

Tales of Terror: A Civil and Political Rights Situationer



BY THE **TASK FORCE DETAINEES OF THE PHILIPPINES**

The prevailing impunity in the Philippines continued in the second half of 2008. Even as the government continued its all out-war against what it considers as communist terrorists, including people who serve in civil society organizations, it started another campaign of massive militarization in Mindanao.

Alongside the suspension of the peace talks with the Moro Islamic Liberation Front (MILF) on August 4, 2008, when the Supreme Court suspended the signing of the Memorandum of Agreement on Ancestral Domain, violence and rampant human rights violations were perpetrated, targeting the Bangsamoro people.

As of October 11, 2008, the death toll from the fighting between the government and the MILF forces in Mindanao has risen to 102, with both civilians and combatants as victims. The number of individuals displaced exceeded 600,000. Raids by the rebels and counter-attacks by the military has so far affected 368 villages, 77 municipalities, five cities and nine provinces in Northern and Central Mindanao and the Autonomous Region for Muslim Mindanao (ARMM).¹

One hundred thirty-five (135) families were displaced in Indanan and Patikul in Sulu and more than 3,000 villagers from Tilucab, Upo, Mindipok and Maguling in Maitum of Sarangani and portions of Shariff Kabungsuwan provinces.²



The war spread like wildfire in Mindanao, under the pretext of pursuing two rogue commanders of the MILF, Commander Bravo and Umbra Kato, who were implicated in the Kolabugan and Pikit raids on civilians. In November 2008, the boundary of Lanao and Bukidnon provinces was covered by the military operation. Heavily bombarded were the towns of Salvador and Wao of Lanao del Norte and Banisilan of North Cotabato. Seven hundred ninety-five (795) individuals were reported displaced.

TFDP Fact Sheet 08-LDN-002

On November 18, one company unit of the 35th Infantry Battalion, 1st Infantry Tabak Division Philippine Army, led by PA Captain Nilo I. Machete (INF), assisted by his two platoon commanders, PA 1Lt. Ariel B. Marquez and PA 1Lt. Noel O. Bermundo, swooped down on Barangay Buntong, Salvador, Lanao del Norte. After they searched the houses, they rounded up the civilians, most of whom came from their early dawn Islamic prayer in their mosque. All men were held and prevented from joining their families. The military forced them to admit that they were members or supporters of the MILF. Eventually, Kasamura Makatuman and seven other farmers were singled out by the military for interrogation. They were tortured for two days, after which a case of rebellion was filed against them. One of them, Misba Dirungawan, died while in jail due to injuries sustained when they were under military custody.

Another case documented by the TFDP in Mindanao is that of a family of seven, including a pregnant woman and five minors, who were killed as the counter-insurgency operation in Maguindanao intensified.

TFDP Fact Sheet 08-MAG-001

Daya Mande, a Moro of Maguindanaon tribe and six of his children were hit by an OV-10 bomb on September 8, 2008 in Barangay Tee, Datu Piang, Maguindanao. Only one, a certain Guiamaludin, survived, but he was wounded.

- 2 On the eve of September 7, there were reports that the military will

be starting an operation in their area. The Mandes heard that the soldiers have even positioned themselves and were about to start dropping bombs. Fearing for their safety, at 8:00 in the morning of September 8, they decided, along with the other residents of Sitio Dagaring, to flee towards the *poblacion* of Barangay Tee.

They were on board two motorized *bancas* (small wooden boats) heading towards Barangay Tee Poblacion from Sitio Dagaring. The first banca, loaded with their belongings, was steered by Daya with his six children on board. The other one was steered by their neighbour. Aboard were his wife, Vilma and their 20-day old baby, as well as their son-in-law, Mohaliden. The *bancas* were about 10-15 meters apart.

According to Mohaliden, they saw five fighter planes and two helicopters approaching. The OV-10 bomber dropped a bomb which nearly hit the *banca* rowed by Daya. The *banca* started to sink but he managed to steer it towards a nearby island where he let his children disembark. However, another bomb was dropped which hit the children and also caused the *banca* to capsize.

The victims who got buried in the mud were later recovered by the locals. Bailyn, who at first was found alive but terribly wounded, did not reach the hospital for treatment. Only Guiamaludin, among the people in the first *banca*, survived. He was brought to the Cotabato Regional Medical Center in Cotabato City. He sustained wounds in the legs and chest caused by bomb splinters. The lifeless body of Daya was taken by the military and was released the next day.

