

The Observatory

for the Protection
of Human Rights Defenders

*Philippine Alliance of Human Rights Advocates
(PAHRA)*

a joint programme



Open Letter to Mrs. Gloria Macapagal Arroyo, President of the Philippines, and to the non-State Armed Groups

Killings of Political Activists and Human Rights Defenders in the Philippines

Paris-Geneva-Quezon City, July 1, 2005

The International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), in the framework of their joint programme, the Observatory for the Protection of Human Rights Defenders, and the Philippine Alliance of Human Rights Advocates (PAHRA), express their deepest concern at the numerous attacks against human rights defenders and political activists in the Philippines since the beginning of the year.

While the Government of the Republic of the Philippines has formally acceded to a number of international human rights and humanitarian instruments, non-State actors have openly bounded themselves to respect them, particularly Article 3 common to the four Geneva Conventions of 1949 for the protection of war victims and the 1977 second Additional Protocol relating to the Protection of Victims of Non-International Armed Conflicts. However, both seem unable or unwilling to comply with those international obligations.

We are alarmed by the increasing human rights violations in the Philippines. Since January 2005, 15 cases of extra-judicial killings or violent attacks against political activists and human rights defenders, allegedly by both State and non-State agents, have been perpetrated in the Philippines.

We express serious concern on the following cases that are brought to your attention:

- Fr. **Allan Caparro**, a human rights advocate, and his wife, Mrs. **Aileen Caparro**, were victims of an attempt on their life on **18 February 2005**. The couple survived the attempt but was seriously wounded. It is believed that they were attacked because Fr. Allan Caparro spearheaded an alliance formation in Calbayog, Western Samar, for the protection of the environment against destructive operations such as mining in the island and also because he exposed and opposed the militarisation in Northern and Western Samar due to numerous human rights violations reportedly committed by military in the area.
Fr. Allan Caparro and his wife Aileen Caparro were shot by unidentified motorcycle-riding gunmen at the vicinity of Brgy. Tagabaca, Abuyog, Leyte at around 6.30 pm on 18 February 2005. State agents, in particular the Armed Forces of the Philippines, are believed to be responsible for the attempt on their life.
- Mr. **Arnulfo Villanueva**, a columnist for *Asian Star Express Balita* (community newspaper in Cavite), had criticised local officials for their connection with illegal gambling. On the night of **28 February 2005**, his body was found shot dead on a road in the town of Naic, Cavite.
- Mr. **Abelardo R. Ladera**, a council member of Tarlac City and provincial Chapter leader of party-list Bayan Muna, a political party highly critical of the government, was killed on **4 March 2005**. Mr. Abelardo R. Ladera was shot dead by an unidentified person in a store in McArthur Highway, Barangay Paraiso, Tarlac City at around 1pm. If the identity of the perpetrators is unknown, it is alleged that the Armed Forces of the Philippines (AFP), in particular the Northern Luzon Command, played a hand in the killing.

The military had branded him as a “contact person of the Communist Party of the Philippines (CPP) and the New Peoples Army (NPA) in Hacienda Luisita”. It is believed that the true reason of the killing of Mr. Abelardo R. Ladera was his stance and continued effort to help farm workers in Hacienda Luisita in Tarlac, who are campaigning for their labour rights and land ownership. He is the ninth person to be killed since the violent confrontation between the farm workers and the government forces broke out on 16 November 2004. On that day, the workers protested about the massive land-use conversion in the hacienda, the implementation of the “voluntary early retirement programme” in 2000 by the Hacienda Luisita Incorporated and the continued reductions of man-days.

