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PHILIPPINES

Killings and eviction of indigenous people

December 1997

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On 20 July 1997 **Benjie Abao, Narciso Guimba and Juvy Maniana**, members of the Suminao clan of the Higaonon indigenous people, were shot dead by Philippine National Police officers on their ancestral land in Impasug-ong, Bukidnon province, on the southern Philippine island of Mindanao. The circumstances of the killing indicate that they may have been extrajudicially executed.

According to reports from local human rights groups, a 40-man demolition team, escorted by police and private security guards, began demolishing the homes of 140 Higaonon families, following a court order to evict them from their land. As the people protested at the demolition, the police began firing machine guns, killing community leader Benjie Abao, Narciso Guimba and Juvy Maniana on the spot. When another clansman tried to get near the bodies, he was allegedly kicked and beaten by the police.

Several other people suffered gunshot wounds during the incident. They included Datu Lawi Candido Suminao, the clan chief, and Lilibeth Antolilao, an eight-year-old girl asleep in one of the houses, who was hit in the side of the face. The police reported that some members of the clan were armed with knives and that several police officers were injured in the struggle. After receiving medical treatment for a gunshot wound to his chest, Candido Suminao was charged with attempted murder, as a result of his attempts to resist the eviction. However, no charges have been laid against the police officers responsible for the deaths of the three clansmen and local Higaonon people are reported to be reluctant to pursue the case for fear of further harassment and danger to their lives.

On 2 September 1997 a second heavily armed demolition team, backed by police and using bulldozers and chainsaws, destroyed the remaining homes. Since then 76 Higaonon families have been living in makeshift shacks along the road near their ancestral lands. They have lost their livelihoods and their children are hungry and in poor health. Over 60 other families affected by the eviction are reported to have given up the struggle to regain their land and have moved away from the area.

Local non-governmental organizations and religious groups have tried to negotiate a new site for their homes, but all such attempts have failed. Local authorities are also reported to have said that the Provincial Governor has refused to give any support to the displaced Higaonons.

Chairperson of the Philippine Commission on Human Rights, Aurora Navarrete-Reciña, is reported to have said in an interview with national newspapers that those who died were responsible for their own deaths because "they agitated the residents to go back to their places".

The dispute over ancestral land

The killings and eviction of members of the Suminao clan occurred within the context of a long-standing dispute over ancestral land with the Baula family, who are prominent local politicians and landowners. For generations the Suminao clan have lived in the area, cultivating crops and raising livestock. The land dispute escalated in August 1996 when the Suminao sought to strengthen their claims over their ancestral land by filing a petition with the Department of Environment and Natural Resources (DENR) claiming an area of 500 hectares as "ancestral domain". The Baulas, who have reportedly been able to present land titles to only 40 hectares of the land, then applied to a local court to rule on the Suminao's alleged illegal 'forcible entry' into the site.

Increasing incidents of harassment against the Suminao were reported in late 1996, including death threats made by private security guards hired by the Baulas and the burning of Suminao residences by masked men. In one incident, a clansman working on the disputed land was shot and wounded by a private security guard reportedly in the presence of a lawyer representing the Baulas. A number of the clan were also arrested and detained by local police for illegal entry and "squatting". Further arrests took place in early 1997 and, after the Suminao failed to answer the Baulas' court actions, an eviction order was issued.

Background information

There has been continuing debate in the Philippines over whether the social and environmental costs of the government's "Philippines 2000" economic development program may outweigh its projected benefits. Persistent high levels of poverty have spurred the discussion.

Many Philippine non-governmental organisations have expressed deepening concern at the apparent undermining of the economic, social and cultural rights of more vulnerable sectors of society – especially indigenous and urban poor communities – which has taken place under the banner of economic development.

In addition members of such communities can be particularly vulnerable to violations of their civil and political rights if they seek to defend the economic rights of their community. Disputes over land, housing and environmental degradation have led to a series of violent confrontations – often with private security guards and other agents with commercial vested interests. Even if state agents are not always directly involved in alleged human rights violations during such confrontations, there is continuing concern that state officials and security personnel have connived in or tolerated such violations by non-state agents.

The land dispute between the Higaonon indigenous group and powerful local interests in Bukidnon province highlights the continuing vulnerability of such communities. The case illustrates a number of the conditions facing marginalised communities elsewhere in the Philippines as they seek to defend their economic, social and cultural rights in the face of powerful economic interests. These vested interests often, in practice, have a disproportionate influence over local legal structures, police and other law enforcement agencies.

WHAT YOU CAN DO: Please send faxes/express and airmail letters either in English or your own language:

✍ **Expressing concern at the killing of Benjie Abao, Narciso Guimba and Juvy Maniana during the demolition of homes belonging to the Suminao clan in Impasug-ong, Bukidnon on 20 July 1997;**

✍ **Calling on the authorities to conduct a full impartial investigation into the evictions to determine whether the police acted in contravention of the UN Code of Conduct for Law Enforcement Officials. Those found responsible for illegally killing the three victims should be brought to justice;**

✍ **Urging the authorities to investigate reports of harassment and intimidation of members of the Suminao clan in the months before the July demolition, focusing on whether local officials and police personnel colluded in illegal actions by private security guards.**

PLEASE SEND APPEALS TO:

President Fidel V. Ramos
Malacañang Palace
Manila
Philippines
Faxes: +63 2 833 7793 or 832 3793
(via Dept of Foreign Affairs)

Secretary Robert Barbers
Secretary of the Interior and Local Government
Dept of the Interior and Local Government
PNCC Complex
Epifanio de los Santos Avenue
cnr Reliance Street
Mandaluyong, Metro Manila
Philippines
Faxes: +63 2 925 0332

Secretary Teofisto Guingona
Secretary of Justice
Department of Justice
Padre Faura, Ermita, Manila
Philippines
Faxes: +63 2 521 1614

PLEASE COPY YOUR APPEALS TO:

Aurora Navarrete-Reciña
Chairperson
Commission on Human Rights
IBP Building
Doña Julia Vargas Avenue
Pasig, Metro Manila
Philippines
Faxes: +63 2 631 6449

and to diplomatic representatives of the Philippines accredited to your country.

This document is sent to Philippines and PIRAN Coordinators for action by groups. It is sent to Sections for information only. Please check with the Southeast Asia Team if sending appeals after 28 February 1998.

KEYWORDS: EXTRAJUDICIAL EXECUTIONS1 / HOUSE DESTRUCTION1 / LAND PROBLEMS1 /
INDIGENOUS GROUPS1 / CHILDREN / IMPUNITY

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