

# **Annexes to the submission by the Asian Legal Resource Centre to the Human Rights Council's Universal Periodic Review on human rights in the Republic of the Philippines**

*Annex to document: ALRC-UPR-1-003-2008*

## **ANNEX I**

### **Brief details of cases documented by AHRC since January 2003**

#### **Dominador Morales**

At around 2 o'clock in the afternoon on 6 January, 2003, a shooting incident in Barangay (village) of Dapco, Panabo City, on the island of Mindanao, resulted in six farmers being seriously wounded, with one of the victims, Dominador Morales, dying in the hospital after seven days of treatment.

The farmers were claimants and were cultivating a portion of the contested area, which is about 1,004 hectares. They were tilling about eight hectares that had been abandoned and uncultivated when they entered and occupied a portion of the contested property. Some of them had occupied the portion of land since the 1980s and had documentation from the Department of Agrarian Reform (DAR). An agrarian reform beneficiary group known as DARBCO arrived at the land, accompanied by security guards from the Octagon and Nakasaka security agencies, led by Eugenio Aban. According to Mr. Rodrigo Rebaja, two village council members, Ronald Melencio and Winnie Orellaneda, ordered the security guards to attack the farmers. According to the farmers, they were immediately shot at by Eugenio, who was armed with a .38-caliber pistol, with the help of the two security guards. The wounded victims include Leonardo Abrio, 58, Dominador Morales, 51, Carlito Maratas, 26, Constancio Dano, 63, Prudencio de los Arcos Jr., 32, and Wendell Bedano, 25, single. According to the farmers, that police chief investigator in charge, Chief Inspector Napoleon Muz, was only about 100 meters from the crime scene but did nothing to intervene. Dominador died later in the hospital.

#### **Eden Marcellana & Eddie Gumanoy**

On 21 April 2003 five human rights activists were abducted and two of them tortured and killed in Naujan Town, Oriental Mindoro province, Southern Luzon. The five activists, Eden Marcellana, Eddie Gumanoy, Virgillo Catoy, Francisco Saez and Melvin Jocson were returning from Gloria Town, in Mindoro Oriental, where they had been investigating the reported abduction of three people. Eden was had been deeply involved in exposing human rights abuses in the area, which were claimed to be perpetrated by the military. The bodies of Eden Marcellana, Secretary General of the Alyansa sa Pagsusulong ng Karapatang Pantao in Southern Tagalog (Karapatan-ST), and Eddie Gumanoy, Chairperson of the peasant group, KASAMA-TK (Kasapian ng mga

Samahang Magbubukid sa Timog Katagalugan) were found dead the following day in Bansud Town. According to the survivors and victims' families, the masked men who murdered Eden Marcellana and Edie Gumanoy, claimed they were members of the "Alsa Masa", the anti-communist vigilante group founded in Davao in the 1980s. However, Karapatan and the Bagong Alyansang Makabayan group claim that the military was responsible.

### **The Blanco family**

On 21 July 2003, all four members of the Blanco family were killed in an 'encounter' between the 16th Infantry Battalion (IB) of the Philippine Army (PA) and the New People's Army. During the 'encounter', soldiers fired indiscriminately at the Blanco's house in Nicolas, Magsaysay, Occidental Mindoro. Roger and Olivia Blanco, and their three children, were killed. The Task Force Detainees of the Philippines (TFDP) state that in cases where the military in the Philippines have committed human rights violations, they tend to fabricate issues in order to justify their abuses, and in this case, they insisted there had been an 'encounter' between the military and the New People's Army. Nevertheless, witnesses confirmed that the military killed the Blanco family, and evidence gathered from the scene confirmed this. Furthermore, the Blanco family was part of the Hanunuo tribe and indigenous people in the Philippines who had been repeatedly victimised by the military.

### **Abu Abdul**

At 11.30 a.m. on 16 December 2003, Abu Abdul (30) was killed and Abdulmaguid Kusain (18) was seriously injured, as a result of mistaken identity. Elements of the 7th Infantry Battalion open fire on them while they were conducting a voluntary search operation to rescue wounded soldiers during an encounter in Barangay Gawang, Datu Saudi uy Ampatuan, Maguindanao. The victims were mistakenly identified as members of the Moro Islamic Liberation Front (MILF) by the military. Abu Abdul died on the spot due to gunshot wounds on his chest and throat while Abdulmaguid suffered serious gunshot wounds to his genitals.

### **Charlie Davao, Ganadi Pinamaylan & Charlie Utag**

At about 3 o'clock on April 24, 2004, elements of the 60th Infantry Battalion of the Philippine Army fired at the victims inside a restaurant in Poblacion Laak, Compostela Valley Province, suspecting them to be members of a communist rebel New People's Army. The three victims that were killed were members of a party-list group, Bayan Muna, and belonged to an indigenous people (IP) organization, the Ata Manobo Dibabawon Umayamnon Mandaya Association (AMADU).

According to eyewitness Alex Aydao, barangay chairman of Datu Davao, three men in plain clothes riding on motorcycles stopped at the restaurant and approached them. The men immediately fired their guns at them without provocation and shouted, "You are members of the New People's Army (a communist party)!" Charlie Utag and Charlie

Davao were shot numerous times, causing their instant death, whilst Erning Sagiwan and Ganadi Pinamaylan were wounded. Ganadi Pinamaylan kneeled down and asked for mercy but was shot at close range and died on the spot. Alex Aydao soon discovered the men were from the 60th Infantry Battalion of the Philippine Army when 2nd Lt. Salcedo and Chief Torres entered the scene just seconds after the gunshots.

### **Isaias Manano Jr.**

Isaias Manano Jr. (23) was shot on his way home on 28 April 2004 from visiting a mayoral candidate in Calapan city. Isaias was the secretary general of Anakpawis-Mindoro Oriental (Toiling Masses-Mindoro Oriental) as well as a church youth leader. Manano allegedly received threats before his death due to his exposure of military atrocities and human rights abuses within the province. It has been alleged that the Armed Forces of the Philippines (AFP) were involved in the killing, particularly the 204th Infantry Brigade, commanded by Col. Fernando Mesa. Manano had been active in the campaign against massive deployment of soldiers and widespread human rights violations in Mindoro Oriental.

### **Bacar and Carmen Japalali**

On the morning of 8 September 2004, victims Bacar Japalali and his wife Carmen were inside their house in Barangay Bincungan, Tagum City sleeping while their neighbor, Ladia and Padama, were in an adjacent house. When Ladia went outside to urinate, he saw several soldiers, in a firing position, carrying firearms and surrounding them as well as the house of Bacar.

Ladia rushed inside the house. He and Rosalim immediately dropped to the floor for safety. The military opened fire on the two houses. According to Ladia and Padama the gunfire lasted for ten minutes. It resulted in the death of Bacar and his wife Carmen, who was 3-months pregnant at the time. Bacar died on the spot due to fatal gunshot wounds while his wife, Carmen, managed to get out of the house and seek for help. Ladia rushed Carmen to the Mission hospital in Tagum City, but died while being treated.

On 10 September 2004, the victim's brother Talib, filed charges against Sgt. Napoles and his 31 men involved in the massacre before the City Prosecutor in Tagum City. Two years later the court issued arrest orders against some of the military men involved. The case remains pending in court.

### **Joel B. Baclao**

Mr. Joel B. Baclao, a human rights defender, was shot dead outside his house in Barangay Lacag, Daraga, Albay on 10 November 2004 by an unidentified man. Joel's family suspects that he could have been killed by a person linked to the military. Joel was a staunch opponent of military operations against rebels in Albay. The family also reported that he had been receiving several death threats before he was killed. The victim had recently been warned that his life was in danger because his name was on a 'list'. His

family believes that the list might be an Order of Battle (OB) by the military, which contains names of rebels who are wanted by the government. Additionally, soldiers attempted to search the victim's house illegally on September 26.

### **Tal Padiwan, Sidang Padiwan, Aldasir Padiwan & Salip Faisal**

Four persons were killed and two others were wounded, when elements of the 53rd Infantry Battalion of the Philippine Army, allegedly raided their house and shot each one of them on 1 February 2005 in Kapuk Pungol, Sitio Banauice, Maimbong, Sulu. The incident caused intense fighting when members of the breakaway rebel group Moro National Liberation Front (MNLF) attacked military camps in Panamao, Sulu on 6 February 2005 in retaliation to the Padiwan massacre. The fighting continued and spilled-over to neighboring towns in Jolo, Sulu, displacing at least 26,000 civilians by the end of February.

### **Francisco Bulane, Padilla Bulane & Prumencio Bulane**

On February 8, 2005, three persons were killed and three others were wounded, after around fifty members of 25th Infantry Battalion (IB) of Philippine Army, attacked them at about 6:30 a.m. in Sitio Latil, Barangay Colonsabak, Matan-ao, Davao del Sur, island of Mindanao. All belonged to an indigenous group called B'laans. According to one victim, the Bulane brothers were shot dead by military forces who were on a military operation in the area, whilst they were trying to rescue Rogelio, who had been shot at whilst fishing.

### **Abelardo R. Ladera**

At 1 p.m. on 4 March 2005, Abelardo R. Ladera, a human rights activist and council member of Tarlac City, was shot dead by an unidentified person in a store on McArthur Highway, Tarlac City. It is believed that Ladera was killed due to his stance and continued effort to help farm workers in Hacienda Luisita in Tarlac, who are campaigning for their labour rights and land ownership, against the influential Cojuanco families, the military and the police forces. It is alleged that the Armed Forces of the Philippines (AFP), and in particular, the Northern Luzon Command (NoLCom), could have complicity in the killing of Ladera.

### **Father William Tadena**

Father William Tadena (37), a priest of the Iglesia Filipina Independiente (IFI) and a human rights activist, was shot dead by two unidentified armed men who were riding on a motorcycle in IFI church, Barangay Guevarra, La Paz, Tarlac on 13 March 2005. Father Tadena died of multiple gun shot wounds to his head and torso. He was in a jeep with three companions at the time of the incident. Two of them, Carlos Barsolaso (38) and Charlie Gabriel (24), were wounded. Barsolaso was hit on the head by a bullet and was in critical condition while Gabriel's right leg was hurt. The third companion, Ervina Domingo (20), was unharmed. According to the victims, they were attacked by gunmen

on their way home to Victoria town after finishing a mass at a plaza in the same village. Father Tadena's killing occurred days after the murder of Abelardo Ladera.

### **Romeo Sanchez & Atty. Felidito Dacut**

Two regional coordinators of the Bayan Muna party, were assassinated by unidentified armed men in cities of Baguio and Tacloban. On 9 March 2005, Romeo Sanchez, Regional Coordinator for Ilocos Region, was shot dead by unidentified gunmen at around 4:30pm along 3rd Kayang Street in Baguio City while buying used clothing in a market. On 8 May 2000, he was arrested by elements of the Intelligence Services of the Armed Forces of the Philippines (ISAFP) in Binangonan, Rizal on suspicion that he was involved in the killing of a rebel priest. Since Sanchez's release from jail on July 19, 2000, he was repeatedly harassed and threatened by forces believed to be military.

On 14 March 2005, lawyer Felidito Dacut was shot dead by two unidentified gunmen after leaving a consultation meeting at the party's regional headquarters at Yao-Ka-Sin Compound, Old Road, Sagkahan District, Tacloban City. Whilst aboard a passenger vehicle, Dacut was shot on the back by a gunmen riding on another motorcycle that was apparently tailing them. Prior to his death, Dacut had provided legal services and handled the cases of poor people free of charge, including cases involving human rights abuses. He was also a member of the Integrated Bar of the Philippines (IBP). It is believed that Dacut's death was a move to silence him from campaigning against the recent assignment of Maj. Gen. Jovito S. Palparan Jr. as commanding general of the 8 Infantry Division (ID) in Eastern Visayas, who had appalling record of human rights abuses and had been implicated in the killing of another human rights activists.

### **Rev. Edison Lapuz and Alfredo Malinao**

Rev. Edison Lapuz and Alfredo Malinao, a barangay official, were shot dead by three unidentified gunmen on 12 May 2005 at around 5:30pm in San Isidro, Leyte. As the main convenor of 'Justice for Atty. Felidito Dacut Alliance' at the time of his death, an alliance of human rights organization, he had been very vocal against the killings and harassment of activists in the region. It was reported some forces belonging to the military had been closely monitoring Lapuz's movements prior to his death. Lapuz's name was reportedly included in the military's Order of Battle and his photo was reportedly seen displayed at the camp of the Regional Mobile Group (RMG), a special police unit. Lapuz once informed his colleagues regarding the harassment by military towards activists and church people in Leyte and Samar.

### **Norman Bocar and Rev. Raul Domingo**

On the morning of 1 September 2005, Norman Bocar, a human rights lawyer, was shot dead by two unidentified gunmen in Borongan, Eastern Samar, Visayas. Bocar was coming out from a meeting when he was shot in the head by his attackers, who were riding a motorcycle. He was the regional chairman of Bayan, a human rights group.

