

Massacre in the Philippines

INTERNATIONAL SOLIDARITY MISSION RAPID ASSESSMENT

DECEMBER 2009



IFJ
IFIP
IFJ
IFJ

International Federation of Journalists and National Union of Journalists of the Philippines with Alliance of Independent Journalists; Committee to Protect Journalists; International Media Support; International News Safety Institute; Institute for the Study of the Free Flow of Information; Media, Entertainment & Arts Alliance; Southeast Asia Press Alliance; Thai Journalists' Association; and Union Network International

STOP PRESS

As this report was going to press, it was learned that Jepon Cadagdag, 28, a photographer with local newspaper *Saksi News*, was confirmed to be among the 57 victims of the November 23 massacre. The confirmation of his death brings the toll of media personnel killed to 32, including 31 bodies recovered and one body not recovered. Therefore since 1986, 137 media personnel have met violent deaths in the Philippines.

Massacre in the Philippines: International Solidarity Mission Rapid Assessment
December 2009

Report of the International Federation of Journalists-led Mission to the Philippines, December 5-11 2009, to investigate the November 23 2009 Ampatuan Town Massacre, Maguindanao, Mindanao, Philippines

Editors: Mike Dobbie and Ruth Pollard with Ranga Kalansooriya. The editors thank the mission delegates, the National Union of Journalists of the Philippines (NUJP) and all other contributors for their assistance in providing content for this report.

Legal advice: Jim Nolan

Production editor: Jonathan Este

Design: Stéphanie Blandin de Chalan & Louise Summerton, Gadfly Media

Cover Photo: Nonoy Espina, NUJP

Printed by: Gadfly Media

Mission led by:

Mike Dobbie, International Federation of Journalists (IFJ)

Delegation:

Roby Alampay, Executive Director, Southeast Asia Press Alliance (Thailand)
Red Batario, Consultant, International News Safety Institute (Philippines)
Shawn Crispin, Senior Southeast Asia Representative, Committee to Protect Journalists (Thailand)
Chavarong Limpattamapane, Vice President, Thai Journalists' Association (Thailand)
Ranga Kalansooriya, International Media Support
Tri Mariyani Parlam, Institute for the Study of the Free Flow of Information - ISAI, (Indonesia)
Ruth Pollard, Member of the IFJ Executive Committee; Federal President, Media Section, Media, Entertainment & Arts Alliance (Australia); and senior journalist *The Sydney Morning Herald*
Margiyono, advocacy department, Alliance of Independent Journalists (Indonesia)
Jose P. Umali, General Secretary, Union Network International - Philippines Liaison Council (Philippines)

Local logistics and mission coordination: National Union of Journalists of the Philippines to whom the International Solidarity Mission extends its heartfelt gratitude.

Thanks to: Open Society Institute and International Media Support for supporting the mission.

Published in Australia by IFJ Asia-Pacific
245 Chalmers Street, Redfern, NSW 2016.

No part of this publication may be reproduced in any form without the written permission of the publisher. The contents of this book are copyrighted and the rights to use of contributions rest with the authors themselves.

IFJ: <http://www.ifj.org>

CONTENTS

PREFACE	4
EXECUTIVE SUMMARY	5
I. INTRODUCTION:	7
A Culture of Impunity	
Political and Social Background	
The Clan System	
The Ampatuans and the Mangudadatus	
Counter-Insurgency Measures	
Prelude to the Massacre	
2. THE ATROCITY	11
Timeline	
Eyewitness – SI’s story	
Aftermath	
3. THE INTERNATIONAL MISSION	18
The Military and the Police	
Meeting: the Victims’ Families	
Meeting: Chief City Prosecutor, General Santos City	
Meeting: The Presidential Advisor	
Meeting: The Presidential Press Secretary	
Meeting: International Forensic Examiner	
Meeting: International Diplomatic Community	
4. GLOBAL DAY OF SOLIDARITY AND ACTION	24
Philippines	
Around the World	
5. MISSION RECOMMENDATIONS	26
Support for Families of the Victims	
The Military and the Police	
The Investigation and Prosecution	
Martial Law	
Compensation	
Support for Journalism in the Philippines	
International Obligations and Actions	
Appendix 1: Journalists & Media Workers Killed in the Massacre	28
Appendix 2: Journalists & Media Workers Killed in the Philippines since 1986	29



PREFACE

The Philippines, where 136 journalists have met violent deaths since 1986, has assumed an unwanted position in the geography of media and human rights.

The moment that consolidated this appalling position and which also provided a defining moment for news safety worldwide over the last decade came on November 23, 2009 when 31 journalists and media staff were massacred in an unprecedented act of political violence in the lawless region of Mindanao.

As this report reveals, this horrifying incident provided the toughest test yet for the National Union of Journalists of the Philippines which has courageously waged a long struggle for security for journalists and justice for those murdered in the course of their work. The union has done so in the face of an entrenched culture of impunity that means the killers of journalists are rarely, if ever, brought to account.

Over the years, the NUJP, an affiliate of the International Federation of Journalists, has steadily grown in size, creating new chapters of the union across the country and rolling out training in ethics, election reporting and safety. It has steadily grown into the dominant voice representing Filipino journalists. The safety training it has offered its members and other media personnel has most likely saved countless lives already.

But confronted with the magnitude of the horrific Ampatuan Town massacre of November 23, the NUJP faced an unprecedented crisis. The leadership swung immediately into action, working with the IFJ to facilitate an international solidarity mission and providing immediate support for their traumatised colleagues across Mindanao.

The NUJP organised meetings and transport for the mission participants, gathered relatives of the victims and assembled local journalists to meet mission delegates and ensured that delegates were able to meet government and judicial officials. This report owes everything to the professionalism and commitment of the NUJP.

Besides guiding and assisting the mission, whose work and conclusions are set out in these pages, the NUJP helped organise a highly successful Global Day of Solidarity and Action with protests over the imposition of martial law and the ongoing culture of impunity taking place across the Philippines just as they were joined in solidarity by IFJ affiliates all over the world. The Union also recognised the need for any trial of those accused in participating in the massacre to be relocated to Manila and has worked with other local organisations to successfully petition for this to happen.

The IFJ is grateful to the NUJP for its support in helping to facilitate this mission and this report. The union has shown that solidarity is not a word to be taken lightly but matters most when it leads to practical actions to ensure justice prevails. We thank all those who took part in the mission and salute the efforts of our Filipino colleagues in the wake of the massacre. They have done great credit to themselves, to the IFJ and to the global campaign for journalists' rights.

Aidan White
 General Secretary
 International Federation of Journalists

EXECUTIVE SUMMARY



Tears and tributes:
At the graveside of
one of the slain
journalists, General
Santos City.
Photograph by
Nonoy Espina

The National Union of Journalists of the Philippines (NUJP), an affiliate member of the International Federation of Journalists (IFJ), invited the IFJ to lead an international solidarity mission to the Philippines to investigate the Ampatuan Town Massacre that occurred on November 23, 2009 in which 57 people were killed, 31 of whom were journalists and media workers.

The massacre took place as a convoy was proceeding to the provincial capital of Maguindano, Sharrif Aguak, in Mindanao in the southern Philippines. The aim was to file election candidacy papers on behalf of Ismael “Toto” Mangudadatu, for the position of governor of Maguindano in the May 10, 2010 elections. An insurgency on the island of Mindanao has led the Government to rely increasingly on local clans to employ their militias as “force multipliers” in an effort to combat insurgents and secure provincial towns and villages. In the process it has handed powers to local war lords in exchange for their loyalty.

Due to a recent falling out between the Mangudadatu and Ampatuan clans, the candidacy filing was to receive considerable media coverage. The Ampatuans, allies of President Gloria Macapagal Arroyo, are alleged to have been involved in vote-tampering in previous elections which has helped Arroyo, and the politicians she supports, to get elected. With considerable government help, the Ampatuans have created numerous arms caches in their area and have become enormously powerful, often intimidating local police, judges and provincial administrators.

Prior to the convoy’s departure, the accompanying journalists (none of whom are from Maguindano) sought a military escort from the commander of the 6th Infantry

Division, Major General Alfredo Cayton, who was the senior military representative in the province and has since been promoted to vice commander of the Philippine army. He assured them the road to Sharrif Aguak was safe. Still fearful that the Ampatuans may interfere with the convoy, Ismael Mangudadatu arranged for several of his female relatives, (including his wife) and two female lawyers to accompany the convoy. It was believed that in observing Muslim tradition, women would not come to any harm from fellow Muslims.

The convoy departed from Ismael Mangudadatu’s home in Buluan just after 9am and proceeded on the national highway. After 10am, as it neared Ampatuan Town, the convoy was stopped at a checkpoint roadblock at Sitio Malating, Barangay Salman, by about 100 armed men, allegedly led by the son of the Ampatuan clan patriarch. The convoy was then diverted west on a side road for about 2.5kms to a hilly and sparsely-populated area where pits had been dug by a back-hoe.

Over the next four hours, 57 people who were in the convoy as well as passersby were murdered and their bodies, with some of their vehicles, were buried in the pits. General Cayton, alerted by journalists who had turned back from the convoy before the roadblock, ordered his troops to search the area. Soldiers arrived at the site before the gunmen could complete disposal of the bodies and vehicles, and found almost two dozen bodies – all had been shot. Over the next few days, more bodies and vehicles were retrieved using another back-hoe. However, no proper forensic investigation was mounted and the site was contaminated early on. The death toll stands at 57 people – one body, that of journalist Fernando “Bebot” Momay, remains missing.

The NUJP, together with local Mindanao media representatives and the Freedom Fund for Filipino Journalists (FFF), participated in a fact-finding operation in the days immediately after the massacre. The international mission is grateful for their insights into the events that took place.

Prior to this latest attack, some 104 journalists had met violent deaths since the overthrow of the regime of Ferdinand Marcos in 1986. Of these, at least 68 were killed during the nine-year administration of President Arroyo, yet there have only been four successful prosecutions in just two cases. The Philippines has become the most dangerous country for journalists this century. A clear culture of impunity has been allowed to flourish under Arroyo's government which cannot be tolerated any longer.

The mission delegation comprised representatives from leading journalists' rights and press freedom organisations, including the IFJ, the Southeast Asia Press Alliance (SEAPA), the New York-based Committee to Protect Journalists (CPJ), Indonesia's Alliance of Independent Journalists (AJI), Australia's Media Entertainment & Arts Alliance, the Thai Journalists' Association (TJA), International News Safety Institute (INSI), International Media Support (IMS), the Institute for Studies on the Free Flow of Information (ISAI) and Union Network International (UNI).

