

## **Joint Letter to Senator Lindsey Graham from Clergy, Civil Society, and Advocacy Groups**

Senator Lindsey Graham  
290 Russell Senate Office Building  
Washington, DC 20510

July 1, 2015

### **Re: Human rights concerns in the Philippines**

Dear Senator Graham,

We, the undersigned members of civil society groups, advocacy organizations, and clergy, are writing in the context of the Senate's current mark-up of the Foreign Operations Appropriations Bill to urge you to retain key provisions from past legislation restricting military funding to the Philippines.

As you know, every appropriations bill since 2008 has imposed a restriction on foreign military financing to the Philippines because of its military's alleged involvement in extrajudicial killings, commonly known in the Philippines as EJKs. The most recent restriction places limits on assistance to the Philippine Army while allowing assistance to the Navy. These limits can be lifted if the Secretary of State certifies that the Philippine government is achieving sufficient progress on addressing EJKs.

The Philippines restriction has been at least a partially effective incentive. In response to this conditionality, the administration of President Benigno Aquino III began taking the EJK issue more seriously and since 2013 has indicted and begun prosecuting a small number of suspected perpetrators, including a high-profile case involving retired Army general Jovito Palparan, who was accused in several enforced disappearances in 2006. Palparan was finally arrested last year.

However, the Philippines' response so far has been insufficient. EJKs and other violent abuses implicating members of the security forces remain a serious problem. In the context of counterinsurgency operations against the communist New People's Army (NPA), who themselves are responsible for serious abuses, members of the armed forces and paramilitary forces have been responsible for numerous unlawful attacks on activists, human rights defenders, priests and other church workers, and labor organizers. In recent years, environmental activists and tribal leaders have also been targets of assault.

Outside of the context of counterinsurgency, security force personnel have also been responsible for killings of politicians and political workers involved in local disputes and journalists reporting on corruption and other criminality.

The Committee to Protect Journalists ranks the Philippines as the third most dangerous place for journalists in the world after Syria and Iraq. While the perpetrators of these crimes and the motives are often unknown, in many instances there are credible allegations of government forces' complicity. According to the International Federation of Journalists, 36 journalists have been killed since President Aquino took office in 2010—the latest a shooting just last week of CNN Philippines cameraman Jonathan Oldan. In many cases, journalists have been killed after receiving threats from people believed to be linked with the Philippine security forces or local government officials.

Recent killings demonstrate the problem is ongoing. On June 25, Ricky Basig, a survivor of Typhoon Pablo turned environmental activist, was fatally shot in his home on the southern island of Mindanao; Philippine military had in recent statements branded him an NPA member because of his advocacy work. Other cases in recent months include an incident in which military personnel were alleged to have killed four peasant leaders in the Davao Region, also in southern Mindanao. In late May, a land rights defender and his wife were shot and killed in Negros Oriental, in central Philippines, after threats by military forces stationed in the area. The military typically denies involvement in such attacks, even when there is strong evidence pointing to the involvement of military personnel.

The State Department's most recent Human Rights Country Report on the Philippines highlighted this continuing human rights challenge, noting that the Philippines "most significant human rights problems continued to be extrajudicial killings and enforced disappearances undertaken by security forces and suspected vigilante groups." It cited the case of activist and human rights defender William Bugatti, who was shot and killed on March 25, 2014 in Ifugao province, allegedly by soldiers from the Philippine Army's 86th Infantry Battalion, 5th Infantry Division.

Although the Philippine Department of Justice has taken action in some cases, the government's overall record in investigating and prosecuting serious human rights violations by the security forces has been extremely disappointing. According to police records, since 2001 there have been only two convictions in extrajudicial killings, and no senior officials have been among those convicted, only gunmen. To our knowledge, the vast majority of alleged EJK cases are either uninvestigated or are supposedly still under investigation. Simply put, the Philippine government needs to do a lot more to satisfy the existing legislation's requirements.

To lift the current restrictions now would be sending the wrong message to the Philippine government: that the US is unconcerned by serious continuing rights abuses by the Philippine Army and that the Army should no longer be treated as the abusive force that it continues to be.

Lifting the restrictions is also strategically unnecessary: the current, well-tailored restriction focuses entirely on the Philippine Army, while the bulk of assistance requested by the Pentagon would be directed at the Philippine Navy.

We urge you to leave the conditions in place in the appropriations bill to serve as a continuing incentive for the Aquino administration to address this serious human rights issue.

Sincerely,

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