Meanwhile, Rev. Raul Domingo, a priest who was shot on August 20, died while being treated at the hospital. After Domingo was shot in Barangay San Jose, Puerto Prinsesa City, Palawan, he was taken to Manila for treatment. He was confined at the Philippine Lung Cancer Center (PLCC) where he underwent treatment for his lungs. Domingo then fell into a coma before dying in the hospital. Before his death, Domingo denounced military abuses and large-scale mining in the Southern Tagalog region. He had been the victim of harassment and received threats in the past several years before he was shot on August 20.

### **Diosdado Fortuna**

Diosdado Fortuna, a labour union leader, was killed on 22 September 2005 in Calamba City, Laguna, by two unidentified men riding a motorbike. Prior to Fortuna's killing, he and several labour leaders had reportedly been placed under surveillance operations by the local police in the area. On 12 October 2003, labour organiser Jose Betito was reportedly abducted after being mistakenly identified as Fortuna. Although he was released, there was no adequate investigation conducted in order to identify those who made attempts to harm both Betito and Fortuna.

### **Victoria Samonte**

Mrs. Victoria Samonte, regional vice-chair of the KMU-CARAGA (a labor alliance in the Philippines), was stabbed to death in Bislig City, Mindanao on 30 September 2005. An unidentified man, who shared a hired motorcycle with her, stabbed the victim in her back and then ran towards a motorcycle that was waiting for him.

### **Ricardo Ramos, Ricardo Rivera, Dr. David of Pampanga, Mr. Maniti of Pampanga, Federico de Leon, Jose Ducalang, Bienvenido Bajado & Ricardo Uy**

Between October 25 and November 18, 2005, eight people were killed, four of whom were leaders of Bayan Muna (People First), a party list group. The other victims were leaders of labor organisations, transportation sectors and political organisations.

On October 25 2005, Ricardo Ramos was killed by an unidentified man. On October 26, three other persons, namely Ricardo Rivera, coordinator of party list group Bayan Muna (People First) and his two companions, Dr. David and Mr. Maniti of Pampanga, were also killed. Federico de Leon, a transport leader and Chairperson of the party list group Anakpawis, was also slain in a separate incident by two alleged perpetrators who were seen hurriedly riding in another van after the shooting.

On November 7, Jose Ducalang, coordinator of Bayan Muna Ormoc City was also shot at the tricycle terminal in Barangay Ipil, Ormoc City, Leyte Island. He died three days later while being treated at hospital. On November 13, Bienvenido Bajado, the former Vice Mayor of Maydolong, Eastern Samar and Bayan Muna Eastern Samar, was also gunned down and killed in Maydolong, Eastern Samar. On November 18, at 11:00am another

activist, Ricardo Uy, the chairperson of Bayan Muna in Sorsogon City, was shot dead inside his rice mill (Soledad Corral Uy Ricemill) in Barangay Basud, Sorsogon City.

### **Nine farmers killed**

Nine people were killed while several others were wounded at around 5.00 a.m. on 21 November 2005, when soldiers attached to the 19th Infantry Battalion, Philippine Army, opened fire on a group of people who had been holding a protest vigil in Palo, Leyte, Visayas. At least 60 people, most of whom were beneficiaries of land reform, gathered to demonstrate against their land owner's alleged refusal to have his land covered and have them distributed to farm beneficiaries under the Comprehensive Agrarian Reform Program (Carp). The farmers fought to claim the right to own the piece of land under the land reform programme. The investigation conducted by the police investigator has not been impartial. They heavily depends their investigation on the statement by the military and there were many inconsistencies between the police report and the victims' account.

### **Jose Manegdeg III & Albert Terredano**

On 28 November 2005, at around 10:00 p.m., an unidentified gunman shot dead Jose Manegdeg III in Barangay Apatot, San Esteban, Ilocos Sur. Manegdeg had just alighted from a tricycle he was riding when a gunman, who emerged from a van, approached him and repeatedly shot him.

Manegdeg was the former coordinator of the Regional Ecumenical Council in the Cordillera Region (RECCORD) and an editorial staff of "Writing on the Wall", the official publication of the Northern Luzon Forum for Church and Society at the time of his death. His killing took place after his predecessor, Mr. Romy Sanchez, was also murdered on 9 March 2005 in Baguio City. Prior to his death Manegdeg was reportedly spied upon and had been receiving threatening calls and text messages on his mobile phone.

On the morning of 29 November 2005, Albert Terredano, an activist, was shot in Bangued, Abra province, Luzon. Terredano was on his way to his office at the Department of Agrarian Reform (DAR) when an unidentified gunman riding on a motorcycle shot him. The perpetrators have not been identified and arrested so far. Terredano's colleague believed that he may have been targeted by the military because of being an outspoken human rights leader and advocate.

### **Cathy Alcantara**

Cathy Alcantara was killed by unidentified armed men while participating in a conference of farmers at a resort in Barangay Gabon, Abucay, Bataan, Luzon on 5 December 2005. Alcantara died on her way to the hospital due to fatal gunshot wounds. Alcantara and her colleagues in the Kilusan para sa Pambansang Demokrasya (KPD), a national political organisation engaged in the struggle for political and democratic rights, had been receiving threats and were spied upon by armed men prior to her murder.

### **Audie Lucero**

Audie Lucero, an activist, was found dead in Barangay Capitangan, Abucay, Bataan on 13 February 2006. Lucero suffered fatal gunshot wounds to his back, knee and left hand and his body had traces of torture marks. Lucero was seen on February 12 together with seven uniformed policemen, who reportedly introduced themselves as members of Balanga Police Station. The police and military were questioning Lucero over his relationship with a friend he was visiting at Immaculate Catalina Medical Center (ICMC) hospital, whom the police alleged was a member of a rebel group. Later, another group of policemen from Lubao Police Station arrived at the hospital, accompanied by military men believed to be connected with either the 24th or 64th Infantry Battalion of the Philippine Army. They were seen talking to Lucero before he went missing and was found dead the next day. At the time of his death, Lucero was an active member of the Youth for Nationalism and Democracy – Bataan (YND), the youth arm of the political organisation Kilusan para sa Pambansang Demokrasya (KPD).

### **Ofelia Rodriguez**

Ofelia Rodriguez, a peasant leader, was allegedly killed by gunmen believed to be military agents in Pampanga, Luzon on 16 January 2006. She was killed inside her house while attending to her granddaughter and elderly mother. A report by the Ecumenical Movement for Justice and Peace (EMJP), a human rights organisation based in Manila, alleged that 2nd Lieutenant John Paul Nicolas, head of the 69th Infantry Battalion, Philippine Army, may have been involved in Rodriguez's murder. It is alleged that Nicolas had previously threatened to murder Rodriguez. Nicolas also allegedly ordered a neighbour of Rodriguez's to kill her but he refused to do so. On one occasion, Nicolas allegedly forced Rodriguez to admit to being a leader of communist rebels when invited for questioning.

### **Mateo Morales**

On 24 January 2006, Mateo Morales, a human rights activist was killed in his house in San Luis, Agusan del Sur, Mindanao. Morales suffered a fatal gunshot wound to his chest and died on his way to hospital. Although the perpetrator has not been identified, there are indications that he may have had connections with the civilian militia unit, the Citizens Armed Forces Geographical Unit (Cafgu), attached to the 29th Infantry Battalion of the Philippine Army operating in the area.

### **Allan Ibasan and Dante Salgado**

The bodies of Allan Ibasan and his uncle Dante Salgado were found at a funeral home with multiple gunshot wounds, a day after they had been arrested. Allan was last seen alive on 31 January 2006, by his brother Glen and fellow labourers at a bamboo plantation while being arrested by four military men allegedly attached to the 71st Infantry Battalion, Philippine Army in Sta. Ignacia, Tarlac.



### **Mr. Melanio Evangelista**

On 17 February 2006, Melanio Evangelista, a peasant leader, was killed by an unidentified gunman while he was asleep in his house at Barangay Unidad, Cagwait, Surigao del Sur. His wife, Nora, saw a man, whose face was covered with a handkerchief, shooting at Melanio and fled the scene on a waiting motorcycle.

One month before the incident, the victim's wife, noticed men riding motorcycles constantly passing and seemingly observing them near their house. She believed the men to be intelligence agents of the military. There had also been rumours that the 58th Infantry Battalion of the Philippine Army had threatened to "break up" Evangelista's peasant group.

### **Arturo Caloza**

On March 4 2006, Arturo Caloza, a member of a political party Bayan Muna (People First), was shot by armed men while he was playing cards with other civilians attending a wake in San Jose City. Two other persons sitting close to him, Geronimo Pablo and Ursula Tabelin, were also hit by stray bullets. Caloza died on his way to the hospital. He had been left lying on the ground for close to two hours after the shooting before he was taken to the hospital, and the soldiers stationed 60 meters from the crime scene did not intervene. Prior to the incident, on January 21 and 30, soldiers attached to the 48th and 70th Infantry Battalion, Philippine Army, reportedly conducted interviews with the victim's wife, accusing him to be a member of a communist rebel group.

### **Nestor Arinque and Tirso Cruz**

On 7 March 2006, two unidentified gunmen riding on a motorcycle shot dead Nestor Arinque, chairman of United Peasants in Mabini. The gunmen fired at him when he stopped with his companion to fix the chain of their motorcycle. Prior to the incident, on 2 March, at around 11am, military men and Cafgu members attached to the 15th Infantry Battalion, Philippine Army stationed in Sitio Mahayag, Barangay San Roque, were seen in front of Arinque's house. When Arinque asked them why they were there, he was told they were just visiting.

In a separate incident, labour leader, Tirso Cruz, was shot dead by unidentified gunmen riding on a motorcycle on 17 March 2006. He died of multiple gunshot wounds. Prior to his killing, Cruz had received a number of threats to his life following a protest by labourers in 2005. Cruz was also actively involved in protesting against the construction of the Subic-Clark-Tarlac Expressway project [SCTEP] and the deployment of soldiers inside the hacienda. In the days prior to his death, Cruz had led union members and residents in a protest calling for the withdrawal of soldiers deployed inside the hacienda and for the SCTEP construction to be stopped. Some 50 Cafgu members and soldiers attached to the 71st Infantry Division (ID) headed by Major Gen. Jovito Palparan were deployed in Barangay Pando, to prevent any protests against the management. Cruz's father Federico, disclosed after the killing that he had been informed that there was a

death threat and plot on his son's life. The person who could have identified the person who made the threat, however, was reluctant to cooperate with the victim's family for fear that they too could be in danger once they are exposed.

### **Crisanto Teodoro**

On 10 March 2006, Crisanto Teodoro, a human rights activist and chairperson of Bagong Alyansang Makabayan (BAYAN), was killed in Malolos, Bulacan by gunmen riding on a motorcycle while he was driving in his car with his wife Lucila and other colleagues. Teodoro is also a member of a political party Bayan Muna (People First).

### **Elena Mendiola and Ricardo Balauag**

On 10 March 2006, Elena Mendiola, a leader of Bayan Muna in the province, survived an attempt on her life when gunmen riding on a motorcycle narrowly missed her in Echague, Isabela. Mendiola was in front of her house when the unidentified gunmen started to shoot at her three times. She was able to run for cover behind a concrete wall. However, on 10 May 2006, Elena and her partner Ricardo Balauag were killed when armed men attacked them in Barangay Garit, Echague, Isabela. Elena suffered a gunshot wound to her head while Ricardo was shot in the head and body. Although there were witnesses in Elena and Ricardo's killings many are too afraid to testify out of fear for their lives due to a lack of protection.

### **The Abelon family**

On 20 March 2006, Amante Abelon, a peasant leader, was seriously wounded while his wife Agnes and their 5-year-old son Amante, Jr. were killed, when armed men opened fire on them in Barangay San Isidro, Castillejos. They were onboard their motorcycle on their way home between 10 and 11am from a nearby town when they attacked by the gunmen. The perpetrators were onboard a dark-colored service vehicle. Amante managed to run for cover behind a nearby tree, but sustained multiple gunshot wounds to his body. It is believed that his involvement as a peasant and community leader could be the primary reason for the attempt on his life and the attack on his family.

### **Liezelda Estorba-Cuñado**

Activist Liezelda Estorba-Cuñado, an activist was killed while her husband, Gerry, suffered a gunshot wound to his arm after their neighbour, Joel Bayron, shot them on 3 April 2006. Joel Byron is reportedly a member of the Barangay Intelligence Network (BIN) handled by the 15th Infantry Battalion, Philippine Army. The incident occurred after Gerry and Liezelda went out to confront Joel Bayron and his wife, who were yelling at the time that they were communists and terrorists. Thereafter, the local police arrested Joel's wife, but Joel still remains at large. It is believed that Joel's motive in killing Liezelda have had connection with her work as an activist in her community.

