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Philippines: Recent political killings raise fears for human rights defenders

Recent politically-motivated killings in counter-insurgency areas raise concerns about the safety of human rights defenders and community leaders in such regions. Amnesty International calls on the Philippine government to provide protection to people at risk of being targeted, and to initiate prompt, impartial, independent and effective investigations into all killings.

The government's counter-insurgency policy, which vows to "crush insurgency by 2010", often fails to differentiate between New People's Army (NPA) fighters on the one hand and activists and human rights defenders belonging to legal organisations on the other.

Politically-motivated killings continue

The Reverend Father Cecilio Lucero, a Catholic priest and human rights defender, was shot dead on 6 September 2009. Thirty men wearing balaclavas and armed with high-powered weapons ambushed him and his police escort in Northern Samar province, the Philippines. After firing several shots, one man walked up to the window of his car and fired at his head at close range, his bishop said, quoting police reports.

Rev. Lucero had been the director of the human rights desk at the Social Action Centre of the Diocese of Catarman in Northern Samar province. As part of his work, he travelled around the province documenting human rights abuses by both the military and armed opposition groups.

The day before, in nearby Samar province, Romulo Mendova, an activist and peasant farmer, was shot dead by two men riding on a motorcycle. While two people witnessed the killing, identifying the perpetrators was difficult because they wore balaclavas. According to his colleagues, the farmer, who was an active member of a local peasant group, had been summoned by military officials to go to their camp, when they tried to link him to a recent raid conducted by the armed opposition group NPA —an allegation which Mendova denied.

On 2 September in Agusan del Sur province, Higaonon tribe leader Datu Mampaagi Belayong was killed in front of his family, reportedly by members of paramilitary group Bagani Force. Indigenous Peoples group Kalumaran claims that Bagani Force is a special paramilitary unit under the Task Force Gantangan, a military unit composed of Indigenous Peoples whose primary purpose is to fight the NPA in areas occupied by Indigenous Peoples. According to them, Datu Mampaagi was the fifth Indigenous leader to have been killed in the past six months.

Counterinsurgency operations by the military against the NPA have caused divisions among Indigenous Peoples, as some tribe members have been forced to take up arms and align themselves either with the military or the NPA, or form their own militia groups.

According to the Philippine human rights group Karapatan, there were at least 34 cases of extrajudicial killings in the first half of 2009, and more than 1,000 in the last decade.

While reported cases of political killings have decreased in the last two years, activists and human rights defenders from left-leaning organisations are still being killed or disappearing. Moreover Amnesty International has received recent reports of local activists being put under surveillance, summoned for questioning, or identified in smear campaigns by the military.

Lack of effective investigations and prosecutions persist

Effective prosecutions are critical in ending political killings in the country. However, despite making a commitment during its Universal Periodic Review in 2008 to reduce extrajudicial killings and enforced disappearances and to bring perpetrators of such human rights abuses to justice, the government has failed to implement institutional reforms necessary to prevent a possible resurgence of political killings.

There have been very few prosecutions, and in the few cases which have gone to court, no commanding officer from the security forces has ever been prosecuted. Under the doctrine of command responsibility a superior officer may be held responsible for extrajudicial executions committed by those acting under their authority if the superior officer did not take all reasonable measures to prevent such acts or ensure that they were investigated and the perpetrators brought to justice.

On 28 August, a Philippine court acquitted a man who had been charged with the killing of activist Edilberto Napoles Jr. in May 2002. The judge who handed down the ruling said that one of the factors that had weakened the prosecution case was that the Department of Justice (DOJ) had recommended not bringing charges against two higher ranking officers—a retired general and a master sergeant—who had originally also been named in the charge sheet. Instead of leaving it to the court to decide on whether or not all of those charged were guilty beyond a reasonable doubt, the names of the high ranking officers were dropped by state prosecutors from the DOJ before the trial started.

Section 1 of Executive Order 226 dated 17 February 1995 states that “any (AFP) officer shall be held accountable for neglect of duty under the doctrine of command responsibility, if he has knowledge that a crime or offense shall be committed, is being committed, or has been committed by his subordinates, or by others within his area of responsibility and, despite such knowledge, he did not take preventive or corrective action either before, during or immediately after its commission.”

Amnesty International calls on the authorities to hold true to the Philippine government’s publicly stated commitment to the UN in 2008 not just to decrease political killings and enforced disappearances, but also to effectively implement reform in its witness protection program.

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