

FROM FACTS TO ACTION

REPORT ON THE ATTACKS AGAINST FILIPINO LAWYERS AND JUDGES

**THE INTERNATIONAL FACT FINDING MISSION
(IFFM)**

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LIST OF ABBREVIATIONS

AFP	Armed Forces of the Philippines
CARHRIHL	Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law
CBCP	Catholic Bishops Conference of the Philippines
CHR	Commission on Human Rights
CODAL	Counsels for the Defense of Liberties
CPP	Communist Party of the Philippines
DILG	Department of the Interior and Local Government
DoJ	Department of Justice
FLAG	Free Legal Assistance Group
IBP	Integrated Bar of the Philippines
ICCPR	International Covenant on Civil and Political Rights
IFFM	International Fact Finding Mission on the Attacks against Filipino Lawyers
JMC	Joint Monitoring Committee
JAG	Judge Advocate General
KMP	Philippine peasant organization
MILF	Moro Islamic Liberation Front
NBI	National Bureau of Investigation
NDFP	National Democratic Front of the Philippines
NPA	New People's Army
PAO	Public Attorneys' Office
PCIJ	Philippine Center for Investigative Journalism
PNP	Philippine National Police

EXECUTIVE SUMMARY

Dutch and Belgian Lawyers organizations were alarmed by the reports and statements of international and Filipino human rights organizations and various news items about the violence against members of the legal profession in the Philippines. Lawyers and judges are reportedly victims of serious harassment and intimidation while in the exercise of their profession or worse: brutally killed.

At the invitation of the Philippine lawyers organization CODAL, the Dutch Lawyers for Lawyers Foundation organized at the initiative of the Dutch Foundation Lawyers without Borders an International Fact Finding Mission (IFFM) on the Attacks against Filipino Lawyers and Judges. Two Dutch judges and six Dutch and Belgian lawyers investigated the situation.

From 15-20 June, 2006, the IFFM held interviews and conferences in Quezon City, Manila and Tacloban City, Leyte, with lawyer-victims, the families of slain lawyers, the Integrated Bar of the Philippines, human rights advocates, concerned government agencies (Philippine Commission on Human Rights, Philippine National Police, Armed Forces of the Philippines, National Bureau of Investigation, Department of Justice, Department of the Interior and Local Government), members of the judiciary (Supreme Court) and legislators (Senate and House of Representatives). It also studied relevant documents, including those provided by the aforementioned individuals, agencies and organizations.

The IFFM observed that to this date, the Arroyo administration rejects national and international criticism on its human rights record, by simply referring to its democratic institutions and human rights treaties, laws and policies.

On paper, the Philippines is indeed a republic with democratic institutions including an elected President and separate executive, legislative and judicial branches. It has an independent Commission on Human Rights and respect for human rights principles are enshrined in its 1987 Constitution, laws and policies. The Philippines has also signed and ratified almost all relevant international human rights treaties, such as the International Covenant on Civil and Political Rights.

Nevertheless, since 2001 not only 15 lawyers and 10 judges have been killed in the Philippines but also almost 700 other individuals including members of leftist groups, journalists, priests, church-workers, human rights defenders, laborers and farmers. All were unarmed citizens. None of the killers has been convicted.

Taking into account that all democratic institutions are formally in place, the IFFM considers the situation especially alarming. This makes it abundantly clear that either the constitutional state does not function properly or that there are powers undermining its proper functioning.

Based upon its personal evaluation of the relevant documents and testimonies of individual cases, the IFFM has reached the following conclusions:

Human rights lawyers and judges in the Philippines are increasingly threatened, intimidated and killed as a consequence of which they encounter more and more difficulties in carrying out their legal profession.

The harassment and killings of members of the legal profession undermine the independence of judges and lawyers and, as a consequence, also the rule of law and the faith in (the function of) the judiciary system.

There is a pattern in the harassment and killings of human rights lawyers and judges, which must be seen in the light of other killings in the Philippines including the killings of members of leftist groups. Prior to the attacks, victims are usually labelled by the military as "members or supporters of the CPP/NPA", "communists" or "enemies of the state". The next step is that victims are threatened and usually be subjected to surveillance by the military. The way victims are killed is also similar. Almost all assassinations are shooting incidents with a hit-and-run character conducted by a team of unidentified motorcycle-riding men. Even the most brutal atrocities hardly elicit any decisive action or condemnation from the government; and to this date, all cases have remained unsolved.

Many people believe that the state security forces are involved in the killings and these allegations are supported – amongst others – by the Philippine Commission on Human Rights, based upon its own investigations.

Although the primary duty of the Government is to protect the life of the people, including lawyers and judges, the Arroyo administration has hardly done anything to address the extrajudicial killings effectively. In particular it has neither responded seriously to strong allegations that its own security forces are involved in the killings nor has it taken effective measures to improve the poor record of prosecutions of the perpetrators.

Only recently, President Arroyo has ordered that these extrajudicial killings be thoroughly investigated and eventually be stopped. This order has led to the establishment of a special Task Force, known as Task Force USIG, which is supposed to primarily take charge of the over-all management of the investigations in these cases. So far, however, Task Force USIG has not proven to be an independent body: It is chaired by the PNP which has a poor record as far as the effective investigation of the killings is concerned and which is mistrusted by the Philippine people.

Furthermore, the Arroyo administration has not condemned the killings publicly and in strong terms.

This lack of an effective response of the Arroyo administration has led to a culture of impunity in which even more killings and human rights violations may take place. The IFFM notes that, up to this date, the killings continue unabated.

Consequently, this culture of impunity has further diminished the people's faith in the functioning of the constitutional state and the system of law culminating in a climate in which, for instance, lawyers and judges consider it "part of their job" to be threatened and in which witnesses of killings do not cooperate with the police or the public prosecutor out of fear or because they find it a waste of time as it comes to nothing.

The Philippine government is under the obligation to take steps to ensure the compliance with human rights and the right to life in particular. In order to stop the killings, the threats and harassment of lawyers and judges, the IFFM calls on the government:

1. to condemn the killings publicly and in strong terms;
2. to immediately take vigorous steps to protect the safety of human rights lawyers and judges, which steps should include the prosecution of alleged perpetrators;
3. to leave no stone unturned in investigating the serious allegations that its own security forces are involved in the killings;
4. to constitute and fully support an independent body, i.e. not controlled by the government, to investigate the killings, threats and harassment and to follow its recommendations;
5. to take all other measures needed to end the culture of impunity and to restore the people's faith in the functioning of the constitutional state and the rule of law.

1. INTERNATIONAL FACT FINDING MISSION (IFFM) ON THE ATTACKS AGAINST FILIPINO LAWYERS AND JUDGES

- JUNE 15-20, 2006 - THE PHILIPPINES -

1.1. Introduction

Dutch and Belgian Lawyers organizations were alarmed by the reports and statements of international and Filipino human rights organizations, such as Amnesty International, Lawyers' Rights Watch Canada, Counsels for the Defense of Liberties (CODAL)¹, KARAPATAN², and various news items about the violence against members of the legal profession in the Philippines. Lawyers and judges are reportedly victims of serious harassment and intimidation while in the exercise of their profession. Since 2001, fifteen lawyers and ten judges have been killed.

Deeply concerned about these killings and harassment, the Dutch Lawyers for Lawyers Foundation³ urged the Philippine government by letter of 20 January, 2006 (Annex1)⁴ to take immediate steps to protect the safety of Filipino lawyers and to investigate and prosecute the perpetrators thereof. The harassment and killings of lawyers, however, continued unabated.

At the invitation of CODAL, the Dutch Lawyers for Lawyers Foundation subsequently organized at the initiative of the Dutch Foundation Lawyers without Borders and with the support of the Netherlands Bar Association, the Amsterdam Bar Association and the International Association of Democratic Lawyers (IADL) (Annex 2, 3 and 4) an International Fact Finding Mission on the Attacks against Filipino Lawyers (IFFM).

CODAL assisted in organizing the program of the IFFM in the Philippines and support was offered in connection therewith by the Integrated Bar of the Philippines (IBP).

¹ Counsels for the Defense of Liberties (CODAL, formerly the Committee for the Defense on the Attacks of Lawyers) was formed at the Integrated Bar of the Philippines' (IBP) National Office meeting on 30 April, 2005 in order to – amongst other things – condemn and campaign against the rising attacks against members of the legal profession.

² KARAPATAN is a major human rights alliance in the Philippines with a total of forty member organizations made up of human rights institutions, the rights desks of people's organizations and the nationwide regional and provincial HR formations.

³ The Dutch Lawyers for Lawyers Foundation seeks to ensure that lawyers around the world can exercise their profession without intimidation or interference. It supports lawyers who are hindered in the exercise of their profession while working for the protection of human rights.

⁴ The Annexes referred to in this report will be published at the Lawyers for Lawyers website www.advocatenvooradvocaten.nl

The IFFM itself has been fully independent from CODAL or any other individual or organization, being it a non-governmental organization such as KARAPATAN or a governmental agency such as the Philippine National Police.

Hereafter, the IFFM will first explain its purposes and method of working. In order to gain an insight into the context of the killings of lawyers and judges, it shall proceed by briefly touching upon its general observations and understanding of the Philippine political system and current domestic developments, before presenting its concluding observations and recommendations.