### **Florencio Cervantes & Rico Adeva**

On 5 April 2006, Florencio Cervantes was killed inside his house in Barangay Sta. Cruz, Rosario, Agusan del Sur. Florencio was sleeping with his wife Elsa and three children inside their room when armed men wearing balaclavas forcibly broke in and repeatedly shot him 47 times. Elsa and her children were able to escape by running outside their house after she fought with their attackers. Elements of the 36th Infantry Battalion, Philippine Army, later falsely declared that the victim was killed in crossfire.

In a separate incident on April 15, activist Rico Adeva was murdered in front of his wife Nenita in Talisay, Negros Occidental. Adeva and his wife were on their way to the town when three armed men blocked their way. Rico was shot several times after he and his wife was ordered to turn their backs and lie down with their faces to the ground. Nenita said Rico's murder have been prompted by his involvement in the struggle for agrarian reform. He was a staff member of the Task Force Mapalad (TFM), an agrarian non-governmental organisation assisting peasant beneficiaries of the Comprehensive Agrarian Reform Programme (Carp) to claim lands awarded to them.

### **Elpidio de la Victoria**

Environmental activist Elpidio de la Victoria, programme director of environmental organisation Cebu City Bantay Dagat Commission, was shot in front of his house in Barangay Dauis, Talisay City on 12 April 2006. He died from multiple gunshot wounds a day after the incident. His colleague, Antonio Oposa Jr. is reported to have had serious threats made against his life. De La Victoria and Oposa were both targeted by hit men who were hired by a group believed to have been affected by their campaign against destructive and illegal methods of fishing in the Visayas region. It is reported that a P1 million reward was raised for the murder of de la Victoria and Oposa. One of the suspects, Senior Police Officer 1 (SPO1) Marcial Ocampo was arrested.

### **Mario Domingo, Porferio Maglasang Sr. & Wilfredo Cornea**

Three peasant activists were killed in separate attacks in Negros Occidental, Visayas. On May 17 2006, identified armed men killed Mario Domingo in Hacienda Cambuktot, La Castellana. The attackers reportedly had connections with an influential landowner. On April 22, 2006, three gunmen shot dead Porferio Maglasang Sr. at a chapel near his house in Kabankalan City.

On June 26 2006, two unidentified gunmen shot dead Wilfredo Cornea in Hacienda Mulawin, Sagay. The killing of Cornea may have been connected to his active involvement in support of the local farmers, for a genuine land reform in his community. He had been helping farmers to claim their lands as beneficiaries to the government's Comprehensive Agrarian Reform Programme (CARP).

### **Marilou Sanchez & Virgilio Rubio**

Two persons were killed while three other activists survived an attempt on their lives in separate incidents on 22 and 26 April 2006, in the provinces of General Nakar, Quezon

and San Mateo, Isabela. On April 22, armed men believed to be from the military killed Marilou Sanchez and his brother Virgilio Rubio. Marilou's husband Hilario survived an attempt after he managed to escape from their attackers. The Sanchez couple is a member of a political party Bayan Muna (Peoples First). The attackers are believed to be members of the 16th Infantry Battalion, Philippine Army.

### **Enrico Cabanit**

Enrico Cabanit and his daughter Daffodil were buying food at the public market in Panabo City on 24 April 2006 when a gunman who was wearing a bonnet attacked them. Enrico died on the spot due to multiple gunshot wounds to his head while his daughter suffered a gunshot to her lungs. She is presently confined at the Intensive Care Unit of the Davao Regional Hospital in Tagum City.

It is reported that Enrico had just come from a dialogue with officials of the Department of Agrarian Reform (DAR) regional office together with other farmers when the shooting incident took place. The farmers are demanding for the inclusion of the huge tract of land owned by a wealthy Floirendo family, which covers a 400 hectares citrus plantation, under the Comprehensive Agrarian Reform Program (Carp). Under the Carp, landowners are required to have their land distributed to beneficiaries once the Carp covers it. The Floirendo's property, however, has not been included in the Carp. The disputed land is part of over 1,000 hectares of farm of the Worldwide Agricultural Development Corporation (WADECOR) owned by the Floirendos.

Enrico's murder is believed to have been connected to his struggle for land reform and distribution of lands to poor farmers who are beneficiaries of Carp. He confronted wealthy and influential landowners in the area, including the Floirendos. The Floirendos owned the WADECOR and other plantations in Davao del Norte, Mindanao. Enrico was formerly their regular employee but he was dismissed from his job for leading a campaign against the Floirendos called the "Floireind(s)". It is believed the Enrico may have angered them.

### **Rev. Jemias Tinambacan**

On 9 May 2006, Rev. Jemias Tinambacan was shot dead and his wife Rev. Marilou Tinambacan was wounded by four gunmen along the national highway in Barangay Mobod, Oroquieta City. One of the perpetrators was identified by Rev. Marilou Tinambacan as Mr. Mamay Guimalan, a military intelligence officer. The couple had been actively involved in human rights work in the region. Rev. Jemias Tinambacan was the active member of Gloria Step Down Movement-Misamis Occidental and the provincial chairman of a progressive party-list group named Bayan Muna-Misamis.

### **Jose Doton, Reverend Andy Pawican & Noel Capulong**

On 16 May 2006, activist Jose Doton was killed while his brother Cancio was wounded when gunmen attacked them in San Nicolas, Pangasinan. On 21 May 2006, Reverend Andy Pawican was forcibly taken allegedly by military agents believed to be military elements attached to the 48th Infantry Battalion (IB), Philippine Army, after concluding a mass in Pantabangan, Nueva Ecija. His dead body, which bore torture marks, was found six hours later that day. On 27 May 2006, activist Noel Capulong (a.k.a. Noli) was shot dead by gunmen riding on a motorcycle, while driving his service vehicle on his way home in Calamba City. He was the Chairman of the Christian Witness and Service Committee of the United Church of Christ in the Philippines in Calamba City (UCCP-Calamba), Spokesperson of the Southern Tagalog Environmental Action Movement (STEAM); and Deputy Secretary General of Bayan Muna in Southern Tagalog. On 26 May 2006, Reverend Renato Respicio was reported to have received death threats written on a piece of paper placed in a collection box.

### **Annaliza Abanador-Gandia**

On 18 May 2006, Annaliza Abanador-Gandia, a female activist, was killed in her workplace at the Dakki Sale Center in Balanga City around 5:30 p.m. Gunshots were heard coming from inside her shop soon after two gunmen riding on motorcycle alighted and were seen entering the shop. Gandia was a leader of a women's group affiliated with the Kilusan para sa Pambansang Demokrasya (KPD), a national political organisation. She was the fifth leader affiliated with the KPD to be killed at that time.

### **Markus Bangit & Gloria Casuga**

Markus (Rafael) Bangit and his son Banna were onboard a bus for Baguio City when he was killed at a stopover restaurant at around 3:30 pm on 8 June 2006 in Echague, Isabela. The gunmen, wearing hoods, shot and killed another passenger, Gloria Casunga when she screamed upon seeing them shoot Bangit. The perpetrators then fled in a van that had apparently been tailing the bus since it had left Tabuk, Kalinga.

Bangit died from four gunshot wounds to his chest and stomach whilst his son was not hurt. Gloria Casuga, who was the school principal of Quezon National High School in Quezon, Isabela, died from five bullet wounds. Bangit was the leader of the indigenous Malbong community. His killing is suspected to be related to his work as a regional officer of the Cordillera People's Alliance and chairperson of the Binodngan Pongnors Organisation.

### **George & Maricel Vigo**

On 19 June 2006, George Vigo and his wife Maricel were riding on their motorbike when two armed men shot at them, hitting George four times and Maricel twice, killing both. Both of them had reportedly received threats via SMS from a sender identified as "AralSaMasa" two weeks before their killing. George was a project officer of the Mindanao Youth Leadership Program of the Community and Family Services International, based in Cotabato City, which works for internally displaced persons.

Although the task force created attributed the killings to a rebel liquidation squad, the victims' families have said that the manner of investigation was not thorough and its findings differed from those of the police who conducted the initial investigation, who were uncertain about the identity of the killers.

### **Eladio Dasi-an**

On 20 June 2006, Eladio Dasi-an was riding his motorcycle back to his home in Sitio Tuminhao, Barangay Malusay, Guihulngan, Negros Oriental about 3 kilometres away from the town proper when three men hooded with balaclavas, armed with .45-calibre pistols, blocked his way. The gunmen shot him several times in the head and chest. After making sure he was dead, they boarded a vehicle and fled the scene. Several days prior to the incident, Dasi-an had reportedly received information from neighbours and reliable sources that men riding on motorcycles had been asking for his whereabouts. Dasi-an was a government employee and worked as a messenger for the Local Government Unit of Guihulngan, Negros Oriental.

### **Paquito Diaz**

At 6:30 p.m. on 6 July 2006, Paquito Diaz, a former radio broadcaster, was talking to his relatives near his house on the sidewalk of Esperas Avenue, Barangay 54, Tacloban City, Leyte, when he was shot dead by a gunman on a motorbike. According to his wife's aunt, the gunman was riding an XRM model motorbike, which slowed down as they approached Diaz. Initial police investigations disclosed that the attack on him was "well planned". According to his friends, Diaz had been receiving serious threats on his life via his mobile phone. After Diaz's killing, the Pastrana Police Station arrested Private First Class (Pfc) Ronald Real of the 34th Infantry Battalion, Philippine Army in San Jorge, Western Samar, whom they suspect could have been involved in the killing, yet there has been insufficient evidence to charge the suspect and no thorough inquiry has been conducted.

### **Pastor Isaias Sta. Rosa**

On 3 August 2006, Pastor Isaias was found dead after he was forcibly taken from his house by masked men. He was repeatedly beaten to force him into admitting that he was a person on their wanted list, which he denied. Pastor Isaias was seen by one of his daughter being brutally assaulted while his hands were tied. He was later taken outside their house and shot and killed.

Pastor Isaias' body, which bore gunshot wounds, was later recovered beside a creek by his relatives and neighbours a few minutes after the incident. Another dead body, which was later identified as that of Corporal Lordger Pastrana of the Philippine Army, was also recovered beside him. According to the victim's relatives, Pastrana was among those who entered the victim's house and gave orders to his companions. Recovered from Pastrana's pocket was a Mission Order concerning Pastor Sta. Rosa from Major Earnest Mark Rosal of Camp Matillana, Pili, Camarines Sur. The content of this order and the circumstances

that resulted in the death of the military officer remain unclear at present, but nevertheless points to the direct involvement of the military in the killing. Pastor Isaias was a member of the farmers' group Kilusang Magbubukid ng Bicol (Farmers' Movement in Bicol) affiliated with the peasant group Kilusang Magbubukid ng Pilipinas (Farmers' Movement of the Philippines).

### **Orlando Rivera**

At 1am on 16 August 2006, Orlando Rivera (40) was with his wife inside their house in Obando, Bulacan when somebody knocked at their door. When Rivera opened the door he was shot several times. He died from three gunshot wounds from a .45-calibre pistol. His wife saw four armed men leaving.

Rivera was formerly a member of the Pambansang Lakas ng Kilusang Mamamalakaya ng Pilipinas (Pamalakaya), a fishermen's group active in the area.

### **Hermelino Marqueza**

On 20 August 2006, unidentified gunmen armed with M-14 rifles shot Hermelino Marqueza dead inside his house in Barangay Maitum, Tandag, Surigao del Sur at around 11pm. He was an active leader of a peasant group Kapunungan sa Mag-uuma sa Surigao. He was also the provincial chapter leader of Peasant Movement of the Philippines (Kilusang Magbubukid ng Pilipinas-KMP)

### **Caesar Quimco**

Caesar Quimco was with his nephews at a crowded mobile disco located in Sitio Malubog, Barangay Ipil around 1am on 24 August 2006 when suddenly a gunman in a black balaclava emerged from the crowd and yelled "Put out the lights!" The lights were shut and eleven shots were heard, all of which hit Quimco, killing him. Quimco had allegedly been the subject of constant threats from personnel of the 78th Infantry Battalion, Philippine Army. He had been charged with frustrated murder after Corporal Richard C. Semillano and Private First Class Leo Catamin Atrix filed complaints against him in 2004. Quimco had reportedly tried to restrain the two soldiers from beating up his nephew. Quimco's house had reportedly often been raided since, and he had received death threats.

### **Napoleon Bautista**

Napoleon Bautista (48) and his wife Ofelia were abducted on 30 August 2006 in Hagonoy, Bulacan. They were allegedly tortured during the abduction and questioned about their alleged involvement with the New People's Army. Ofelia was released a day later and taken to the local Hagonoy District Hospital for treatment; however no protection was offered to her.

