

## HUMAN RIGHTS WATCH

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Email: hrwuk@hrw.org

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Elaine Pearson, *Deputy Director*  
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Mickey Spiegel, *Senior Researcher*  
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James Ross, *Legal & Policy Director*  
Joe Saunders, *Deputy Program Director*  
Jane Olson, *Chair, Board of Directors*

*This letter, with the following questions, was also sent to Hon. Douglas R. Cagas, Governor, Province of Digos del Sur, Digos City, Davao del Sur, Philippines.*

August 21, 2008

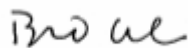
Hon. Arsenio Latasa  
Mayor, City of Digos  
City Hall, Digos City  
Davao del Sur  
Philippines  
Fax: +63-82-553-2114

Dear Mayor Latasa,

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.

I am writing to solicit your views for our research on the pattern of execution-style killings of suspected petty criminals and street children in Digos City in recent years. Human Rights Watch is committed to producing material that is well-informed and objective. We hope you or your staff would 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 September 10, 2008.

Thank you very much.



Brad Adams  
Executive Director, Asia Division

Cc: Hon. Gloria Macapagal Arroyo  
President, Republic of the Philippines  
Malacañang Palace, JP Laurel Street, San Miguel  
Manila NCR 1005  
Philippines  
Fax: +63-2-936-1107 (Records Section), +63-2-733-7446  
(Executive Secretary)

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## Questions for Mayor Latasa

- 1.) How many homicides have been registered in Digos City over each of the last three years? Local human rights groups and journalists in Digos City have reported on “execution-style killings” of petty criminals and street children. Do your offices or the Digos City police attempt to tabulate a category of homicides that would fit this characterization? If so, what are the criteria used? How many such cases occurred over each of the past three years?
- 2.) How many homicide investigations have been opened by the Digos City police in the past three years? How many of these investigations have resulted in prosecutions? Of these, how many resulted in convictions and in acquittals? In how many of the above cases were perpetrators members of the police? Military? Individuals acting as agents of governments officials? Are any such cases currently pending?
- 3.) What steps has the city government taken to address the problem of crime in Digos City? To what extent have they been successful or not?
- 4.) Has street crime increased or decreased in Digos City over the past three years? Can you provide statistics on crime in Digos City over this period? What factors do you believe are responsible for this change?
- 5.) Please provide figures for the past three years on funds provided to the Digos City police by the city government’s Peace and Order Fund. For what purposes were these funds allocated?
- 6.) Please provide information regarding the status of police investigations into the following alleged homicides, all of which occurred in Digos City. For each case please provide the names of any perpetrators identified, arrested or prosecuted, and any affiliation they might have. For investigations that have been suspended or discontinued, kindly provide the reasons for the suspension/discontinuation.

### List of Cases (ages at the time of their death)

1. Abdul Naser Diamad, 30, shot dead by two men on motorcycle, April 1, 2000
2. Marco Angelo, 16, abducted and shot execution-style, March 28, 2003
3. Marces A. Macias, 16, shot dead, December 18, 2004
4. Genesarge Tecson, 27, shot dead by unknown assailant(s), June 16, 2005
5. Renante Manit, 24, shot dead by a group of men on motorcycles, May13, 2006

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*This letter, with the following questions, was also sent to Hon. Rey Uy, Mayor, Tagum City, Davao del Norte, Philippines.*

August 21, 2008

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Hon. Rodolfo Del Rosario  
Governor, Province of Davao del Norte  
Capitol Compound, Tagum City  
Davao del Norte  
Philippines  
Fax: +63-84-400-2678

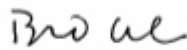
Dear Governor Del Rosario,

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.

I am writing to solicit your views for our research on the pattern of execution-style killings of suspected petty criminals and street children in Tagum City in recent years. Human Rights Watch is committed to producing material that is well-informed and objective. We hope you or your staff would 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 September 10, 2008.

Thank you very much.

Sincerely,



Brad Adams  
Executive Director, Asia Division

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Cc: Hon. Gloria Macapagal Arroyo  
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Fax: +63-2-936-1107 (Records Section), +63-2-733-7446  
(Executive Secretary)

## Questions for Governor Del Rosario

- 1.) How many homicides have been registered in Tagum City over each of the last three years? Local human rights groups and journalists in Tagum City have reported on “execution-style killings” of petty criminals and street children. Do your offices or the Tagum City police attempt to tabulate a category of homicides that would fit this characterization? If so, what are the criteria used? How many such cases occurred over each of the past three years?
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- 3.) What steps has the city government taken to address the problem of crime in Tagum City? To what extent have they been successful or not?
- 4.) Has street crime increased or decreased in Tagum City over the past three years? Can you provide statistics on crime in Tagum City over this period? What factors do you believe are responsible for this change?
- 5.) Please provide figures for the past three years on funds provided to the Tagum City police by the city government’s Peace and Order Fund. For what purposes were these funds allocated?

