggest opposition to U.S. hegemony in Southeast Asia, the underground and legal Left.

Extrajudicial killings carried out under OBL are patterned after Operation Phoenix which the U.S. implemented covertly during the Vietnam War. It took the form of death squads and assassinations of thousands of unarmed civilians making up what were called "Viet Cong infrastructure (VCI)." It is quite the same way that the leaders and members of progressive organizations branded by the AFP as "CPP-NPA fronts" have been killed, disappeared or subjected to other forms of terror in military hands.

Based on the Visiting Forces Agreement (VFA), the **U.S. Joint Special Operations Task Force – Philippines (JSOTF-P)** was set up. Despite its mandate which is limited to joint military exercises, American troop presence in the country continues to expand. American soldiers assist the AFP not only in conducting military exercises but also such activities as espionage, surveillance, manning outposts and patrolling. They join local troops in combat operations against, for example, the Moro people fighting for self-determination. On the other, the U.S. troops also impart lessons to the AFP in their conduct of so-called civic military operations and "humanitarian civic action", which is a vital part of OBL with regards to distracting the people from the military abuses and misleading them from the real reasons behind the military presence.

JSOTF-P set up facilities in Mindanao which are almost permanent. Examples are its own headquarters inside Camp Don Basilio Navarro, in Zamboanga City, an air asset facility at the Naval Forces, AFP Western Command and training facility inside Camp Arturo Enrile in Brgy. Malagutay. In 2008, five big U.S. ships and several smaller ones were stationed in the coasts of Recodo and San Ramon in Zamboanga City. There is also a military facility at the Zamboanga International Airport.

The continued presence of U.S. troops in various parts of the archipelago is an affront to the country's sovereignty. In addition, it makes possible **human rights violations** committed by American servicemen against Filipinos. The rape committed by Lance Corporal Daniel Smith; shooting of Buyong-buyong Isnijal in Basilan; massacre of three Moros in Tawi-tawi; and the killing of Arsid Baharon of Brgy. San Roque, Zamboanga City are among just a few that the public and the media have caught on.

Instead of being stopped, the violations have become worse. U.S. troops cordoned off and cut the power supply of the Panamao District Hospital in Sulu on 30 November 2007. They threatened to shoot any member of the medical staff who defies their order. In August 2009, the Basilan Port was peppered with machine gun bullets when a supposedly roadside bomb exploded near a U.S. troop convoy.

Revelations made by Navy Lt. SG Nancy Gadian attest to the fact that U.S. forces are actually embedded in combat units of the AFP during tactical operations, intelligence gathering, covert and psy-war operations.



# RECOMMENDATIONS

Almost nine years of the U.S.-Arroyo regime have shown us the character of what we can call the terror years of a recycled Pax Americana program, the ultimate objective of which is fortified U.S. hegemony in this part of Asia. In shameful, treasonous subservience to U.S. imperialist dictates, Gloria Macapagal-Arroyo willfully tramples on the rights of the Filipino people. Under the aegis of American-style “democracy”, gross and systematic violations of human rights are being committed. It is imperative that these violations be stopped and whoever emerges as the newly-elected President of the Philippines must heed the people’s clamor for vital reforms.

WE, the victims of human rights violations especially by forces of Gloria Macapagal-Arroyo, with our families and through the human rights organizations Karapatan, Ecumenical Movement for Justice and Peace, Hustisya, Desaparecidos and Selda, present the following recommendations before the Filipino people to get justice and advance the people’s rights.

1. Oplan Bantay Laya should be immediately stopped and abandoned. Almost all fact-finding mission reports including that of Prof. Philip Alston, United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions, have pointed at Gloria Macapagal-Arroyo’s counter-insurgency strategy as a reason for a great number of political killings in the country. Similar internal security operational plans should never be resorted to by any Philippine President.
2. The reign of terror of the U.S.-Arroyo regime must be ended immediately. GMA should be barred from any public office. This is a small price to pay for her being the country’s number one terrorist. She should not be allowed to run for any elective position ever, not even in a barangay council. She should be prevented from holding on to power to evade prosecution for the grave human rights violations and crimes against humanity that she committed during her incumbency. A strong example should be set for others in power that they cannot be above the law and, therefore, will be prosecuted and punished for their crimes.
3. A class suit shall be filed against Gloria Macapagal-Arroyo here and in other countries for human rights violations and crimes against humanity. She and her family must not be allowed to leave the country while the hearings are going on. Steps should be taken to prevent the Arroyo family and their cohorts from transferring ill-gotten wealth to untraceable accounts abroad.