Napoleon's body was found on 7 September, in Barangay Pungo, Calumpit, Balucan. His hands were tied with wire, and there were torture marks on his feet. He had suffered two gunshot wounds, one to his head and one to his back.

The Bautistas were members of Samahang Bantay Palaisdaan, a fisherman's group that is a local chapter of a national organisation, Pamalakaya.

### **Ranbert Placencia**

On 4 September 2006, Robert Placencia was on his way to work on his motorcycle when seven unidentified armed men wearing military-style clothing blocked his way along Purok 8, Sta. Monica, Nuevo Iloco, in the Mawab municipality of the Compostela Valley. The gunmen pointed their firearms at him and questioned his identity. One of them, in a balaclava, was armed with an Uzi machine gun and a .45-calibre pistol. He searched for Ranbert's mobile phone and seized his bag. Soon after, several gunshots were heard. Witnesses saw the gunmen shooting at Palencia with the Uzi, a .45-calibre pistol, an M-14 Armalite, a garand rifle and an M-203. The gunmen then immediately fled on motorcycles towards Neuvo Iloco. Placencia suffered nine gunshot wounds to his chest and head. Placencia was the chairman of their community in Purok 9A San Isidro, Nuevo Iloco; the Municipal Coordinator of a political party Anak Pawis Party; Nuevo Iloco Farmers Association (NIFA) Chairman and a Council member of Nagkahiusang Mag-uuma sa Mawab (NAMAMA).

### **Victor Olayvar**

Victor Olayvar was shot dead at around 7:25 am on 7 September 2006 by gunmen riding on a motorcycle at a Bridge Caban, Barangay Cantubod, Danao. He was on a passenger motorcycle heading to Tagbilaran City when another motorcycle with two people on board blocked the route. One of them shot him at close range. The driver of the passenger motorcycle immediately reported the attack to a police office, at 7.30 am.

Prior to the shooting of Olayvar and other members of his organisation, Bagong Alyansang Makabayan (Bayan) and their allies felt that their lives have already been threatened. They had obtained information that the military had with them a list of targets which included the names of four Bayan leaders, including Olayvar. Meanwhile, they and members of a farmers' group, Hugpong sa mga Mag-uumang Bol-anon (HUMABOL/ Bohol Peasant Organization) had heard of hooded strangers riding on unregistered and in vans asking for their whereabouts.

### **Bishop Alberto Ramento**

On 3 October 2006, prominent human rights defender Bishop Alberto Ramento of the Iglesia Filipina Independiente (IFI), or Philippine Independent Church, was killed by unidentified men at his convent in Tarlac City. He had been fatally stabbed seven times. Prior to his death Bishop Ramento reportedly complained that he had been receiving death threats because of his active advocacy activities for human rights. He had publicly



criticised the administration for its failure to stop the constant extrajudicial killings in the country or launch independent investigations into them. The police investigators however were quick to conclude his murder was a case of robbery and homicide, before conducting further investigations.

### **Fr. Dionisio Ging-Ging**

On 8 October 2006, another priest of the Iglesia Filipina Independiente (IFI) or the Philippine Independent Church, Fr. Dionisio Ging-Ging (53), was brutally murdered in Barangay Bajao, Tago, Surigao del Sur. At around 5am, Fr. Ging-Ging was on his way to Sunday mass when three hooded men stopped him outside his house and stabbed him to death. The Philippine National Police (PNP) quickly attributed the killing to the settling of a personal score, before conducting further investigations.

### **Eduardo Millares**

On 18 October, 2006, Eduardo Millares, was killed at Barangay Soledad, San Pablo City, Laguna. He was an active member of an urban poor group named Samahan ng Magkakapitbahay sa Tabing-Riles (SMTR-Association of Neighbours along the Railroad). His companion Victoriano Cariño, who was also shot, survived the attack. The SMTR is a local chapter of a national group Kalipunan ng Damayang Mahihirap (Kadamay-Timog Katagalugan). Witnesses said the attacker escaped by a motorcycle with two other men. Millares' colleagues believed that the attack could be related to their opposition to a railway modernisation plan that threatens to demolish local houses and displace residents.

### **Dr. Rodrigo Catayong**

Rodrigo Catayong and his wife Marcela (54) were on their way to a church in MacArthur of Eastern Samar for a mass when attacked on 5 November 2006. While they were in front of a Catholic Church, five armed men riding on motorcycles shot them at close range. Catayong suffered eight gunshot wounds to his face, chest, neck and his back. He died on the spot. His wife reportedly suffered extreme trauma following the killing of her husband.

He was described by his colleagues as a "known peace-loving citizen, an advocate of human rights and civil liberties in the province of Eastern Samar". Catayong chaired Karapatan- Eastern Samar since 2001. Two months prior to Catayong's killing, an alleged "liquidation list" containing the names of 31 personalities, including him, circulated all over the province. A certain Ka Hector of the Samar-Leyte Anti-Communist Movement (SLACM) signed it. They claimed that those in the list are members/sympathizers of the NPA (New People's Army) and accused them of having "done sins against the people." The order for liquidation, they claimed, was approved by the Committee Central ng Pilipinas Hukbong Tagahatol ng Bayan, Leysam Anti-Communist Movement.

It was Agustin Docena, a member of the Eastern Samar Coalition of Non-Governmental Organisations (NGOs) and People's Organisation (POs) who reportedly disclosed the existence of the list in Tacloban City. Those included as targets were a mayor in Borongan, Samar; a public grade school teacher; three professors at the Eastern Samar State University—including Catayong; and leaders of progressive party lists groups, a policeman and a local media man.

### **Domingo Marbella**

Domingo Marbella (22) was abducted together with another farmer by armed men in Barangay Lungib, Pilar, Sorsogon, on 13 November 2006. His body was found on 21 November, with gunshot wounds and indications that he had been tortured before he was killed. Marbella was the relative of an official of the Kilusang Magbubukid ng Pilipinas (Peasants Movement in the Philippines).

### **Roderick Aspili**

Roderick Aspili (24) was killed inside his house in Surigao City, on 20 November 2006 at around 6:45 p.m., by four armed men in balaclavas. He was watching television with his family when he was attacked. Aspili's wife and 8-month-old daughter were not harmed. The attackers fled in a van after the shooting. Aspili was an organiser for United Workers of Surigao del Norte. He was also an active member of the Student Christian Movement of the Philippines in Butuan City.

### **Andrew Iñoza**

Andrew Iñoza (48) was shot dead by four gunmen on 21 November 2006 while riding his motorcycle in Laguna. The gunmen fired at him after they blocked his path. He died on the spot. The attackers took Inoza's mobile phone, wallet and other personal belongings before fleeing on foot. Inoza was the president of the Alaska Milk Workers Union at a factory for ten years. He was also the provincial chair of Bukluran ng Manggagawang Pilipino-Partido ng Manggagawa (BMP-PM).

### **Alberto Yadan**

On December 6, 2006, Alberto Yadan was shot dead inside his house in San Juan, Batangas, in front of his family. He was shot by a gunman in a cap who covered his face with a towel, and was armed with a .45-calibre pistol. Yadan managed to run about five meters before he fell dead to the ground. Four gunshots were heard during the shooting. Yadan died from a single bullet that pierced his back and exited through his chest. Prior to the incident, Yadan had been receiving threats on his life. On December 5, Police Officer 2 (PO2) Melanio Gazzingan allegedly made threatening remarks on Yadan and his relatives soon after they attended a hearing of a complaint they filed against the former. Yadan's relative also disclosed that several days before the incident Barangay police member Melchor Bataller also made threatening remarks to Yadan and his relatives. Yadan was a leader for Ugnayan ng mga Nagsasariling Lokal na Organisasyon

sa Kanayunan (UNORKA-Pilipinas), and had led a campaign to place a 23-hectare landholding owned by another influential landowner Lidrada Tolosa, under the land reform scheme.

### **Jesus Buth Servida**

On 11 December 2006, labour activist Jesus Buth Servida was shot dead whilst sitting in his service vehicle with two companions, whilst delivering vegetables at a factor. Servida was shot to his face and mouth, whilst his companion, Joel Sale, though wounded but had survived. Another victim, Kenny Mari Severo, a factory worker, was also hit to the left temple of his head by a stray bullet. Servida and Sale were members of the Solidarity of Cavite Workers, an alliance of labour groups and unions in Cavite. Sale had helped form a new union and had challenged their old union, the Kristong Manggagawa sa Yazaki-EMI union, over rights to represent the factory's 4000 workers.

### **Gil Gojol and Danilo France**

On 12 December 2006, at around 6:55am, human rights lawyer Gil Gojol and his driver Danilo France were shot dead by four armed riding on two motorcycles in Barangay Carriedo, Gubat, Sorsogon. They had just left the Municipal Trial Court when they were ambushed in their service vehicle and shot several times. The incident occurred about 200 metres away from a detachment of the 22nd Infantry Battalion, Philippine Army, based in San Ignacio. Gojol was a former Provincial Board Member of the 1st District of Sorsogon, former President of the Integrated Bar of the Philippines (IBP) in Sorsogon Chapter and legal counsel for Association of Democratic Labor Organizations-Kilusang Mayon (ADLO-KMU).

### **Crisanto Frivaldo and his brother Maximo**

Crisanto Frivaldo (35), a law student at the Aquinas University College of Law, was shot dead on 11 December 2006, by hooded gunmen inside his house in San Julian, Irosin, Sorsogon. Frivaldo died from five gunshot wounds - one to his head and four to his chest. Frivaldo was the younger brother of former Councilor and Bayan Muna Municipal Coordinator Maximo Frivaldo who was also shot dead in January 30, 2006. Frivaldo was tending to his two-month-old baby inside their home when he was murdered.

### **Renato Estrella**

At around 6pm on 12 December 2006, Renato Estrella (58), a Barangay chief of Atlag, Malolos City, was shot in the head at close range by a gunmen in Sitio Buhangin. Estrella died while being taken to the Santos General Hospital in Malolos City. He was pronounced dead on arrival. Although the police initially claimed Estrella's death could have been perpetrated by a rebel "hit squad", according to the victim's colleagues though had been receiving threats on his life, allegedly from the military. It is reported that Estrella was opposed to the deployment of government troops in his area.

### **Andres Augusta**

On 20 December 2006, Andres Augusta (46), a radio broadcaster for dzJC Action Radyo, an affiliate network of the Manila Broadcasting Company, was brutally stabbed by unknown assailants. Augusta died at the Mariano Marcos Memorial Hospital in Batac at around 10:30pm.

It was reported that Augusta was on his way home after attending a Christmas party when unidentified men stabbed him. He managed to reach the nearest hospital onboard a motorcycle but he died later.

### **Francisco Bantog**

On 22 December 2006, Francisco Bantog, a municipal coordinator for a party-list group Bayan Muna in the province of Sorsogon, was shot dead at around 10am. He was at the Donsol Tourism Office at the time he was attacked. Bantog was also a party-list provincial auditor. It was reported that Bantog was shot 20 times by three motorcycle-riding gunmen. At the time of his death, Bantog was also a "Butanding" interaction officer (BIO). Bantog was with three other BIOs when the assailants, who were wearing motorcycle helmets, attacked him.

### **Juan Sanggalang**

On December 24 2006, Juan Sanggalang (59) was shot dead by soldiers, allegedly attached to the 59th Infantry Battalion, Philippine Army, who reportedly had sought refuge at the victim's house a day before in Sitio Pinag-apugan, San Diego, Lian, Batangas. The military unit was believed to be under an officer named Colonel Felix. At the time of his death, Sanggalang was a member of HABAGAT (Haligi ng Batangenyong Anak Dagat), a local chapter of Pambansang Lakas ng Kilusang Mamamalakaya ng Pilipinas (PAMALAKAYA), a nationwide federation of fisherfolk organizations. After the incident, a military officer, General Mesa of the 202nd Brigade, Philippine Army, quickly declared to the media that the shooting incident was an 'encounter' between the New Peoples Armed (NPA) rebels and their troops.

### **Rodolfo Alvarado**

On 31 December 2006, a reliable source reported that Rodolfo Alvarado, Jr. (a.k.a. Pong), was shot dead by unidentified armed men at around 5:00 p.m. in his house in Barangay San Lorenzo, Ligao City. Alvarado died from eight gunshot wounds to different parts of his body.

At the time of his death, Alvarado was a regional project coordinator for Bayan Muna, a party-list organisation. He was also the 6th nominee and a potential candidate to represent the party before the House of Representatives.