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August 27, 2008

Atty. Antonio B. Arellano  
Regional State Prosecutor  
Regional State Prosecution Office XI  
Hall of Justice, Ecoland  
Davao City  
Philippines

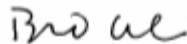
Dear Atty. Arellano,

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.

I am writing to solicit your views for our research on the pattern of execution-style killings of suspected petty criminals and street children in Davao, Digos and Tagum cities in recent years. Human Rights Watch is committed to producing material that is well-informed and objective. We hope you or your staff would 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 September 10, 2008.

Separately, I would like to request that you meet with Kay Seok, our researcher on the Philippines, on September 3 or 4 in Davao City to discuss relevant issues. She will contact your office directly to arrange a day and time.

Thank you very much.



Brad Adams  
Executive Director, Asia Division

Cc: Sec. Raul M. Gonzalez  
Department of Justice, DOJ Building, Padre Faura  
Manila  
Philippines

## Questions for Atty. Arellano

1. What are the responsibilities and the authority of the Regional State Prosecutor's office vis-à-vis homicide cases committed in Davao, Digos and Tagum cities?
2. How many cases of execution-style killings have been prosecuted in Davao, Digos and Tagum cities in the last three years? How many cases have reached the trial phase? How many convictions have been recorded? Please provide any detailed of such cases. What have been the main obstacles to successful prosecution of such cases?
3. Does your office have a witness protection program? Has such program ever been used to protect the witnesses in cases of execution-style killings?
4. Has your office been satisfied with the effectiveness of police investigations into the execution-style killings? If not, what do you believe to be the main reasons for the ineffectiveness of police investigations which in turn prevents successful prosecution of such cases?
5. Based on the evidence available to your office, do you believe that there is an organized force behind the spree of execution-style killings in Davao, Digos and Tagum cities? Have you ever addressed the allegation made by the local media as well as local and international human rights groups against the so-called "Davao Death Squad" (DDS)? If so, what conclusions have you reached?
6. Are you aware of any cases where police officers were suspected of being involved in recruiting or training members of the so-called "Davao Death Squad," providing them with information on suspected criminals, or making payment to them? If so, have there been any investigations into such cases? Have any police officers been arrested, charged, prosecuted and convicted as a result?
7. Has your office ever received any inquiries from the office of the Ombudsman in Davao or CHR office in Davao in relation to the pattern of killings in the city or specific cases? Please provide any details of such inquiries and action taken by your office in response.
8. What is the level of cooperation between your office and the Davao, Digos and Tagum city governments? Has the issue of execution-style killings and problems related to the prosecution of such cases ever been discussed between your office and the city governments? If so, at what level? What was the outcome of such discussions?

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August 21, 2008

Atty. Alberto P. Sipaco, Jr.  
Regional Director, Commission on Human Rights,  
Regional Office No. XI  
No. 8 Trinity II Bldg., Quimpo Boulevard, 8000  
Davao City  
Philippines  
Fax: +63-82-298-2233

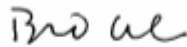
Dear Atty. Sipaco, Jr.

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.

I am writing to solicit your views for our research on the pattern of execution-style killings of suspected petty criminals and street children in Davao City in recent years. Human Rights Watch is committed to producing material that is well-informed and objective. We hope you or your staff would 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 September 10, 2008.

Separately, I would like to request that you meet with Kay Seok, our researcher on the Philippines, on September 3 or 4 in Davao City to discuss relevant issues. She will contact your office directly to arrange a day and time.

Thank you very much.



Brad Adams  
Executive Director, Asia Division

CC: Hon. Leila M. De Lima  
Chairperson, Commission on Human Rights of the Philippines  
Fax: +63-2-929-0102

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## Questions for Atty. Sipaco, Jr.