The victims were also among the internally displaced persons who evacuated to Barangay Tee Poblacion during the MILF and military encounter last August 22. They received instructions from the military to return to their homes on September 1.³

In another TFDP documented case, a father and his two sons were arrested, detained and allegedly tortured by more or less 100 members of the 10th Infantry Battalion, Philippine Army.





TFDP Fact Sheet 08-LAN-001

Cabilangan Mala, 44 years old, and his two sons were arrested and detained by the 10th Infantry Battalion, Philippine Army who conducted pursuit operations against the MILF in Barangay Tamparan, Munai, Lanao del Norte.

The victim's family is one of the hundreds who evacuated on August 18, 2008 as a result of an MILF attack in Kauswagan and Kolambugan towns. They stayed at Tambo Evacuation Center, Barangay Tambo, Munai, Lanao del Norte.

On September 4, 2008, Cabilangan and his two sons went to Barangay Tamparan to visit their abandoned house and farm and to get some harvest for their daily consumption. His wife Nene and their three other children stayed behind in the evacuation center.

Barangay Tamparan is a three-hour walk from the evacuation center in Tambo. While on their way, near the boundary of Tamparan and Barangay Pangao, the victims passed by a military camp (formerly an MILF camp). They were asked by the military to get inside the camp. Mala was then interrogated and repeatedly asked if he is a member of the MILF. He answered that he is a farmer and not a member of the MILF.

In front of his children, Mala was tied up, hit on different parts of his body with a stick until he lost consciousness. The military poured water on his face a few hours after.

The next day, at 3:00 in the afternoon, on board a semi-6x6 military vehicle with ten military escorts, the victims were brought to the 104th Brigade Camp in Ditocalan, Iligan City. Upon their arrival at 5:00 in the afternoon, Mala was instructed to get inside the MICO office while the children went to the custody of the military inside the camp. Inside the office, Mala was interrogated by a certain Sailanjan who repeatedly asked him if he is a member of the MILF.

He was repeatedly asked, "*Nakabalo ka ba kun asa nagtatago karon si Bravo?*" (Do you know where Kumander Bravo is hiding?). At 8:00

in the evening, he was again asked the same question.

On September 7, at 8:00 in the morning, he was interrogated by General Sopnit inside the MICO Office. General Sopnit asked the same questions. After this, the General informed him that he will be transferred to Kauswagan Police Station for detention.

The children were released on the same day when a board member, Kassan Macquiling and Cabilangan's wife, Nene, arrived in the Brigade Camp and negotiated with General Sopnit. The boys were released and brought to the evacuation center in Tambo, Munai, Lanao del Norte.

At 3:00 in the afternoon, Mala was transferred to Kauswagan Police station. On September 9, 2008, he was released and sent back to the evacuation center in Tambo.

The family refused to file any charges against the military who arrested and tortured them, because they fear for their lives.⁴

In Zamboanga Sibugay, in a case documented in July 2008 by a fact finding team of UPS, along with a TFDP volunteer, three men were tortured before they were massacred, allegedly by the members of the 53rd Infantry Battalion, Philippine Army.

TFDP Fact Sheet 08-ZDS-005

On June 2, 2008, at 3:00 in the afternoon, Jama "Jimmy" Olia, 39 years old; Mod Kunot, 28 years old; and Jomar Baguinda, 23 years old, all residents of Sitio Kabasi, Gusom, Kamalarang, Zamboanga del Sur were hired to work in a coconut farm in the hinterlands of Kabasi, three kilometres away from the center of the barangay.

Four uniformed military men, allegedly members of the Bravo Company under the 53rd Infantry Battalion, armed with long firearms, arrived in the area and nabbed them. The military brought the three to the detachment at the Gusom Primary School where they were kept for two hours as they waited for Barangay Chairman Skandal Dacula to arrive from Buug, Zamboanga Sibugay.





When Chairman Dacula arrived, the military inquired about the three men and turned them over to him.

Chairman Dacula wanted to present the three men to Kumalarang Mayor Damas for “clearing.” But since it was already late, the mayor was not able to attend to them.

Chairman Dacula, together with the soldiers, brought the three men to Barangay Dakun at 12:00 midnight aboard a pump boat.