1.2. Composition of Delegation

As a manifestation of fraternal support and international concern, the IFFM was composed of the following attorneys, judges and lawyers from both Amsterdam, the Netherlands and Antwerp, Belgium: Jan Bless (Head of Delegation / Deputy-Judge), Gerrard Boot (Attorney), Jo Dereymaeker (Attorney), Hein Karskens (Attorney), Judith Lichtenberg (Lawyer), Angela Meijer (Attorney), Adrie van de Streek (Attorney), Nol Vermolen (Judge).

The participants represented respectively Lawyers for Lawyers, Lawyers without Borders⁵, the International Association of Democratic Lawyers (IADL)⁶ and Lawyers for the World.

1.3. Purpose of Mission

As set out in its Mission Statement (Annex 5), the purpose of the IFFM is:

- (a) to verify and collect as many findings as possible regarding the harassment and killings of several lawyers and judges as well as the (lack of) reaction thereto by the competent Philippine authorities;
- (b) to inform the appropriate Philippine authorities about these findings and to express the deepest concerns about the harassment and killings of Filipino lawyers and judges;
- (c) to inform the international community and any national and international lawyers organization in particular, about the foregoing.

⁵ <http://www.advocatenzonderegrenzen.nl>

⁶ <http://www.iadllaw.org>

1.4. Method of Working

From 15-20 June, 2006, the IFFM held interviews and conferences in Quezon City, Manila and Tacloban City, Leyte, with lawyer-victims, the families of slain lawyers, the Integrated Bar of the Philippines (IBP), human rights advocates, like KARAPATAN, concerned government agencies (Commission on Human Rights (CHR), Philippine National Police (PNP), Armed Forces of the Philippines (AFP), National Bureau of Investigation (NBI), Department of Justice (DoJ), Department of the Interior and Local Government (DILG)), members of the judiciary (Supreme Court) and legislators (Senate and House of Representatives).

In addition, the IFFM also studied documents provided by the aforementioned individuals, agencies and organizations, reports and statements of international and Filipino human rights organizations, governmental country reports, various news items and other relevant documents.

During its press conference in Quezon City, Metro Manila on June 20, 2006, the IFFM presented its initial findings (Annex 6).

Based upon its personal evaluation of the relevant documents and testimonies of individual cases, the IFFM has now produces its own final findings and recommendations as set out in this report. It will present its report to the organizing Foundation Lawyers for Lawyers and to the other Dutch, Belgian and international lawyers organizations concerned as well as to the Integrated Bar of the Philippines and the Philippine government agencies, members of the judiciary and legislators it has met during its mission, with the urgent request to act upon its recommendations and do the utmost to stop the killings, threats and harassment of lawyers and judges.

The IFFM obviously will share its findings with the lawyer-victims, the families of slain lawyers, and the human rights advocates it has met during its mission.

1.5. Media Coverage

During its mission in the Philippines, the IFFM held three press conferences on June 16, 2006 in Quezon City, Metro Manila, on June 17, 2006 in Tacloban, Leyte and on June 20, 2006 in Quezon City, Metro Manila, respectively. The IFFM gained media attention from Philippine national and local newspapers and TV channels.

The IFFM was also covered and accompanied by representatives of the Dutch media. The Dutch national broadcast company VPRO has devoted its radio broadcast to the extra judicial killings

on Filipino lawyers and judges, on July 25, 2006, Channel 1 between 10.00-11.00 am.⁷ Dutch national and local newspapers, legal magazines and (online) newsletters also paid attention to the IFFM.

⁷ VPRO's broadcast is also available at <http://www.ochtenden.nl>

2. ABOUT THE PHILIPPINES

2.1. Political System

The new Philippine Constitution was ratified in 1987, signalling, according to the Philippine government, 'the country's return to democracy'.⁸ The Constitution, based upon the US system, entrenches the separation of the executive, legislative and judicial powers.⁹

2.1.1. Executive branch

The Philippines' national government constitutes the executive branch and is headed by a President and a Vice-President who are elected directly by the people for a term of six years. The President, who is both head of government and chief of state and as such also the commander-in-chief of all armed forces of the Philippines, appoints the cabinet and a large number of other people in the bureaucracy.

The Department of National Defence controls the AFP, which is primarily responsible for counterterrorism and counterinsurgency operations, while the Department of the Interior and Local Government supervises the PNP, which has to enforce law and order. The Department of Justice must uphold the rule of law. To accomplish its mandate it must, *inter alia*, investigate the commission of crimes and prosecute offenders. It is also responsible for the Witness Protection Program established under the Witness Protection, Security and Benefit Act [RA 6981]. The NBI is an attached investigative agency of the Department of Justice.

The nation's provinces are grouped into 17 regions. Each province is headed by a governor and a vice-governor, both elected on four-year terms. Provinces comprise cities and municipalities, which are divided into districts, villages and communities called barangay. Local officials, such as governors and mayors also have great political influence.

2.1.2. Legislative branch

The Congress functions as the legislative branch. It consists of a Senate (or Upper House) with 24 members and a House of Representatives (or Lower House) with a maximum of 250 members. Like the president, the senators are voted into office in nationwide elections for a six year-term. The members of the House of Representatives (usually called congressmen) are elected every three year by the citizens of the districts they represent.

⁸ <http://www.gov.ph/aboutphil/general.asp>

⁹ Articles 6, 7 and 8 of the 1987 Constitution of the Republic of the Philippines.

2.1.3. Party List System

Since the elections in May 1998, the members of the House of Representatives may also be elected through what is known as the party-list system, an innovative mechanism enshrined in the 1987 Constitution. One of the important principles of the party-list system is the need to give representation in Congress to the 'marginalized and underrepresented' sectors of the Philippine society, which lack well-defined political constituencies, adequate funding and vote gathering network, so as to give them a voice in the policy making process that is dominated by traditional politicians. To this end, the Party-List System Act [RA 7941] allocates 20% of the 250 seats for marginalized sectors including labourers, peasants, urban poor, indigenous cultural communities, women and youth.

2.1.4. Judicial branch

The Supreme Court of the Philippines is the country's highest judicial court, as well as the court of last resort. In addition, the Supreme Court regulates the practice of law in the Philippines, promulgates rules on admission to the bar, and disciplines lawyers. The court consists of a Chief Justice and 14 associate judges. The judicial power is also vested in lower courts including the Court of Appeals, Regional and Municipal Trial Courts and special courts. All judges are appointed by the President on the recommendation of the Judicial and Bar Council.

The armed forces maintain an autonomous military justice system. Military courts are under the authority of the Judge Advocate General (JAG) of the armed forces, who is also responsible for the prosecutorial function in the military courts. Military tribunals have jurisdiction over all active duty members of the AFP regarding military offences. However, civilian authority is, at all times, supreme over the military.¹⁰

2.1.5. Integrated Bar of the Philippines

Membership of the Integrated Bar of the Philippines (IBP) is compulsory for lawyers (i.e. attorneys, judges, public prosecutors and other legal professionals) who wish to practice law in the Philippines. To be admitted to the IBP, candidates must pass an examination that is administered once every year.

2.1.6. Legal Aid and Human Rights Lawyers

To ensure free legal assistance to the poor, the IBP as well as the Public Attorneys' Office (PAO) in the Department of Justice provide for a Legal Aid Program.

In addition, there are so called 'human rights lawyers', 'public interest lawyers' or 'people's lawyers' who also render professional legal services for free to the poor, but outside the context of these legal aid programs; not only because the latter cannot afford to pay legal fees, but also

¹⁰ Article 2, section 4 of the 1987 Constitution.

out of a personal commitment to support them in changing their social circumstances. In doing so, these lawyers are mainly involved in defending civil and political rights as well as cases with respect to social, economic and cultural rights. In this report these particular lawyers are referred to as human rights lawyers.

2.2. Human Rights and Social Justice

The Philippines have signed and ratified almost all relevant international human rights treaties, such as the International Covenant on Civil and Political Rights (ICCPR) and the First Optional Protocol to the ICCPR.

On April 19, 2006 the Philippines presented its candidature to the new UN Human Rights council accompanied by a pledge on human rights.

The Philippines has an independent Commission on Human Rights composed of a Chairman and four Commissioners, appointed by the President, with various powers, including monitoring the government's compliance with international treaty obligations on human rights and granting immunity from prosecution to any person whose testimony or whose possession of evidence is necessary or convenient to determine the truth in any investigation conducted by it.¹¹ (Principles of) human rights and social justice are also enshrined in the 1987 Constitution. On June 24, 2006, a law was signed abolishing the death penalty.

2.3. Domestic Politics

The Philippines has a multiparty system with numerous parties; therefore the Philippine governments usually are coalition governments. Next to the major traditional political parties – being parties of the elite – there are some minor parties represented in the House of Representatives. Most of these parties are elected through the party list system and include Anakpawis, Bayan Muna¹² and Gabriela Women's party. The most popular party-list parties are generally left wing parties. Since 2001, Bayan Muna has been the leading party-list member in the House of Representatives.

¹¹ Idem, Article 13 (Section 17 and 18).

¹² Bayan Muna is a leftist political party of many different organizations including labor groups, youth, fisher folk, cultural and indigenous people's organizations.