1. Human rights groups in Davao City claim that more than 600 people have been killed by a vigilante group called the Davao Death Squad in the last three years. How many of such cases have been reported to the CHR so far? How many of them have been investigated? What conclusions has the CHR reached?
2. What is the standard procedure for responding to the reported cases of vigilante killing or summary execution? Could you please provide specific details on the CHR's activities in this respect, including the number of visits to police, families of victims and witnesses; the number of requests for information submitted to the police and the responses received; and the number of witnesses interviewed? How many investigating officers does CHR have in Davao City? What are their qualifications?
3. Has the CHR been able to identify the perpetrators in any of the investigated cases or collect sufficient evidence to establish a pattern of such killings? Are you aware of any arrest of perpetrators in any of these cases in the last three years? Have any of the cases resulted in a criminal prosecution and conviction of the perpetrators?
4. Could you provide any statistics on the cases you have investigated so far, including the identity of perpetrators, profile of victims, and the result of investigations by year for the last three years?
5. Could you describe the level of cooperation you have received from the police during your investigations? What steps could be taken to improve cooperation? Please also describe details of division of responsibilities between the police, prosecutors and the Commission.
6. We understand that the Commission on Human Rights has the authority to investigate public servants for corruption and other kinds of wrongdoing. Are you aware of allegations that some city officials and police officers have been involved in or sponsor such killings? Has the Commission investigated any city official or police officer due to such allegation? If so, what was the result of the investigation? Please provide as much detail as possible.
7. Please provide us with information on the current status of investigation into the killing of Richard Alia, Christopher Alia, Bobby Alia and Fernando Alia – four brothers who have been stabbed to death in the Bankerohan market, Davao City, between 2001 and 2007. To our knowledge, the Alia family reported the case to the Commission.



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August 21, 2008

Hon. Humphrey Monteroso  
Deputy Ombudsman for Mindanao  
Office of the Ombudsman-Mindanao  
4th Floor, Herrera Bldg., Alvarez St., Sta. Ana, 8000  
Davao City  
Philippines  
Fax: +63-82- 221-3938

Dear Deputy Ombudsman Monteroso,

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.

I am writing to solicit your views for our research on the pattern of execution-style killings of suspected petty criminals and street children in Davao City in recent years. Human Rights Watch is committed to producing material that is well-informed and objective. We hope you or your staff would 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 September 10, 2008.

Separately, I would like to request that you meet with Kay Seok, our researcher on the Philippines, on September 3 or 4 in Davao City to discuss relevant issues. She will contact your office directly to arrange a day and time.

Thank you very much.

*Brad*

Brad Adams  
Executive Director, Asia Division

Cc: Hon. Ma. Merceditas Navarro-Gutierrez  
Ombudsman, Office of the Ombudsman  
Ombudsman Building, Agham Road, North Triangle, Diliman  
Quezon City 1101  
Philippines  
Fax: +63-2-926-8776

## Questions for Deputy Ombudsman Monteroso

1. Human rights groups in Davao City claim that more than 600 people have been killed by a vigilante group called the Davao Death Squad in the last three years. There also has been persistent accusation that police officers were involved in these killings. As it is the job of the Ombudsman's Office to investigate any wrongdoing committed by any public servant, has the Ombudsman's Office conducted investigation into any of these cases? If so, what conclusions has the Ombudsman's Office reached, and what kind of actions has the Ombudsman's Office taken?
  - a. On a related issue, please provide us with any update with the July 2005 case of four high-ranking Davao police officers who were ordered suspended for six months without pay due to their failure to solve the series of vigilante killings in their jurisdiction. According to media reports, then Deputy Ombudsman for the Military Orlando Casimiro ordered the suspension of former city police director Sr. Supt. Conrado Laza and Chief Inspectors Filmore Escobal, Matthew Baccay and Vicente Danao.
2. What is the standard procedure for responding to the reported cases of vigilante killing or summary execution possibly involving police officers? How many investigating officers does the Ombudsman's Office have in Davao City? What are their qualifications?
3. Has the Ombudsman's Office been able to identify the perpetrators in any of the investigated cases or collect sufficient evidence to establish a pattern of these killing? Are you aware of any arrest of perpetrators in any of these cases in the last three years? Have any of the cases resulted in a criminal prosecution and conviction of the perpetrators?
4. Could you provide any statistics on the cases you have investigated so far, including the identity of perpetrators, profile of victims, and the result of investigations by year for the last three years?
5. Could you describe the level of cooperation you have received from the police during your investigations? What steps could be taken to improve cooperation? Please also describe details of division of responsibilities between the police, prosecutors and the Ombudsman's office.

## HUMAN RIGHTS WATCH

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August 21, 2008

P/CSUPT. Andres G. Caro II  
Regional Director, PNP Regional Office XI  
Camp Catitipan, Davao City  
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Phone: +63-82-234-9224  
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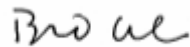
Dear P/CSUPT. Caro II,

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.

