

URGENT ACTION

FEARS OF UNFAIR TRIAL FOR 'TACLOBAN 5'

Five activists were arrested on 7 February 2020, after an alleged illegal raid of their offices. Despite no substantial investigation made by the authorities into the activists' allegations, on 23 June, the court denied their motion to quash the search warrant used. Amnesty International calls on the Philippine Department of Justice to promptly, thoroughly, impartially and effectively investigate these allegations and, if proven, to drop all charges against the activists, and ensure their release.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Secretary Menardo I. Guevarra
Department of Justice, Philippines
Padre Faura Street
Ermita, Manila 1000
Fax: (632) 8526-2618

Email: communications@doj.gov.ph and osecmig@gmail.com

Dear Secretary Guevarra,

I am writing to express my concern about the ongoing prosecution of five activists arrested in Tacloban City early this year – **Frenchie Mae Cumpio, Mariel Domequil, Marissa Cabaljao, Mira Legion, and Alexander Philip Abinguna** – who are active members of organizations involved in independent journalism, human rights, and environmental issues.

The circumstances of the raid of their offices that resulted in their arrest on 7 February 2020 remain questionable, with allegations of fabrication of evidence and the absence of witnesses. I therefore find it worrying to learn that, on 23 June 2020, the court denied their motion to quash the search warrant despite no substantial investigation having been made into these allegations.

Police and military officers raided their offices at around 1 am on 7 February. It was reported that the raiding team pointed their firearms at the five activists, before asking them to leave their rooms to then conduct the search without any witness. As you are aware, if these allegations are true then the events were in violation of the proper conduct of searches as prescribed by Philippine law.

The activists also allege that the raiding team planted evidence, including firearms and explosives allegedly found on their beds. Unfortunately, it seems that the planting of explosives and firearms is a widely-documented method in the Philippines, to arrest activists on non-bailable charges and hinder their activities.

It is within that context that I am concerned that the dismissal of the activists' motion to void the search warrant, without proper investigation into the allegations made, is prohibiting the five activists from receiving a fair trial.

We call on your office to promptly, thoroughly, impartially and effectively investigate the arrested activists' allegations. If these allegations are proven, all charges against them must be dropped, those still detained should be released, and those reasonably suspected to be responsible for the violations should be held accountable in fair trials.

Thank you for your kind attention.

Yours sincerely,

ADDITIONAL INFORMATION

Community journalist **Frenchie Mae Cumpio**, **Mariel Domequil** from the Rural Missionaries of the Philippines, People Surge Network Spokesperson **Marissa Cabaljao**, **Mira Legion** from Bagong Alyansang Makabayan-Eastern Visayas, and Karapatan National Council member **Alexander Philip Abinguna** were arrested on 7 February 2020 in simultaneous raids in Tacloban City.

Legion and Cabaljao are facing bailable charges of illegal possession of firearms and are now out on bail. Cumpio, Domequil and Abinguna are facing non-bailable charges of illegal possession of firearms and explosives and are detained at a jail facility of Palo town police station.

Domequil and Cumpio were arraigned (informed of the charges against them) on 18 February 2020. Cabaljao, Legion and Abinguna were arraigned on 2 June 2020. On 23 June 2020, the Tacloban City regional trial court denied the activists' motion to quash what they described as a "defective" search warrant used during the raid, as well as to quash the information filed against them, reject evidence seized during the raid, and return seized items that were not included in the search warrant. The hearings continue.

Since President Rodrigo Duterte assumed office in 2016, human rights defenders and political activists have been increasingly subjected to repeated harassment, threats and attacks, including killings. Many of these defenders and activists belong to organizations that the government or unknown individuals have "red-tagged" or accused of being fronts for communist groups without credible evidence, an accusation that they have repeatedly denied.

Amid the worsening human rights record of the country, the UN Human Rights Council released its report on the Philippines on 4 June 2020, stating that "human rights defenders have been subject to verbal and physical attacks, threats and legal harassment for nearly 20 years." It also noted the phenomenon of "red-tagging" that has "posed a serious threat to civil society and freedom of expression."

PREFERRED LANGUAGE TO ADDRESS TARGET: English

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 10 August 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: **Frenchie Mae Cumpio** (she/her), **Mariel Domequil** (she/her), **Marissa Cabaljao** (she/her), **Mira Legion** (she/her) & **Alexander Philip Abinguna** (he/him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa35/1810/2020/en/>