2.4. Communist insurgencies and Islamic separation movement

The Philippines faces one of Asia's longest-running communist insurgencies. Since 1969, the Communist Party of the Philippines (CPP) and its military arm, the New People's Army (NPA) have fought the existing government structure. The CPP-NPA's political-diplomatic arm is the National Democratic Front of the Philippines (NDFP).¹³ Although the NDFP-CPP-NPA consider themselves as a broad political, revolutionary and liberation movement, the NPA was listed as a terrorist organization by the US, the European Union (EU) and other western countries in 2002.¹⁴

Since 1992, the NDFP has been holding peace talks with the government of the Philippines. Ten agreements have been signed between the two parties including the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL). To oversee the implementation of this agreement by both sides, the parties have jointly appointed the Joint Monitoring Committee (JMC). Although the JMC has not convened since the peace talks in 2004 were suspended, it has continued to register complaints about human rights violations.¹⁵

In Mindanao, the most southern archipel of the Philippines, the separatist Moro Islamic Liberation Front (MILF) strives for the creation of a Philippine Muslim nation.

¹³ The NDFP is "the formal united front of the organizations of the basic forces of the revolution, comprising of the working class, the peasantry and the urban petty bourgeoisie".

¹⁴ The NPA's listing as terrorist organization is not fully undisputed; it is subjected to debates and some contrary views. The NPA itself claims not to attack civilian targets and to adhere to international humanitarian law.

¹⁵ As of June 5, 2006, the JMC, through its Joint Secretariat, has received 106 complaints against the NDFP and 693 complaints against the Philippine government (GRP).

3. CURRENT DEVELOPMENTS IN THE PHILIPPINES

3.1. The Arroyo Administration

Since President Gloria Macapagal-Arroyo first acceded to the presidency in 2001, after President Joseph Estrada was ousted in the People's Power II,¹⁶ she has faced many serious challenges of her administration. The 2004 national elections in which Arroyo was re-elected as President, continued to be a source of contention after allegations that she was linked to election fraud and corruption, putting her legitimacy on the line. The opposition to the Arroyo administration increased immensely throughout 2005, with ten members of her cabinet resigning in July of that year and an opposition motion launched by the political opposition to impeach the President, based upon fraud, corruption and serious violations on human rights and dozens of street rallies and congressional probes.

Although President Arroyo denied these allegations and the opposition motion to impeachment was rejected in Congress, the political situation remained unstable, culminating in President's Arroyo declaration of a State of national emergency on February 24, 2006 under Presidential Proclamation 1017. This State of Emergency was allegedly declared on the basis of a 'clear threat' to the Republic caused by 'a tactical alliance' consisting of (i) 'elements in the political opposition' (ii) 'authoritarians of the extreme Left represented by the NDFP-CPP-NPA' and (iii) 'the extreme Right, represented by military adventurists' and 'the press, having conspired 'to bring down the President.'¹⁷

Following the declaration of the State of Emergency, the PNP filed rebellion/insurrection charges on February 27, 2006 against 51 top leaders of the CPP and other personalities, including six party-list representatives, allegedly involved in the attempt to overthrow President Arroyo.¹⁸

¹⁶ Hundreds of thousands of Filipinos gathered at EDSA (Epifanio de los Santos Avenue, the site of mass demonstrations that brought down Marcos in 1986) in January 2001 for days of protests that called for the ouster of Estrada. They believed he was guilty of all four charges against him: bribery, graft and corruption, betrayal of public trust and violation of the constitution. Encouraged by the broad range of civil society groups that campaigned for Estrada's ouster, police and military officials soon withdrew their support from the beleaguered president. The Supreme Court then declared the presidency vacant and Vice-President Gloria Macapagal-Arroyo, was sworn in as president.

¹⁷ Governmental News Statement; PGMA declares a State of National Emergency, February 24, 2006, <http://www.gov.ph/news>

¹⁸ Anakpawis Congressman Crispin Beltran was arrested by the PNP on February 25, 2006. Five other legislators, Satur Ocampo, Liza Maza, Teodoro Casiño, Joel Virador and Rafael Mariano found refuge at the House of Representatives since February 27, 2006. The Police had threatened to arrest them if they would step out of the congress compound. Since May 8, 2006, they are able to walk around freely after the Makati Regional Trial Court's decision of May 4, 2006, expunging the charges against the Batasan 5 from the rebellion-case against Beltran.

The Arroyo administration's readiness to use emergency powers measures to crack down on perceived political enemies, its repressive measures and the making of arrests without warrants have led to accusations addressing the administration of having dictatorial tendencies. Although the Supreme Court upheld President Arroyo's power to declare a State of Emergency it also ruled that certain acts committed by government authorities under PP 1017 were illegal including the arrests without warrants of party-list members. This year, the Supreme Court also declared two other presidential directives unconstitutional.¹⁹

Armed clashes between government forces and armed groups including Muslim separatists in Mindanao and communist rebels of the NPA have also continued throughout Arroyo's period of office. While peace talks with the Muslim separatists made some progress, the peace talks between the government and the NDFP were suspended in 2004.

During these armed clashes, human rights violations including extrajudicial executions were reportedly committed. In its 2004 report, Amnesty International noted that not only suspected NPA members were subjected to extrajudicial executions, but 'also at risk were members of leftist organizations'.

3.2. Policy of Wiping out the NPA and Labeling

The Arroyo administration is now intensifying its counter-insurgency program to finally put an end to the communist rebellion within two years. On June 16, 2006, the President declared an all-out war against the NPA by ordering to release P1 billion to the AFP and the PNP to finance their operations against the NPA. The government's war against the communist insurgency is said to involve all sectors of society and would be fought in all fronts including military action and the prosecution of communist leaders.

The government's efforts against the communist insurgency are reportedly part of its counter-insurgency program under the name of 'Oplan Bantay Laya' that started in 2002 and allegedly equates the underground organizations of the CPP-NPA-NDFP with what it calls 'sectoral front organizations'. In this regard, Filipino human rights organizations like KARAPATAN have also referred to the slide presentation 'Knowing the Enemy' and the book 'Trinity of War' produced by the AFP that identifies so-called front organizations of the NDFP-CPP-NPA. They not only identify legal left parties and organizations as such, but also lawyers' groups including the Free Legal Assistance Group (FLAG), media groups like the Philippine Center for Investigative Journalism (PCIJ) and religious organizations such as the Catholic Bishops Conference of the Philippines (CBCP).

¹⁹ Amongst others, on April 25, 2006, the Supreme Court declared Arroyo's Calibrated Pre-emptive Response (CPR) unconstitutional. The CPR authorized the police and the military to violently break up public demonstrations, even with tear gas and guns. The Supreme Court stressed that the CPR was being used to justify abuses by police elements.

After ordering the budget secretary to release an extra P1 billion to crush the communist insurgency, Arroyo told her cabinet during its meeting on June 17, 2006, that "the fight against the left remains the glue that binds". In a Statement of July 5, 2006, Arroyo announced that she would sign an executive order with the objective, among other objectives, to create a strong "PNP-AFP partnership against the left".²⁰

President Arroyo's statements were followed by the disclosure of documents by the Philippine peasant organization (KMP), stating that intelligence units of the Armed Forces have been monitoring and preparing 'Orders of Battle' on sectoral groups alleged to be fronts of the communist underground. An order of battle is a list of enemies ranked according to their importance. The KMP reportedly submitted these documents to the Commission on Human Rights in the beginning of June, 2006. According to a KMP information officer, "the papers don't say outright that members of sectoral groups are to be killed but they do use the term neutralize".²¹

The disclosure of these documents came in the wake of Justice Secretary Raul Gonzalez' reportedly warning that civilian supporters of the NPA may find themselves the target of military operations if they join the rebels in combat.²²

3.3. Killings during the Arroyo administration

Recently, the Arroyo administration has come under increasingly strong criticism from international and Filipino human rights organizations for the rising number of killings of leftist activists. In May 2006, the Chair Purificacion Quisumbing of the Filipino Commission on Human Rights²³ told the Inquirer that her group had received 143 reports of extrajudicial killings in 2005 up to March 2006 from human rights groups including KARAPATAN and party-list parties as Bayan Muna and Anakpawis.²⁴

Leftist groups charged that more than 93 of their political leaders and members have been killed in attacks since Arroyo assumed office in 2001, while KARAPATAN's review of all activist slayings since then showed a record of 693 killings as of July 11, 2006. The victims are all unarmed civilians and non-combatants.

²⁰ <http://www.gov.ph/news/?i=15578>

²¹ Philippine Daily Inquirer of Tuesday, June 20, 2006.

²² Idem.

²³ <http://www.chr.gov.ph>

²⁴ News item of May 25, 2006, taken from <http://www.ing7.net>

The increase of killings was confirmed by Amnesty International which in its 2006 report noted that "the number of attacks on leftist activists and community workers rose sharply, with at least 66 fatal shootings reported during 2005".²⁵ The 2005 US country report also noted an increase of killings of "community activists, church workers, lawyers, and members of leftist political parties, particularly the left-wing political party Bayan Muna".²⁶

It is feared that as a consequence of equating leftist groups with the armed rebellion in the context of the renewed counter insurgency campaign, the spate of political killings may further rise. In a statement of March 8, 2006, Amnesty International said: "There are now fears that repeated statements by senior government officials linking such organizations directly to communist armed groups, in addition to the recent arrests or threatened arrests of many of the congressional representatives of such organizations, threatens to create a climate within which further political killings may take place".²⁷

In its 2006 report, Amnesty International also observed that the military's labelling of activists in legal organizations as communists was one of the factors in the rise of the number of assassinations: "Increased killings in particular provinces were reportedly linked to the public labelling of leftist groups as NPA "front" organizations by local AFP commanders". Apart from suspected members of the CPP-NPA, "those most at risk included members of legal leftist political parties, including Bayan Muna and Anakpawis, other human rights and community activists, priests, church workers and lawyers regarded by the authorities as sympathetic to the broader communist movement".

