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## **Philippines : Limit Martial Law and disband paramilitaries**

The Philippine authorities should immediately establish a clear and short timetable for an end to martial law in the country's restive Maguindanao province and dismantle armed paramilitary groups throughout the country, Amnesty International said in Manila today. Key human rights, including the right to challenge the legality of detention, must not be violated or restricted under any circumstances.

On 5 December President Gloria M. Arroyo declared martial law in Maguindanao and suspended the writ of habeas corpus in the wake of the massacre of 57 people there, including more than 30 journalists. Andal Ampatuan, Jr., of the powerful Ampatuan clan that has dominated politics in Maguindanao for much of the past decade, was recently arrested and charged with the murders.

"The people of Maguindanao are terrified of martial law because they remember the terrible violations that occurred during military control in the 1970s," said Sam Zarifi, Amnesty International's Asia-Pacific director, who has just returned from Maguindanao.

During its visit Amnesty International did not find indications so far of serious human rights violations by military personnel since the imposition of martial law.

However, the military has arrested some 70 people without warrant. Moreover, the military deployment has prompted the displacement of more than 2,000 residents from areas of Maguindano province controlled by the Ampatuan clan.

The recent insecurity has also hindered humanitarian assistance to tens of thousands of civilians displaced there due to previous clashes between the military and the Moro Islamic Liberation Front (MILF). "Every day of heavy military deployment increases the risk of human rights violations or new clashes with the MILF even as peace talks begin anew."

The Ampatuans reportedly controlled 3,000 to 4,000 armed men operating as part of Civilian Volunteer Organizations (CVOs) in conjunction with the military's counter insurgency operations. Over the last several days army troops and police investigators have uncovered several caches of weapons, including hundreds of machine guns, mortar, and even armoured personnel carriers, supposedly used by the CVOs.

"The CVOs in Maguindanao have engaged in systematic attacks on civilians, arson, and even murder, often with the knowledge and involvement of provincial authorities and the military. Powerful clans have used the CVOs against their political opponents, while the central government has often turned a blind eye. In return the clans have helped the government in winning votes and fighting the MILF and the New People's Army (NPA)," Zarifi said.

Amnesty International called on President Gloria Arroyo to immediately revoke or amend Executive Order 546, implemented in 2006, which allowed the use of paramilitary “force multipliers” in counterinsurgency operations. Under the guise of CVOs and Civilian Armed Forces Geographical Unit Active Auxiliary (CAFGU SAAs), in practice local strongmen have used these forces as private armies.

“The combination of the vaguely-worded Executive Order 546 and the way the government allowed it to be implemented was a recipe for disaster. Unfortunately but predictably this made the horrific massacre on 23 November possible,” Zarifi said.

“The commission established last week by President Arroyo to investigate the dismantling of CVOs and CAFGU auxiliaries should act urgently to end the use of groups that are well-armed but poorly disciplined and unaccountable. We hope that the commission follows through with decisive action to disband the armed groups.”

“International law recognizes that in some circumstances governments may have to resort to emergency regulations and measures. But some rights, such as the right to life, freedom from arbitrary detention, torture and ill-treatment, and the right to habeas corpus, can never be restricted. Any other restrictions must be limited to those absolutely necessary to the situation and must be lifted as soon as possible,” Zarifi said.