The international mission had several tasks. It was an expression of global solidarity with our journalist colleagues in the Philippines. It aimed to provide assistance to the families of media victims and to Filipino journalists. It also sought to investigate the massacre – widely viewed as the result of a long-established culture of impunity in the Philippines regarding violent attacks against the media, and a system of government that has relied on war lords as allies to cling to power. This culture of impunity has deteriorated under the current administration during which media workers have been murdered at a rate of almost 12 a year.

The mission assembled in Manila on December 5, 2009, and flew to General Santos City the next morning. The mission met relatives of the victims, local media, representatives of the Moro Christian Alliance and the chief city prosecutor, Edilberto Jamora, who frankly explained the dangers he faces. When the mission spoke with him, he had not yet received death threats for his role in the investigation of the massacre, but his bodyguard had. "There is no pressure, just the possibility of pressure, which I guess in itself is pressure," he said. "This is what happens when governments act outside the law, when people think they are above the law and there is the belief that misdeeds are unpunishable."

The mission heard from a journalist who had left the convoy prior to the massacre and local NUJP officials and Mindanao media representatives. The mission also visited the graves of 12 of the murdered journalists and media workers.

The mission returned to Manila on December 7 and in the following days met with Secretary Jesus Dureza, head of the Crisis Management Committee on Maguindanao and adviser to President Arroyo on Mindanao and with Arroyo's press secretary, Cerge M. Remonde. Mission representatives also met with Chris Cobb-Smith, a member of the second multinational forensics team to examine the massacre site; Norwegian Ambassador Knut Solem and Counsellor Ture Lundh of the Royal Norwegian Embassy; and Jason Mundy, Counsellor at the Australian Embassy.

The mission notes with disappointment that President Arroyo did not find time to meet with members, despite the magnitude of the violence that occurred in Maguindanao on November 23. The mission believes it is essential for the President to take urgent and effective steps to restore law and order in Maguindanao, as well as for the Armed Forces of the Philippines to ensure authoritative command and control over the government-backed and armed militias operating across Mindanao. The mission believes that the President must end the culture of impunity that surrounds the killings of journalists in her country under her watch.

The mission is also concerned about the safety of journalists, particularly those who continue to cover conflict and political issues in the Philippines and in Mindanao in particular, which has been the most dangerous area in the country for journalists. The Arroyo Government must ensure that its obligations under United Nations Security Council Resolution 1738 (2006) are met and that members of the Philippines National Police and the Armed Forces of the Philippines are made aware of these obligations and act accordingly to ensure the safety and security of journalists. (The full text of the Resolution, which stresses the civilian status of journalists and media personnel working in conflict zones, including within national borders, can be accessed at <http://www.un.org/News/Press/docs/2006/sc8929.doc.htm>.)

As one of the journalists who turned back before the massacre said of General Cayton, "They in the military knew better than us, he should have informed his field commanders and field units that journalists will be covering the convoy of Mangudadatu. If he had have done that, I think the Maguindanao massacre could have been prevented."

The mission also notes that Filipino journalists will have to revise their security procedures in the wake of the massacre. Despite the large number of media personnel accompanying the convoy, none had the opportunity to call to alert their colleagues, their employers, or local authorities that the convoy had been stopped at a checkpoint by so many armed gunmen.

Filipino journalists will be particularly at risk in the lead-up to the May 10 elections (which include elections for a new president) as well as during the investigation and prosecution of the perpetrators of the Ampatuan Town massacre. As one Mindanao-based journalist told the mission, "The suspects are behind bars but the way we would usually cover the development of this story has to be strategised. We must work as a team and face challenges as a team."

The massacre underlines the terrible dangers that Filipino journalists face. It also highlights the inability and unwillingness of the State to ensure the protection and safety of journalists who are seeking to perform their duties to keep the public informed. This massacre, coming at the very beginning of the 2010 election process, not only undermines that process but has dealt a cruel blow to democracy and free media in the Philippines.

The massacre could not have taken place without the existing culture of impunity in the Philippines, particularly regarding extrajudicial killings and attacks on the media.

• *Recommendations of the International Solidarity Mission, page 26*

I. INTRODUCTION



Collective outrage: Mission members lead a protest through the streets of Manila, December 9. Photograph courtesy of the *Philippine Inquirer*

A Culture of Impunity

The international mission believes that the Ampatuan Town Massacre is the direct result of a decades-long culture of impunity surrounding the killings of journalists in the Philippines. Prior to the massacre, some 104 journalists had met violent deaths since 1986. In all but a handful of cases, no proper police investigation took place, hardly any charges were made, fewer prosecutions were mounted, and only four convictions have been achieved in two cases.

The murder of 31 journalists and media workers, along with at least 26 other civilians, is the single worst atrocity against the media in living memory, and makes the Philippines – with 36 targeted killings in 2009 – the most dangerous country for journalists outside Iraq this century.

Since the government of President Gloria Macapagal-Arroyo took power in 2001 at least 68 journalists have been killed. Much of the blame for the systematic violence against the media can be laid with the Arroyo administration and its failure to intervene to quell a nationwide culture of violent retribution against journalists who dare to report on corruption and political issues.

In 2004, the President inaugurated Task Force Newsmen in response to the murder of a journalist and, through the office of her press secretary, Ignacio Bunye, promulgated a bounty which the Government promised would be paid to anyone providing evidence leading to the conviction of a killer of a journalist. But the killings have continued.

As the International Federation of Journalists (IFJ) noted in its 2005 report, *Philippines - A Dangerous Profession*, the role of the police in many of the murders of journalists is disturbing. "Several ... cases involve senior local police as suspects in the murders. In one case brought to the attention of the IFJ delegation, the police chief of a local

town is presently cohabiting with the widow of a murdered broadcaster... An examination of ... 55 cases unearthed a most disturbing factor: over a period of almost 20 years, there had only been one conviction for murder."

Indeed, the 2009 mission was told that journalists had no faith in government-sponsored witness protection programs because several protected witnesses had been gunned down, on occasion by current members of the police who were meant to be protecting them or by former members of the Philippine National Police.

In December 2007, after a campaign by the National Union of Journalists of the Philippines (NUJP), an IFJ affiliate, the Task Force Against Political Violence, known more popularly as Task Force 211, was established. It comprises representatives of various government departments. But the killings have continued.

Seven journalists were killed in 2008. All were targeted attacks. The toll made the Philippines one of the top five most dangerous countries in the world for journalists that year.

In 2009, before the massacre, six other journalists were killed. Of these, four were targeted attacks. A seventh journalist was killed in a crossfire accident.

President Arroyo condemned the November 23 massacre and said no effort would be spared to find those responsible and bring them to justice.

Political and Social Background

The massacre was an atrocity against unarmed civilians that arose from a vicious political rivalry between two powerful clans, the Ampatunans and the Mangudadatus, combined with a decades-long culture of impunity surrounding the killings of

journalists in the Philippines and the political support provided to the clans, particularly by the Arroyo administration, that allowed the clans to amass large private armies and arsenals. At the time of the November 23 massacre, the Ampatuan clan of Maguindanao were close political allies of President Arroyo and is alleged to have rigged the local vote in the 2004 and 2007 elections.

Since the Marcos regime, the clans in Mindanao have been given military resources to assist the Government in fighting insurgents.

On May 10, 2010 fresh elections will take place across the Philippines for a variety of positions, including for a new president and right down to the local government level. The Mangudadatu patriarch, Ismael "Toto" Mangudadatu, intended to run for the governorship of Maguindanao province. But cooperation between the Mangudadatus and the Ampatuans had recently deteriorated into a fierce rivalry, and the filing of his candidacy papers in the provincial capital of Shariff Aguak (in the heart of the Ampatuans' power base) was seen as risky, with the expectation of some kind of confrontation. The story was also newsworthy, which accounts for why so many media personnel decided to accompany the convoy to report on the event.

At the time of the massacre, Major General Alfredo Cayton was the Commander of the 6th Infantry Division, which is based in Barangay Awang, Datu Odin Sinsuat, Maguindanao. The division's area of operations is the southern part of Mindanao. The 601st Infantry Brigade, under the command of Colonel Medardo Geslani, oversees the province of Maguindanao.

The chronology on pages 11-13, is sourced from the fact-finding report and GMA News TV and sets out the timeline of the massacre and other events that took place in Maguindanao. It was prepared before the arrival of the mission.

The Ampatuan Town massacre was perpetrated on November 23, 2009 against at least 57 unarmed civilians, 31 of them



Gloria Macapagal-Arroyo: More than 100 journalists have been killed during her administration. Photograph courtesy of Fairfax Photos

journalists and media personnel. The massacre site is located on an off-road hillside in Sitio Masalay, Barangay Salman, Ampatuan town, Maguindanao province.

The Clan System

The "warlords" that operate in Mindanao (as they do in many other provinces of the Philippines) are important key players. The warlords are members of traditional clans, or extended family dynasties, who run private armies that are effectively sanctioned by the Manila-based federal government. The Arroyo Government has actively promoted the development of paramilitary units which have evolved into militias under the command and control of the warlords.

These units are used by government forces to fight counter-insurgents and maintain law and order in the region, especially in the Autonomous Region of Muslim Mindanao (ARMM). The warlords and their families effectively run various aspects of government within the region, and to a degree the autonomous regional governing structure falls under their control. Many of the warlords and their extended families hold positions of office such as governor and mayor. This not only allows them to further cement their powerbase but also delivers them considerable political, social and economic power over the areas they control.

In the 2004 and 2007 presidential and general elections, more votes were cast in Maguindanao than the total number of registered voters. In 2007, all 12 candidates whom Arroyo had backed as senators in Maguindanao won.

The Ampatuans and the Mangudadatus

These two major clans of Maguindanao can trace their warlord power back to the Spanish colonial era. In the lead-up to and at the time of the November 23 massacre, the Ampatuan clan of Maguindanao was openly supportive of President Arroyo. The Ampatuans are widely alleged to have rigged the local vote in the 2004 elections, which saw ARMM vote overwhelmingly for Arroyo and secure her presidency or government for another term.