According to Filipino human rights organizations such as KARAPATAN, the killings follow a pattern consisting of various elements one of which is the practice of labeling the victims as "members of the CPP/NPA", "communists" or "enemies of the state" (Annex 7).²⁸

²⁵ <http://www.amnesty.org>

²⁶ <http://www.state.gov/g/drl/rls/hrrpt/2005/index.htm>

²⁷ Amnesty International, Public Statement, AI Index: ASA 35/002/2006.

²⁸ KARAPATAN 2005 Human Rights Report.

4. THE HARASSMENT AND KILLINGS OF MEMBERS OF THE LEGAL PROFESSION

As pointed out by Amnesty International, lawyers and judges are among those most at risk to be assassinated. Since 2001, fifteen lawyers and ten judges were killed, the last one till now being Attorney (Atty.) Evelyn Guballa who was killed on June 21, 2006 in Quezon City, Manila. Atty. Guballa is the fourth lawyer to be killed this year. Reports of continuing threats and new cases of harassments against lawyers also appear.

As previously pointed out, the IFFM focused its investigations on the harassment and killings of lawyers and judges. It looked specifically at the deaths of Pasay City Judge Henrick Gingoyon (December 31, 2005) and lawyers Norman Bocar in Samar (September 1, 2005), Felidito Dacut in Leyte (March 14, 2005), Arbet Yongco in Cebu City (October 11, 2004) and Juvy Magsino in Mindoro Oriental (February 13, 2004).

The IFFM also investigated the threats being received by UN Justice at Iitem Romeo Capulong and lawyers Jobert Pahilga, Ernesto Peñaflor of Calbayog City, Gina Co, Kit Enriquez and Pergentino Deri-On jr.

According to KARAPATAN and CODAL, the harassment and killings of lawyers and judges follow the same pattern as the other extrajudicial killings in the Philippines and consists of the following elements:

- (1) The victims are either leaders or active members of militant²⁹ parties or organizations or their lawyers or ordinary folk in areas where the AFP conduct internal security operations;
- (2) Prior to the attacks, victims are usually labelled by the military as members of the CPP/NPA, communists or enemies of the state;
- (3) Victims are usually subject to surveillance by the military and told to stop their political activities "or else...". Many are warned that they are in the military's 'Order of Battle'.
- (4) Almost all assassinations are conducted by a team of motorcycle-riding men. The killers are either uniformed or not uniformed men with no nametags, sometimes wearing bonnet or ski-masks;
- (5) Even the most brutal atrocities hardly elicit any decisive action or condemnation from the government; and
- (6) All cases remain unsolved, creating a culture of impunity.

²⁹ The term 'militants' in the Philippines usually refers to very vocal, active, organized and principled individuals or groups that are anti-establishment or are critical of governmental policies or programs such as mass organizations or people's organizations of basic sectors in Philippine society like the farmers, workers and even professionals. It is not meant to refer to 'violent or terrorist'.

4.1. Investigation of a pattern

The IFFM investigated the existence of such a pattern with respect to the above mentioned cases and came to the following observations.

4.1.1. Which lawyers and judges are victims?

Victims are so-called human rights lawyers involved in or judges presiding over (human rights) related cases and/or cases where the rights of the elite are at stake. A remarkable number of these lawyers and judges are also human rights workers and/or leftist political activists.

All lawyers concerned are human rights lawyers. Judge Gingoyon had also served as a human rights lawyer before he became a judge. Next to his capacity as UN judge ad litem, Romeo Capulong still works as a human rights lawyer as well. They are all involved in pro-bono cases for – amongst others – farmers, workers, fishermen, indigenous people and political activists. Atty. Pahilga, for instance, is the counsel of the KMP or the Peasant Movement of the Philippines and the fisher folk organization or Pamalakaya.

The majority is involved in high profile cases in which the rights of the elite are at stake. Judge Gingoyon presided over several controversial cases including the PIATco case, in which he had ordered the government to pay 62 million pesos to Philippine International Air Terminals Co (PIATco) - the builders of the Ninoy Aquino International Airport Terminal 3 - after the government had taken over the terminal and rescinded the contract.

Attys. Capulong and Pahilga are both involved in representing the farm workers in Hacienda Luisita, in Central Luzon, a large sugar estate owned by the family of the former President Corazon Aquino. Atty. Capulong is also the lead counsel for the so-called Batasan 6, the progressive party-list representatives in Congress who were charged with rebellion in relation to the 24 February 2006 alleged coup attempt. Atty. Pahilga represents Anakpawis party-list Representative Rafael Mariano, also one of the Batasan 6.

Atty. Arbet Yongco was and Attys. Gina Co and Kit Enriquez are the private prosecutors in the parricide case against cult leader Ruben Ecleo Jr., a member of a politically-powerful family.

At least eight of the eleven individuals whose cases the IFFM looked at, were, before they were killed or still are also involved in human rights work. To name just a few by way of illustration: Atty. Magsino defended victims of mining, addressed the military and was actively involved in several fact-finding missions in the field of human rights; Atty. Yongco was also the legal director of Legal Alternatives for Women (Law Inc.) and Atty. Pergentino Deri-on serves as the Provincial Vice Chairperson of KATUNGOD, a human rights group.

At least four of them were political active for one of the leftists groups: Atty. Magsino was the Vice-Mayor of Naujan, Mindoro Oriental and the Bayan Muna Party-list's endorsed candidate for the post of city mayor; Atty. Dacut was the regional coordinator for the party-list group Bayan Muna; Atty Bocar was the regional chairman of the militant BAYAN, Eastern Visayas and Atty. Yongco was provincial coordinator of the party-list Abanse Pinay.

4.1.2. Are lawyers and judges labelled and if so, how or by whom and as what?

Prior to the attacks, some of these lawyers and judges were labelled as members or supporters of the CPP/NPA or its "front organizations" or as "enemies of the state". Some of these lawyers have clients who are suspected NPA members or supporters. Some of them were warned to be in the military's "order of battle" or on a so-called hit-list.

At least seven lawyers were labelled by the military as member or supporter of the NPA or enemy of the state. Three lawyers were labelled as NPA member. Atty. Magsino was told by a journalist that she was tagged as NPA member by the military in the local media. Atty. Pahilga and Atty. Deri-on, both still alive, are labelled as supporters of the NPA as well. The underlying reason, according to both of them, is that they serve clients who are allegedly members of the NPA. Atty. Pahilga: "A lawyer will be labelled as NPA as soon as his clients are labelled as such". *Ad litem* Judge Capulong and Atty. Pergentino Deri-on shared this view. Recently, Capulong was told by one of his clients who has a source within the army that members of a military unit, stationed nearby Capulong's home town, said about him : "He is really our enemy, he is just creating trouble."

Attys. Bocar and Dacut were warned that they were on the military's hit-list. Atty. Dacut told Atty. Penaflor 13 days before he was killed, that he was on the list. Atty. Penaflor himself has also been informed that he is on the military hit-list. Atty. Penaflor has no doubt that this information is correct. He considers his source, who has direct connections within the army, very reliable. Due to security reasons, however, he cannot reveal his source. Atty. Deri-on was also warned by many people to be careful: "You better be careful, I heard somebody will harm you", and "You are among those listed; You are in the order of battle".

4.1.3. Are lawyers and judges threatened and/or subjected to surveillance?

They have all been threatened. Many were warned to stop with their work as human rights lawyer or with a specific case or other activities "or else...". They are often subjected to surveillance by the (para)military, "vigilantes" or alleged members of death squads.

All eleven lawyers, including Judge Gingoyon were or are continuously threatened. They are mostly threatened by means of text messages, letters or phone calls.³⁰ Other forms of harassment are – amongst others - the surveillance of the lawyers' houses and offices by men on motorcycles, tailing and tapping of cell phones.

Attys. Gina Co and Kit Enriquez both received threatening text messages. Two other members of their prosecution panel are threatened as well. Atty. Enriquez is convinced that the threats he received in 2005 were coming from Ecleo's family and the family's defence counsel.³¹ Attys. Co and Enriquez both knew that their predecessor in that case, Atty. Yongco, also received threats. A week before she was killed, her house was under surveillance daily by men on a motorbike. She was also followed by them. The IFFM was informed that these men belonged to a death squad, called the 'white eagle', which is considered to be the private death squad of the Ecleo family. This death squad is apparently known and capable of shooting.

Atty. Magsino received threatening text messages as well. She also received twice a box with a black ribbon with a message therein that she would soon die: In November 2003, the message said that she would not be alive anymore at Christmas and on the 13th of February 2004, the day she was killed, she received a 'happy valentine' message, indicating that she would not be alive anymore on February 15th. Earlier she received threats warning her that she should stop working for human rights organizations including KARAPATAN and that she should not participate in fact-finding missions anymore. Atty. Magsino was also under surveillance of the military. At the end of 2003, a documentary was broadcasted on local television in which it was shown that Atty. Magsino and her team were followed by the military. Atty. Magsino's friends only warned her to be careful; they could not do much more: they were all threatened themselves as well. The KARAPATAN office in Mindoro was closed down during that time due to threats as well. Atty. Magsino was sure that she was threatened by the military.

Judge Gingoyon was continuously threatened when he worked as a human rights lawyer. After his ten-year old daughter was attacked and their house was riddled, the family moved to Manila, where he became a judge after he worked as a public prosecutor for 10 years. When his wife asked him whether he was still in danger as a judge, Judge Gingoyon answered: "We judges walk with one foot only, the other one is under the ground".

