

UA 44/97

Threats / Fear for safety

7 February 1997

PHILIPPINES Senator Raul Roco

Justice Francis Garchitorena

Justice Jose Balajadia

Jose Manuel Diokno )

Efren Moncupa )

Arno Sanidad )

Alexander Padilla ) human rights

Theodore Te ) lawyers

Lorenzo Tanada )

Wigberto Tanada )

Francis Pangilinan )

On 31 January 1997 Senator Raul Roco, Chairman of the Senate Committee on Human Rights and Social Justice, received a death threat letter written in red ink. Copies of the unsigned letter were also sent to Justice Francis Garchitorena and Justice Jose Balajadia of the *Sandiganbayan* court (responsible for trying cases involving government personnel).

The tone, contents and choice of recipients of the letters strongly suggested that the authors were members of the Philippine National Police (PNP) seeking to threaten those involved in the continuing prosecution of 27 PNP officers involved in the alleged extrajudicial execution of 11 suspected members of the *Kuratong Baleleng* bank robbery gang in 1995.

*"Your end is near. Yes, your final day is coming....We have already planted our men under your respective noses. You better decide fairly....The next letter you receive will be a bomb".*

The threats were also directed at a number of lawyers, mainly from the human rights NGO Free Legal Assistance Group (FLAG), who are involved in the representation of state witnesses in the case. Without mentioning the lawyers by name the letter gave details of their cars, offices, friends and relatives.

#### BACKGROUND INFORMATION

Despite an overall decline in insurgency-related human rights violations in recent years, concern remains that members of the PNP have continued to ill-treat, torture and extrajudicially execute ordinary criminal suspects. These concerns increased following the *Kuratong Baleleng* killings of May 1995 when 11 suspected members of the bank robber gang were shot dead while in police custody. Initial investigations implicated 98 police officers, including four police generals, in the killings.

The subsequent prosecution of the high-profile case has been controversial, protracted and subject to accusations that those involved are being protected by a climate of impunity. The Ombudsman, responsible for investigating complaints against government personnel, initially exonerated all the suspected police but then laid charges against 27 officers, with only one general among the principal accused. The Ombudsman later downgraded charges against the general and no convictions have yet been reached.

**RECOMMENDED ACTION:** Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- expressing concern for the safety of Senator Raul Roco, Justice Francis Garchitorena, Justice Jose Balajadia and human rights lawyers Jose Manuel Diokno, Efren Moncupa, Arno Sanidad, Alexander Padilla, Theodore Te, Lorenzo Tanada, Wigberto Tanada and Francis Pangilinan, who have received death threats related to their involvement in the *Kuratong Baleleng* case;
- calling for immediate measures to guarantee their safety;
- urging a prompt and thorough investigation into the threats and that those found responsible be brought to justice.
- calling for the continued, speedy and impartial prosecution of the *Kuratong Baleleng* case so that any impression that government personnel enjoy impunity may be effectively countered.

**APPEALS TO:**

President Fidel V. Ramos  
Malacañang Palace  
Manila  
Philippines

**Faxes: +63 2 833 7793 or 832 3793 (via Dept of Foreign Affairs)**

**Telegrams: President Ramos, Manila, Philippines**

**Salutation: Dear President Ramos**

Secretary Robert Barbers  
Secretary of the Interior and Local Government  
Dept of the Interior and Local Government  
PNCC Complex  
Epifanio de los Santos Avenue  
Mandaluyong  
Metro Manila  
Philippines

**Fax: +63 2 631 8830**

**Telegrams: Secretary Interior Barbers, Manila, Philippines**

**Salutation: Dear Secretary Barbers**

(Notes: Secretary Barbers has responsibility for the PNP; When sending faxes, if message says "number not recognized", please try again later, may be easier in local office hours).

**COPIES TO:**

Secretary Teofisto Guingona  
Secretary of Justice  
Department of Justice  
Padre Faura, Ermita, Manila  
Philippines

**Fax: +63 2 586 916 or 507 424**

and to diplomatic representatives of Philippines accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 27 March 1997