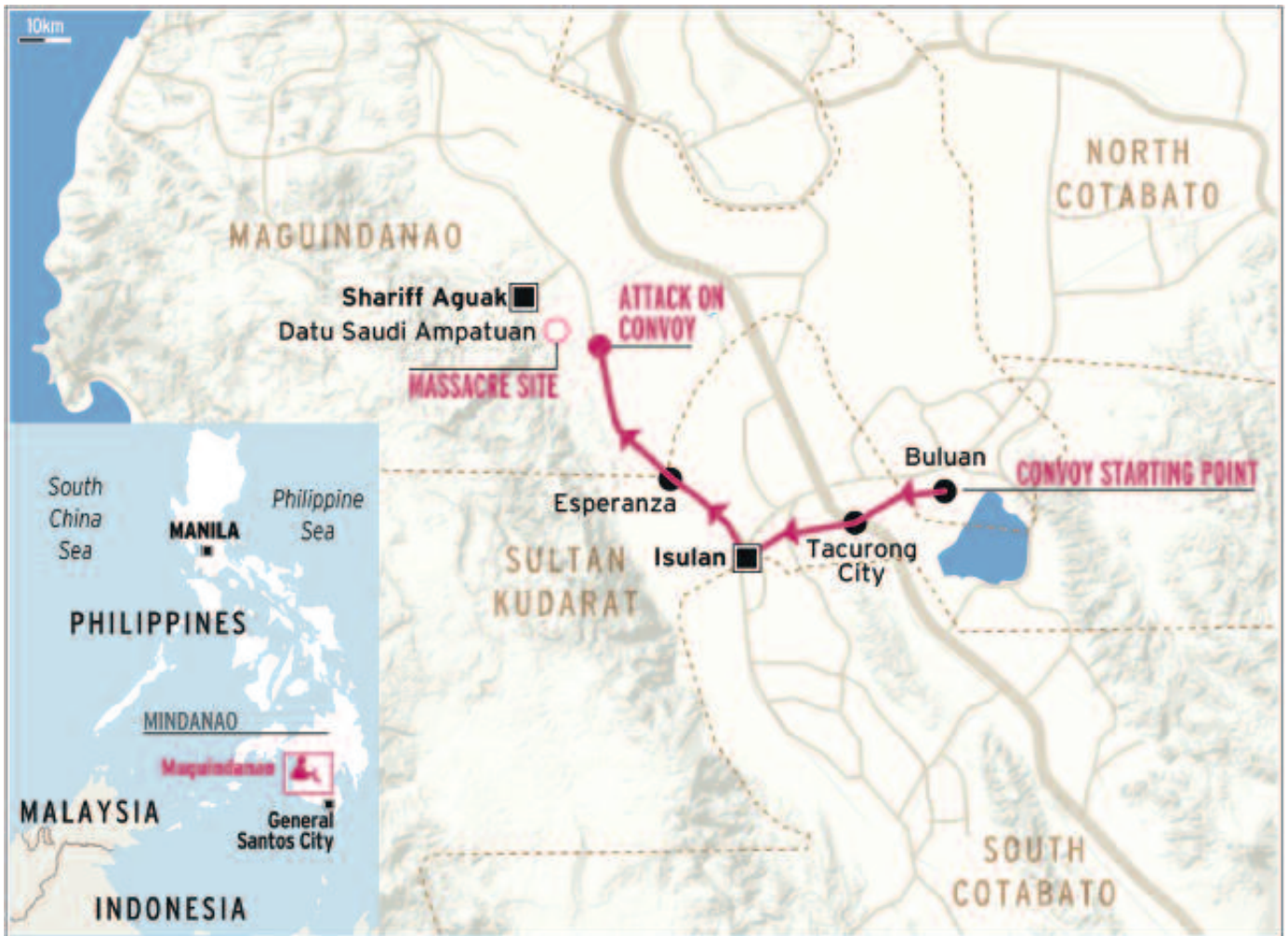
Clans in Mindanao have been militarily strengthened by successive governments (commencing with the regime under President Marcos) to counter Moro National Liberation Front (MNLF)/Moro Islamic Liberation Front (MILF) militancy in the region. The warlord clans heavily benefited from these programs and also moved to ensure the victory of allied political parties at general elections.

Local and national journalists who reported on the questionable activities of Ampatuan clan were under particular threat.

As the International Crisis Group (ICG) noted in its December 21 briefing on the massacre, "the Ampatuans' exercise of absolute authority was made possible not only by political patronage from Manila, but also by laws and regulations permitting the arming and private funding of civilian auxiliaries to the army and police."

"Political patronage by successive governments in Manila, most notably by the Arroyo administration, allowed the Ampatuans to amass great wealth and unchecked power, including the possession of a private arsenal with mortars, rocket launchers and state-of-the-art assault rifles," the ICG briefing stated.

The mission was told of alleged irregularities with the voting procedures that took place during the 2004 presidential poll. The mission heard that people would only "perform voting for



Killing fields: The convoy was en route to Shariff Aguak when it was attacked. Map by Remi Bianchini/SMH

the sake of media photos and international exposure”, while ballot boxes were “hijacked” on the way to counting centres and replaced with “ballot boxes (that) had been stuffed the day before the elections”. In this way, warlords were able to control the votes cast in the election.

While the Ampatuans are not the only clan in Maguindanao, their politico-military powers are well established and well-known.

It was the story of another clan, the Mangudadatu family, intending to challenge the Ampatuans at the May 2010 general elections which interested the media in November 2009. Recent cooperation between the families had deteriorated into fierce rivalry, and the filing of one of the Mangudadatu’s candidacy papers in the provincial capital of Shariff Aguak for the elections was a major story for the media. This explains the large number of media personnel in the convoy on November 23.

The media was also interested in reporting on the Ampatuans’ influence in the Arroyo administration’s election victories in 2004 and 2007 and the subsequent political power of the family. In the days after the massacre, House of Representatives member and retired army major general Jovito Palparan Jr admitted that the Government had armed the Ampatuans in exchange for their help in fighting the MILF. (Palparan has been accused of having a role in alleged extrajudicial abductions and killings of government critics during his military service.)

Major-General Gaudencio Pangilinan, vice-chief of staff for operations of the Armed Forces of the Philippines (AFP), said that the martial law declared by President Arroyo in Maguindanao in the wake of the massacre (subsequently lifted on December 12) should be extended until the elections so that the military can teach the Ampatuans “how to run peaceful and credible elections”.

The Ampatuan clan is headed by Andal Ampatuan Sr, a former member of Congress and former governor of Maguindano. He has worked closely with the 6th Infantry Division (6ID). He began his government career early in the 1970s as police chief before eventually becoming vice-mayor of Maganoy (now Shariff Aguak), a position also held by his father Pinagayan Ampatuan.

In 1986, under President Corazon Aquino, Pinagayan Ampatuan was ousted from the mayoralty of Maganoy and Andal Sr was appointed officer-in-charge (OIC) mayor. Andal Sr successfully ran for mayor of the same town two years later in the first local elections following Aquino’s ascent to power. He held that position for the next 10 years. In 2001, Andal Sr ran for Maguindanao’s gubernatorial seat against then incumbent Zacaria Candao, whom the military accused of supporting the MILF, a group that had originated as a breakaway from the MNLF in 1978. Andal Sr won easily.



Andal Ampatuan Jr, who is accused of leading the massacre, talks to his lawyer from his cell at National Bureau of Investigation headquarters in Manila. Photograph by Dondi Tawato/DateLine Philippines

Andal Sr's private army is estimated at between 200 and 500, including two auxiliary units of the paramilitary Citizen Armed Forces Geographical Unit (CAFGU) that are detailed to the provincial governor, as well as hundreds of armed civilians. At least four of his sons are also town mayors and most of them have gunmen of their own. Andal Sr is said to travel in a convoy of "technicals", pickup trucks with 50-caliber machine guns mounted on the load bed, armed by loyalists and family members.

Since the massacre, Andal Sr and his son, ARMM governor Zaldy Ampatuan, have been charged with rebellion and removed from their posts. Zaldy became governor in 2005. He was re-elected in 2008, receiving 90 per cent of the vote. After that election, local school administrator Musa Dimasidsing told a commission on electoral fraud that he had personally witnessed ballot stuffing. He was killed with a shot to the head soon after. His murder remains unsolved.

Andal Ampatuan Jr, his son, is the former governor of the province. He is charged with multiple counts of murder relating to his involvement in the massacre and is currently detained in Manila. He has pleaded not guilty.

The mayor of Buluan in Maguindanao is Ibrahim "Jong" Mangudadatu. The vice-mayor is Ismael "Toto" Mangudadatu. Madaser "Toy" Mangudadatu is a member of the regional legislative assembly of ARMM. Among the women slain the massacre were Eden Mangudadatu (the Vice-Mayor of Mangudadatu municipality and the sister of Toto Mangudadatu), Jenalyn Tiamson-Mangudadatu (the wife of Toto Mangudadatu), Mamutabay Mangudadatu (an aunt), Rowena Mangudadatu and Farina Mangudadatu

ABS-CBN News summed up the rivalry between the two Maguindanao clans:

The Mangudadatus were long-time allies of the Ampatuans, whose patriarch Andal Ampatuan was re-elected governor of the province of Maguindanao in 2007. Last year, the Mangudadatus went to Shariff Aguak to ask the senior Ampatuan to allow a member of the clan to vie for the gubernatorial post in 2010, according an abs-cbnNEWS.com/ Newsbreak's military source who is familiar with politics in the area. According to the source, however, the Ampatuans were displeased because the

Mangudadatus brought with them about 200 fully armed men. This, according to the source, contributed to growing animosity between the two camps.

Counter-insurgency Measures

In 2006, President Arroyo issued Executive Order 546, legalising the then-informal, and technically unconstitutional, paramilitary groups loyal to the clans. The order allowed the Philippine National Police with the approval of the local government chief executive "to deputise barangay tanods [village watchmen] as force multipliers" in the counter-insurgency campaign. In effect, the order allowed local officials to turn their illegal private armies into legalised military detachments dubbed "civilian volunteer organisations" (CVOs), institutionalising them as part of the national administration's peace and order plan.

With many clans holding public office in the provinces, the Manila Government is obliged to deal with them. As Jarius Bondoc wrote in The Philippine Star, "Arroyo returns the favours by letting (the Ampatuans) rule Maguindanao like a fiefdom. All economic initiatives need the Ampatuans' assent; state funds are released through them. Even the posting of police and military generals are cleared with them."