The three were turned over again to the military. The men requested Chairman Dacula to stay with them but he refused and assured them that the military will not harm them.

The victims were transported on a truck going to the military camp in Barangay Gawil at 1:00 in the morning. Inside the camp, they were placed in a waiting shed and were interrogated regarding the killings in Kumalarang, as well as a case of extortion and theft in the community.

Olia was separated from Kunot and Baguinda, who were placed in another area. But he could still hear their shouts and cries as they were being tortured. He was also manhandled by about ten unidentified men who forced him to admit responsibility for the killings in Kumalarang.

Then he heard one of the men (whom he described as medium built and with a distinguishing mole on his lower left eye) say, “*tanang tawo nga nasulod dinhi, buhi man o patay, patay gyud ang dangatan*” (any body who enters here will always end up dead).

When he found a chance to escape, Olia fled through the back of the waiting shed and ran through a rice field. The soldiers chased after him and fired their guns at him. When he was about a kilometer away from the detachment, he heard a series of gunshots. Olia presumed that his companions had been killed.

Olia was able to reach the river and swam his way across to the other side. He arrived in Barrio Minol and was sheltered by a Moro

family. He then went to the house of an acquaintance in Barangay Kigay.

The next morning, he hitched his way out of the area and went to the town of Malangas, evading the search of the military. He was told that he was currently wanted by the military for the alleged killing of Kunot and Baguinda.⁵

It has been more than a year since the visit of United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions Prof. Philip Alston. The number of extrajudicial killings monitored today has gone down, compared to the killings monitored in 2006. Unfortunately, the counter-insurgency campaign criticized by Professor Alston continues.

Alston recommended the abolition of the IALAG or the Inter-Agency Legal Action Group – composed of representatives of the Office of the National Security Adviser, Department of Justice (DOJ), Department of National Defense (DND), National Intelligence Coordinating Agency (NICA), Armed Forces of the Philippines (AFP), Philippine National Police (PNP), National Bureau of Investigation (NBI) and “such other units as may be tasked by the National Security Adviser” 6.⁷

This ad hoc mechanism was established to bring charges against members of civil society organizations and party-list groups who have not even committed any obvious criminal offense. Congress has never reversed its decision to legalize membership in the CPP (Communist Party of the Philippines) or facilitate the entry of leftist groups into the democratic political system. But the executive branch, through IALAG, has worked resolutely to circumvent the spirit of these legislative decisions and use prosecution to impede the work of these groups and put in question their right to operate freely.⁸

Such “project” of the IALAG could explain the capture early this year of Randall Echanis, Deputy Secretary General for External Affairs of the Kilusang Magbubukid ng Pilipinas, Jaime Soledad and Bernabe Ocasla, all suspected of being high-ranking officers of the Communist Party of the Philippines and accused of taking part in





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Photos by TRACY PABICO and PhilRights Photobank



the “Leyte purge.” Late this year, the latest to fall into the trap of the IALAG is Norberto Murillo, a technical consultant for the farmers’ organization Life and Food for Leyte Evacuees (LFLE).

TFDP Fact Sheet 08-QUE-005

Norberto Murillo was forcibly abducted on October 29, 2008 at around 10:00 in the morning at the ground floor lobby of the Department of Agrarian Reform (DAR) building by three men who identified themselves as operatives of the Criminal Investigation and Detection Group (CIDG).

Murillo was abducted after having a meeting at the DAR to follow up on the papers regarding LFLE’s land claim for alienable and disposal land in Leyte. According to Murillo’s companion, LFLE Chairperson Paulo Delloso, the three men showed Murillo a warrant of arrest and introduced themselves as CIDG operatives. They forcibly took Murillo to a waiting vehicle, a Toyota Revo with plate number XKN 290. Delloso immediately reported the case to TFDP which dispatched its field staff to search for Norberto and identify his abductors.

According to the security officer assigned on that day, around ten CIDG operatives, including intelligence agents, entered the DAR compound an hour before Murillo and Delloso came. The guard also spotted AUVs and motorcycles used by the operatives aside from the Revo.

On October 30, the day after the abduction, the Families of Victims of Involuntary Disappearance (FIND) accompanied Violeta Murillo, the wife of the victim, to the Commission on Human Rights (CHR) to report the incident.