### **Professor Jose Ma Cui**

On 19 January 2007, Professor Jose Ma Cui of the department of history and communication arts of the University of Eastern Philippines, Northern Samar, was shot dead by two armed men hooded with bonnets in front of his students. At around 3:35pm, the gunmen came to a classroom at Cui's College of Engineering building of the University. Cui suffered fatal gunshot wounds to his head and chest from a .45 caliber pistol. He died on the spot. The gunmen were seen escaping on a motorcycle in the direction of Mondragon town, which is towards a military camp some 2km distant. There are allegations that the motive behind the killing of Professor Cui could be due to his active involvement in human rights advocacy, including employee's welfare and anti-corruption activities. Professor Cui was former secretary general of human rights group Katungod-Eastern Visayas, regional chapter of national human rights organisation Karapatan. He was also a chairman of the Employee Association of the University of Eastern Philippines, Confederation for Unity, Recognition and Advancement of Government Employees-Northern Samar (COURAGE-NS), and Anti-Corruption Network (ActNow!). He was also one of the founding members of the political party group Bayan Muna in Northern Samar. The victim had previously been targeted in a smear campaign by the armed forces.

### **Judge Nathaniel Pattugalan**

On 19 January 2007, Judge Nathaniel Pattugalan, acting presiding judge of the Quezon City Metropolitan Trial Court Branch 35, was shot dead at around 6pm in front of the Department of Agrarian Reform (DAR) building while on his way home. The victim was sitting in a passenger jeep beside the driver when he was shot to his chest by an armed man riding pillion on a motorcycle; the bullet pierced his heart.

The two men apparently followed Pattugalan from his office at the Hall of Justice before shooting the victim. Judge Pattugalan was taken to the East Avenue Medical Center but was declared dead on arrival. On 27 October 2005, Judge Pattugalan survived an earlier attempt on his life after several unidentified men attacked his personal vehicle in Cagayan. The victim's relatives said he had opted to use public transportations hoping that those following him would hesitate to attack him in public following the first attempt made on his life.

### **Ananias Burce, Ruben Ermino & Demetrio Imperial**

On January 21, 2007, Ananias Burce, chairman of Barangay Oras in Tabaco City, Albay, was killed by unidentified gunmen. Two days later, Ruben Ermino and Demetrio Imperial were also killed in a separate incident. Ermino was killed by an unidentified gunman on a motorcycle in Tabi village, Gubat town while driving his tricycle. Imperial was shot dead by several armed men, whilst he was eating dinner at around 6pm with his wife and child in his house in Barangay Sogoy, Castilla.

### **Miguel Dayandate & Julio Camero**

On 23 January 2007, Miguel Dayandate and Julio Camero, both members of Bayan Muna in Tabaco City, were found dead in Barangay Amtik, Ligao City. They were both reported to have disappeared prior to the incident. The bodies bore several gunshots. Julio and Miguel had been reported missing since January 17 and 18 respectively.

### **Ronilo Brezuela & Roberto Bagasbas, Jr.**

On 15 May 2007, Ronilo Brezuela (16) and Roberto Bagasbas, Jr. (27), both members of a political party for youth, Kabataan Youth, were found dead after they are supposed to deliver food rations to their colleagues serving as watchers in elections in Labo, Camarines Norte. Although the military claimed the two victims had been killed during an encounter, their deaths were not fully investigated. Whilst the military claimed an encounter had taken place in the area where the victims' bodies were recovered, this is disputed by local villagers.

Furthermore, the victims' bodies were displayed for identification at a park in public. One of the victims' mothers, Anita Brezuela, however was unable to claim her son's body before it was buried.

### **Cipriano Ligaspo**

On 14 March 2007, Cipriano Ligaspo was on his way home at about 1:30 pm when he was shot dead by two unidentified men wearing bonnets in Masapia, San Andres, Bunawan. Ligaspo suffered 16 gunshot wounds said to be from 9mm and .45 caliber pistols. At the time of his death, Ligaspo was earning a living as motorcycle driver. Prior to Ligaspo's death, however, military attached to the 36th Infantry Battalion, Philippine Army stationed in Bislig City, had already been allegedly harassing and threatening to kill him. The military had accused Ligaspo of being a sympathizer of a rebel group, the New People's Army. For instance, on February 20, Ligaspo and his six other companions were illegally arrested, detained and psychologically tortured while being questioned by the military in absence of their legal counsel. Ligaspo and his companions were threatened that they would be killed should they continue to supposedly support the rebel group, allegations that they denied.

### **Felisa Ocampo**

At 7:30 am on 2 March 2007, Felisa Ocampo was walking in front of her sister's store when two men suddenly approached and shot her in the forehead. The gunmen threatened the people who tried to intervene. The attackers escaped in a car waiting nearby, in which two other men were inside. Prior to Ocampo's killing, she had been repeatedly summoned by the military attached to the 24th Infantry Battalion, Philippine Army (IBPA) in Balanga, Bataan but she had refused to come for questioning. It is reported that she was allegedly included in the military's "Order of Battle" list. At the time of her death, Ocampo was a well respected person in their community. She was the municipal coordinator of a political party, Bayan Muna (People First) in Morong, Bataan chapter.

### **Carlito Getrosa**

On March 11 2007, Carlito Getrosa was having a usual gathering with his friends and relatives at the back of his house at around 8:30 pm. When Carlito stood up to take his dinner inside the house, a man shot him on the head with a .45 caliber pistol equipped with silencer. The gunman was described as wearing dark long sleeves and a ski mask when he attacked the victim, killing him instantly. After the shooting, the gunman immediately escaped onboard a red motorcycle towards the direction of the national highway.

Getrosa was a member of a political party Bayan Muna (People First). In late April, the Criminal Investigation and Detection Group (CIDG XII), reported to have already filed charges against perpetrators of Getrosa's murder, charging three of Getrosa's "close associates" as allegedly responsible for the victim's murder. However, according to sources, there were irregularities in the manner by which the police conducted their investigation and subsequent filing of charges.

### **Siche Bustamante-Gandinao**

On 10 March 2007, Siche Bustamante-Gandinao, a human rights activist, was killed by an armed man near the detachment of the 9th Infantry Battalion Philippine Army (IBPA), Civilian Armed Forces Geographical Unit (CAFGU) in Misamis Oriental.

The victim was one of the witnesses who testified before the UN special rapporteur on extrajudicial, summary or arbitrary executions Professor Philip Alston during his visit to the Philippines in February 2007 about the killing of her father-in-law Tatay Daki Gandinao on 8 February 2007. Siche was a dedicated human rights activist who worked for the improvement of rights of farmers and fishermen, as member of the Misamis Oriental Farmers Association (MOFA). She was also involved in the promotion of rights and welfare of marginalized sectors in society including industry workers, peasants, indigenous peoples and urban poor as member of a political party, Bayan Muna.

### **Benjamin Gelongga, Richard Sarillo, Bobby Quilo, Betty Quillano & Dan-Dan**

At around 6:00 pm on 5 May 2007 at three farmers, Benjamin Gelongga (72), his son-in-law Richard Sarillo (28) and nephew, Bobby Quilo (20), were found dead shortly after a military operation in their village in Magallon, Negros Occidental. Around 50 military men attached to the 11th Infantry Battalion, Philippine Army were conducting a military operation in the municipalities of Isabela and Magallon (Moises Padilla), all in Negros Occidental. It is believed that the victims were allegedly murdered by the military during an operation. It was reported that Sarillo could have been killed while on his way back to his house before joining his family who had already gone on ahead to the evacuation centre. They were all members of the Barangay Inulingan Farmers Association (BIFA).

At the same time, Sarillo's father-in-law, Gelongga and nephew Quilo, were found dead inside their homes. Gelongga and Quilo sustained brutal gunshot wounds while Sarillo had

bullet wounds to his head. His body was recovered days after he was reported to have been killed.

On 2 April 2007, at around 10:00 am, Betty Quillano and her 11-year-old son, Dan-Dan, were also murdered allegedly by the military in San Miguel, Surigao Del Sur in a gruesome manner. Quillano and her son were at the time resting in a hut, with other women and children who were about to clean up a portion of farmland in the area when the military open fired at them. The shooting instantly killed Dan-Dan.

After the shooting, the military men chased and caught up with Dan-Dan's mother Quillano while her other companions managed to escape. According to eye witnesses, the military forcibly dragged Quillano back to where her son was lying dead. Quillano was repeatedly beaten while she was questioned. Soon after, the military were seen bashing Quillano's head and killing her. Dan-Dan's dead body was mutilated, mixed together with a pig's carcass and burned together with that of his mother. The area is closely guarded by paramilitary units - the Citizens Armed Geographical Unit (Cafgu) and Special Cafgu Active Auxiliary (SCAA). Allegedly, the movements of Quillanos' relatives were already being monitored by the military unit assigned in their village in Barangay Maitum, Tandag.

### **Usman Ali**

On 7 May 2007, Usman Ali (40), the husband of a political activist, was shot dead at a public market in Pikit, North Cotabato. Ali's wife, Babai (43), is the leader of Suara Bangsamoro, a political party for Muslim minorities seeking sectoral representation in the House of Representatives.

In another incident, on May 6, two of Babai's colleagues, Arnel Soliman and Nestor Sobricarey, were briefly held for questioning after the military reportedly entered their office in Malita, Davao del Sur, Southern Mindanao. The six military men responsible for incident were allegedly attached to the 66th Infantry Battalion, Philippine Army, headed by Lt. Payumo. It is believe that Ali's killing and the harassment perpetrated against their party could be part of the security forces' action to intimidate and harass them.

### **Alejandro Garcesa & Ely Tupas**

On 4 June 2007, farmers Alejandro Garcesa and Ely Tupas were shot dead in Hacienda Velez-Malaga, La Castellana, Negros Occidental, by security guards of an influential landlord, Roberto Cuenca. Six of their colleagues were also wounded in the shooting. The victims were about to cultivate a portion of 53-hectare farmland that was awarded to them on 22 March 2007, by the Department of Agrarian Reform (DAR) when they were violently attacked by the armed security guards.

Even though a team of policemen from the Provincial Regional Mobile Group (PRMG) was present in the area, they allegedly did not intervene to prevent the shooting and to secure the farmers' safety. When the shooting took place, the police station was located in



front of the guardhouse of the security guards responsible but the policemen did nothing. According to the farmers, the inaction of the police to intervene during the incident, to ensure their safety and assist the wounded victims, could be due to the senior officer's connections with the Cuencas. The Cuencas and the farm beneficiaries have since been in protracted conflict after the farmers were installed into the land awarded to them on March 22. The Cuencas' farm workers likewise opposed the distribution of the land to the beneficiaries.

### **Charlie Solayao**

At around 1:30am on 17 July 2007, Charlie Solayao was killed in front of his wife in front of his house by one of two gunmen riding on a motorcycle in Barangay 71 Naga Naga, Tacloban City. His wife and children took him to a local hospital but he died ten hours later. At the time of his death, Solayao was actively involved in an urban poor organization advocating for their rights, Kalipunan ng Damayang Mahihirap (Kadamay) "Association of Urban Poor Communities". He was active in the campaign against the demolition of sidewalk vendors in Tacloban Market and urban poor communities in the metro.

Prior to his murder, his cousin, Noel Solayao, a member of the Philippine Military, visited his house and urged him to stop his activities, warning him that he could be killed. The victim's wife has rejected the police theory that her husband's murder could have been motivated by a personal grudge, stating that her husband had no known enemies.

### **Mario Auxilio (a.k.a. Mayong)**

Between 10 to 11pm on 15 June 2007, Mario Auxilio was shot by Hilario Diola (a.k.a. Larry), a military agent in Barangay Poblacion, Bien Unido. During the shooting incident, Auxilio had just arrived home after having a meeting with farmers in Barangay Panaghiusa in Trinidad. Auxilio later died from three gunshot wounds on 17 June 2007.

At the time of his death, Auxilio was the Secretary General of Bayan Muna-Bohol (People First). He has led protests against the abuses of the 15th Infantry Battalion. Two days prior to his shooting, he led a protest against the prospects of testing for oil exploration in the Bohol strait. Since 2006, he and his colleagues has also been the target of a smear campaign allegedly organized by the Mata na Bol-anon Movement, believed to have connections with the military, allegedly accusing them of having links with an illegal armed group.

### **Rodrigo Siacor (a.k.a. Bador)**

On 8 August 2007, at around 5pm, Rodrigo Siacor (a.k.a. Bador) was shot dead at his house in the municipality of Calatrava in front of his 10-year-old son. One of the gunmen's companions, Lando Baynosa, was identified by the victim's wife, and is said to be a member of an armed group affiliated with the security forces, Revolutionary

Proletarian Army-Alex Boncayao Brigade (RPA-ABB). At the time of his death, Siacor was a member of the political party Anakpawis "Toiling Masses".

### **Franklin Cabiguin Labial**

On 10 August 2007 at around 5:30pm, Franklin Cabiguin Labial, a peasant leader, was shot in front of his house in North Don Carlos, Bukidnon Province, island of Mindanao. The two unidentified assailants were riding a red motorcycle, wearing civilian clothes. Labial was the president of Don Carlos Bukidnon United Farmers Association, Inc. (DCBUFAI). As agrarian reform beneficiaries, Labial and his group of farmers claim some 100- hectare parcel of the 2,900-hectare of the Construction Development Corporation of the Philippines (CDCP) owned by Rodolfo Cuenca and Danding Cohuangco (both known to be friends of the late dictator, Ferdinand Marcos).