Prelude to the Massacre

The mission was told that on the Friday or Saturday before the massacre, two pits were dug at what would become the massacre site. Various sources believe the site has been used before to bury people murdered in extrajudicial killings and it is thought that there could be up to 200 bodies from these earlier burials located at the site.

The mission heard that the killers were allegedly conducting their own surveillance on the journalists for two days before the massacre, and that the Ampatuans were kept well aware of the movements of troops and civilians throughout the area.

The mission was told that the Ampatuans resented the media for their continuous exposure of the conduct of the clan. "They hated journalists." Ampatuan Sr was always extremely reluctant to meet media personnel.

2: THE ATROCITY



Family destroyed: Ismael "Toto" Mangudadatu, centre, and his brother Saudi. Toto's wife and their two sisters were killed in the massacre. Photograph by Dennis M Sanbangan/EPA

Timeline

Friday, 20 November - First day of filing of certificates of candidacy nationwide

Since the period of filing of candidacy opened on November 20, there have been rumours that the Ampatuan family will strongly object to the fielding of candidates from the rival Mangudadatu clan. However there are no firm indicators as to what actions may be taken.

At the same time, information on Ismael "Toto" Mangudadatu's plans to file his candidacy are circulating in Maguindanao.

Philippine National Police set up six new additional checkpoints along the 27km stretch of the General Santos-Cotabato highway from Datu Sangki at the boundary of Sultan Kudarat, to the crossing of Salbu, Datu Saudi Ampatuan (DSA) in relation, purportedly, to Oplan Kontra Boga, the Philippine National Police's plan to reduce the number of firearms in circulation.

Three of these checkpoints are in Ampatuan Town - where the Ampatuan clan has their compound, close to where the convoy will be stopped three days later.

Checkpoints are also established at Barangay (village) Salbu, DSA; Barangay Labu-labu, Shariff Aguak; Barangay Poblacion,

Ampatuan; Barangay Masalay, Ampatuan; Crossing Saniag, Barangay Saniag, Ampatuan; and Barangay Poblacion, DSA.

Sunday, 22 November - 10pm

Four journalists from South Cotabato and General Santos arrive at the BF Lodge in Tacurong City in the province of Sultan Kudurat. At least eight others are already at the lodge having arrived earlier to report on the Kalimudan Festival, celebrating the founding of the province of Sultan Kudurat, which ended that day.

Monday, 23 November - 7am

Journalists gather at the residence Vice-Mayor Ismael "Toto" Mangudadatu in Buluan, Maguindanao. The convoy plans to depart for Shariff Aguak, Maguindanao at 9am but is delayed due to security concerns expressed by some of the convoy participants.

The Mangudadatus have allegedly sought police and military assistance but have been turned down. A journalist in the convoy (identified later in this report as S1) speaks with General Cayton and is assured that the road to Shariff Aguak is safe and that the Philippine National Police has been deployed along the road.

Henry Araneta of Radio dzRH, a member of the convoy, sends a text message to his wife at 6:58am expressing fear that trouble could erupt.

About 9am

A convoy of seven vehicles carrying journalists, lawyers, and relatives of “Toto” Mangudadatu leaves Buluan to file his Certificate of Candidacy at the Comelec office in Shariff Aguak, Maguindanao’s capital.

The convoy’s exact route is uncertain, but it is clear that at least the last stretch of the journey will cover the Cotabato-Isulan national highway.

The convoy is composed of: two media vehicles – the lead vehicle, a Mitsubishi L-300 van owned by UNTV, and a Pajero owned by dzRH broadcast journalist Henry Araneta; four Toyota Grandia vans (one grey, one green, and two white) owned by the Mangudadatu family; and a tailing Toyota vehicle, driven by Sandamen Rajah Ali, of as-yet undetermined model (possibly also a Toyota Grandia) and apparently carrying supporters of the Mangudadatu family.

En route to Shariff Aguak, a car containing three journalists (referred to later as S1, S2 and S3) opts to break away from the convoy. The breakaway group returns to their hotel where S1 is told that two men arrived on a motorcycle and asked for the names of journalists who checked in. Hotel personnel say they did not give names.

Police Officers Dismissed

On December 20, the Regional Investigation and Detective Management Division (RIDMD) of the Autonomous Region in Muslim Mindanao regional police recommended that various officers of the Mindanao police be summarily dismissed, citing their inaction despite being informed of radio and television reports of the abduction and killings.

The group comprised: Superintendent Abusama Mundas Maguid, officer-in-charge of the Maguindanao police; Chief Inspector Sukarno Adil Dikay, deputy provincial police director; Inspector Armando Sanday Mariga, group director of the 1506th Provincial Mobile Group; Inspector Saudi Matabalao Mokamad, group director of the 1507th Provincial Mobile Group; Inspector Rex Ariel Tabao Diongon, group director of the 1508th Provincial Mobile Group; Senior Inspector Abdulgapor Benasing Abad, commanding officer of the 15th Regional Mobile Group; and SPO2 Badawi Piang Bakal, OIC of the Ampatuan municipal police station.

The *Philippine Star* reported: “[The] investigation showed that the Maguindanao police had claimed “no such incidents have transpired in their area of jurisdiction” and even branded the radio reports as “exaggerated. The RIDMD also found that the Maguindanao police had deployed forces along the highway where the victims’ convoy was waylaid by armed men believed to have been led by Datu Unsay Mayor Andal Ampatuan Jr. Investigators said it was suspicious that the policemen claimed to have not heard any gunfire or noticed anything unusual even if they were only about five kilometers from where the abduction and killings took place.”)

There are also two vehicles that are not part of the convoy but happen to be travelling on the same highway, a red Toyota Vios and a light blue Toyota Tamaraw FX. The Vios has five passengers: Eduardo Lechonsito, a government employee who is bound for a hospital in Cotabato City after suffering a mild stroke Monday morning; his wife Cecille; co-workers Mercy Palabrica and Daryll delos Reyes; and driver Wilhelm Palabrica. The FX is driven by Anthony Ridao, an employee of the National Statistics Coordination Board and son of Cotabato City councillor Marino Ridao.

Sandamen Rajah Ali says that he purposely maintained a “reasonable distance” of about 20m behind the main convoy.

This enables at least one of the two vehicles that are not part of the convoy (it is still unclear whether it was Lechonsito’s Vios or Ridao’s Tamaraw FX) to get ahead of Ali’s car, thereby appearing to be part of the convoy.

In their sworn affidavits, Ali and two of his passengers, Basit Laguia and Judge Mamasalanang, testify to being “separated only by another Toyota car” from the main convoy. It is unclear whether the Toyota car in question was Lechonsito’s or Ridao’s, nor is it clear at what point the other vehicle joined the convoy.

About 10am

S1 relates the account of the motorcycle-riding men searching for journalists to S2, who sends a text message to “Bong” Reblando of the Manila Bulletin, a senior journalist riding in the convoy. Reblando forwards S2’s message to S1 at 9:58 am.

The main convoy and the two other vehicles nearby are accosted by a group of about 100 armed men at a checkpoint in Sitio Malating, Ampatuan town, some 4-10kms from their destination.

According to the sworn affidavits of Philippine National Police Chief Inspector Sukarno Adil Dicap and Inspector Rex Ariel Diongon, officers assigned to the checkpoint, the convoy was ordered to stop for a routine inspection when armed men suddenly appeared and commandeered the vehicles. Both policemen have identified Datu Unsay mayor, Andal Ampatuan Jr., as being among the armed men.

Genalyn Mangudadatu, Toto’s wife, manages to make a call to her husband to briefly tell him what is happening.

Ali, Laguia, and Mamasalanang have since testified that when the convoy was accosted, they stepped out of their car “to urinate and at the same time observe the scenario”. All three witnesses claim to have seen Andal Jr. approach the vehicle where Genalyn Mangudadatu was boarded. The witnesses also claim to have heard several gunshots, at which point they boarded their car “in fear” and hurriedly drove back to safety in Esperanza in the province of Sultan Kudarat.

S1, S2 and S3, on their way back to the house of Mangudadatu, try several times to contact their companions in the convoy but no one answers the calls.

Between 10.30am and 3pm

Having been commandeered by armed men, the vehicles in the convoy, as well as the Vios and the FX, are driven on a rough dirt road to the west, to a hilly and sparsely-populated part of Sitio Magating in Barangay Salman, Ampatuan, Maguindanao. It takes them 30 minutes to reach the area,

which is 2.5kms from the highway roadblock where the vehicles were stopped.

At the site, a heavy-duty backhoe has been used to dig three mass graves. This was done several days earlier, according to locals who heard the heavy machinery operating. Written on the back-hoe are the words: “Property of the province of Maguindanao - Gov. Datu Andal Ampatuan Sr.”

The armed men systematically kill the hostages, shooting them at close range with rapid-fire weapons. The killers start to dump the bodies and vehicles into the mass graves and begin covering up the site using the backhoe.

At about 10.40am, journalist S1 alerts General Cayton with the following message: “General, I would like to inform you that the more than 30 journalists in the convoy were already kidnapped by unidentified armed men.” The general replies at 11am: “I will try to check that info with the PNP”.

About 11am

Colonel Medardo Geslani, commander of the 601st Infantry Brigade, orders the 64 Infantry Battalion (64IB) to conduct operations to rescue those who have been abducted.

1pm

Sixty-four IB forces arrive at Barangay Masalay in Ampatuan, and coordinate search efforts with Chief Inspector Dikay of 15th Regional Mobile Group (RMG) who is conducting a checkpoint there. Dikay says he has no knowledge of the alleged abduction.

1.30pm

The 64IB, accompanied by four armoured vehicles, drives east toward Barangay Saniag to conduct a rescue operation.

2.50pm

The troops see six vehicles along the trail after driving about 3kms from the highway at vicinity GC 51N XH 590529 Barangay Saniag, Ampatuan, Maguindanao. Suspecting these may be the missing vehicles, troops immediately proceed to the site.

About 3pm

The gunmen apparently learn that Army units are approaching and hurriedly flee just before Army soldiers arrive.

When the Army troops are still 1km from the site, they hear the backhoe’s engine roar and see engine smoke coming from the heavy equipment. But when they reach the site, all the killers have already left the area.

3pm

The helicopter of Mayor Jhong Mangudadatu lands in Sitio Masalay, Barangay Salman.

Twenty-one people (15 women and six men) are found dead inside and outside vehicles. Victims are discovered to have multiple gunshot wounds.