Complaints should also be filed in national, regional and international courts and human rights mechanisms.

4. Human rights violations, especially extrajudicial killing, enforced disappearance, torture, arbitrary detention and forced displacement, which were committed during Gloria Macapagal-Arroyo's presidency must be investigated. Those found accountable should be prosecuted and those found guilty penalized. Command responsibility should be a punishable offense.

If necessary, an independent, credible and non-governmental Special Commission should be formed made up of people known for their probity and human rights advocacy.

5. The victims of human rights violations by the Gloria Macapagal-Arroyo government and their families must be indemnified. Those who were killed and those who continue to be among the disappeared must be honored in a monument that will bear their names. The government must provide financial and medical assistance to victims and their immediate families. Specifically, their children must be assured of educational assistance through scholarships to enable them to continue and finish their studies.
6. The rights of human rights defenders (HRDs) must be protected and promoted. The HRDs should receive political, moral and material support for their work in defending the rights of the more marginalized and under-represented sectors of society and getting justice for the victims of violations.
7. Laws which will deter would-be perpetrators and punish those guilty of human rights violations should be enacted and strictly implemented. The Government of the Republic of the Philippines must sign all international conventions for the protection of all persons from specific gross human rights violations. It should ensure that the provisions of the conventions are reflected in the laws of the land.
8. Peace negotiations between parties (GRP and NDFP; GRP and MILF) to the armed conflict in the Philippines should be resumed to pave the way to achieving just and lasting peace. We support the recommendation of Prof. Philip Alston that the Joint Monitoring Committee (JMC) of the GRP - NDFP must be allowed to meet to resolve the cases of extrajudicial killings and other human rights violations. Likewise, the GRP must honor and implement the Comprehensive Agreement on the Respect for Human Rights and International Humanitarian Law (CARHRIHL).
9. We request the international community to continue to monitor the human rights situation in the Philippines. The government's human rights record should be made a requirement in granting foreign aid, especially funds allocated for military purposes.

**We pledge to continue fighting for our rights and those of others.**

**We demand and will get justice for all victims of human rights violations.**

# Appendices

**Table 8**  
**Victims of Extrajudicial Killing under GMA Presidency (by year)**  
 January 21, 2001 to October 31, 2009

<b>Year</b>	<b>Total</b>	<b>Organized</b>	<b>Women</b>
2001	100	35	11
2002	124	45	14
2003	130	34	14
2004	85	45	11
2005	193	101	14
2006	233	116	25
2007	95	39	14
2008	81	21	17
2009 (as of Oct 31)	77	24	11
<b>Total</b>	<b>1,118</b>	<b>460</b>	<b>131</b>

*Note: Previously unreported cases in 2001 - 2008 have been reflected.  
 Based on reports gathered by Karapatan*

**Table 9**  
**Victims of Enforced Disappearance under GMA Presidency (by year)**  
 January 21, 2001 to October 31, 2009

<b>Year</b>	<b>Total</b>	<b>Organized</b>	<b>Women</b>
2001	8	1	1
2002	10	3	2
2003	11	2	1
2004	23	10	5
2005	32	6	0
2006	78	25	15
2007	30	14	5
2008	9	5	1
2009 (as of Oct 31)	3	2	1
<b>Total</b>	<b>204</b>	<b>68</b>	<b>31</b>

*Based on reports gathered by Karapatan*

**Table 10**  
**Violations by the Gloria Macapagal-Arroyo Government**  
as of October 31, 2009

<b>Type of Violation</b>	<b>No. of Victims January to October 2009</b>	<b>No. of Victims January 21, 2001 to October 31, 2009</b>
Extrajudicial, summary and arbitrary execution	77	1,118
Frustrated killing	27	366
Enforced or involuntary disappearance	3	204
Torture	16	1,026
Illegal arrest	94	1,946
Physical assault and injuries	26	30,002
Threat, harassment and intimidation	1,421	81,176
Indiscriminate firing	1,800	536,517
Illegal search and seizure	70	52,310
Forcible evacuation and displacement	5,335	873,431
Hamletting	4,024	38,616
Food and other economic blockades	4,786	84,626
Use of schools, medical, religious and other public places for military purposes	7,760	55,388

