

REBUTTALS TO ALLEGATIONS MADE BY WITNESSES DURING THE U.S. SENATE SUB-COMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS' "HEARING ON VIOLENCE RELATED TO EXTRA-JUDICIAL KILLINGS IN THE PHILIPPINES" HELD ON 14 MARCH 2007

Allegation: There are already 836 victims of extra-judicial killings since 2001 when the Arroyo administration assumed power. (UCCP Bishop Eliezer Pascua and Karapatan Secretary-General Marie Enriquez-Hilao)

Rebuttal:

When U.S. Sen. Henry "Jim" Webb (D-VA) asked Karapatan's Secretary-General Marie Hilao-Enriquez and UCCP Bishop Eliezer Pascua how they arrived at this figure of 836 (referring to the alleged number of victims), both could hardly provide an explanation. Hilao simply said that Karapatan has 15 regional centers in the Philippines, which monitor victims of extra-judicial killings.

When Sen. Webb further asked for a detailed breakdown in the number of victims, in terms of how many were media men, how many were farmers, etc., Hilao could not provide an answer.

When Sen. Webb also asked her as to what percentage of the figure of 836 victims could be attributed to "the military's excessive use of force (possibly referring to counter-insurgency operations)" or to military men's "inappropriate behavior," Hilao simply replied that they were farmers (or civilians) who were killed in the course of the military's counter-insurgency operations.

Bishop Pascua also mentioned during the hearing that a church worker of UCCP was gunned down by "two masked motorcycle-riding men" whom he readily tagged as military men.

It must be recalled that Task Force Usig had already substantiated its findings that Karapatan's figures were "bloated," i.e. three persons whom Karapatan had alleged were killed by Philippine security forces turned out to be well and alive.

Allegation: The "dark days of martial law are being brought back again by the Arroyo administration." (Karapatan Secretary-General Hilao)

Rebuttal:

The State Department's 2006 Country Report on Human Rights said that the Philippines remains a "vibrant democracy."

Deputy Assistant Secretary of State Eric John also characterized the Philippines as a "vibrant democracy" during his testimony before the U.S. Senate Sub-Committee hearing last 14 March.

Allegation: Implying that the Arroyo administration is not doing anything about the issue of unexplained killings, Bishop Pascua called on the U.S. Sub-Committee to ask the Philippine government "to immediately stop extra-judicial killings and other human rights violations."

Rebuttal:

During the hearing, Deputy Assistant Secretary of State John said that "(the State Department) is encouraged by the steps that the Philippine government has taken to date" in addressing the issue of unexplained killings.

UN Special Rapporteur Philip Alston had also declared that President Arroyo "showed good faith in responding to (these) allegations by setting up an independent commission," referring to the Melo Commission.

Alston had assessed that the Commission had conducted an independent probe and had cited the sincerity of the Philippine government in addressing and finding solutions to this problem of unexplained killings.

Allegation: Bishop Pascua also alleged that a “hit list of church people, party-list members, human rights lawyers, etc. ...who are labeled as communist sympathizers or affiliated with communist organizations” exist by calling for its “revocation.”

Rebuttal:

The Bishop did not present any evidence or proof to substantiate his allegation because he has none.

Allegation: Bishop Pascua called on the U.S. government “to bring members (of the Philippine security forces) to justice,” including “suspending those who have been credibly alleged to have violated human rights.”

Rebuttal:

Bishop Pascua is encouraged to file appropriate charges, present evidence as well as witnesses; instead of making a sweeping indictment against the AFP/PNP if he believes in the principle of the right to due process, which is vital to human rights promotion.

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Allegation: Bishop Pascua asked the Sub-Committee “to reached the counter-insurgency policy, which kills innocent civilians.”

Rebuttal:

The Philippines' counter-insurgency strategy is a wholistic one, which includes both military and economic components, and is being undertaken precisely to liberate the populace who live in NPA-infested areas from the grip of communist terror, and enable them to live in peace and pursue gainful livelihood.

Efforts to eliminate the communist threat could be successful only if the human rights of ordinary citizens are respected and the AFP fully recognizes this.

Allegation: The recently-enacted Human Security Act (anti-terror law) violated human rights (allegation made by Hilao).

Rebuttal:

Legislators who are also noted as staunch human rights advocated in the Philippines were among those who voted for the enactment of this law after they were satisfied that provisions are in place to ensure respect for civil liberties and human rights.

Allegation: “President Arroyo’s challenge to the AFP to eliminate the NPA insurgency within two years has given the AFP a green light to take any action it wishes against the NPA and their allies.” (Eugene Martin of the U.S. Institute for Peace; underscoring supplied).

Rebuttal:

There is no direct causality between the President's challenge to the AFP and the allegation that it has given the AFP such a "green light to take any action..."

Allegation: "The military stretches counter-insurgency strategies to branding leftist organizations as enemies of the state that can be intimidated or eliminated by any means." (by Martin)

Rebuttal:

Left-wing organizations are not considered "enemies of the state" and proofs of this are their participation in the electoral process as well as their representation in Congress.

Any organization of any political orientation can freely participate in all democratic processes as long as they do not resort to violence or terrorism and do not advocate the overthrow of the duly constituted government.

Those organizations which advocate the use of violence or terrorism are and must be considered "enemies of the state" to preserve our democracy.

Allegation: Political leaders and activists are being targeted "because they may be sharing views of the CPP such as fighting for the weakest and the marginalized." (Dr. T. Kumar of Amnesty International – Washington, D.C.)

Rebuttal:

Contrary to the statement that the CPP is "fighting for the weakest and the marginalized," it has been engaged in terroristic acts. For this reason, it has been listed in the U.S.' and the EU's list of foreign terrorist organizations.

Those who share the CPP's ideology but who do not engage in, or espouse violence or terrorism, are free to express their views in the marketplace of ideas, with the repeal of the Anti-Subversion law in 1992.

Allegation: Philippine security forces "have killed in the name of fighting terrorism" and the PNP "finds it difficult to distinguish between political activists and the CPP." (Kumar)

Rebuttal:

Political activists operate freely in the country as evidenced by the fact that they can freely organize, stage protest actions and other forms of political acts within the context of our open and robust democracy.

Allegation: The Philippine government is using the war on terror to eliminate political opponents (Kumar).

Rebuttal:

The political opposition is presently campaigning for its election to national and local seats of government since elections will soon be held in the Philippines. (END)