



CASES INVOLVING MILITARY / POLICE PERSONNEL

Convicted

Police Officer 1 Guillermo Wapile convicted of killing radio announcer Edgar Damalerio

In court

Senior Police Officer Apolinario Medrano for the murder of Roger Mariano

Civilian agent Aniano Flores for the murder of Edilberto Napoles

T/Sgt Allan Agramon, Sr. for the murder of Victor Melad

2Lt Juniver Camacho for murder and three counts of frustrated murder

Lt Marcelo Pascua for the murder of Nelson Asucena

Capt Wilson Callejo, S/Sgt Danny Nepumuceno, Pfc Samuel Soriano, and several John Does for the murder of Noel Capili

Police Officer 1 Aaron Golifardo and Police Officer 1 Aaron Madamay for the murder of Fernando Batul

Pvt Jeffrey Daza, Pfc Richard M. Pepito, Pfc Alberto S. Pesito, Pfc Ernesto M. Jungco for the murder of Mariano Belisario, Jr. and Rolly B. Bermundo

Police Inspector Pio Valencia, jr. for reckless imprudence resulting in homicide of Emilio Sanchez

Police Chief Inspector Clarence Dongail et al. for kidnapping with murder of Euleuterio Salabas et al.

S/Sgt Herbert Ligan for the murder of Rolly Canete

ISSUE FOCUS: THE UNIFORM IS NOT A SHIELD - HUMAN RIGHTS AND THE MILITARY AND POLICE

PRESIDENT ARROYO EMPHASIZES INVIOABILITY OF HUMAN RIGHTS TO MEN AND WOMEN IN UNIFORM

At a command conference presided by President Gloria Macapagal-Arroyo with the Armed Forces of the Philippines on 07 January 2008 at Camp Aguinaldo, President Arroyo reiterated her directive to all members of the Armed Forces to adhere strictly to the principle of the inviolability of human rights.

The command conference, the first for this year, was attended by 175 top Armed Forces officials, the largest assembly of major service commanders, area commanders, unified commanders, and the joint and special staff.

As she thanked the Armed Forces for their steadfastness and commitment in protecting the nation and Philippine democracy against insurgents and terrorists and for keeping the country stable, President Arroyo stressed that "All men and women are equal before the law, whether a for-

mer president or military man. We have to adhere to the principle that the death of any Filipino just because he expressed his politics is a violation of human rights."

The President also advised the Armed Forces to continue its productive relations with the Philippine National Police (PNP) which was represented at the conference by PNP Director General Avelino Razon.

This call follows the President's earlier statements made during the celebration of Human Rights Day at Malacanang Palace on 12

President Arroyo 07 January 2008

December 2007 wherein the President emphasized no person is above the law; that rogue elements in the military must be brought to justice and that the death of any Filipino in the pursuit of his or her right to political expression is a violation of human liberty.

All men and women are equal before the law, whether a former president or military man. We have to adhere to the principle that the death of any Filipino just because he expressed his politics is a violation of human rights

AUTHORITIES PURSUE MILITARY, POLICE PERSONNEL SUSPECTED OF INVOLVEMENT IN KILLINGS

Cognizant of its primary responsibility to uphold the rule of law, the Government has been consolidating resources and capabilities towards efforts to resolve cases of killings of political activists and media personnel, particularly, in arresting suspects and convicting them of their crimes.

In response to growing concerns about the involvement of military and police personnel in a number of extra-judicial killings, the Department of Justice under Acting Justice Secretary Agnes Devanadera issued Department Order Number 841 on 10 October 2007 directing government prosecutors to prioritize and expedite cases of extra-judicial killings where agents of the State are involved, Philippine authorities have been steadily probing and filing cases against government men suspected of involvement in these crimes.



Philippine police investigators collecting evidence at a crime scene. In rural areas, government is directs efforts and resources to boost forensic and investigative expertise, capability and equipment.

In line with these efforts, Task Force Usig of the Philippine National Police has investigated and handled 113 cases of killings of party-list members, militant activists and media persons as of 10 December 2007.

With regard to cases where military and police personnel are suspected of involvement, Task Force Usig stated in a report it issued on 09 January 2008 that 3 policemen, 11 soldiers and 3 militiamen have been either arrested or named as suspects in the killings of media persons and militant activists since 2001.

The Chief State Prosecutor's Task Force Against Extra-Judicial Killings is also following up on various cases where 46 military and police personnel are suspects (23 police, 7 military officers, 16 enlisted personnel and 10 members of civil/territorial defense forces.

Furthermore, authorities and investigators have also conducted investigations and are looking at the culpability of specific military units in the killing of militant activists.