Five vehicles are also found in the area, as follows: four Toyota Grandia with plate numbers MVM 789, MVM 884, MVM 885 and LGH 247, one Pajero with plate number MCB 335 and one backhoe. Other items seen at the site include various personal items, assorted empty shells and other documents. Troops immediately secure the area prior to the arrival of the PNP SOCO Team for investigation.



A terrible site: The killers had not finished burying the evidence of their atrocity. Photograph by Nonoy Espina

There are three grave sites:

- ◆ In Grave 1 are 24 bodies, including three of the five Vios passengers, FX Tamaraw driver Anthony Ridao, Genalyn Mangdadatu, Eden Mangudadatu, and Farina Mangudadatu.
- ◆ In Grave 2 are six other bodies along with three vehicles, crushed by the backhoe before being buried: the Vios, L-300 and the Tamaraw-FX.
- ◆ In Grave 3 are five bodies.

The first two graves are 3m to 4m deep, while the third is about 1.5m deep. The bodies are buried in alternate layers of soil alongside the vehicles.

A total of 35 bodies are found buried in the three graves, while 22 are found lying on the ground or inside vehicles, bringing the total number of victims to 57.

The yellow backhoe left at the scene is stamped with the words “Property of the province of Maguindanao - Gov. Datu Andal Ampatuan Sr” in black letters on the engine casing at the back of the operator’s booth. News footage clearly shows the model number PC-300, apparently manufactured under the Komatsu brand. (Andal Ampatuan Sr, Maguindanao’s Governor, is the father of Andal Ampatuan Jr. The younger Ampatuan was allegedly seen at the scene of the abduction.)

6pm

Presidential Adviser on the Peace Process Jesus Dureza proposes a declaration of a state of emergency in the province.

10pm

The PNP Scene of Crime Operatives (SOCO) team under Chief Superintendent Felicisimo Khu arrives at the massacre site and immediately conducts an investigation.

Sources: Fact-finding mission report and GMANews.TV
<http://www.gmanews.tv/story/177821/the-maguindanao-massacre-a-map-and-timeline>

Eyewitness to the Convoy – S1’s Story

During the mission’s meeting with local media in General Santos City the mission was advised that one of three journalists who had turned back to Buluan prior to the massacre was in the room.

This journalist proceeded to give the mission a statement about what he had observed. He told the mission that several requests for a military or police escort were turned down or ignored. Indeed, the group was given assurances by the commander of the 6th Infantry Division, General Cayton that the road to Shariff Aguak was safe.

The journalists says that, at the very least, if General Cayton had alerted his field commanders and field units that journalists were accompanying the convoy going to Shariff Aguak, then the massacre may have been prevented.

For reasons of his personal safety, this report will identify him only as S1 and his two colleagues S2 and S3. He told the mission:

It goes beyond the Ampatuans and the Mangudadatus to me it is all about warlordism and paternalist politics, political dynasties and about abandonment of human rights by a local political tyrant.

There were only 12 journalists invited to take coverage of the filing of the certificate of candidacy of the Mangudadatus – I was one of them.

The 12 journalists were billeted in the B-flats, Tacurong City. The four of us - (Alejandro) “Bong” Reblando, S2, S3 and myself, left General Santos about 9pm (Sunday, November 22).

On the way to Tacurong, Bong was planning. He was very insistent about security concerns for the media - he was the one (who was) very insistent. And Bong Reblando is close to the Ampatuans. In fact, the governor (Andal Ampatuan Sr.) personally knows Bong Reblando.

There were only two journalists there who had not gone to the provincial capital of Maguindanao - S2 and S3. The rest, they are frequent visitors of the provincial capital of Maguindanao (Shariff Aguak).

We arrived in Tacurong at 10pm. When we arrived ... we were told that (Ismail “Toto”) Mangudadatu (had come) to the hotel at 5pm, supposedly to meet with us and discuss with us the security situation in going to Shariff Aguak but unfortunately we arrived late in the evening and Mangudadatu (had gone) home.

We were informed that early in the morning we had to go (to) his residence, to discuss security arrangements. We arrived there around 7am (Monday, November 23) at the residence of Mangudadatu.

We asked if they already had a request in for security escorts from the police of the military – that is very problematic, the Philippine National Police (PNP) and the military refused to give security escorts, so Bong and S2 asked me to call up General Cayton of the 6th Infantry Division of the Philippines Army.

I contacted the General by mobile phone but the General

was not answering his phone. I called him for at least 10 times, no one is answering, so I texted him: “General, this is (S1) of the (his media outlet), please answer my call”.

About five minutes later General Cayton called me up, asking me what is my concern. I told him: More than 30 journalists will be going to Shariff Aguak for the filing of the certificate of candidacy (COC) for (Ismail “Toto”) Mangudadatu, I asked him what is the prevailing security situation along the road because we would like to get assurance from him when it comes to security.

We know who the Ampatuans are; we cannot compromise our safety... General Cayton told me that everything is clear, there is nothing to worry about; there are PNP deployed along the National Highway.

I ask him again: “Are we safe?”

He says: “There is nothing to worry about”.

So ok. (He is) the commanding general of the army in charge of the area, that is enough assurance.

But before that Mangudadatu invited four of us inside his residence: Bong, S2, S3 and myself. Since the police and military refused to provide security escorts, they devised strategies...

The first option was for only the women together with the media and some police personnel from Buluan, would travel from Buluan to Maguindanao... I asked Mangudadatu how many police personnel are there in Buluan.

He told me there are only 20, so if you are going to bring 10 policeman, then only 10 policemen will be left in Buluan - it is not practical.

The second option was only the women, together with the media, will go to Shariff Aguak without any security escorts, in most instances, women supposedly should not be harmed. And because the media are powerful, I think they are not going to harm them either.

After the brainstorming, I went out of the residence of Mangudadatu to see our media colleagues outside, I think there were about 33.

We made a head count, in fact there were two attendance sheets – one was in the possession of Henry Araneta (Radio DZRH, General Santos City) and the other one in the possession of Andres “Andy” Teodoro (Central Mindanao Inquirer, Tacurong City).

There were all in all, 37 journalists, so the guys and the women outside were teasing us “you are so concerned about security? We are frequent visitors of the Ampatuans ...” so they were very confident that the Ampatuans would not really harm them.

So the last option was adopted: only the women (five relatives of Mangudadatu plus two female lawyers), four drivers, no firearms - only ball-point pens, and 37 journalists will travel from Buluan to Maguindanao - to Shariff Aguak.

Before the convoy left, we prayed outside. Then breakfast



Security forces: Major-General Alfredo Cayton, left, and Colonel Medardo Geslani in April 2009. The international mission is calling for an investigation of their actions. Photograph by Mark Novales/AFP

was served, afterward the convoy left we dropped by the gas station in Buluan to gas up. There were six vehicles in the convoy. The main car was a van owned by UNTV, [names the people in van]. I was riding in that vehicle from the house of Mangudadatu to the gasoline station.

But while we were parked along the roadside while the other vehicles were still fuelling up, S2 got out of his vehicle and approached us. S2 shouldn't have been travelling alone - he was the one most at risk, targeted by the Ampatuans since 2004.

So I told Victor (Nuñez, UNTV, General Santos City) that I will transfer to the vehicle of S2, along with S3.

We proceeded, heading towards Tacurong ... S2 told us: "I would like to bring my laptop; I want to drop by the hotel to get it."

He went directly inside the hotel; I stood outside the hotel lobby.

While I was standing at the hotel lobby, two hotel staff approached me. "Sir, there were men riding motorcycles

who were asking about the media, asking their names, and introducing themselves as working for the festival (which they were covering before)."

This started ringing alarm bells: if these men were looking for anyone they would be looking for S2. I told S2 when he came out it was not safe for us to travel to Shariff Aguak, we had to abort the trip and go back to Buluan and wait for the press conference. And we should inform the Mangudadatus about the hotel incident.

While we were inside the hotel, I received two text messages from Bong Reblando. The first text message was, "For your information Cayton said that Toto will bring 200 cops to escort him to Shariff Aguak, that Tigers [camouflage-uniformed special forces] and PNP were massing on the highway to Shariff Aguak".

I told him, "Negative, no armed escort is going to Shariff Aguak. (The convoy will have) to file without Toto." This is the first text message from Bong Reblando, at 9.35am.

Without my knowledge, S2 texted Bong Reblando about the two motorcycle men arriving and looking for the journalists,

so Bong Reblando forwarded the text message of S2 to me: "Informed by S2, two motorcycle men went to the lodge asked for media names, Lodge did not give names." The time: 9.59am

If I were Bong Reblando, I would have decided not to go on that trip. Bong Reblando was the most senior of all the journalists on the convoy.

We decided to move out from the hotel. S2 told the reception desk we were moving out and he went to the car. I asked the hotel reception staff, "Please do not tell anybody we had moved out from the hotel."

I was trying to buy time. If ever the two motorcycle men came back to the hotel and learned that we already had left, who knows, they might go after us. So I told the hotel staff, "Don't say we already move out of the hotel. I am leaving you my son's cellular number just in case they go back, you can text me and tell us."

I was so security conscious during that time because of S2 – I was really thinking S2 was their main target.

So we went back to Buluan. On the way I was trying to contact Bong but he could no longer be raised.

Upon arrival at Buluan ... they would have been half way (to Shariff Aguak). Before the convoy left we were discussing the length of travel – from Buluan to Shariff Aguak was only about one hour, the arrangement was the convoy would travel at a speed of 80-100kmh. S2 had already received a text from Bong saying they were already on their way to Ampatuan Town.

It was past 10am, I think.

We were in Buluan and had already been informed by the Mangudadatus that the convoy had been intercepted by armed men. It was past 10am.

From the B-flats to Buluan is only about 10 - 15 minutes.

We were trying to call up other media colleagues. The cell phone of Bart (Ernesto "Bart" Maravilla, Bombo Radyo, Koronadal City) was ringing but no one was answering. After about three attempts I received a text message asking me, "Who are you?"

I was (therefore) able to confirm that they (the convoy) were seized by the armed men.

I had already called up General Cayton [at about 10.40am]. "General, I would like to inform you that the more than 30 journalists in the convoy were already kidnapped by unidentified armed men."

I have here the reply of General Alfredo Cayton: "I will try to check that info with the PNP". (It was sent at 11am). The day after the incident, I met Cayton at the barracks of the 6ID (6th Infantry Division) in Tacurong City. Cayton and other security officials came over ... and thanked me. He said, "Thank you for informing me. Without you, we would have not have known of the abduction."

