

## HUMAN RIGHTS WATCH

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May 30, 2011

Hon. Leila de Lima  
Secretary  
Department of Justice  
Padre Faura, Ermita  
Manila 1000  
The Philippines

*Via facsimile: +63 2 524 5936*

Re: Alleged extrajudicial killings and enforced disappearances

Dear Secretary de Lima,

I am writing to solicit your views for our research on extrajudicial killings and enforced disappearances in the Philippines, particularly those occurring since June 30, 2010.

As you are aware, Human Rights Watch is a nongovernmental organization based in New York that monitors violations of human rights by states and non-state actors in more than 80 countries around the world.

Human Rights Watch is committed to producing material that is well-informed and objective. We hope you and your staff would be able to answer the attached questions so that your views are accurately reflected in our reporting. In order for us to take your answers into account in our forthcoming report, we would appreciate a written response by June 20, 2011.

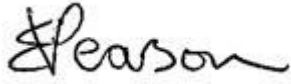
In addition, I will be visiting Manila in the coming months and would greatly appreciate meeting with you. My colleague will follow up with a formal request for a meeting once my travel dates are confirmed.

Please send your reply by email or fax to:

Diana Parker, Asia Associate  
Human Rights Watch  
1630 Connecticut Avenue, NW, Suite 500  
Washington, DC 20009 USA  
[parkerd@hrw.org](mailto:parkerd@hrw.org)  
+1-202-612-4333 (fax)

Thank you very much.

Sincerely,

A handwritten signature in black ink, appearing to read "Pearson". The signature is written in a cursive, flowing style with a large initial 'P'.

Elaine Pearson  
Deputy Director, Asia Division

## Questions for Secretary de Lima

1. What challenges does the National Bureau of Investigation (NBI) face in investigating killings and abductions in which the military is implicated? How are these challenges being overcome?
2. What challenges does the Justice Department face in prosecuting alleged extrajudicial killings and enforced disappearances? How are these challenges being overcome?
3. According to Task Force 211, how many extrajudicial killings or enforced disappearances have been perpetrated since June 30, 2010? Please provide a list including the status of the investigations and prosecutions.
4. What reforms have you implemented to enhance investigations and prosecutions of alleged extrajudicial killings and enforced disappearances since you came to office?
5. What reforms have you implemented to hold accountable NBI investigators who do not comprehensively investigate military involvement in killings and abductions? Please provide specific details of any cases where NBI investigators have been held accountable.
6. What steps are taken to provide witnesses with accurate, complete information about the witness protection program at the earliest possible stage? Are there any department standards regarding what police officers should tell witnesses about witness protection and at what stage of the investigation they should provide this information? Are there any department standards regarding what prosecutors should tell witnesses about witness protection and at what stage they should provide this information?
7. In relation to the June 14, 2010, killing of Benjamin Bayles in Himamaylan City, Negros Occidental, can you explain why the accused have not been charged with illegal possession of firearms, considering that the firearms found in their possession were unregistered? Human Rights Watch understands that if the accused are found guilty of murder, that such a charge would be absorbed and become a sentencing consideration; however, why is such a charge not included at this stage?
8. What has been done to provide protection to the family of Fernando Baldomero, who was killed on July 5, 2010 in *barangay* Estancia, Kalibo, Aklan, since police withdrew protection in April 2011?

9. Please provide information regarding the status of NBI investigations and prosecutions into the following cases of alleged extrajudicial killings and enforced disappearances. For each case in which the NBI has been involved, please advise what the investigation has involved, the status of the investigation, and any challenges faced during the investigation. Please provide any investigation reports or other relevant documents. For investigations that have been suspended or discontinued, kindly provide the reasons for the suspension or discontinuation. For each case that has been filed with a prosecutor, please advise the status of the case and any challenges faced in the prosecution.

#### List of cases

- 1) The killing of Benjamin Bayles on June 14, 2010, in Himamaylan City, Negros Occidental
- 2) The killing of Fernando “Nanding” Baldomero on July 5, 2010 in *barangay* Estancia, Kalibo, Aklan
- 3) The killing of Pascual Guevarra on July 9, 2010, in *barangay* San Isidro, Laur, Nueva Ecija
- 4) The killing of Julius Tamondez on August 12, 2010, in Paquibato district, Davao City
- 5) The abduction and “disappearance” of Agustito Ladera and Renato Deliguer in late August or early September 2010, in *barangay* Mahaba, Marihatag, Surigao del Sur
- 6) The killing of Reynaldo “Naldo” L. Labrador on September 3, 2010, in Paquibato Proper, Paquibato district, Davao City
- 7) The killing of Vicente Felisilda on September 9, 2010, in Mawab, Compestela Valley
- 8) The killing of Rene “Toto” Quirante on September 30, 2010, in *barangay* Trinidad, Guihulngan, Negros Oriental
- 9) The killing of Ireneo “Rene” Rodriguez on November 7, 2010, in Balayan town, Batangas
- 10) The killing of Carlo “Caloy” Rodriguez on November 12, 2010, in Calamba City, Laguna
- 11) The abduction and “disappearance” of Alfredo Bukal on November 10, 2010, in *barangay* Lutal, Tuy, Batangas
- 12) The killing of Rudy and Rudyric Dejos on February 27, 2011, in Santa Cruz, Davao del Sur