Atty. Deri-On has received threats since he has served as the legal counsel of clients allegedly members of the NPA. On May 4, 2005 his two cars were burned. A witness saw how two men in civilian clothes, but driving around in a military vehicle, burned down the cars (they brought

³⁰ One lawyer showed us two threatening text messages which were received on May 1, 2006 and still saved in the phone's memory:: "Your life is in my hand, you are encircled with my goons, I pity you, you must be ready every time you go out, especially going in court, I think not a joke." ; and "We're sure it's you, we're ghosts, we can see you, you don't see us, you must be ready to see St. Peter, you know when you die baby...You must refrain attending our next hearing".

³¹ One of the threatening messages said: "You're wearing a black barong, which is good for a wake." Atty. Enriquez only wore his black barong in the Ecleo case.

their own jerry-cans). Atty. Deri-On was informed that the Operations Region Intelligence Unit of the Military was responsible for this act. Atty. Deri-On's neighbours told him how they saw that two days before this incident with his cars, his house was under military surveillance.

In May 2006, Atty. Pahilga was told by his neighbours and bystanders that two men on a motorcycle, wearing jackets and sunglasses, and looking like military men with a military hair cut, had been looking for Pahilga and his family's house. They had asked them for Pahilga's schedule, specifically of the time that he leaves and arrives at home. According to his neighbours, the said persons told them that they wanted Pahilga to handle their case. Since then, two men on a motorcycle have continuously tailed on him in his neighbourhood and in his court hearings. A source from inside the military confirmed to Pahilga that the men tailing him are from Fort Magsaysay in Nueva Ecija under the tutelage of General J. Palparan jr. This source also told him that aside the monitoring of his movements, his cellphone activity was likewise being monitored. These last weeks, Pahilga has noticed that he's being watched.

At least two family members of lawyers who were killed, have been threatened afterwards. One of them was warned not to attend the next hearing in the criminal case of the killed lawyer concerned. Another family member told us that his family has not been threatened directly although being threatened is "normal".

4.1.4. How are lawyers and judges killed and what is the killer's profile?

Almost all assassinations were carried out by two unidentified men on a motorbike without licence plate. The killings are shooting incidents with a hit-and-run character committed at any given time and place, even in broad day light. Given the "visibility" of the killings, the killers seem to be very self confident in getting away with it.

Attys Magsino, Yongco, Bocar, Dacut and Gingoyon were all killed in a hit-and-run shooting incident: they were gunned down by unidentified men, mostly on a motorbike, after which the killer(s) disappeared. If the killers were in a team, the men on the back was doing the shooting. Attys. Magsino, Dacut and Gingoyon were all three killed on public places where many witnesses could have been present. Judge Gingoyon was killed during the middle of the day. Atty. Dacut was killed in the main street of Tacloban City on a busy crossroad downtown. Only Atty. Yongco was killed inside her house.

4.1.5. What have the authorities been doing?

The police hardly acts upon reported threats or requests for protection. Family members of slain lawyers consider the information by the authorities about the criminal cases insufficient. The authorities have not provided satisfactory information with respect to the slow handling of

these cases. Until recently, the authorities have not at all condemned the attacks and killings publicly. Until recently, the authorities have not taken special measures to address the killings. The authorities seem to consider themselves quite helpless due to the limited technical/forensic capabilities, the lack of witnesses or because they are dependent on other authorities before they can act.

(i) Reported crimes or requests for protection and the filing of complaints

Only a few lawyers and family members of slain lawyers who were threatened before they were killed or who are still threatened reported this to the police and asked for protection, but to no avail. Only Judge Capulong got at one stage protection from the local police. The majority, however, did not trust the police or thought that it would come to nothing. One lawyer wrote (together with two other lawyers) a formal letter to the Chief of the police to ask for protection. The police declined their request by merely saying that it could only act in case of an "imminent threat", even though the police was informed that many people involved were already killed and the lawyers concerned were continuously followed by men on motorbikes.

In the cases of Attys. Magsino, Dacut and Bocar, complaints for violation of the CARHRIHL were filed before the GRP-NDFP Joint Monitoring Committee in June 2004, June 2005 and January 2006, respectively. These cases have not yet been discussed by the JMC.

At least one lawyer, Atty. Pahilga, filed a complaint with the Commission on Human Rights. The Commission addressed the issue in various reports it issued.

(ii) Information about the investigation and prosecution of the murder cases

In all cases where a lawyer was killed, the police have carried out an investigation, but it is unclear to what extent. Family members of the lawyers who were killed have only been heard once by the police. In all cases, family members have not been informed by the police about the investigation at all.

In the case of Attys. Yongco, Magsino and Gingoyon, court cases are pending. The legal proceedings are progressing slowly. Family members do not trust that the proceedings will lead to any results. They all believe that there is a mastermind behind the assassinations, but that the authorities prefer to ignore this.

(iii) Condemnation and measures

Department of Interior and Local Government and PNP

Interior and Local Government Secretary Ronaldo V Puno, however, stressed to the IFFM that respect for human rights are enshrined in the laws and policies of the Philippines. The series of assassinations of Party List members, journalists and other high-risk personalities for the past five years "has drawn great concern by the government", so that "no less than the President (...) ordered that these extra-judicial killings be thoroughly investigated and eventually be stopped".

Task Force USIG

On May 13, 2006, Mr Puno ordered, therefore, the creation of a Task Force, known as 'Task Force USIG' to investigate the "unsolved killings" of party list members and media personalities as of 2001. The Task force is headed by the PNP and "primarily takes charge of the over-all case management" of the investigations of these cases. The most important role of the task force is to create a special data base concerning the spate of killings. The Task Force must also submit a complete report within 72 hours after an attack on members of the media, leftist groups and governmental officials.

The IFFM welcomes the President's order for investigation and 'to leave no stone unturned in probe into rash of killings'.³²

The IFFM was informed by Mr. Puno that based on an analysis of the cases of murdered party-list members and newsmen, Task Force USIG identified at least three groups that could be behind the killings, namely, "the CPP/NPA", "military and police personnel" and "possible destabilizing forces" (Annex 8).³³

Nevertheless, the PNP probe team reportedly had stated that it had yet to see a pattern of military involvement in the killings.

In addition, the IFFM was informed by members of the House of Representatives that security officials, PNP-CIDG head Chief Superintendent Jesus Versoza and Task Force USIG head Police Director Avelino Razon in particular, claimed that the killings are part of a purge of communists ranks.

According to Lower House representatives Teodoro A. Casiño, Satur C. Ocampo, Joel G. Virador, Crispin B. Beltran, Liza L. Maza and Rafael V. Mariano, "several high ranking government officials, notably Executive Secretary Eduardo Ermita, Justice Secretary Raul Gonzales, Interior and Local Government Secretary Ronaldo Puno and National Security Adviser Norberto Gonzales have joined Director Razon in blaming the CPP/NPA, and even the party-list and mass organizations themselves, for the killings".

³² "PGMA orders PNP to leave no stone unturned in probe into rash of killings, Press Statement, Wednesday, May 17, 2006, available at <http://www.gov.ph/news>

³³ Task Force "USIG" accomplishment report; As of June 20, 2006.

Considering such prejudgments by high-ranking police officials and officials of the Executive Branch, these representatives feel that "an objective and impartial investigation of the political killings under a body created by the Executive Branch is not possible" so that "there is an urgent need to constitute a credible and truly independent body to investigate the killings" and "formulate recommendations to stop the atrocities". These Six representatives have also issued a joint resolution in this regard with concrete proposals to the establishment and functioning of such an independent body including its mandate, powers, composition and appointment of the members (Annex 9).

The IFFM notes that the PNP probe team's alleged statement in combination with the security officials claims, not only has undermined the trust of the above mentioned representatives, but also human rights organizations including KARAPATAN in Task Force USIG's formation and performance.

Since its creation, Task Force USIG has recorded a total of 114 party list members slain since 2001, according to Mr. Puno. Out of this total, 27 cases have been filed in court and the remaining 86 are still under investigation. Out of the 27 cases filed in court, the PNP has arrested suspects in three cases.

The IFFM was also informed by Mr. Puno that "Based on records, the CPP/NPA is suspected to be involved in at least fifteen (15) killings of party list members."

Given the poor results of the last five years, the IFFM considers it quite remarkable what Task Force USIG was able to realize within one month, especially taking into account the involvement of eye-witnesses.

Task Force Judges, Public Prosecutors and IBP-Lawyers

The IFFM was further informed by General Marcelo S. Ele jr. of the PNP that on January 17, 2006, also a 'Task Force Judges, Prosecutors and IBP Lawyers' was established (Annex 10).³⁴ The Task Force has reportedly regional counterparts in order to streamline its coordinating and supportive tasks with regard to the local police conducting the investigations.

Although the IFFM appreciates the existence of a special task force for the investigation of the killings of judges, public prosecutors and IBP-lawyers, it was surprised to learn about its creation, for the following reasons.

Interior and Local Government Secretary Puno told the IFFM that he has never been aware of a pattern of killings of lawyers and judges in his country. Only recently, Mr. Puno noted

³⁴ The statistics on the status of the cases handled by this Task Force were presented to the IFFM in a power point presentation on June 19, 2006. According to the PNP, 16 killings happened in the period from 1999-2006 of which nine cases were filed and seven were still under investigation. Nine out of 16 occurred in the period from 2004-2006. Nine of the killings were considered as work-related and seven as not work-related.

allegations of such patterns regarding political activists, journalists and "this is a third wave of such allegations, now regarding lawyers". He acknowledged, however, that lawyers have been killed, such as Attys. Magsino and Bocar, who were "actively involved in militant groups". When the IFFM discussed the USIG Task Force, Mr. Puno promised to specifically add to the competence of the Task Force USIG the investigation into the killing of lawyers, while not making any reference to the Task Force Judges, Public Prosecutors and IBP-Lawyers.