In fact, early in the morning before the convoy left, I was dismayed at what General Cayton had done: he had given us assurances that the road was safe, but I was expecting (him to offer) more than that considering the situation in Maguindanao.

They in the military knew better than us, he should have informed his field commanders and field units that journalists will be covering the convoy of Mangudadatu. If he had have done that, I think the Maguindanao massacre could have been prevented.

At 12.04pm, S1 received a call from his colleague Bart's phone: "It was no longer Bart who was answering. In fact (the caller) was asking me, who am I? Then I told him: "I am the brother of Bart. I just want to ask: where and how is Bart? Then they guy replied, "Who is Bart? I do not know Bart."

S1 was told by his employer to pull out of the area: The Mangudadatus pleaded to us not to leave them behind in the tragedy. They say to us you are the only remaining link to the national government and the international media – please do not leave us. So despite the risk we decided to stay.

S1 was asked: do you feel threatened now? Yes, in fact the intelligence community has informed us there were four unidentified men from Maguindanao sent by the Ampatuans to track us down. The police and military confirm that report.

All the victims of the Ampatuans' atrocities should now come out into the open because this is not an isolated incident, all these incidents were perpetuated by the Ampatuans... I am hoping and praying that the Ampatuans will be sent to jail and all their victims will come out in the open and stand as witnesses.

About my safety and security: I am no longer bothered by it. I am still alive, if they want to get me they can get me any time, anywhere. Of course I am observing security precautions – I won't allow them to get my life that easily, but why should we be afraid? They are the ones they should be afraid. We are not doing anything except exposing their evil deeds.

Q: Have police or any authorities taken your mobile phone? Not yet.

Q: Has the phone company/carrier checked all the calls that came in and out from your phone? On November 25 the NBI (National Bureau of Investigation) from Manila took our statements and told us they are going to call us to have that document signed to be included in their complaint, but until now I am just wondering why the NBI has not yet called us?

Q: Has there been pressure on you or your editors to tone down your reports? I think [my employer] has taken appropriate actions – from Day 1 to Day 3, I asked them not to put my byline or a dateline on, for my safety, and they agreed to my request – all the datelines were Manila and all the stories did not carry my name during that time.

Q: Have you considered enrolling in the witness protection program? Me? I do not want to. We should show them we are not afraid of them. I have only one life, why should I be afraid? Thirty-one of my colleagues were killed in this incident. There are attempts to white wash. It's very clear. We should not allow it to happen.

We miscalculated the brutality of Ampatuans. Who can expect this kind of a brutality from fellow humans?"



Under arrest: Andal Ampatuan Jr is led into court in General Santos City by agents of the National Bureau of Investigation. Photograph by Dondi Tawato of DateLine Philippines (www.dateline.ph)

Aftermath

Thursday, November 26

Dureza convinces the Ampatuan family to give up Andal Jr. He is taken, without handcuffs, from Shariff Aguak to General Santos City where he is questioned by Acting Justice Secretary Agnes Devanadera.

Friday November 27

General Cayton and Colonel Medardo Geslani, commander of the 601st Brigade are relieved of their commands and sent to Manila to appear before an investigation following complaints that they failed to provide security.

Thursday, December 3

Joint military and police personnel, acting on a tip, discover a large weapons cache consisting of light artillery and heavy infantry weapons (including commando weapons, explosives, and ammunition) as well as military uniforms at a vacant lot near the Ampatuan clan mansion in Shariff Aguak. Some of the ammunition boxes were stamped, "Department of Defense Arsenal".

Friday, December 4

Combined elements of the Philippine National Police's Criminal Investigation and Detection Group (PNP-CIDG) and the Armed Forces of the Philippines conduct a search of the Ampatuan mansion. Around noon, the search uncovers a hidden armoury behind a concrete wall, with ammunition

cases for M-16, M-14, and possibly M-203 rifles also bearing the mark of the Department of Defense Arsenal.

A parallel search is also conducted in the home of Andal Sr by a PNP Special Action Force (PNP-SAF) team, but does not yield any immediate results.

Saturday, December 5

President Arroyo issues Proclamation No. 1959, placing Maguindanao under martial law. Deterioration of peace and order and failure of the local judicial system are cited as reasons for the declaration.

Wednesday, December 9

The Inspector General of the Armed Forces of the Philippines (AFP) finds that General Alfredo Cayton and Colonel Medrado Geslani were not remiss in their responsibilities for not providing security to the victims of the November 23 massacre.

Tuesday, January 5, 2010

General Cayton is appointed Vice-Commander of the Army. News reports say he may still be investigated over why many of the arms caches found in areas controlled by the Ampatuans included weapons supplied by the Department of Defense.

Sources: Fact-finding mission report and [GMANews.TV](http://www.gmanews.tv/story/177821/the-maguindanao-massacre-a-map-and-timeline)
<http://www.gmanews.tv/story/177821/the-maguindanao-massacre-a-map-and-timeline>

3: THE INTERNATIONAL MISSION

When news of the Ampatuan Town Massacre broke, the IFJ immediately contacted its affiliate, the NUJP, with offers of assistance, including sending an emergency solidarity mission to investigate. The NUJP subsequently invited the mission to the Philippines.

The mission consisted of the IFJ (represented by IFJ project consultant and trainer Mike Dobbie and IFJ Executive Committee member Ruth Pollard, who is also federal president, Media Section, of Australia's Media, Entertainment & Arts Alliance) as well as Margiyono of Indonesia's Alliance of Independent Journalists' Advocacy Department and representatives of other journalist and press freedom groups including Roby Alampay, executive director, Southeast Asia Press Alliance (Thailand); Red Batario, consultant, International News Safety Institute (Philippines); Shawn Crispin, senior Southeast Asia representative, Committee to Protect Journalists (Thailand); Chavarong Limpattamapanee, vice-president, Thai Journalists' Association (Thailand); Ranga Kalansooriya, International Media Support (IMS); Tri Mariyani Parlam, Institute for the Study of the Free Flow of Information (ISAI, Indonesia); and Jose P. Umali, general secretary, Union Network International, Philippines Liaison Council (Philippines).

The delegates gathered in Manila on December 5 for a preliminary briefing from the NUJP on the situation in Mindanao and circumstances confronted by the media. The mission received a report prepared by a prior fact-finding mission that went to Maguindanao immediately after the massacre. Members of the fact-finding mission were: Rowena C. Paraa, board member of the NUJP and research director of the Philippine Center for Investigative Journalism (PCIJ); Jaime "Nonoy" Espina, NUJP vice-president; Ed Lingao, multimedia director of the PCIJ; Carol Arguillas, editor of MindaNews and member of the Advisory Council of the NUJP's Davao chapter; Froilan Gallardo, senior writer of MindaNews and NUJP Cagayan de Oro chapter. Other participants were lawyer Prima Quinsayas, legal counsel for the Freedom Fund for Filipino Journalists (FFFJ); Melanie Pinlac, secretariat coordinator of the FFFJ and staff member of the Center for Media Freedom and Responsibility (CMFR); lawyer Manuel Quibod, president of the Free Legal Assistance Group, Davao chapter, and dean of the Ateneo de Davao School of Law; and lawyer Maan Lagare Academia, member of the Union of People's Lawyers in Mindanao (UPLM).

The mission then flew to General Santos City, Mindanao, the next morning, where it received background briefings on issues pertaining to Mindanao from Amirah Lidasan of the Moro-Christian Peoples' Alliance and Bai Ali Indayla, a human rights activist in Mindanao. They noted that Mindanao is an agricultural and mineral rich area (gold, copper, manganese etc). As a result, there are significant politico-economic interests in Mindanao that are primarily guarded by security forces, with the mining and agricultural areas now highly militarised. An insurgency in Mindanao led the Government to arm local militia groups to provide protection and assistance to the Armed Forces of the Philippines.

The Military and Police

Information gathered by the mission indicates that members of the Philippines National Police participated in

the road block and may have witnessed the massacre. Further, the failure of the Armed Forces of the Philippines, despite requests, to provide the journalists and convoy members with safety and security, indicates a massive abrogation of responsibility on behalf of the Arroyo administration, the national police and the Department of National Defence.

As most of the members of mission departed Manila it was reported that the Inspector General of the Armed Forces of the Philippines (AFP) had cleared two Army commanders who had been relieved from their posts in Maguindanao following accusations that they were remiss in their responsibilities for not providing security to the victims of the November 23 massacre.

Cleared were General Alfredo Cayton and Colonel Medrado Geslani, former commanders of the Army's 6th ID and 601st Brigade, respectively. The army had received complaints that the pair had refused to provide security for the convoy. An AFP spokesman said the two were relieved of their duties not because they were suspected of being directly involved in the massacre, but because of their alleged misconduct in not responding to the victims' prior request for security.

The Inspector General found that both commanders were not remiss in their responsibilities as commanders on the ground.

On January 5, 2010 it was announced that General Cayton had been appointed Vice-Commander of the Army. News reports say he may still be investigated over why many of the arms caches found in areas controlled by the Ampatuans included weapons supplied by the Department of Defense.

In its efforts to combat insurgency in Mindanao, the Arroyo administration encouraged the development of war lords by empowering them to utilise militias in order to assert control over their areas of responsibility. When frictions erupted between rival war lords, neither the police nor the military were properly equipped or authorised to assert command, allowing local war lords to operate with impunity.

Furthermore, when it came to the mounting tensions in Maguindanao in the days leading up to the massacre, despite numerous warnings the command and control structure of the military failed miserably when the inaction of General Cayton is considered. General Cayton's failure to respond to an appeal for protection from the journalists and his assurance that the road was safe for the convoy deserves the strongest condemnation. His appointment to the position of Vice-Commander of the Army just weeks after the massacre is mystifying.

Meeting With Victims' Families

About 30 family members of some 25 victims met with the mission in General Santos City - the first meeting to gather almost all families of the media victims of the Ampatuan Town massacre. The meeting coincided with the funerals for three more General Santos City-based victims.

The highly emotional meeting lasted more than three hours. The meeting was an open forum and initial plans were



We will never forget: Protesters light candles for the victims at a vigil in Berlin. Photograph courtesy of Deutsche Journalistinnen und Journalisten Union

developed by the NUJP and the families to formalise an organised structure for future action.

It was clear that family members are extremely traumatised and concerned about how their lives have been thrown into chaos by the loss of their loved ones. The meeting had to be temporarily suspended several times to allow participants to compose themselves after witnessing the overwhelming grief of all those involved.