Among the units investigated or

AUTHORITIES PURSUE MILITARY, POLICE . . .

currently under investigation are the Army's 8th Infantry Division in connection with the murder of activist Bienvenido Bajado of Borongan, Eastern Samar; the Army's 56th Infantry Battalion in connection with the killing of Leodegario Punzal; and the Military Intelligence Group in Southern Mindanao for the killing of activists Carlito Doydoy, Ramon Regase, Marjorie Reynoso and Jonathan Benaro.

Authorities admit facing challenges in pursuing these cases.

A number of these cases involving military personnel have been dismissed for lack of evidence. Some of these have been appealed by the Government and others have been archived and will be reopened when a stronger case can be made for the prosecution.

The lack of witnesses has been cited as a factor that has hindered follow-up investigations being conducted by investigators.

These challenges are now being addressed through efforts that will strengthen and liberalize the Witness Protection Program; through the issuance of Administrative Order 181 which calls for closer cooperation between investigators and prosecutors at the initial stages of the case build-up; and through training programs aimed at enhancing forensic and investigative capabilities of law enforcement authorities.

- ♦ M/Sgt Antonio Torilla for the murder of Benjaline Hernandez and Vivian Andrade and Crisanto Amoro
- ♦ Cpl Alvaro Obregon, Jr. et al. for frustrated murder on radio commentator Alberto Martinez
- ♦ Police Inspector Bryan Limbo and Police Officer 3 Aristotle De Guzman for the murder of journalist Ralph Nunez
- ♦ Corporal Alberto Rafon for the murder of Nicanor Delos Santos
- ♦ Cpl Garry Siquiyan and Benigno Gaano for the murder of Victor Balais
- ♦ Lt Ruel Engana, Cpl Adoramir Apang and territorial defense forces members Baylen Crisogono, Armando Cabutaje, Roy Gonzales, Rigoberto Galamiton Sr, Rigoberto Galamiton Jr for gross inexcusable negligence for failure to respond to cries for help from the victim's family in the murder of Sichi Gandinao

SUMMARY OF MILITARY, POLICE SUSPECTS IN EXTRA-JUDICIAL KILLING CASES

INDIVIDUALS	Convicted	In Court	Under Investigation	Requires further Investigation/additional evi-	TOTAL
POLICE	1	7	15		23
MILITARY OFFICER		1	3	3	7
MILITARY		11	2	3	16
CIVIL DEFENSE		7		3	10
TOTAL	1	26	20	9	56

UNITS	Under Investigation
8TH INFANTRY DIVISION	SOME PERSONNEL
56TH INFANTRY DIVISION	SOME PERSONNEL
MILITARY INTELLIGENCE GROUP (SOUTHERN MINDANAO)	SOME PERSONNEL

Source: Chief State Prosecutor's Task Force Against Extra-Judicial Killings and the Philippine National Police

In less than a year, since we authorized the Melo Commission and followed up its recommendations, we have seen an 83 percent drop in violence against political activists and journalists . . . we will not be satisfied until every last incidence of violence has stopped and every criminal prosecuted and behind bars. We must stop the legacy of violence and start the era of political harmony.

President Arroyo
18 January 2008

Office of the Ambassador
Embassy of the Philippines
1600 Massachusetts Ave NW
Washington DC 20036
Tel 202-4679363
Fax 202-4679417
phembassyusa@verizon.net
www.philippineembassy-usa.org



Ambassador Willy C. Gaa
FROM THE CORNER OF
BATAAN AND MASSACHUSETTS

The men and women of the police and the armed forces are among the most experienced and professional in our region. They have been brought up in a thriving and vigorous democracy. They have sacrificed much to keep that democracy alive. Many

have given up their lives to keep our people and our country safe from peril.

The involvement of some of them in extra-judicial killings should not be seen as a commentary on the entire police and armed forces.

But those among them who commit these crimes and who violate human rights should know that they are not immune and that they will be pursued, prosecuted and if found guilty, punished.

The Philippine Government is fully aware that the swift and impartial rendering of justice, especially in the pursuit of upholding the people's right to their political beliefs and expression, is an important component of any democracy.

The police and military of the Philippines have committed

themselves to promoting human rights and to weeding out those among them who commit these crimes and to bring those responsible to justice.

President Arroyo has stated categorically and without reservation that those in uniform who commit these crimes will not be spared and that they will feel the full force of the law.

On 10 October 2007, Acting Secretary of Justice Agnes Devanadera issued specific instructions to government prosecutors to prioritize investigation and prosecution of cases where military and police personnel are the suspects.

The conduct of the defense and stability of our democracy will never be at the expense of the people's rights and liberties.