Labial was also his organization's representative to the newly-formed Task Force ARAD. He was also the vice-chairperson of the Makabayan Pilipinas, Bukidnon Chapter (Makabayang Alyansa ng mga Magbubukid ng Pilipinas, Inc). He was also the provincial chairperson of Sanlakas- Bukidnon and also the Secretary General of the Coalition of Actual Tiller and CLOA Holders in Bukidnon Farms, Inc (CATCH -BFI).

During an inter-agency consultation in Don Carlos gymnasium, Labial had questioned the implementation of the Comprehensive Agrarian Law (CARP) and contracts of the SFPI-DAVCO. He cited the destruction of crops and houses of the farmers who refused to enter into lease agreement with SFPI-DAVCO. He accused the company of using a backhoe to clear the land already planted with cops, fruit trees and coconut trees by the farmers and in tearing down their houses in some areas. He also condemned the killings that happened in the area against the farmers.

### **Alano Clerigo**

Alano Clerigo, was found dead in the municipality of Calatrava a day after he was taken on 10 October 2007, by a member of a government militia, Silvestry Abiso, and his companion.

The victim's body was found in a hole about 150 meters away from his house, severely mutilated and it bore multiple contusions and burns, his mouth was stuffed with plastic, and the victim's head was wrapped with a plastic bag. His genitals had been severed and it was clear that he was brutally tortured before being killed.

Apparently, the military had suspected the victim of supporting a rebel group, the New People's Army (NPA). Prior to the incident, on 10 September 2007, an encounter between the military and the rebel group took place close to the victim's house. At the time he was killed, Alano and his fellow villagers in their community were in the process of forming an association to affiliate with the Kilusang Magbubukid ng Pilipinas (KMP). The KMP is a national alliance of organizations of farmers and fishermen.

### **Alano Mercado**

At around 10am on 13 October 2007, Antonio Mercado was driving his motorcycle three-wheeler in Purok Malinawon Poblacion, Municipality of Toboso, Negros Occidental. Two men, wearing camouflage shorts and balaclavas, shot him as they came close to him on their Honda motorcycle. The gunman used a 45 caliber pistol and the victim died instantly.

At the time of his death, he was the chairperson of the local chapter of the National Federation of Sugar Workers Food and General Trade (NFSW-FGT) in Barangay Salamangka. Their organization advocates for the rights and welfare of sugarcane workers by demanding improved wages, adequate benefits, medical services, and for the distribution of farm lots. The NFSW is affiliated with the Kilusang Mayo Uno (KMU) "First of May Movement", a national alliance of labour organizations.

### **Arturo Tolentino**

On 26 October 2007, Arturo Tolentino, a farmer, was shot dead in front of his family by policemen attached to the Balanga and Samal Municipal Police Stations. The policemen entered into his house, where he was sleeping with his wife and children, and subsequently handcuffed each of them and ordered them to drop facing to the ground. No explanations were given to the family regarding the purpose of their entry.

Shortly after, a commotion took place and shots were heard. For almost two hours, the police did not remove the handcuffs they had put on the family. His wife later found her husband's dead body leaning against a nearby concrete wall. The policemen later accused Tolentino of shooting at them first as they approached his house to serve the arrest order. They claimed the shooting prompted them to return fire. However, this is completely contradictory to the victim's wife, who maintains that the commotion and shooting took place after the policemen entered their house.

The policemen involved in Tolentino's death have also been accused of having complicity in the disappearance and subsequent murder of another activist, Audie Lucero, in February 2006.

## **ANNEX II**

### **Case of continuing threats on Florence Manegdeg and her two children**

#### **Lack of protection to family of murdered activist facing threats**

**Name of victims facing threats:** Florence Manegdeg, wife of murdered activist Jose, and her two children

**Alleged perpetrators:** Unknown persons riding on motorcycles

On 28 November 2005, Jose Manegdeg III (a.k.a. Pepe) was brutally murdered in San Esteban, Ilocos Sur. He suffered 22 gunshot wounds to different parts of his body when he was shot by his attacker. Soon after his murder, Task Force Manegdeg, a team of police investigators was created to investigate his case. The task force was able to identify the alleged perpetrator, Captain Joel Castro, formerly attached to the 50th Infantry Battalion, Philippine Army, and subsequently filed murder charge against him before the prosecutor's office.

One of the witness identified Castro who allegedly shot Manegdeg. Castro was charged before the Ilocos Sur Provincial Prosecutor's Office based on the witness' testimony. No witnesses are coming forward to testify for fear of reprisal. However, in March 2007, the prosecutor dismissed the complaint for lack of sufficient evidence and after the witness withdrew his sworn statement. It took over a year before the prosecutor resolved the case which is supposed to be complete in a month under the Rule of Criminal Procedure.

After Jose's murder, his family was forced to take security measures by themselves following the continuing threats on them and the lack of protection by the police. The police investigating the case also have not involved them in the investigation process. After the case was dismissed, surveillance by unknown persons on Florence and her two children has reportedly persisted.

The police, particularly the Task Force Manegdeg, likewise failed to ensure and facilitate that witnesses and the victim's family is given protection and covered by the Witness Protection, Security and Benefit Act (6981). However, the implementation of this programme had so far been largely ineffective. Even the family are themselves not aware where and how to apply for the programme. The recommendation and inclusion of witness into the program is supposed to be a duty of the police.

On September 4, the AHRC wrote a letter to the newly appointed head of the Task Force Usig (TFU), Jefferson Soriano, requesting him to afford the victim's family protection; and that they should release the results of their investigation into the victim's case. The police efforts to actively involve the victim's family in their investigation are negligible, and often they are not properly informed on its progress. They too have so far not obtained a copy of the investigation by the task force.

On September 13, Police Chief Superintendent Rodolfo Mendoza, deputy director for the Directorate for Investigation and Detective Management (DIDM), wrote to the AHRC in response saying: "[provincial police] is now in the process of conducting re-investigation of the killing of Jose Manegdeg III to unearth evidence that could possibly prosecute the suspect/s".

He, however, did not mention what action they have taken to give protection to the victim's family. Despite repeated appeals to the police for protection, the family has not been contacted by them. No security arrangement was made to ensure their security. Florence has since been struggling also to support her two children on her own in absence of any assistance. She had to raise her family and support her children on her own.

## **ANNEX III**

### **Records of police and military personnel involved in repeated violations**

60th Infantry Battalion, Philippine Army

#### **Three farmers tortured, including a woman**

Wilfredo Damalerio (30) and James Francis Defiesta (18) were arrested on 27 June 2004 by soldiers from the 60th Infantry Battalion, Philippine Army in Nabunturan, Compostela Valley. Arrested with them was Evelyn Alicaba, owner of the house where the two men had been allowed to stay for one night.

Evelyn was together with her six children and parents in law inside the house taking their breakfast when they saw some 30 heavily armed soldiers approaching. One of the originally three men she hosted, Longlong, managed to escape by immediately running out towards their backyard when he noticed the approaching soldiers. Defiesta and Damalerio however did not have time to escape.

Evelyn went downstairs to speak with the soldiers. She was worried for the safety of her children and parents in law she claimed that everyone inside the house were civilians. But soldiers suspected Damalerio and Defiesta to be rebels. While Evelyn was talking to them, her children inside their house started to panic, some of them had cried because they were nervous. About five soldiers forcibly entered the house and started searching it through, leaving the house in total disarray. Her parents in law begged the soldiers to spare their daughter in law and the children. One of the soldiers told them to shut up or else they would be killed.

Damalerio and Defiesta were taken outside the house and the soldiers interrogated them and also started assaulting them. One soldier hit Damalerio in the stomach three times and tied his both hands with a rope. Four soldiers kicked and mauled Defiesta and punched his stomach and face several times. He was hit with a butt of a 60-caliber gun on his neck twice and hit with a butt of an M203 rifle on his stomach once. His mouth started bleeding. His hair was also cut-off before the soldiers tied his both hands.

Damalerio and Defiesta said they were forced by the soldiers to admit that they are members of the New Peoples Army. A .38 caliber revolver, a .22 caliber homemade pistol and a fragmentation grenade were seized from them.

At 11am the same day, when the soldiers were taking their lunch and waiting for the Police Operatives from Nabunturan, they tied Defiesta's foot to his left hand. He was however still able to eat by using his one hand. At 12nn, the police operatives arrived in the area. The soldiers took Damalerio, Defiesta and Alicaba to the Nabunturan Police Station. While riding in the patrol car, Defiesta was hit by one of the police officers in the stomach. They remained tied, and were untied only after arriving at the police station. On June 29 2004 at 2pm they were handed over to the BJMP District Jail in Montevista, Compostela Valley Province.

They were not given proper medical examination before they were handed over to the Nabunturan Municipal Police Station and the BJMP District Jail in Montevista, Compostela Valley.

### **Four other farmers tortured by soldiers**

On 1 April 2005, Adreano Otida (39), Joseph Otida (24), Malaquias Sampan Jr. (45) and Joshua Bustillo (28) were arrested in Laak, Compostela Valley by members of the 60th Infantry Battalion led by Lt. Oscar Blanza. The soldiers are stationed in Asuncion, Davao del Norte.

Adreano and his three relatives spent the day at a house in the area to help another relative harvest corn the day before the incident. At approximately 7am on April 1 on their way home they were stopped by about 10 men wearing military uniforms. The soldiers questioned their presence in the area. They ignored the farmer's explanation, however, and falsely accused them of being rebels.

One of the victims, Joseph, was tortured upon their arrest. His face was kicked while he was lying on the ground, his spine was stamped on several times and his arms were twisted behind his back. A gun was also fired near his right ear.

The four men were brought to Barangay Kilagding and presented to the people. The military asked the residents of Kilagding if they knew them. Although the people recognised them as local farmers, the soldiers ignored their responses.

At about 2pm, they were brought to the 60th IB detachment where they were interrogated. They were forced to admit that they are members of a rebel group. They were also coerced to confess the whereabouts of their supposed comrades who they continually denied they knew.

At around 4pm, they were taken to the 60th IB camp in Asuncion, Davao del Norte. After an hour, they were put in a detention cell in the camp and blindfolded and mauled.

Adreano was punched on the right side of his body, chest and abdomen several times. Joseph was punched in his abdomen several times as well. Joshua said he was punched in his chest and stomach. Malaquias said he was punched in his chest several times, hit with a rifle butt on his chest and the left side of his body and his legs were hit with a hard object. Malaquias added his feet were also hit with a large stone.

The four victims were tortured for the first four days of their 10-day detention in military custody. Even during an interview with the victims later at the jail, the traces of torture were still visible. In addition, the military denied that they were detained inside the camp when the victims' families were trying to locate their whereabouts.

On April 11, the four men were taken to the Laak district jail. Later, before they were remanded in the provincial jail of Compostela Valley in Tagum City on April 13, they were brought to Laak Municipal Hospital for a medical examination, but the doctor did not examine them. Instead, he signed a medical certificate indicating there were no torture marks on their bodies despite the traces of bruises and the swelling on their chest.

General Santos City Police Office (GSCPO), Bartolome Baluyot and Regis

### **Arrest and torture of a man by mistaken identity**

On 12 December 2005, at around 6pm Haron Abubakar Buisan was riding on a motorcycle together with three other persons when policemen attached to the General Santos City Police

Office (GSCPO) reportedly intercepted and subsequently arrested them. They were on their way to General Santos City from a nearby town, Maasim, Sarangani when the incident took place.

The policemen, some in plain clothes while others wearing black jackets with prints of SWAT (Special Weapons and Army Tactics) on it, took the four men to their headquarters on their service vehicle. At the time of arrest, the police did not present any warrant of arrest to Buisan and his companions. They were likewise not informed of the charges against them. It is said that Buisan was brutally tortured while on their way to the headquarters. He was repeatedly kicked and severely beaten all over his body and face with a stone.

Upon reaching the police headquarters, the police later released Buisan's three companions without charges while Buisan was retained in custody. He was detained for three days without any charges at the Camp Fermin G. Lira – the police headquarter. He was allegedly tortured to force him into admitting that he is Ariel Bansalao, a man wanted for robbery. Buisan was later transferred to the Pendatun Police Station and later remanded to the General Santos City Reformatory Center (GSCRC) after a petition of habeas corpus was filed in court by his family.

On December 23, the petition for habeas corpus was heard. Judge Isaac Alvero Moran of the Regional Trial Court (RTC) Branch 36 reportedly denied the petition and pushed through with the filing of robbery charges and illegal possession of firearms against Buisan – in connection with a bus robbery in Barangay Katangawan, General Santos City in December 2004. The victim's family, however, completely denied his involvement claiming it is a case of mistaken identity.