Of particular concern to the mission has been the failure to properly locate and the identify the body of one “missing” journalist: Reynaldo “Bebot” Momay of *The Midland Review* in Tacurong City. During the meeting, Momay’s family members received a message from the massacre site that a second exhumation process had failed to find more bodies.

The following comments by family members, whose names were not recorded during the meeting, illustrate the distress they are experiencing.

“You asked how we were coping after the incident. We are just coping on a daily basis without hope for the future. We are trying to be normal, but it’s impossible.”

“I am seven months’ pregnant. I don’t know how I am going

to bring up my child without the father. It’s a trauma to me.”

“My son was the service driver of the vehicle of the media contingent. They should not have killed him so brutally. If they wanted to kill him, they should have done it just by shooting. It was so brutal.”

“There are no threats to us so far, but we could expect such threats once we file a case.”

“My father was well known to the Ampatuan family and even we know their children very well. When the convoy was blocked by the police [it is alleged that at least member of the Philippine National Police were present at the roadblock] at the scene of the abduction, my father informed the police about his links to the Ampatuans - in fact, he once was a teacher of the family children. Then the officer instructed him to move out of the scene as soon as possible, he and his vehicle were permitted to leave: ‘Sir, you leave this scene as soon as possible’, they told my father. When he was leaving, he turned back to see about the others and he noticed that the others were being blocked again. Then he had turned his car to negotiate again for the others. Then they never let him go, he was brutally massacred. His eyes and the brain were missing from his dead body. But we are



Members of the International Solidarity Mission visited the graves of 12 of the slain journalists at the cemetery in General Santos City
 Photograph by Nony Espina, NUJP

never angry with the Ampatuans, we will forgive them. We hope God will also do so.”

“My husband, who is known to the army general of the area, contacted the general and asked about the road situation since they already had information that something was going to happen that day. The General has told him that the ‘road has been cleared and safe to move.’ Then they have commenced to move on the fateful road. But when we contacted the general upon receiving the information on the abduction even at 3 pm, still he was not aware of the incident. How could it happen?”

The mission learned that no death certificates had been issued for the slain journalists and media workers to date because of the imposition of martial law which meant that the normal administrative structure was in suspension. Death certificates are essential for the families to formally access assistance and get on with their lives.

Families of the massacre victims said the key issues confronting them were:

- ◆ Financial assistance (not for all, but for those who are in need).
- ◆ Assistance for the education of the children of victims.
- ◆ Assistance to help with job placement as families have in many cases lost their sole breadwinner.
- ◆ Legal assistance for those who wish to filing cases to seek damages.
- ◆ Concerted efforts and moral support to keep the issue alive.

- ◆ All want justice and swift action by the State, to bring the perpetrators to justice.

Chief City Prosecutor of General Santos City

At an evening meeting with Edilberto Jamora on December 6, the mission heard that:

- ◆ Nine members of the Ampatuan clan had been charged with murder.
- ◆ A request had been made to relocate the hearing of the cases to Manila.
- ◆ The prosecution is purely based on the evidence produced by the police. “Therefore, we are waiting for them to supply us with sufficient evidence to file charges.”
- ◆ “We, too, are concerned for our safety. Nothing personal has come [at] us so far, but it can be expected.”
- ◆ The findings of the independent forensic investigations could be helpful if they are not conflicting with each other. There are two such investigations as of now, by foreign forensic experts as well as by the Philippines Human Rights Commission.
- ◆ It is possible that Andal Ampatuan Sr could be charged with rebellion if sufficient evidence on murder is not furnished by the police.

Jamora was disarmingly frank about the dangers he faces. When the IFJ spoke with him, he had not yet received death threats for his role in the investigation of the massacre, but his bodyguard had.



Solidarity: Journalists march in Manila to protest the culture of impunity in the Philippines. Photograph courtesy of *The Inquirer*



Raised voices: Protesters at the Philippine National Police headquarters in Quezon City. Photograph by Noel Celis/AFP

“There is no pressure, just the possibility of pressure, which I guess in itself is pressure,” he said. “This is what happens when governments act outside the law, when people think they are above the law and there is the belief that misdeeds are unpunishable.” The Philippines Supreme Court agreed to move the murder hearings to Manila in response to the threats and expectation of threats, yet the Government has resisted calls to establish a special tribunal to investigate the massacre, despite the scale of the undertaking.

Increased security, both for Jamora and his team as well as any potential witnesses in the case, was at the forefront of Jamora’s concerns. “Honestly, if I had my way I would ask our (Justice) Secretary to augment our resources by providing for our safety and maybe ask the other case-building agencies to coordinate more fully with us,” he said.

“For the moment, there will be some kind of protection that will be provided for these witnesses, given the delicate nature of the case, so we hope that the protection will be sufficient for everybody.”

Local Journalists Highlight Concerns

On December 7, the mission accompanied the NUJP leadership on a visit to the cemetery in General Santos City where 12 of the slain journalists and media workers had been buried. Floral tributes were laid out on the 12 headstones, candles were lit and 19 white roses were planted in the freshly dug ground to remember the 19 other media personnel who were killed.

The mission then met with Mindanao-based journalists to discuss their needs. Seven regional journalists participated. Among the comments are the following.

“We are not afraid of performing our duty, despite the risks we televised the scene and aired them within the first two days.”

“What we need is immediate action in bringing culprits to

justice. This was a gruesome incident which should not happen to journalists. Even before the incident we could not say anything against (the Ampatuans). Senior government officials just could not do anything against these warlords. Now, many of the Ampatuans are under arrest, so there will be so many accusations from the relatives (of the victims) and the private sector over their misconduct. We are now, in a sense, safer.”

“Now what needs to be done is the prosecution. And looking into the needs of the families, (one of their) immediate needs is safety for the families (of the victims) when prosecution takes place.”

“The suspects are behind bars but the way we would usually cover the development of this story has to be strategised. We must work as a team and face challenges as a team.”

“Now we are looking in our (vehicle) side mirrors to determine who is behind us. We can still be [a] target. That’s what we feel now. It’s fear, who knows what’s going to happen next. Nobody is excused in the present context. We must revise our security measures, we must change our strategies and maintain closer contacts.”

“When covering the raid of (one of the Ampatuan) houses our colleagues noticed that they were being photographed from the house. These are the major concerns. For the journalists in the area, this has become a major concern. Journalists are receiving threatening text messages.”

“The killers were targeting some specific journalists as far as we know.”

“Three weeks before (the massacre) we received information that the rivals (the Mangudadatus) were advised not to cross the areas of Ampatuans. This means we have not assessed the security situation properly.”

The mission returned to Manila on December 8 and there participated in a vigil conducted by the staff of Business Mirror in Manila. Editor-in-chief, Lourdes Fernandez, told



Sympathy: Holger Rommen, charge d'affaires of the European Union mission to the Philippines lights a candle for the victims of the November 23 massacre
Photograph by Nonoy Espina

the mission in a separate meeting that her ground reporters in Maguindanao are experiencing a tough situation and she and the paper's owners are taking necessary precautions, including insurance schemes for freelancers. She had double-checked with the journalists as to whether to use their bylines. They have had safety training but need to revisit the modules following the incident.

The Presidential Adviser

On December 8, the mission met with Jesus Dureza, presidential adviser for Mindanao, secretary, Crisis Management. The mission heard that since martial law had been declared on December 5, 2009 it had been easier for the Government to arrest suspects and gather evidence. Dureza said that without martial law it would have taken weeks due to the procedural necessity of gaining warrants and other issues (habeas corpus is suspended during martial law). He said that without martial law the Ampatuans could have sought a court ruling to ensure the military left their area. "That would have created a major scenario. Some of the militants were waiting for the orders of the sons or the old man to fight," Dureza said.

"We have so secured 70 per cent of the necessary evidences to file murder charges against Ampatuans. This is just because of martial law. I am confident that justice will be there very soon. The Government will never leave any stone unturned because of the magnitude of the incident."

The mission raised its concerns that the imposition of martial law could give rise to massive human rights abuses - something that has occurred at other times in the history of the Philippines. The military, using its powers under martial law, proceeded to round-up people it suspected of involvement in the massacre without having to observe proper legal processes such as habeas corpus.

The mission also raised with Dureza its request, made in writing a week earlier, for a meeting with President Arroyo. Dureza made numerous phone calls to various people including the Secretary for Justice to try to arrange a meeting. He was able to secure a meeting with President Arroyo's press secretary, Cerge Reymonde.

In the evening, the mission participated at a vigil organised

by the news and current affairs division of GMA networks at its premises.

The Presidential Press Secretary

On December 9, following the rally and press conference in Manila, the mission met with Cerge M Remonde in Malcañang Palace. The mission expressed its concern and disappointment that President Arroyo had not made time to meet with the mission and that only the press secretary was available to represent the administration. Remonde said that the President had a busy appointment schedule and was busy preparing for the Copenhagen climate summit.

Remonde condemned the massacre. He received a copy of the preliminary report and repeatedly emphasised that the Government has already taken remedies on most of the recommendations in the report. "We consider this incident as a very serious blot on the history of our country - while it is true there is a long history of political violence against the media, nothing comes close to this. We feel very strongly about this."

In March 2009, a media safety protocol was established to protect journalists at risk, Remonde told the mission that if a journalist was in trouble or felt threatened, they should report the threat to their media organisation - either their employer or a professional organisation such as the NUJP. From there, the organisation can coordinate with police and military authorities so safety precautions can jointly be agreed upon, he said.

When questioned about General Cayton's knowledge of this protocol, Remonde replied: "He should be aware." Remonde committed the Government to a review of the protocol in light of the massacre.

Remonde said the President was aware of concerns regarding evidence preservation at the massacre site, and pledged to continue the search until all those missing were identified.

He also acknowledged that many "local prosecutors have refused to do their work, the judges have refused to issue search warrants and warrants of arrest, regardless of what the Supreme Court says".

Remonde said the Government would explore alternative methods of keeping witnesses safe prior to and during the trials, acknowledging that many had little faith in the state-run witness protection programs.

The Government was open to the idea of assembling a special tribunal to try all the cases, and would welcome international observers to the proceedings, he said.

Remonde rejected the notion that there was a culture of impunity in the Philippines and insisted that the history of warlordism and political violence stretched back way before the Arroyo administration came to power in 2001.

