



Indigenous Issues

[The occasional briefing papers of the Asian Indigenous and Tribal Peoples Network (AITPN)]
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PHILIPPINES: INDIGENOUS DEFENDERS ON THE LINE OF FIRE

Since President Gloria Macapagal-Arroyo assumed power in January 2001 politically-motivated killings increased considerably. KARAPATAN (Alliance for the Advancement of People's Rights), a human rights organization in Philippines, documented 801 cases of extrajudicial killing and 208 cases of forced disappearances from January 2001 to 12 December 2006. At least 345 of the victims were affiliated with cause-oriented groups, including 96 leaders from indigenous communities. The victims include human rights activists, lawyers, journalists and church workers, leftist political activists and laymen. Often, the military label those killed or their organizations as "terrorists", communists, rebel sympathizers or "enemies of the state". KARAPATAN also stated that from January to November 2006 alone, there were 185 extrajudicial killings and 93 forced disappearances. Of the 185 extrajudicial killings, 53 took place in Central Luzon, 30 in the Bicol Region and 20 in Southern Tagalog. According to the National Union of Journalists of the Philippines, 12 journalists were killed in 2006, and 48 journalists were killed since Gloria Macapagal-Arroyo assumed presidency.

The Oplan Bantay Laya (Operation Freedom Watch), a five-year counter insurgency plan started in 2002 by the Gloria Macapagal-Arroyo regime to "neutralize" the so-called "enemies of the State", contributed to such large scale extrajudicial killings. The Oplan Bantay Laya also resulted in massive dislocation of people in Mindanao where military operations have been intensified. Indigenous peoples, including the Morro tribes have become the disproportionate victims.

I. Targeting indigenous rights activists

According to Kalipunan ng Mamamayang Katutubo ng Pilipinas (KAMP or Assembly of Indigenous Peoples of the Philippines), indigenous leaders have been targeted with the aim to silence them for espousing causes that undermine the interests of big investors in mineral exploration. The Mines and Geosciences Bureau (MGB) of the Department of Environment and

Natural Resources (DENR) had laid out plans to make way for 24 priority mining projects meant to raise a total investment of over \$8 billion by 2013. The government has granted mining rights to 762 medium and large-scale companies as of December 2005. MGB has so far received 272 mining applications covering a total land area of 1,270,343.86 hectares in the Cordillera and nearby provinces. According to KAMP estimates, once the government approves the mining applications, more than 16,000 indigenous small scale miners and more than 100,000 indigenous peasant families will lose their livelihood sources. Militarization in the indigenous regions has been taking place to facilitate the entry and operation of large companies.

Many of the indigenous rights activists were reportedly killed due to their resistance against the mining and other development projects undertaken by the government which hamper the interests of the indigenous peoples.^[9] During 2006, several indigenous human rights activists were killed.

On 9 May 2006, human rights activist Rev. Jemias Tinambacan was shot dead and his wife Rev. Marilou Tinambacan, also a human rights activist, was wounded by four gunmen along the national highway in Brgy Mobod, Oroquieta City. One of the perpetrators was identified by Rev. Marilou Tinambacan as Mr. Mamay Guimalan, who is reportedly a military intelligence personnel.

On 8 June 2006, an indigenous leader Markus Bangit, the regional officer of the Cordillera Peoples Alliance and chairperson of the Binodngan Pongors Organization was killed at a stopover restaurant in Echague, Isabela.

On the morning of 5 November 2006, Dr Rodrigo Catayong, chairperson of KARAPATAN-Eastern Samar, was shot dead by a death squad in Eastern Samar.

On 3 October 2006, a prominent human rights defender Bishop Alberto Ramento of the Iglesia Filipina Independiente or Philippine Independent Church was killed by unidentified men at his convent in Tarlac City, 105 kilometres north of Manila. Prior to his death Bishop Ramento complained that he had been receiving death threats because of his active advocacy activities for human rights.

On 12 December 2006, human rights lawyer Gil Gujo and his driver were reportedly shot dead by two gunmen aboard a motorcycle in Gubat town in eastern Philippines while on way to attend a court hearing in Sorsogon City.

II. Impunity

In the wake of severe criticism over unexplained killings, on 21 August 2006 President Gloria Macapagal Arroyo issued Administrative Order No. 157 to set up “Independent Commission to Address Media and Activist Killings” (also known as Melo Commission) headed by former Supreme Court Justice Jose Melo to investigate the killings and to submit recommendations to the President on policies and actions, including appropriate prosecution of the guilty and legislative proposals to end such killings. The Melo commission lacked independence and confidence of the victims' families, as at least three of its members including Justice Melo once worked as assistant to Mrs. Arroyo's late father, President Diosdado Macapagal. The Commission failed to submit its report by the end of 2006.

Earlier on 12 May 2006, President Arroyo administration formed the Task Force Usig, a Philippine National Police (PNP) body led by Police Deputy Director General Avelino Razon which was mandated to probe extrajudicial killings in 10 weeks time. The Task Force Usig stated that there were nine cases of activists' killings in 2001, 10 in 2002, five in 2003, 20 in 2004, 32 in 2005 and 35 in 2006. But as expected, the Task Force Usig gave a clean chit to the government of the day by asserting that “There is no government policy – official or unofficial, formal or informal, written or covert – to suppress political dissent and fundamental constitutional freedoms, much less torture or murder critical journalists, leftist elements or the political opposition.” The Task Force's report held that 23 of the 111 activists killed were linked to the Communist Party of the Philippines (CPP) and New People's Army (NPA).

In a rare case, on 22 November 2006, the Regional Trial Court (Branch 31) reportedly issued order for the arrest of Sergeant Serafin Jerry Napoles and his six accomplices, all Officers of the 404th Infantry Battalion of the Philippine Army (PA) for the murder of Mr. Bacar Japalali and his wife, Mrs. Carmen Japalali in September 2004. But will the law catch up with one of the well known military officers Major General (ret'd) Palparn who has been held responsible for carrying out the killings of the activists?