During the hearing of habeas corpus, GSCPO director Senior Superintendent Alfredo Toroctocon and Judge Moran were seen together with the witness against Buisan. It is said that the court may have acted on filing the charges against Buisan based on the witness' facial gestures, which was unclear whether it implies his involvement to the crime or not. The witness is reported to have previously suffered from a state of coma. He is said to be physically unfit and could not speak.

The victim's family has again filed another petition to have Buisan examined by an independent and private physician before RTC Branch 36 which was denied. Although the police claimed that Buisan have already been examined by physician they have refused to furnish the result to his family.

### **Five men tortured, charged in the murder of Marcos' man**

On 19 to 26 June 1996, days after Colonel Abadilla was murdered, the "Task Force Rolly", a special police unit the government created to solve Abadilla's murder, have started arresting several persons at random in Fairview in Quezon City. Some of the members of the task forces were Police Senior Superintendents (Pol. Sr. Supt.) Romulo Sales, Bartolome Baluyot and Regis. It is strongly believed that the arrest of each persons and their subsequent brutal torture in police secret detention have resulted to the false claims and pointing of innocent persons as the supposed accomplices to murder.

It was the Department of Interior and Local Government (DILG), which was headed by then Secretary Robert Barbers, who created the task force. It is composed of police officers namely Police Chief Superintendent Hercules Cataluna, Police Senior Superintendents Romulo Sales and Bartolome Baluyot, and several of their police officers. About six policeman who are among the respondents in the complaints of torture and human rights violations the five victims have filed have already died. Cataluna was the principal respondent.



On June 24 of the same year, the accused namely Lenido Lumanog, Augusto Santos, Senior Police Officer 2 (SPO2) Cesar Fortuna, Rameses de Jesus and Joel de Jesus were presented to the media supposedly as the killers of Abadilla. It was theorized that since all of them are residents of Fairview, the supposed motive of the killing could have been masterminded by Abadilla's political rival who also resides in the said area. But this theory was never proven in the court trial. The five men were accused of conspiring each other despite the fact that they have no mastermind, no motive, price or reward or whatsoever that could have motivated them to commit the murder.

The five accused have likewise claimed being brutally tortured. While in police custody, they were electrocuted, suffocated with plastic bags, brutally beaten and assaulted, amongst others, forcing them to admit responsibility to the murder and to disclose their supposed accomplices. The medical records of the accused were also falsified by the police who conducted the medical examination to make it appear that they were not tortured. They declared the wounds were "self-inflicted" and "no evidence of any external physical injury" was seen from their bodies.

There are also serious doubts on the physical evidence that were recovered from the crime scene that reinforced the accused innocence. It is reported that the supposed murder handguns were never recovered. The ballistics examinations of the empty shells recovered likewise did not match to the handguns belonging to some of the accused. The fingerprints taken from the car the gunmen had use for escape did not match to any of the five persons accused.

#### **Six years later, Baluyot involved in another torture case**

At around 3am on 24 April 2002, Jejhon Macalinsal, Aron Salah and Abubakar Amilhasan were arrested by General Santos City police at a house where they were staying in Barangay Calumpang, General Santos City. They are all Muslims and affiliate members of party list Bayan Muna in Soccsargen (Provinces of South Cotabato, Sarangani, Sultan Kudarat and General Santos City). The police had come with a search warrant issued by the court against suspects of the 21 April 2002 Fitmart Mall bombing in General Santos City. The police later publicly pronounced that the three persons were arrested due to their alleged involvement in the Fitmart Mall bombing. Firearms and explosives were reportedly recovered at the house. However, the three men denied these charges and claimed that that evidence was planted during the police raid.

After their arrest, the three men were detained at the Pendatun Police Station (PP1) for three months in absence of any arrest warrant. While detained at the police station, one of the suspects, Jejhon Macalinsal who is a pro-gay rights activist, reported that he experienced verbal sexual humiliation from a police custodian. He also said that the police forced him to admit his responsibility to the Fitmart Mall bombing and to point out Aron Salah and Abubakar Amilhasan as masterminds, which he repeatedly refused to do. It is also alleged that the three men were maltreated and tortured by the police during their arrest and detention.

Despite their claim of the victims' involvement in the Fitmart Mall bombing, the police did not file murder charges against them but charged them for illegal possession of firearms before the Municipal Trial Court (MTC), Branch 3 and illegal possession of explosives in Regional Trial Court (RTC), Branch 35. They were later released on bail.

Supt. Baluyot was the regional director of Police Regional Office (PRO 12) when the arrest and subsequent torture of the victims took place. He had direct supervision over the case. He, however, has been able to retire from police service.

Cases involving the 6th Infantry Division

## **Soldiers arrest and torture a couple**

Hadji Omar Ramalan was arrested by elements of the 64th Infantry Battalion, Philippine Army at 9am on 9 January 2004 in Matanog, Maguindanao over his alleged involvement in the January 4 bombing in Parang in the same province. The unit is also under the 6<sup>th</sup> Infantry Division. Ramalan, alias commander Bagi-bagi and his wife Bairon, were arrested at a checkpoint in Barangay Langkong Matanog, Maguindano while riding home on their motorcycle from Kapatagan, Lanao del Sur.

Around 10 soldiers belonging wearing plain clothes flagged them down. Ramalan then started asking why they were being held but the soldiers tied his hands instead and brought them quickly to their headquarters in Barangay Sarmiento, Matanog. Ramalan said he and wife Bairon were told to ride on the motorcycle then followed by soldier vehicles to the headquarters.

Upon arrival, Ramalan asked an unnamed military official why he and his wife were arrested. The said official did not answer but later started asking them for their alleged involvement in the Parang bombing. Ramalan reasoned that he didn't know anything about that and he was in Kapatagan that time. But the said official did not listen and they started taking pictures of Ramalan. Bairon was also held for questioning but strongly denied allegations that neither she nor husband had any involvement or personal knowledge of the bombing. The soldiers then searched the motorcycle they were driving during their arrest.

Moments later, the Ramalan couple was transferred to the 3rd Infantry Battalion headquarters in nearby Bliss Nituan, Parang, onboard the military's personnel tank carrier (PTC) while other military vehicles were on convoy. Upon their arrival, the military started blindfolding Ramalan and his wife with a packaging tape while they were being turned over to the 3rd IB personnel. His wife, Bairon was later released by the military. Afterwards, Ramalan felt he was transferred to another vehicle heading to an unknown direction.

After several minutes of travel, Ramalan said they arrived at a place he didn't know where. Several men started interrogating him. One asked him who were his companions in carrying out the bombing in Parang. But every time he denied involvement to they would harm him. Ramalan was stripped of his clothes. The interrogators repeatedly forced him into admitting the bombing and that he was the owner of the motorcycle where the explosive was planted leaving some 22 people dead and scores wounded.

Ramalan said that while he was under the detention from January 9-12, 2004, he was tortured by the military by kicking, hitting with a hard object on the different parts of his body. He was also electrocuted and his fingers squeezed with bullets between them and forced to drink rum and something that tasted like urine. They likewise threatened him to be dumped into a canal and/or his sex organ fed to a dog. Ramalan said all he felt for four days was pain.

Ramalan was not given chance to take a bath and do personal hygiene, sleep well, eat good meal and take a rest while in custodial investigation. He was placed inside a secluded room naked and severely tortured several times. He only heard voices of his investigators. For our (4) successive days, Ramalan's relatives did not know his whereabouts as they keep looking for him. It was only when Ramalan was turned over to jail that they found him.

On 12 January 2004 at 2pm, Ramalan was turned over to the jail of the Bureau of Correction in Cotabato City. It was only that time when Ramalan's blindfold was removed. Ramalan found out

later that it was the military police belonging to the 6th Infantry Division (ID) who turned him over to the jail. The military police accordingly did not leave until Ramalan's blindfold was removed. At that time, Ramalan then took a chance to do his personal hygiene - eat well, rest and sleep. The medical report confirms Ramalan was indeed tortured. The report disclosed he suffered abrasions on his nasal bridge, right and left ear, upper back, left and right wrists, both knees and hematoma on forehead.

### **Soldiers torture two men, deprived food**

At around 5am on 3 May 2007, Thos Ulimpain and Nasser Mendo were inside their house in Barangay (village) Malingaw, Midsayap, when several soldiers attached to the 6th Infantry Battalion (ID), Philippine Army arrived and surrounded their house. Soon after, they ordered the two men to come out. The soldiers, without offering any explanation to the victims, immediately searched their house. Neither did they produce any warrants. The victims were handcuffed, blindfolded and forced to the ground. The soldiers claimed to have recovered a 105mm howitzer round inside the house, which the victims had no knowledge of. They claimed their innocence and insisted the ammunition recovered had been planted.

The soldiers nevertheless took the two men, at around 8:30am, to their headquarters in Awang, Cotabato City. Upon their arrival at the camp, they were separately taken to a secluded room, still handcuffed and blindfolded. While they were being questioned the two men were brutally tortured and subjected to several interrogation techniques. They repeatedly hit on different parts of the body every time they refused to answer a question.

Mendo was seating on a bench when about ten persons surrounding him, interrogated him. He was forced to admit they owned the 105 howitzer round that was supposedly recovered from their house. They also forced him to disclose names of supposedly Moro Islamic Liberation Front (MILF) rebel group members known to him, and those who are supposedly engaged in plotting bomb attacks within Central Mindanao, in particular in Cotabato provinces.

Every time Mendo resisted and refused to provide information they repeatedly hit him with a hard object on different parts of his body, in particular on his back and chest. They also subjected him to suffocation with a plastic bag. Due to the severe beating and torture inflicted on him, Mendo was forced to admit owning the 105mm howitzer round, supposedly recovered from their house. He was likewise forced to provide fabricated names of MILF members.

On the other hand, Mendo's cousin, Ulimpain said some of his personal belongings were confiscated, including his mobile phone and cash. He was dragged along and made to sit on the cement floor, still handcuffed and blindfolded. While blindfolded, he believes that the person questioning him was reading the incoming SMS messages of his mobile phone. Also, the said interrogator had asked of the sender's background. They were asked whether they were involved with the MILF and another illegal armed group, Jemaah Islamiyah (JI). Every time Ulimpain denied any knowledge to any information his interrogator was asking, they repeatedly kicked and hit him on his chest and back. He frequently lost conscious during the ordeal.

From May 3 to 5, they are not given any food while in custody at the military headquarters. They were later turned over to Police Precinct No. 1, supposedly in Cotabato City where they were detained. On May 7 they were taken to the North Cotabato Provincial Detention and Rehabilitation Center in Amas, Kidapawan City where they are presently detained.

It is reported that two victims had been facing charges for frustrated murder before the Regional Trial Court (RTC), Branch 22 in Midsayap, North Cotabato. The background of case is yet to be known.

### **Soldiers kills and shot civilians rescuing them**

Abu Abdul (30) was killed while another seriously wounded when elements of the 7th Infantry Battalion open fired at them while they were conducting voluntary search operation to rescue soldiers wounded during an encounter in Barangay Gawang, Datu Saudi uy Ampatuan, Maguindanao at 11:30 o'clock a.m. on December 16, 2003.

Abdul was a resident of Barangay Ilian, Datu Saudi uy Ampatuan, Maguindanao. He died on the spot due to gunshot wounds on his chest and throat. Another victim, Abdulmaguid Kusain (18), also a resident of the same place, suffered serious gunshot wounds to his sex organ.

According to Zacaria Abdulkarim, a village council member and cousin of Abdul, Abdul and Kusain were among the many civilians asked by the village head to help rescue the wounded soldiers in the area but they were instead mistakenly identified as rebels.

Abdulkarim said it was Brigade General Agustin Demaala, commanding officer of the 301st Brigade and 1st Lieutenant Alexander Reginio of the 37th Infantry Battalion (IB), who had sought the help of the village head in rescuing their wounded soldiers. The villagers were gathered to heed to the military's request. The group of Abdul and Kusain walked their way from Barangay Ilian to the remote area in Barangay Gawang where the incident took place some three kilometers away.

Abdulkarim said upon the group's arrival they saw an unnamed soldier and feed him. They then brought the soldier to Barangay Ilian. They also recovered 3 dead bodies of soldiers.

At 11:30am that day, the group continued their search in the coconut plantation when they were fired upon by the soldiers positioned in the area. About four soldiers belonging to the 7th IB, armed with an M-16 and M-14 rifles, positioned themselves in the middle of coconut plantation that time but only one of them fired his gun. The group scampered and ran for safety. Abdul was hit and died on the spot while Kusain was still able to pedal his bicycle way back to Barangay Ilian. He was immediately rushed to the provincial hospital in Shariff Aguak, Maguindanao for treatment but was transferred to Cotabato Regional Hospital in Cotabato City because the provincial hospital has no adequate treatment facilities.