The PNP did not mention this new task force in its letter to its Department of Foreign Affairs on February 28, 2006 regarding the Dutch Lawyers for Lawyers letter about the killings of lawyers and judges of February 7, 2006 (Annex 11).

None of the other individuals, official agencies or organizations the IFFM spoke with during its mission mentioned this task force and when asked about it, none appeared to be familiar with it, including the Integrated Bar of the Philippines.

The IFFM was not able to find the founding documents of the Task Force as referred to in a power point presentation that it received from General Marcelo S. Ele jr.

Asked about the division of labor between the two task forces, General Ele explained to the IFFM that when a judge, prosecutor or lawyer is killed, the case will automatically be transferred to the Task Force Judges, Prosecutors and IBP Lawyers. According to General Ele, those cases are "relatively easy" since they are "work-related or not work-related." However, when lawyers are identified as Party list members, such as Atty. Magsino and Atty. Bocar, the case gets a new angle and, therefore, falls under the scope of Task Force USIG. According to General Ele, those cases are "more complex" and require a "different handling" because "the CPP/NPA is involved in the killings of party list members". Documents reportedly seized by the Southern Luzon Command of the AFP apparently revealed this involvement.³⁵ In fact, the only reason why party list members are separated in USIG is because the killings against them are allegedly committed "by the NPA, the armed forces or the police". However, according to General Ele, both Task Forces are working closely together.

NBI and PNP, Tacloban City, Leyte

Although cases are now apparently distributed to one of the two above mentioned task forces, the actual investigations are still conducted by the local police.

The cases of Attys. Dacut and Bocar, for instance, are both dealt with by the NBI and/or the PNP of Tacloban City, Leyte. The PNP, Tacloban City Police Office (hereinafter referred to as:

³⁵ The IFFM was provided with a press release of June 5, 2006 issued by the Southern Luzon Command claiming that: "the document clearly pointed out to the CPP-NPA as the one who has been behind the recent purges, which he [Lt. General Cabuay] considered to be the continuation of the similar bloody purges of alleged military spies that have penetrated the movement in the 80s. (...).

'PNP Leyte') created its own task forces: 'Task Force Dacut' and 'Task Force Bocar' to lead the investigations. In the mean time, the case of Atty. Dacut was transferred to the NBI in Leyte upon Atty. Dacut's widow's request.

Both the NBI and the PNP Leyte pointed out that the killing of Atty. Dacut was not the only human rights case in their region. Given their common features, there were eight similar human right-related cases in one year's time, according to Mr. Remigio C. Lavilla, Special Investigator III of NBI-EVFO, committed by "the same group or persons": It were all shooting incidents with the same shooting style, most of the time committed by two man on motorcycles, at times wearing masks or helmets. The other seven victims were not all lawyers, but – amongst others – also church workers. Mr. Lavilla considered the cases as political killings: "All victims are members or related to organizations who are critical to the government." Many people believe that the military are behind the political killings,³⁶ including Atty. Dacut's widow. According to Mr. Lavilla those people link the killings in particular with the assignment of General Jovito S. Palparan jr in the region, but reportedly there is still no proof for such a connection.

The PNP Leyte informed the IFFM that all these case were still under investigation. It had no information at all about these investigations, however, since: "All cases are distributed in the field to local police offices." Asked whether they should not monitor and co-ordinate those eight cases, given their similarities, the PNP Leyte pointed out that they could only exchange information when requested by the local PNP offices. Till now, the local PNP offices had not come up with a pattern, nor with any witnesses. Last month, the updates of the cases were compared for the first time. The PNP Leyte also referred to Task Force USIG, the nationwide Task Force, formed in May 2006, to investigate the party-list killings.

The NBI acknowledged that there was no specific lead in the Dacut Case. In this regard, Mr. Lavilla explained to the IFFM that the NBI is undermanned: "there are only eight investigators for the whole area".

The PNP Leyte on the other hand, said that the Task Force Dacut alone consisted of ten people who had worked more or less full time on the Dacut case, before it was transferred to the NBI. Nevertheless, the PNP Leyte 'is still facing a blank wall even up to this point in time insofar as the identity of the killers and its motives are concerned'.³⁷

Asked about the investigations in the Dacut case, the NBI nor the PNP could hardly come up with any concrete results. Taking into account that the investigations have been carried out for fifteen months and almost one year, respectively, the files shown to the IFFM were also remarkably thin. Various ballistic examinations carried out by the PNP Crime Laboratory were

³⁶ According to Mr Lavilla, "Sources from Bayan Muna believed that the slaying of Atty. Dacut was the work of the military basing on the trend of the slaying and attempts on the lives of anti-government activists in Region XIII."

³⁷ Update Report from PNP Leyte of May 24, 2006.

for instance, reportedly still in progress, possible threatening text messages or telephone numbers from persons who phoned Atty. Dacut on his cell phone had not been traced yet, because that contained "a lot of work" and a drawing of the killer, based upon an eye-witness' testimony, was not made public, but only sent to some other offices. Moreover, both the PNP and the NBI thought that Atty. Dacut's cell phone was in the possession of the local police, which initially carried out the investigation. As it turned out, however, the local police said not to know that Atty. Dacut had a cell phone.

The NBI and the PNP Leyte both pointed out that it was also difficult to get results due to the lack of witnesses. The case of Atty. Bocar, for instance, remains unsolved 'because the two witnesses in that case were unwilling to co-operate and even in hiding for unknown reasons'.

Armed Forces of the Philippines

During its meeting with the IFFM, the Judge Advocate General (JAG) of the AFP explained that the military criminal justice system only applies to members of the armed forces allegedly committing military crimes, i.e. in state of war. With respect to all other crimes committed by members of the armed forces, the PNP is competent to investigate. Since the killings are criminal acts falling under the jurisdiction of the PNP, resolving the killings is the responsibility of the PNP. The AFP stressed that there is as yet no case in which a member of the AFP has been charged for or suspected of committing the killings, otherwise they would have been informed about it by the PNP. They are aware of allegations that the military are behind the cases, but these allegations are strongly denied. When asked by the IFFM whether the AFP has conducted an investigation within its own forces with respect to these allegations, the Judge Advocate General answered that "If I read in the newspaper that in Mindanao a member of the AFP might be involved in a murder case, I would immediately call my own people in Mindanao to investigate this".

The IFFM was further told that the situation with respect to the killings of lawyers and judges was "not so alarming as assumed in the newspapers," because "there are many lawyers in the Philippines. The IFFM should also have in mind that "clients simply want to see their lawyers fighting outside the courtroom as well." Judges, according to the JAG, were also killed in relation to corruption and bad decisions.

Department of Justice

The Chief State Prosecutor of the Department of Justice, Hon. Jovencito R. Zuño, explained to the IFFM that his department could not do much about the killings as long as the NBI, the investigative branch of the Department of Justice, does not hand over a case to the prosecutors. The Prosecution may not start investigations on its own initiative and it has no involvement in preliminary investigations conducted by the PNP or the NBI. Neither does it have the power to instruct the NBI as to whether a case should be turned over or not; only the Secretary of Justice has the authority to do so. When the IFFM spoke to the Hon. Jovencito R. Zuño, he was not familiar with pending murder cases of killed lawyers.

Supreme Court

Chief Justice Artemio V. Panganiban of the Supreme Court explained to the IFFM that the Court's possibilities to do something about the killings, were also limited, as long as none of these cases have been filed in Court. In addition, the Supreme Court should stay independent in general, since, in the end, it may have to decide in cases against the perpetrators of the killings. It should at all times remain independent of the government and the police, so that it cannot be "too pushy" to the authorities in this regard. Since the Court has no police power, it cannot carry out its own investigations.

The Chief Justice, however, welcomed the international concern about the situation in the Philippines. He noted that lawyers, including judges, were maltreated and that nine judges had been killed during the administration of President Arroyo. The security of lawyers, including judges to him were of great concern. For this reason he had installed a committee on the security of judges on January 3, 2006. The committee has three goals: (1) to bring justice; 2) to prevent the killings of judges; and (3) to provide social, psychological, and financial support to the family members of judges who were killed. To reach the first aim the Court seeks to raise money that can be used as rewards for arresting the alleged perpetrators. For measures taken in order to prevent the killings, the Supreme Court receives assistance from, amongst others, various special security officers.

In the mean time, on July 3, 2006, during a visit of Mr. Panganiban to the Netherlands, the President of the Dutch Supreme Court, Mr. W.J.M. Davids, expressed his concern about the killings of lawyers and judges in the Philippines to his colleague.

Commission on Human Rights

Recently, the Philippine Commission on Human Rights made a strong public statement with respect to the killings. On May 22, 2006, the CHR Chair Purificacion Quisumbing stated that the government must be held accountable for the killings of activists and journalists, whether or not military or police personnel were involved. According to the CHR, it is the government's responsibility to ensure the people's right to life, property, security of homes and public order.

The Commission on Human Rights has conducted investigations relating to the systematic killings committed against unsuspecting victims including members of Bayan Muna, Anakpawis, Gabriela Party list and other allied organizations on the basis of complaints it received and on its own initiative. Its conclusions were laid down in a report of July, 8, 2006.³⁸

In its report, the Commission on Human Rights "totally detests these inhuman practice of summary execution committed against our helpless brothers especially those who belong to Bayan Muna, Anakpawis, Gabriela Party list and other allied organizations".