Two days after the abduction, Major Libay of Task Force Usig of the Philippine National Police (PNP) confirmed that Murillo had already been brought to the Custodial Center, Camp Crame in Quezon City on the evening of October 31.

Based on Murillo's account, right after he was arrested inside the DAR compound, he was immediately blindfolded and was brought to a "safe house" of the PNP. There, he was interrogated and asked about his involvement with the progressive movement and his alleged participation in the multiple murder case that was filed against Communist Party of the Philippines (CPP) Chairperson Jose Maria Sison and several co-accused, which is in relation to the communist purges that occurred during the late 80s in Samar and Leyte.

Murillo said that the interrogation lasted for hours. He was deprived of sleep and was threatened that he would be physically tortured if he did not cooperate.

Around 9:00 in the morning of November 1, he was brought to the Caloocan City Hall extension in Novaliches, Quezon City where the interrogation continued. After an hour, his captors brought him to the Manila City Hall where he signed a document in front of a person introduced to him as a prosecutor.

On November 3, 2008, Murillo was transferred to the Manila City Jail where he is presently detained. The arrest warrant against him was issued by the Manila Regional Trial Court Branch 32.

Murillo was an active member of the progressive movement during the 80s and early 90s. He has since worked with farmers organizations as a technical consultant, helping them with their land issues.

LFLE, which Murillo is currently working with, represents farmers who were displaced from the farmlands in Leyte during the late 80s due to the effect of former President Corazon Aquino's "Total War Policy." After being displaced from Leyte, these farmers sought temporary refuge at the Polytechnic University of the Philippines under the leadership of then University President Nemesio Prudente.⁹

The continuation of Oplan Bantay Laya 2 as a total approach of "neutralizing the enemies" using "a massive and well-coordinated mass-based psychological operation directed against the mass movement and organizations allegedly supportive of the CPP-NPA"¹⁰





is now being applied to barangays.

In the province of Matuguinao, in Barangays Carolina, Inubod, and Rizal, members of the 63rd Infantry Battalion harassed the residents who they believe are supporters of the New People's Army.

TFDP Fact Sheet 08-WSA-001

Herminio Tolin described to the TFDP staff his barangay's experience with military men belonging to the 63rd Infantry Battalion, who conducted a week-long counter-insurgency operation in Inubod and other nearby barangays.

He said that from July 7 to 21, 2008, the soldiers stayed in the barangays while conducting a search operation for alleged rebels and their hideouts in the area. They also conducted meetings with the residents to lecture them about the NPA in order to discourage the people from supporting them.

The military, he said, put up check points to monitor the citizens' movements. People were asked about their activities. Food and medicines coming in the barangays were monitored, and anything that the military considered excessive were confiscated. Batteries for the barangay's electric system were also checked and the carrier subjected to questioning. Because of these restrictions of movement, many residents were confined to their communities.

In Barangay Inubod, Rolando de la Cruz, 31 years old, recalled that on July 16, 2008, while he was resting at home, he suddenly heard bombings at a nearby barangay which lasted for about 30 minutes, starting from around 12:00 noon.

Then, at about 4:00 in the afternoon, the soldiers arrived in Inubod from Barangay Carolina and called the residents to a meeting. During the meeting, the soldiers talked about the NPA activities in the area. They alleged that the residents were supporting the rebels and their activities. They told the community to stop involving themselves with the rebels.

The following day, July 17, Rolando went to his farm to work. He was surprised to find that his nipa hut which he uses as a resting place has been razed down. All his belongings inside the hut were burned as well.

In another incident, Charito de la Cruz, Barangay Captain of Barangay Carolina, narrated that on July 16, 2008, at around 2:00 in the afternoon, 56 soldiers, all from the 63rd Battalion, Alpha Company of the Philippine Army began arriving at their barangay.

Similar with what happened in Barangay Inubod, the residents were summoned to a barangay meeting where they were lectured about the NPA. A certain Lt. Patrick Retunday urged the residents to stop supporting the rebels and their activities.

The soldiers stayed in the area from July 16 to 22. During this period, they conducted search and destroy operations in the barangay and other nearby barangays. At around 10:00 in the morning of July 22, 2008, a helicopter started dropping bombs.¹¹

Not even children were spared from military harassment. Two young boys were intimidated and tortured by the military in Barangay Carolina.