I am writing to solicit your views for our research on the pattern of execution-style killings of suspected petty criminals and street children in Davao, Digos and Tagum City in recent years. Human Rights Watch is committed to producing material that is well-informed and objective. We hope you or your staff would 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 September 10, 2008.

Separately, I would like to request that you meet with Kay Seok, our researcher on the Philippines, on September 3 or 4 in Davao City to discuss relevant issues. She will contact your office directly to arrange a day and time.

Thank you very much.



Brad Adams  
Executive Director, Asia Division

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Police Director General, Office of the Chief, PNP  
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## Questions for P/CSUPT. Caro II

1. How many homicides have been registered in Davao, Digoa and Tagum City over each of the last three years? Databases compiled by local human rights groups and journalists in Davao contain the names of more than 600 victims of alleged “execution-style killings” of petty criminals and street children. Do you believe the 600 figure is roughly accurate? Does your department attempt to tabulate a category of homicides that would fit this characterization? If so, what are the criteria used? How many such cases occurred over each of the past three years?
2. How many homicide investigations have been opened by the Davao, Digos and Tagum City police in the past five years? How many of these investigations have resulted in prosecutions? Of these, how many resulted in convictions and in acquittals? In how many of the above cases were perpetrators members of the police? Military? Individuals acting as agents of governments officials? Are any such cases currently pending?
3. Have the police ever investigated the widespread allegations about the so-called “Davao Death Squad” (DDS)? If so, what conclusions have the police reached? Please provide information on the size, composition and organizational structure of the DDS.
4. How many police officers in recent years have been disciplined or prosecuted for their involvement with the DDS or with execution-style killings? Please provide information on specific cases, including the role played by the police officers.
5. Does the wide use in execution-style killings of .45 caliber pistols, a weapon normally available only to the police, suggest a police role in those killings? If not, why not?
6. Have the Davao, Digos and Tagum police cooperated with the Ombudsman or the CHR offices concerning execution-style killings in Davao, Digos and Tagum City? What is the nature of this cooperation?
7. Please provide figures for the past three years on funds provided to the Davao, Digos and Tagum City police by the city governments’ Peace and Order Funds. For what purposes were these funds allocated?
8. Please provide information regarding the status of police investigations into the following alleged homicides. For each case please provide the names of any perpetrators identified, arrested or prosecuted, and any affiliation they might have. For investigations that have been suspended or discontinued, kindly provide the reasons for the suspension/discontinuation.

### **List of Cases in Davao City (ages at the time of their death)**

1. Richard Alia, 17, stabbed to death, July 27, 2001
2. Christopher Alia, 16, stabbed to death, October 20, 2001
3. Bobby Alia, 14, stabbed to death, November 3, 2002
4. Fernando Alia, 15, stabbed to death, April 13, 2007
5. Jay-ar Ormido, 20, shot dead by three men on motorcycle, January 10, 2007
6. Danilo Macasero, early 30s, stabbed to death by four men on two motorcycles, May 30 or 31, 2007
7. Renante Lagarit, 20s, stabbed by two men on motorcycle, June 2007
8. Adon Mandagit, 15, shot dead by three men on motorcycle, July 2007
9. Cyrus Gitacaras, 20s, abducted in Davao City together with Jumael Maunte and found dead in Mauuab, August 2007
10. Jumael Maunte, 24, abducted in Davao City together with Cyrus Gitacaras and found dead in Mauuab with gunshot wounds, August 2007
11. Conrad Dequina, early 20s, shot dead by three men on motorcycle, October 10, 2007
12. Nerito Calimbo, shot dead by men on motorcycle, May 22, 2008
13. Jocelyn Calimbo, shot dead by men on motorcycle, May 22, 2008
14. Aaron Sumitso, shot dead by men on motorcycle, May 22, 2008
15. "Loloi" Rosales, 18, abducted and found dead with stab wounds, June 2008
16. Rolando Jimenes, 50, shot dead by two men on motorcycle, June 15, 2008
17. Jaypee Larosa, shot dead by men on motorcycle, July 17, 2008

### **List of Cases in Digos City (ages at the time of their death)**

1. Abdul Naser Diamad, 30, shot dead by two men on motorcycle, April 1, 2000
2. Marco Angelo, 16, abducted and shot execution-style, March 28, 2003
3. Marces A. Macias, 16, shot dead, December 18, 2004
4. Genesarge Tecson, 27, shot dead by unknown assailant(s), June 16, 2005
5. Renante Manit, 24, shot dead by a group of men on motorcycles, May 13, 2006