## ANNEX IV

### Case of Miguel Dayandante and Julio Camero

#### **Victims of disappearance and extrajudicial killing labeled as “terrorist”**

##### **Name of victim killed:**

1. Miguel Dayandante of Tabaco City. He was a member of Bayan Muna
2. Julio Camero of Tabaco City. He was a member of Bayan Muna

**Alleged perpetrators:** Unidentified

**Place of incident:** both of them were found in dead in Barangay (village) Amtik, Ligao City

**Date of incident:** On 23 January 2007

Miguel Dayandante and Julio Camero were found dead on 22 January 2007 in Ligao City, Albay. Their corpses were hogtied, blindfolded and had gunshot wounds. Julio and Miguel had been reported missing since January 17 and 18 respectively. They are both members of a political party Bayan Muna in Tabaco City, Albay.

When investigation was conducted into their disappearance and subsequent murder, the manner the police investigated the case was itself prejudicial to the victims. In the police report, they needlessly described Dayandante as Communist Terrorist (CTs) while Camero as either supporter or sympathizer. To describe them in such manner effectively suggests they are undesirable person. It effectively denied them equality before the law by investigating their case with impartiality.

Expectedly the police have concluded that the motive of their killing was “purging” effectively reinforcing their own theory regarding the pattern of extrajudicial killings. The police’ obligation, which to investigate the case and to hold those responsible accountable, was impliedly diluted by their own prejudice on the victims. Once cases are concluded in this manner the likelihood for the victims’ families to get legal remedies and for the case to be effectively prosecuted would become negligible. There has not been adequate progress so far regarding this case in identifying and prosecuting perpetrators.

Not only the effective investigation and prosecution of cases of extrajudicial killings are undermined by the authority’s practice of labeling, it also emboldens and tolerates commission of violations against activists or groups once described and labeled as such. In many cases, when an activists are labeled as “communist, leftist, enemies of the state, or others” the likelihood for them to be murdered is imminent as it has been happening. The labeling itself has been proven to be fatal as it encourages other actors, either state security forces or not, to perpetrate the murder and violations. It also needlessly exposes the victims into serious risk of their lives undermining their security and protection.

## **ANNEX V**

### **Case of Gerardo Cristobal and Pastor Jeremiah Isaias**

#### **Attempt on Gerardo Cristobal's life**

On 28 April 2006, an attempt was made on the life of Gerardo Cristobal, a labour leader in Imus, Cavite. A day after the incident, he was interviewed at the San Juan de Dios Hospital in Paranaque City where he was confined he said he was waiting for Juliet Tayoto, a worker who had earlier asked to meet him, inside his car parked at a roadside Barangay (village) Anabu Coastal, another car passed by and started shooting from his left. He was already wounded but managed to shoot at his fleeing attackers using his license firearm, 9mm. The attackers rammed into the roadside. They alighted from the car, approached closer to his car and opened fire at the windshield. The attackers, who were later identified as Senior Police Officer 1 (SPO1) Romeo Lara, Nick Diaz and a civilian asset, were seen hooded with *balaclavas* when they came out of their car shooting at Cristobal's car.

A few minutes later, SPO1 Lara was taken by his companions to a nearby Our Lady of Pillar Hospital in Imus, Cavite in a taxicab, while Cristobal was then taken by a motorcycle driver known to him back to his house. Cristobal was later taken to the same hospital where his attackers were found also confined. While they were at the emergency room, a reliable source said Larry Reyes, the head of the Civilian Security Unit (CSU) in the Province, was seen attending to SPO1 Lara. Cristobal was suspecting that Reyes could also be among those gunmen who attacked him. Prior to the incident, Cristobal had already received threats on his life from Reyes. It is reported that SPO1 Lara died later that day.

At the time of incident, Cristobal was supposed to meet Juliet Tayoto to seek help from the authorities in General Trias, in Cavite, to implement the arrest of Alberto Ronquillo, another labour leader whom Tayoto had charged for acts of lasciviousness. Ronquillo and Cristobal had already figured in the conflict in connection with the labour union leadership in the EMI (EDS Manufacturing Incorporated) Yazaki, a car accessories factory in Imus, Cavite.

On April 29 several policemen were seen deployed outside Cristobal's hospital room at the San Juan de Dios Hospital. The policemen's presence, however, caused deep concern among Cristobal and his relatives who were attending to him at the hospital. Cristobal raised his concern as to whether the police's presence would be helpful or not for his security.

Cristobal was instead charged with one count of frustrated murder and two counts of attempted murder before the Office of the Provincial Prosecutor in Imus, Cavite on the same day the shooting took place. The superiors of SPO1 Lara and his companions defended them that it was Cristobal who had ambush them while they were on their way to an anti-illegal drugs operation. The case, however, had been settled amongst themselves.

#### **Murder of Pastor Isaias Sta. Rosa**

On August 3, at around 7:30pm, armed men first entered the house of Pastor Isaias Sta. Rosa's brothers, Rey and Jonathan. The perpetrators later went to his house taking his two brothers with them. When his wife Sonia opened the door, three armed, hooded men barged inside. They

ordered all those inside to drop to the floor. They then grabbed Pastor Isaias and threw him against a bamboo bench. He was pushed inside his daughter's room while his wife and children were taken to the master bedroom.

The perpetrators started questioning Pastor Isaias and forced him to admit that he was in fact a person named "Elmer" who they were searching for. Pastor Isaias denied being that person and told them to check his identification card instead. Pastor Isaias was seen by one of his daughters being tied up by the armed men. He was then taken outside, while his family remained indoors. When his family were certain that the armed men had left, his wife Sonia rushed outside to ask for help from their neighbors who responded instantly when they heard nine gunshots. Sonia, her children and their neighbors then located where the gunshots had come from.

There they found the dead body of Pastor Isaias lying in a nearby creek, some 40-50 meters away from their residence in Barangay (village) Malobago, Daraga, Albay. He suffered six gunshot wounds, three of which hit his chest, two hit his thigh and another one hit his foot. Lying beside him was another dead body, later identified as that of Corporal Lordger Pastrana of the Philippine Army. A .45 caliber pistol with a silencer was found near Pastrana's body. Pastor Isaias's wristwatch, his daughter's cellular phone and a Mission Order on Pastor Isaias dated July 22, 2006 that was signed by a certain Major Earnest Mark Rosal of Camp Matillana, Pili, Camarines Sur, were also recovered from the pocket of Pastrana. The contents of this letter are unknown at present. The presence of a dead military officer at the site of the killing can only bolster the suspicion that the military were involved in the killing of Pastor Isaias, but the circumstances of the officer's remain unclear at present.

Sonia has confirmed that it was Pastrana who gave orders to his companions when they forcibly took her husband from their house. Sonia recalled that Pastrana was the only one with a short and stout body build amongst the group at the time. After the incident, the administrative office of the 9th Infantry Division, Philippine Army conducted an investigation and has yet to release its findings regarding the incident.

According to Jonathan's account, Pastrana was among the 10 armed men who first entered their house at about 8:30p.m, while he was preparing supper. His house is located besides Pastor Isaias' home. His other brother, Rey, had just arrived from work when the incident took place. Jonathan believes they were military because of their bearing, the fatigues they were wearing, the high-powered arms they carried and their combat boots. He said that on two occasions men in military uniform, with their nameplates hidden from view, had searched the house of the victim.

It is reported that Pastrana had been assigned to the Public Affairs Office of the 9th Infantry Division, Philippine Army, based in Pili, Camarines Sur. Pastrana. Further evidence that were collected points to the Army's 9th Infantry Division (ID) as being responsible for having shot and killed the Pastor Isaias. Pastor Sta. Rosa was a member of a peasant organization in his community.

The evidence linking the military to the killing is very strong in this case, as the body of one of the members of the group of ten masked perpetrators was found dead next to the pastor's. The local police have identified the body as being that of Corporal Lordger Pastrana. On his body were found: an identification card showing that he was a member of the 9th ID, based in Pili, Camarines Sur; a 45-caliber pistol; a cellular phone allegedly taken from Sta. Rosa's house; and a mission order dated July 22, 2006 that was signed by Major Earnest Mark Rosal of Camp Matillana, Pili, Camarines Sur.

Pastrana is believed to have been one of the gunmen, but it is thought that he was accidentally shot by his own men while they were trying to subdue a fleeing Sta. Rosa. The corporal reportedly received a bullet in the right side of his body, while the pastor died of six gunshot wounds.



## **ANNEX VI**

### **Case of Pro-Labor Legal Assistance Center (PLACE)**

#### **Surveillance on Prolabor Legal Assistance Center (PLACE)**

On 16 October 2007, five unknown men, were seen apparently spying on the office of the Prolabor Legal Assistance Center (PLACE) located at No. 33B, E. Rodriguez Avenue, Quezon City. One of them was seen speaking into a microphone which was attached to his collar while others were keenly observing the office.

They positioned themselves across the street near a small retail store from the apartment building where the office of PLACE is located. They continued their observation and did not leave there until the following morning. On October 17, another group of four men arrived. At around 3pm, two of them were seen sketching the façade of the office vicinity while the other men were seen surveying the area. Their presence had also alarmed the other occupants of the vicinity.

One of the men seen spying on was said to be the same person who had attempted to break in into their office sometime in October 2006. He was identified by the witnesses and staff members by his physical appearance. It was also during that month when a soldier, Corporal Romel F. Santiago of the Philippine Army, was held for questioning for tailing workers and labour leaders coming to the PLACE office. Santiago's companion was able to elude arrest. Santiago was briefly detained at the Taguig City Police Station. He was released after the police officers were reportedly instructed by an unnamed Inspector General who ordered them to release him. Before Santiago was released though, he admitted to the police that he had been instructed to conduct surveillance on the PLACE office.

One of the witnesses to the recent incident, told the staff members: "*Maraming nag-aabang sa opis nyo, dapat tanghali pa sasabihin ko na kaya lang baka ako mahalata*" (There were many men watching at your office, I could have told you at midday but I was afraid they might have noticed me). The witness, whose name is withheld for safety reasons, had only informed them in the evening of October 17.

The group remained in the area until the third day, October 18. Two of them were also seen carrying firearms tucked in their waists bands. They are described as about 30 to 40 years of age, dark-skinned and slender. They were seen closely observing the movements of staff members and people coming in and out of the office.

In one instance, one of them was alerted when one of the staff members of PLACE went out to buy cassava cake at a store close to where they are positioned. For about an hour, one of them was seen using his mobile phone. Their presence in the area also caught the attention of other occupants in the vicinity and it prompted one of the occupants to approach them. When asked of their purpose for staying there, surprisingly one of them admitted they were indeed intelligence agents. They, however, claimed that they are watching a gas station thereby suggesting that they were not targeting PLACE. The gas station is located few meters away from the PLACE. However, their gestures and movements left no doubt that it the PLACE office they were watching.

In the afternoon of October 18, one of the PLACE's staff members was awaiting for a passenger utility jeep going towards the direction of Cubao. Surprisingly, one of those men seen spying on them came and stood close to them. He was overhead speaking to his microphone attached to his collar mentioning the place of "Cubao" where the staff members were heading to.

The renewed surveillance on PLACE's office took place the same day when they received a letter from the government regarding their petition with the Supreme Court of the Philippines to nullify the Human Security Act of 2007. PLACE is one of the legal counsels of the said petition. They believed the overt surveillance is intended to harass and intimidate not only their lawyers and staff members, but also the clients they are representing in numerous labour dispute cases. Their clients are mostly union leaders, workers who are illegally dismissed from their jobs, urban poor villagers who were forcibly demolished from their dwellings, amongst others.

It can be recalled that Santiago has been held for questioning in October 2006 for tailing on the workers and union leaders of the FTI (Food Terminal Inc) from Taguig City to Metro Manila, they had just finished their meeting with lawyers at the PLACE office. It was the FTI security guards who had him arrested after they noticed he was following them. Santiago was on official duty at the time. Although he admitted to the police he was conducting surveillance on the PLACE office, he claimed that following the FTI workers was a mistake.

On 6 November 2006, three lawyers from the PLACE filed a complaint at the head office of the Commission on Human Rights (CHR) requesting them to conduct a thorough investigation into the surveillance incident. However, no substantial progress has been taken so far. When the CHR called for a hearing in January, no representatives from the Philippine National Police (PNP), particularly from Taguig Police, appeared. Santiago also did not appear during the said hearing. The PNP, however, claimed having not properly informed of the hearing.

On January 9, Santiago submitted his counter-affidavit contradicting his earlier statements given to the Taguig City police. No further investigation had been conducted on this despite the numerous inconsistencies of his statements, the entry of police blotters, and the testimonies of complainants and witnesses. The complaint against Santiago remains pending at the CHR.