*Note: Previously unreported cases (50) in 2001 - 2008 have been reflected.  
Based on reports gathered by Karapatan*

# Acronyms

AFP	Armed Forces of the Philippines	IHL	International Humanitarian Law
AP	Anakpawis (Party-List of the Toiling Masses)	ID	Infantry Division
ATL	Anti-Terrorism Law	IDPA	Infantry Division, Philippine Army
AHW	Alliance of Health Workers	ILPS	International League of Peoples' Struggle
Bayan	Bagong Alyansang Makabayan (New Patriotic Alliance)	ITDS	Integrated Territorial Defense System
BDS	Barangay Defense System	JASIG	Joint Agreement on Safety and Immunity Guarantees
BM	Bayan Muna (People First) party-list	JAGO	Judge Advocate General's Office
Bgy.	Barangay (community or village)	JMC	Joint Monitoring Committee
BIN	Barangay Intelligence Network	Karapatan	Alliance for the Advancement of People's Rights
CA	Court of Appeals	KMP	Kilusang Magbubukid ng Pilipinas (Peasant Movement of the Philippines)
CAFGU	Civilian Armed Forces Geographical Unit	KMU	Kilusang Mayo Uno (May 1 <sup>st</sup> Movement)
CAP	Concerned Artists of the Philippines	LGU	Local Government Unit
CARHRIHL	Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law	MILF	Moro Islamic Liberation Front
CHR	Commission on Human Rights	NCCP	National Council of Churches in the Philippines
CIDG	Criminal Investigation and Detection Group	NCR	National Capital Region
CMO	Civil Military Operations	NDFP	National Democratic Front of the Philippines
COCIS	Cabinet Oversight Committee on Internal Security	NGO	Non-government organization
CPA	Cordillera People's Alliance	NNB	Ngayon Na Bayan radio program
CPP	Communist Party of the Philippines	NPA	New People's Army
CPR	Calibrated Pre-emptive Response	NSCCG	National Security Council Cabinet Group
CIDG	Criminal Investigation and Detection Group	NUJP	National Union of Journalists of the Philippines
Desaparecidos	Families of Desaparecidos for Justice	NUPL	National Union of People's Lawyers
DOJ	Department of Justice	OB	Order of Battle
DOLE	Department of Labor and Employment	OBL	Oplan Bantay Laya ("Freedom Watch")
ECFI	European Court of First Instance	PA	Philippine Army
ED	Enforced Disappearance	PCPR	Promotion of Church People's Response
EJK	Extrajudicial Killing	PILC	Public Interest Law Center
EMJP	Ecumenical Movement for Justice and Peace	PNP	Philippine National Police
EO	Executive Order	PP	Political Prisoner
FFM	Fact Finding Mission	QRT	Quick Reaction Team
GMA	Gloria Macapagal-Arroyo	RSOT	Re-engineered Special Operations Team
GRP	Government of the Republic of the Philippines	SC	Supreme Court
GWP	Gabriela Women's Party	SELDA	Society of Ex-Detainees Against Detention and for Amnesty
HLI	Hacienda Luisita Inc.	SMR	Southern Mindanao Region
HSA	Human Security Act (Anti-Terrorism Law )	SOT	Special Operations Team
HR	Human Rights	STK	Stop the Killings
HRD	Human Rights Defenders	SWAT	Special Weapons and Tactics Group
HRV	Human Rights Violation	TF	Task Force
Hustisya	Victims of the Arroyo Regime United for Justice	UCCP	United Church of Christ in the Philippines
IALAG	Inter-Agency Legal Action Group	UN	United Nations
IB	Infantry Battalion	UNHRC	United Nations Human Rights Council
IBPA	Infantry Battalion, Philippine Army	UNSR	United Nations Special Rapporteur
ICCPR	International Covenant on Civil and Political Rights	UP	University of the Philippines
IFI	Iglesia Filipina Independiente	UPR	Universal Periodic Review
		U.S.	United States
		WGEID	Working Group on Enforced or Involuntary Disappearance

**2009 YEAR-END REPORT**  
ON THE  
**HUMAN RIGHTS SITUATION IN THE PHILIPPINES**



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