- Mr. **Romeo T. Capulong**, a human rights lawyer and *ad litem* judge of the UN International Criminal Tribunal for the Former Yugoslavia, was victim of an attempt on his life on **7 March 2005**. It is believed that this attempt on his life occurred because he has been serving as counsel to striking workers at Hacienda Luisita, concerning the picket line of 16 November 2004. Fifteen unidentified gunmen who traveled in unmarked vehicles without license plates were involved in the attempt on the life of Mr. Romeo T. Capulong and they are believed to be members of the Philippine military or paramilitary forces.
- Mrs. **Angelina Bisuna Ipong**, a leftist activist and peace advocate, was victim of an illegal arrest and detention, sexual abuse, torture and inhumane treatment, which started on **8 March 2005**. She was arrested while she was conducting a consultation with human rights advocates regarding the implementation of the Comprehensive Agreement on the Respect of Human rights and International Humanitarian Law (CARHR-IHL). The perpetrators of her arrest are members of the Philippine army. For the first four days of her arrest, she was reportedly held in solitary confinement in a room, hogtied and blindfolded all the time. Mrs. Angelina Bisuna Ipong was then allegedly tortured and interrogated for seven days. She was reportedly stripped naked, sexually assaulted and ridiculed. Because of the conditions of her detention, she subsequently suffered from pneumonia. All throughout her detention, she refused to eat anything and only drank water as a protest against her detention.
According to Mrs. Angelina Bisuna Ipong, she was forced to confess her connection with the communist movement. She was liberated on 15 March 2005. On 29 April 2005, Mrs. Angelina Bisuna Ipong was arraigned for the case of rebellion without bail filed against her at the regional Trial Court branch 23 situated in Molave, Zamboanga del Sur. A preliminary investigation is under way.
- Messrs. **Romeo Sanchez** and **Fedilito Dacut**, regional coordinators of Bayan Muna, were killed in Baguio City at around 5.10pm on **9 March 2005** and in Tacloban City at around 6.45pm on **14 March 2005** respectively. Mr. Fedilito Dacut was shot dead by two unidentified perpetrators aboard a single motorcycle and Mr. Romeo Sanchez was also shot dead by unidentified gunmen. It is believed that Mr. Fedilito Dacut was killed because, along with other human rights activists, he campaigned against the recent assignment of Major General Jovito S. Palparan Jr. as commanding general of the 8 Infantry Division (ID) in Eastern Visayas. Indeed, Major General Jovito S. Palparan Jr. was previously accused, on 21 April 2003, of the killing of human rights activists **Eden Marcellana** and **Eddie Gumanoy** (See Observatory Annual Report 2004).
- Mrs. **Marlene Garcia-Esperat** was known for being an anti-graft and corruption advocate. In her career as a journalist, she became active in revealing cases of graft and corruption in Mindanao Area through her column in the local newspaper *Midland Review*. Due to this advocacy, on **24 March 2005**, she was shot in her own house and in front of her family. She died immediately due to the bullet that hit her head. As per her husband, Mr. Esperat, he had received death threats via text messages before the murder. He considers that the murder of his wife might be connected with one of her articles accusing a police officer of involvement in illegal logging activity. Though 4 suspects have been arrested (all pleaded not guilty), the mastermind/s of the crime has/have yet to be known.
- Mr. **Alden Ambida**, a provincial coordinator of the Bayan Muna party in Eastern Samar, was also victim of an attempt on his life on **11 April 2005**.
- Mr. **Klein Cantoneros**, a radio broadcaster from DXAA-FM Dipolog City, was known for denouncing corruption. On his radio program, he frequently criticised local officials for their alleged connections with corruption and illegal gambling. On **4 May 2005**, he died due to approximately 7 gunshots. It is assumed that he tried to defend himself against his perpetrators since he was found clutching his own 45-caliber pistol. According to his colleagues, Cantoneros had received several death threats (some through text messages) before he was killed.
- Mr. **Philip Agustin**, the editor and publisher of *Starline Times Recorder* (a local community newspaper in Aurora), had released several articles on corruption and illegal logging cases in his locality. On 11 May 2005, a special edition of *Starline Times Recorder* dedicated to the corruption and illegal logging in the town of Dingalen was to be released. It would have exposed involvement of the local town mayor Jaime Ylarde. On **9 May 2005**, just two days before the release of the local newspaper special edition, the 55-year old journalist was killed by a shot to the back of his head in the village of Paltic.

- **Rev. Edison Lapuz**, a priest vocal on human rights issues and **Mr. Alfredo Malinao**, a peasant leader and political activist, were killed in San Isidro, Leyte, at around 5.30pm on **12 May 2005**. Rev. Edison Lapuz was shot dead by three unidentified gunmen while Mr. Alfredo Malinao died later on. Although there is no direct evidence, it is feared that Major General Jovito Palparan, chief of the 8th Infantry Division Philippine Army, is again involved in these killings. Rev. Edison Lapuz may have been killed because he had been very vocal against the killings and harassment of political activists in the area.
- Professor **Castor Gamalo** a 39-year old teacher and president of Federation of Teachers Association (FTA) of Eastern Visayas State University (EVSU) in Tacloban City, and also a member of Task Force Detainees of the Philippines (TFDP), confronted a frustrated salvaging. The FTA headed by Gamalo had protested against the decision of EVSU Administration then under the leadership of President Bonifacio Villanueva to unseat Gamalo, along with other representatives of teachers and students in the EVSU Board of Directors, without due process. During the second day of protest, **on 15 June 2005**, Gamalo was shot twice with a 45 caliber gun. It is believed that the salvaging attempt is connected to the protest rallies held in Tacloban City every noon to 1 p.m. since June 14 led by FTA.

The Observatory and PAHRA recall that the Communist Party of the Philippines (CPP) and its armed wing, the New Peoples Army (NPA), also use arbitrary killings in order to silence leftist leaders who do not share their views. Those extra-judicial killings of peaceful opponents contribute to a climate of fear which undermines freedom of expression and democracy. In December 2004, the name of Mr. **Walden Bello**, executive Director of Focus on the Global South, an NGO working on the issue of globalisation, human rights and peace building, was included on a list of 14 names of “counterrevolutionaries”, some of whom have already been killed, e.g., Mr. **Arturo Tabara**, Chairman of a leftist party who was killed in Quezon City on 26 September 2004. The names of Mrs. **Lidy Nacpil** and Mrs. **Etta Rosales**, two leaders of the Human Rights Committee of the Philippine House of Representatives, were also included in this list (See Observatory Annual Report 2004).

The Observatory and PAHRA call upon the Government of the Republic of the Philippines and all Non-State Armed Groups to put an immediate end to the killings of political activists and human rights defenders and to guarantee their physical and psychological integrity.

The Observatory and PAHRA also call upon the Government of the Republic of the Philippines to conduct full, independent and impartial investigations into the cases of summary executions of human rights defenders and political activists and to bring all perpetrators to justice.

The Observatory and PAHRA urge the authorities of Philippines to ensure the implementation of the provisions of the Declaration on Human Rights Defenders adopted by the UN General Assembly on December 9, 1998, in particular article 1, which states that “everyone has the right, individually or collectively, to promote the protection and fulfilment of human rights and fundamental freedoms at the national and international levels”, as well as article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually or in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”. More generally, the Observatory and PAHRA urge the authorities to guarantee the respect of human rights and fundamental freedoms in accordance with the Universal Declaration on Human Rights and other international human rights instruments ratified by the Philippines.

In hope that you will take these considerations and request into account,

We remain,

Sidiki KABA
President of FIDH

Eric SOTTAS
Director of OMCT

Max de Mesa
Chairman of PAHRA