³⁸ On the killings of members of Bayan Muna, Anakpawis and other allied organizations, Quezon City, July 8, 2006 available at <http://www.chr.org.gov.ph>

It furthermore called on the government, especially the PNP, DND and the AFP, to conduct investigations regarding these killings and to report violations covering the same. It further asked these law enforcers to furnish copies of the said investigations to the Commission.

(iv) Problems with building up cases

According to General Marcelo S. Ele jr. of the PNP, solving cases was hampered by the fact that the forensic capability and technology in the Philippines was not yet efficient 'so that it cannot stand alone as evidence in the absence of eye-witnesses'. Since hardly any witnesses come forward, cases are often ordered dismissed due to lack of evidence or they do not even reach the prosecution stage.

Recently, the PNP put the blame fully on the unwillingness of witnesses to co-operate. In its letter of February 28, 2006 to the Dutch Lawyers for Lawyers Foundation, the PNP wrote that it was willing to take appropriate action in the killings of lawyers "provided that the witnesses shall come out in the open to testify against the suspects". However, "no one surfaced as witness to the killings". The PNP further added that: "The unwillingness of those persons, who may have personal knowledge to testify, *unnecessarily* caused undue delay in the prosecution of the case as well as further delay in the administration of justice".

The Commission on Human Rights confirmed that one reason that investigations have been closed is the lack of information "due to refusal of witnesses and family members to shed light and furnish details on the "incident". The Commission stressed, however, that the refusal of witnesses and family members to come forward is "for fear of their own lives", while "some have even gone to the extent of transferring residence in order to avoid whatever repercussions the incident may cause them."

The Department of Justice also pointed to the lack of cooperation by witnesses: "As usually is the case in such crimes which involve the use of firearms, witnesses are coerced into silence and are afraid to come out and testify publicly. We are willing to place witnesses under the care of the Witness Protection Program of the Department of Justice, but their lack of cooperation has hampered the investigation" (Annex 12).

During the mission, General Ele told the IFFM that witnesses are not willing to co-operate for fear of revenge of the accused or the relatives of the accused. According to him, witnesses are not afraid of the governmental institutions, but there is, however, "a general fear for revenge by the NPA".

None of the lawyers and family members of slain lawyers the IFFM spoke to, told the IFFM that they had not co-operated out of fear for revenge by the NPA. Victims and family members of slain lawyers and judges, however, told the IFFM not to co-operate with the police and the military out of distrust and fear for these institutions. In one case, the IFFM was informed that

witnesses of a killing told the family of the slain victim concerned that the police had asked them to sign a different statement than the one made by them. Initially, four men were arrested and subsequently released. The eye-witnesses who might have been able to identify the killers, however, were not confronted with the four men who were arrested initially. Later on, five other men were arrested. Although these men were not identified as the killers by the witnesses, the court case against those men is still pending.

The Commission on Human Rights and the NBI Leyte also confirmed that witnesses don't speak up out of fear for the military or the police. The Commission on Human Rights even said: "there is a culture of fear".

The IFFM also addressed the issue to a number of members of the Minority in the House of Representatives. They all shared the view that a lack of witnesses is one reason that explains why the police cannot build up a case. According to them, the local police may lack the authority to get witnesses, for instance because the local officials cannot protect them and they may not be supported by their higher authorities. Witnesses may also be afraid or they may find it a waste of time to co-operate because they do not believe that there will be any result. In addition, the members of Parliament concerned also pointed out that local police officers may lack the means to build up a case and sometimes there is "no moral drive to go into the case".

The IFFM shares the Commission on Human Rights' view that the non-availability of witnesses is not an excuse to leave the current situation as it is. The government authorities concerned should also look into the reason why witnesses are afraid to come forward and, even more important, what should be done to improve the situation.

To improve the situation, the Commission, considers it necessary to offer witnesses a better protection. In theory, the Commission may constitute its own Witness Protection Program separately from the Department of Justice. However, this requires additional funding.

In order to tackle impunity, General Ele also suggested measures to enhance the current Witness Protection Program of the Department of Justice, including the institution of financial rewards and the provision of security protection by means of body guards, fire arms etc. The best protection, according to Ele, would be to bring witnesses to safe houses inside the military camps.

The members of Parliament, however, made it very clear to the IFFM that as long as witnesses have no trust in the authorities or in the state's judicial system, they won't come forward to testify nor apply for a Witness Protection Program that is carried out by the same authorities they do not trust.

4.1.6. What are the results of the criminal investigations?

To this date no killers of lawyers and judges have been convicted. The fact that cases remain unsolved, creates a culture of impunity.

The IFFM sometimes had the impression that the PNP considers a case as solved as soon as the perpetrators in certain cases are allegedly identified. Fact is, however, that none of the cases have been solved: to this date, no killers of lawyers and judges have been convicted.

According to various International and Filipino human rights organizations including Amnesty International, KARAPATAN and the Philippine Commission on Human Rights the current situation equals a situation of impunity.

In its 2006 report, Amnesty International noted that: "A climate of impunity shielding the perpetrators of such killings deepened as ineffective investigations failed to lead to the prosecution of those responsible".

In its 2005 Human Rights Report, KARAPATAN noted that: "The action or lack of action of the Arroyo regime on this issue leads to a culture of impunity that engenders the increase in human rights violations".

CHR Chair Quisumbing said: "We strongly condemn the spate of killings that have yet to be resolved (...)if several deaths happened in just a week, this constitutes a pattern of impunity".³⁹

As set out before, the IFFM was told by several lawyers and family members of killed lawyers that they lack any trust in the way the authorities are dealing with the investigation and prosecution of the murder cases concerned.. For some of them it was enough reason not to let them be represented by lawyers.

4.2. By whom are lawyers and judges killed and why?

International and Filipino human rights organizations have indicated that the armed forces of the Philippines are involved in the spate of killings committed during the Arroyo administration.

In its 2006 report, Amnesty International noted that "most of the attacks were carried out by unidentified assailants on motorcycles, at times wearing face masks, who were often described as 'vigilantes' or hired killers allegedly linked to AFP members".

³⁹ News item of May 25, 2006, taken from <http://www.ing7.net>

According to the Commission on Human Rights, the 'pattern of complaints' that were addressed to the Commission showed that "most of the perpetrators are perceived to belong to the military and/or paramilitary arms of the government." The CHR told the IFFM also about the perception that there is a cloud of impunity and complicity of the PNP in many human rights-related cases.

Most of the lawyer victims and family members of killed lawyers informed the IFFM that they also suspect the military to play a role in the harassment and the killings of lawyers and judges.

Leftist groups have pointed to Major General Jovito S. Palparan jr.⁴⁰ as the main tormentor of activists. KARAPATAN and Bayan had noted that the killings of activists increased wherever Palparan was assigned. This was confirmed by the Commission on Human Rights to the IFFM.

The IFFM was told that Atty. Magsino started to receive threatening text messages after she had a meeting with General Palparan. In addition, Atty. Deri-on told the IFFM that he had a meeting with General Jovito S. Palparan jr. in June 2005. The meeting was convened because the members of his human rights group received threats on a large scale. During this meeting General Palparan warned him to stop handling cases for alleged NPA members. He said: "If you have to choose between your life and that of your clients, I presume you will choose for your own".

The Commission on Human Rights informed the IFFM that it is conducting an investigation into Major General Palparan. The latter was nevertheless recently promoted again by President Arroyo. It is feared that the Arroyo administration's promotion of Palparan might be encouraging more extrajudicial killings in the countryside.

Some House Representatives the IFFM spoke to said that even though the Arroyo administration may not direct the killings, it is at least endorsing the killings so as 'to silence the political opposition'. Many leftist groups are seen as fronts of the communist insurgency and have long been at the forefront of efforts to oust President Arroyo. In light of this, the Arroyo administration's all-out war against the NPA is also seen as a further "invitation" to kill.

⁴⁰ From 2001 till 2003, Colonel Palparan became known to the public as the Commanding Officer of the AFP's 204th Infantry Battalion in Oriental Mindoro. "The Butcher of Mindoro", as he was named by militant groups, came under investigation by both the justice department and Congress following reports in connection with the abduction and killing of several activists and civilians. Before the investigations came to an end, President Arroyo promoted him to brigadier general and sent him to lead the Philippine troops in Iraq. In his fight against insurgency as Commander of the 8th Infantry Division in Samar, Eastern Visayas from February till September 2005, Palparan was accused by human rights groups for hundreds of human rights violations: abduction and enforced disappearances; summary execution, torture and physical assault; arson; aerial bombing; looting; forced evacuations; threats and intimidation. During an Assembly of Barangay Captains in Samar, he reportedly said: "For every soldier killed, ten civilians will follow". After 7 months, the newly promoted Major General was transferred to Central Luzon to command the 7th Infantry Division. Human rights organizations say the killings and disappearances in that area have stepped up ever since. There are many pending cases against him. However, the General has never been convicted.

In a joint resolution, Representatives Teodoro A. Casiño, Satur C. Ocampo, Joel G. Virador, Crispin B. Beltran, Liza L. Maza and Rafael V. Mariano noted that: "the frenzy of political killings is also widely perceived to be the handiwork of state security forces pursuant to a state policy of silencing political dissent in order to keep the Arroyo administration in power in view of lingering questions over its legitimacy."