TFDP Fact Sheet 08-WSA-003

Two boys, aged 10 and 12, were on their way to buy sugar in the morning of July 7, when they were stopped by around 25 soldiers.

The soldiers asked them to accompany them in their search for NPAs in the barangay. The boys said that the military ordered them to show them the rebel hideouts. When they were unable to show to the military men any rebel hideouts, the soldiers flicked them in the ears. At one point, they were ordered to jump into the river. The military said that they will fire at the boys, and only if they do not get hit will they be able to go home.

The boys refused.





They were used as guides by the military through the forest. In the forest, the military men aimed their firearms toward them. They were told that they will be measuring their heights, that they will dig a pit where they will be buried after they were killed.

Fortunately, the military men changed their minds and let them go home at around 6:00 in the evening of the same day.

The two boys live in fear to this day.¹²

Aside from the increasing cases of human rights violations as illustrated by the cases mentioned, the situation in the country also continues to worsen. Poverty, mass unemployment, high prices of commodities, and corruption continue to plague the country.

Political detention and criminalization of political offenses continue in a supposed democracy.

Mrs. Gloria Macapagal Arroyo remains as the biggest stumbling block in the fulfilment of people's rights. Instead of alleviating poverty and providing solutions to the people's problems, her administration has implemented policies to make matters worse.

There is therefore a need to build formations of human rights defenders at the grass-roots level, especially when a culture of impunity pervades Philippine society.

POLITICAL PRISONERS AND DETAINEES

As of December 2008

Documented by Task Force Detainees of the Philippines (TFDP)

Political Prisoners/Detainees	231
National Capital Region	77
Southern Luzon	10
Northern/Central Luzon	8
Central/ Eastern Visayas	34
Western Visayas	17
Mindanao	85

CASES OF HUMAN RIGHTS VIOLATIONS

As of December 2008

Documented by TFDP

Cases of Human Rights Violation	# of cases	# of victims
Arrest and Detention	55	93
Torture	12	16
Harassment	13	38 + 4 brgys.
Extra-Judicial Execution	3	4
Frustrated Extra-Judicial Execution	1	1
Massacre	5	22
Frustrated Massacre	3	4
Casualties Due to Crossfire		
Disappearance	1	1
Violent Dispersal of Protest	2	79
Forced/Faked Surrender		
Illegal Search and Seizure	4	5
Destruction of Property	2	5 brgys.
Illegal Demolition	8	2108 families & 15 persons
Torture Perpetrators		
Philippine Army	7	10
Philippine National Police (PNP)	5	5
Intelligence	1	1



Tales
of Terror

FOOTNOTES

- ¹ International Centre for Political Violence and Terrorism Research “Current Status of the Mindanao Peace Talks,” Avila, et al., October 14, 2008, p.2
- ² Philippine Human Rights Update, Vol.22 Nos. 2-3. “Struggle for Bangsamoro Human Rights” Conejar, Daniel, p.3
- ³ 08-MAG-001, Datu Piang MAS, Task Force Detainees of the Philippines - Mindanao
- ⁴ 08-LAN-001, Mala, et al. ARD, TOR, Task Force Detainees of the Philippines - Mindanao
- ⁵ 08-ZDS-001, Kunot, et al. ARD, Task Force Detainees of the Philippines – Mindanao w/ UFS Fact Finding Team
- ⁶ Office of the President, Executive Order 493, January 17, 2006, Section 3



- 7 Philip Alston, Report of the Special Rapporteur on extrajudicial, summary or arbitrary execution: Promotion and Protection of All Human Rights, Civil, Political Economic, Social and Cultural Rights, Including the Right to Development (Advance Copy), page 24, paragraph 72, 2007
- 8 *ibid*, page 18, paragraph 47
- 9 08-QUE-005 Murillo ARD, Task Force Detainees of the Philippines - Luzon
- 10 Mabunga, Renato, Philippine Human Rights Update, Volume 22, No. 2. In a Coercive Environment: Nursing a Culture of Fear and Breeding Tolerance to Impunity, p3
- 11 08-WSA-001 Carolina HAR, Task Force Detainees of the Philippines - Visayas
- 12 08-WSA-003 dela Cruz Boys HAR, TOR, Task Force Detainees of the Philippines – Visayas