The AFP, however, strongly denies the allegations that the military would be behind the killings. In its meeting with the IFFM, the AFP pointed out that "everyone uses it as an excuse that the armed forces are behind the killings": However, "military uniforms can be bought everywhere in the Philippines", so "everyone can do it"; besides, there is also "discharged personnel".

High ranking governmental officials claim that the communist guerrillas may have committed some of the killings as part of an internal purge, but the communists have denied this.

Lawyers and family members of slain lawyers told the IFFM that they are convinced that the harassment and killings of human rights lawyers are directly related to both their work as human rights lawyers and, if applicable, their other activities as, for instance, human rights worker or (political) activist. The common feature of these activities is that they all are critical of governmental policies or programs or for another reason inconvenient to the ruling elite. Atty. Pahilga, for instance, is not a member of a political party. He has been threatened, however, since his involvement in the high profile case of the workers in Hacienda Luisita, owned by the family of Corazon Aquino and since he represents Anakpawis party-list Representative Rafael Mariano, one of the so-called Batasan 6.

4.3. Can human rights lawyers continue to conduct their legal profession?

All lawyers the IFFM spoke to, were very determined not to give up their work as a human rights lawyer. However, they all acknowledged that the continued threats and harassment hampered their work and that it became increasingly difficult to carry out their legal profession.

Atty. Pahilga, for instance, informed the IFFM that the harassment and surveillance had affected not only his work but also his family: "I am now living like a drifter, staying and moving from one place to another. I seldom go home to see my family or to report to the office".

5. CONCLUSIONS

"This government lives by the rule of law and the democratic process", said Press Secretary Ignacio R. Bunye in his Statement of May 17, 2006. "We are proud of our human rights record."⁴¹

To this date, the Arroyo administration rejects national and international criticism on its human rights record, by simply referring to its democratic institutions and human rights treaties, laws and policies.

On paper, the Philippines is indeed a republic with democratic institutions including an elected President and separate executive, legislative and judicial branches. It has an independent Commission on Human Rights and respect for human rights principles are enshrined in its 1987 Constitution, laws and policies. The Philippines have also signed and ratified almost all relevant international human rights treaties, such as the International Covenant on Civil and Political Rights.

Nevertheless, since 2001, fifteen lawyers and ten judges have been killed in the Philippines as well as almost 700 other individuals including members of leftist groups, journalists, priests, church-workers, human rights defenders, laborers and farmers. All were unarmed citizens. None of the killers has been convicted.

Taking into account that all democratic institutions are formally in place, the IFFM considers the situation especially alarming. This makes it abundantly clear that either the constitutional state does not function properly or that there are powers undermining its proper functioning.

Based on the foregoing, the IFFM has reached the following conclusions:

1. Human rights lawyers and judges in the Philippines are increasingly threatened, intimidated and killed as a consequence of which they encounter more and more difficulties in carrying out their legal profession.
2. The harassment and killings of members of the legal profession undermine the rule of law and the faith in (the function of) the judiciary system and the independence of judges and lawyers in particular.

⁴¹ Statement of Secretary Ignacio R. Bunye: Re Human Rights Record, Saturday, May 27, 2006, available at <http://www.gov.ph/news>

3. There is a pattern in the harassment and killings of human rights lawyers and judges, which must be seen in the light of other killings in the Philippines including the killings of members of leftist groups, which has been more fully explained in the previous pages.

4. The primary duty of the Government is to protect the life of the people, including lawyers and judges. The Arroyo administration, however, has hardly done anything to address the extrajudicial killings effectively. In particular it has neither responded seriously to strong allegations that its own security forces are involved in the killings nor has it taken effective measures to improve the poor record of prosecutions of the perpetrators. So far, Task Force USIG has not proven to be an independent body: It is chaired by the PNP which has a poor record as far as the effective investigation of the killings is concerned and which is mistrusted by the Philippine people. Furthermore, the Arroyo administration has not condemned the killings publicly and in strong terms.

5. This lack of an effective response of the Arroyo administration has led to a culture of impunity in which even more killings and human rights violations may take place.

6. Consequently, this culture of impunity has further diminished the people's faith in the functioning of the constitutional state and the system of law culminating in a climate in which, for instance, lawyers and judges consider it "part of their job" to be threatened and in which witnesses of killings do not cooperate with the police or the public prosecutor out of fear or because they find it a waste of time as it comes to nothing.

6. RECOMMENDATIONS

The Philippine government is under the obligation to take steps to ensure the compliance with human rights and the right to life in particular.

In other to stop the killings, the threats and harassment of lawyers and judges, the IFFM calls on the government:

1. to condemn the killings publicly and in strong terms;
2. to immediately take vigorous steps to protect the safety of human rights lawyers and judges, which steps should include the prosecution of alleged perpetrators;
3. to leave no stone unturned in investigating the serious allegations that its own security forces are involved in the killings;
4. to constitute and fully support an independent body, i.e. not controlled by the government, to investigate the killings, threats and harassment and to follow its recommendations;
5. to take all other measures needed to end the culture of impunity and to restore the people's faith in the functioning of the constitutional state and the rule of law.

LIST OF ANNEXES

Annex 1:

Letter of the Dutch Lawyers for Lawyers Foundation to President Gloria Arroyo of January 20, 2006.

Annex 2:

Letter of the President of the Netherlands Bar Association of June 8, 2006.

Annex 3:

Letter of the President of the Amsterdam Bar Association of June 13, 2006.

Annex 4:

Statement of Solidarity to the International Fact Finding Mission on Attacks on Filipino Lawyers from the International Association of Democratic Lawyers (IADL) of June 12, 2006.

Annex 5:

Mission Statement of the IFFM of June 13, 2006

Annex 6:

Initial Findings from the IFFM of June 20, 2006

Annex 7:

KARAPATAN 2005 Human Rights Report

Annex 8:

TASK FORCE "USIG" Accomplishment Report as of June 20, 2006

Annex 9:

House of Representatives, Joint Resolution No. 17, "Joint Resolution creating an independent commission to conduct a thorough investigation of the widespread and systematic extrajudicial killings under the Arroyo Administration and to recommend measures and sanctions to stop the killings".

Annex 10:

Power Point Presentation from the PNP dated June 20, 2006 regarding the Task Force Judges, Prosecutors and IBP Lawyers, presented on June 19, 2006.

Annex 11:

Letter of Yolanda G. Tanigue, Police Senior Superintendent of the National Headquarters, Philippine National Police of February 28, 2006.

Annex 12:

Letter of Raul M. Gonzales of the Department of Justice of March 13, 2006.

LIST OF SOURCES

In addition to the testimonies, the Annexes 1 to 12 and other documents provided by the individuals, agencies and organizations the IFFM has interviewed, the IFFM has also made use of the following public sources:

Treaties

- International Covenant on Civil and Political Rights and its Protocols

Laws

- The 1987 Constitution of the Republic of the Philippines available at <http://www.gov.ph/aboutphil/a3.asp>
- Witness Protection, Security and Benefit Act [RA 6981]
- Party-List System Act [RA 7941]

Reports

- Annually reports 2004 and 2006, Amnesty International, available at <http://www.amnesty.org>
- Concluding observations of the Human Rights Committee: Philippines: Philippines 01/12/2003, CCPR/CO/79/PHL., 1 December 2003, UN Human Rights Committee, available at <http://www.unhchr.ch>
- Freedom of Expression and Media in the Philippines, Article 19, London, and CMFR, Manila December 2005, available at <http://www.article19.org/pdfs/publications/philippines-baseline-study.pdf>
- Human Rights Lawyers in the Philippines: An Endangered Species, Avocats Européens Démocrates, February 1991, <http://www.lesad.org/aed.htm>
- On the Killings of members of Bayan Muna, Anakpawis and other allied organizations, Quezon City, July 8, 2006, Philippine Commission on Human Rights, available at <http://www.chr.org.gov.ph>
- Philippines, Country Reports on Human Rights Practices – 2005, released by the Bureau of Democracy, Human Rights, and Labor, March 8, 2006 available at <http://www.state.gov/>

Press Statements and other information

- Amnesty International available at <http://www.amnesty.org>
- Asian Human Rights Commission available at <http://www.ahrchk.net/index.php>
- CODAL available at <http://counsels4liberties.blogspot.com>
- LAWASIA Statement on Violence against Judges and Lawyers in the Philippines – issued November 7, 2005, available at <http://www.lawasiasn.au>
- Lawyers' Rights Watch Canada, available at <http://www.lrwc.org>
- Philippine Government available at Office of the President Website <http://www.gov.ph/news>

News Items

- Daily Tribune, <http://www.tribune.net>
- Malaya, <http://malaya.com.ph>
- Manila Bulletin Online, <http://www.mb.com.ph>
- Manila Standard Today, <http://www.manilastandardtoday.com>
- Manila Times, <http://www.manilatimes.net>
- Philippine Daily Inquirer, <http://www.inq7.net>
- Philippine Daily Star, <http://www.philstar.com>

Other Internet Sources

- Armed Forces of the Philippines, <http://www.afp.mil.ph>
- Department of Interior and Local Government, <http://www.dilg.gov.ph>
- Department of Justice, <http://www.doj.gov.ph>
- Dutch Ministry of Foreign Affairs, <http://www.minbuza.nl>
- Philippine National Police, <http://www.pnp.gov.ph>
- Supreme Court, <http://www.supremecourt.gov.ph>
- Commission on Human Rights, <http://www.chr.gov.ph>