Forensic Concerns

On December 10, the mission met with Chris Cobb-Smith, a member of the independent forensic team working with the Commission for Human Rights to examine the mass grave sites and ensure evidence was properly collected and preserved.

It is apparent that the crime scene had not been processed properly. Indeed, even at the time of writing there is confusion about how many people were killed in the attack,



Forensic nightmare: There are concerns that the crime scene was compromised and vital evidence may not have been collected. Photograph by Nonoy Espina

a body remains missing, and there are fears there may be more graves to be found.

Experts say the crime scene was compromised from the beginning. Both the police and military were outnumbered, outgunned and severely under threat from at least 100 armed men who were present at the massacre scene for up to two days as authorities conducted their forensic investigation. This meant vital evidence that was fast deteriorating was not collected.

Far from the graves being exhumed in a forensic fashion, police used another backhoe before the arrival of the international forensic team to dig the bodies out - this was done with such haste that evidence was further contaminated. This, combined with hastily performed autopsies that produced scant information, left authorities with little forensic evidence.

Cobb-Smith told the mission, “We know they arrived at the checkpoint and that those manning the checkpoint were involved at some level – they must have had their phones taken off them then or a gunman placed in each vehicle given we only got one text message and one phone call out of 57 people, all of whom would have had mobile phones.”

There are unconfirmed reports that the police discovered the

convoy members’ phones and other electronic equipment such as cameras and audio recorders, burnt and buried in a pit nearby.

“We went back and completely emptied the graves – we dug them out down to their original size and shape as we were worried they had not been properly exhumed. We found a lot more evidence – shoes, trousers, cartridge cases, slugs, a set of dentures – but we did not find the missing body.”

A media safety expert, Cobb-Smith was at a loss as to what could have saved the journalists. “How can you criticise a group of journalists accompanying a legitimate political convoy, representatives of a candidate going to file papers for an upcoming election – this killing was so blatant.”

Diplomatic Meetings

On December 11, two members of the mission, Mike Dobbie and Ruth Pollard met the Norwegian Ambassador Knut Solem and Counsellor Ture Lundh, to present the preliminary report and discuss the need for international support and the security needs of journalists and the families of the victims. They also conducted discussions with Counsellor Jason Mundy at the Australian Embassy.

4. IFJ GLOBAL DAY OF SOLIDARITY AND ACTION



December 9, the day before International Human Rights Day, was declared a Global Day of Solidarity and Action for the Philippines. In Manila, members of the international mission joined a protest march and rally organised by the NUJP from the University of Santo Tomas to Mendiola, on the approach to Malacañang Palace. The protest drew more than 400 journalists, media workers, artists and other trade union and activist groups. The event received extensive media coverage locally and internationally.

The mission then held a press briefing to release its preliminary report. Some 26 journalists participated in the event. The questions were focused on relief efforts for the families of the victims, legal assistance, the impunity situation in the country and possibilities of establishing an international criminal tribunal to investigate the massacre.

Affiliates and partners of the International Federation of Journalists (IFJ) around the world joined a Global Day of Solidarity and Action on December 9 to call on their home governments and the Government of the Philippines to assure justice for the victims of the November 23 massacre in Maguindano province and to end to the culture of impunity for the murders of journalists in the Philippines. The day of action coincided with protest rallies and marches across the Philippines.

Some organisations initiated their local actions as part of the lead-up to the December 9 event.

Philippines:

Local journalists in Mindanao participated in the Global Day of Solidarity and Action by travelling (under military escort) to the Ampatuan Town Massacre site to lay wreaths in memory of their 31 slain colleagues.

In Manila, an estimated 400 people participated in a rally and march near the Malacanang Palace, joined by the National Union of Journalists of the Philippines (NUJP) and members of the IFJ international mission to the Philippines. Unconfirmed estimates were that as many as 2000 people attended the march.

The rally was addressed by 50 speakers, including members of the mission. The protest called for an end to impunity and for justice for the victims of November 23.

Other protests were held across the country in the provinces of Bacolod, Bulacan, Cebu, Iloilo, Masbate, Pampanga, Pangasinan, Quezon and Sorsogon, and in the cities of Cotabato, Davao, Baguio and Zamboanga.

Around the World:

In one of the most widespread demonstrations of solidarity, more than 30 IFJ affiliates sent messages of solidarity to the NUJP, letters of protest to the Philippines Government, press conferences and local rallies and meetings with Philippines consular officials in the wake of the Ampatuan massacre.



Opposite page: Global outrage: IFJ staff in Brussels protest at the November 23 massacre. Photograph courtesy of the International Federation of Journalists

This page: International solidarity: Journalists in Cyprus, Indonesia and Pakistan demonstrate in solidarity with victims of the massacre. Photographs courtesy of the International Federation of Journalists

Solidarity actions were organised by the following IFJ affiliates and organisations:

- Abbotabad Union of Journalists (AUJ), Pakistan
- Alliance of Independent Journalists (AJI), Indonesia
- Association of Journalists from the Republic of Poland, Poland
- Association of the Press of Uruguay (APU), Uruguay
- Association of Taiwan Journalists (ATJ), Taiwan
- Bahawalpur Union of Journalists (BUJ), Pakistan
- Bali Democracy Forum
- Claudia Julieta Duque, Unión de Periodistas de Bogotá (UPB) member, Colombia
- Dansk Journalistforbund, Denmark
- Deutsch Journalistinnen und Journalisten-Union, Germany
- Faisalabad Union of Journalists (FUJ), Pakistan
- Federacion Argentina de Trabajadores de Prensa (FATPREN), Argentina
- Federation of Journalists of Latin America and the Caribbean (FEPALC), Brazil
- Federacion de Periodistas de America Latina y El Cariba (FEPALC), Latin America
- Federation of Media Employees Trade Union (FMETU), Sri Lanka
- Federazione Nazionale della Stampa Italiana, Italy
- Federation of Nepali Journalists (FNJ), Nepal

- Filipino Journalists in the United States
- La Federacion de Asociaciones de Periodistas de España (FAPE)
- Finlands Journalistforbund, Finland
- Indian Journalists Union (IJU), India
- International Federation of Journalists (IFJ) Asia-Pacific, Australia
- International Federation of Journalists (IFJ) Headquarters, Belgium
- Islands Journalistforbund, Iceland
- Japan Broadcasting Labour Union (NHK Worker's Union), Japan
- Media, Entertainment & Arts Alliance, Australia
- National Union of Journalists, Belgium branch
- National Union of Journalists of Nepal (NUJN), Nepal
- National Union of Journalists of Peru
- National Syndicate of Journalists of Costa Rica
- Norsk Journalistlag, Norway
- Pakistan Federal Union of Journalists (PFUJ) Pakistan
- Russian Union of Journalists (RUJ), Russia
- Sindicato Nacional de Trabajadores de la Prensa de la Republica Dominicana, Dominican Republic
- Suomen Journalistilitto Union, Finland
- Svenska Journalidforbundet, Sweden
- UNI Global
- UNI-MEI
- Union of Cyprus Journalists

5: MISSION RECOMMENDATIONS



Broken lives: Family members grieve during a funeral ceremony at General Santos City cemetery. Photo by Dennis M Sabangan

On December 8 the mission members including NUJP leaders gathered to draft a preliminary mission report and recommendations.

The mission's recommendations cover three distinct areas of need: to address the massacre and the long prevailing culture of impunity for the murders of media personnel in the Philippines; support for the families of victims; government and judicial issues; and the security of journalists working in the Philippines.

The following recommendations take into account the findings of an independent fact-finding report prepared by the NUJP with the Philippine Center for Investigative Journalism (PCIJ), news organisation Mindanews, and members of the Freedom Fund for Filipino Journalists (FFFJ), immediately after the massacre.

The International Solidarity Mission also calls on the international community to monitor developments in the Philippines to ensure that the massacre is properly investigated, that the perpetrators are punished and that such atrocities against journalists and media workers can never happen again.

Support for Families of the Victims

1. Families of the victims must be provided with trauma counselling and further follow-up support.
2. Families must be provided with legal support to pursue the prosecution of perpetrators, given the likelihood of protracted delays in the justice system. They must also be given support in bringing pressure on the Arroyo Government to pursue its own procedures.
3. Other areas of legal assistance may be required in terms of

the ongoing welfare of the families and this should also be made available as needed.

4. The families of all victims must be given immediate financial support as well as follow-up assistance to help generate a sustainable income and assistance in finding employment in cases where the victim was the sole breadwinner for the family.
5. The mission welcomes the NUJP's intention to extend its scholarship program for the children of slain journalists - now running for five years - to address the needs of at least 75 children and dependents of the massacre victims.
6. A safety assessment must be undertaken for each of the victims' families and appropriate measures taken to ensure their ongoing security. This is urgently required during the gathering of evidence and the lead-up and subsequent trial.

The Military and Police

7. A full investigation is required into the actions of General Cayton, then Commander of the 6th Infantry Division, immediately preceding the massacre.
8. A full investigation is required into reports that several members of the Philippine National Police were involved in the massacre. The Government must take all necessary steps to remove corrupt police and ensure all police in Maguindanao act in accordance with their responsibility to protect and serve citizens. Any police found to work with ruling clans and warlords must be stripped of their positions and punished.
9. The Government must instigate immediately a thorough investigation and overhaul of structures covering local

government, the military and police to redress the failure of authority and accountability in the administration of Maguindanao province (and other provinces across the Philippines) and ensure that law and order is respected.

10. The Government must immediately provide training for its military and police to ensure that those responsible for the safety and security of citizens, including media personnel, are aware of their obligations under United Nations Resolution 1738.

The Investigation and Prosecution

11. The Government and local authorities must undertake all necessary measures to fully investigate the massacre and to ensure all evidence is properly preserved and available.
12. The Government and local authorities must provide all necessary measures for the protection and safety of witnesses, investigators, prosecutors, lawyers and judges throughout the investigation and trial process.
13. The Government must ensure that observers and human rights groups have full and open access to legal proceedings to ensure an open and transparent investigation and trial.
14. The Government must ensure that families of the victims are given access to all relevant documentation regarding the massacre, the investigation and resulting legal proceedings.
15. The Government should ensure that sufficient resources are made available to prosecutors and the judiciary to guarantee a speedy and effective trial of those accused of this massacre. It may be necessary to establish a special tribunal for this purpose.

Martial Law

16. The Government is urged not to reimpose martial law in light of concerns it could be restored in the lead-up to the May 10 elections with a consequent risk of human rights abuses. The mission therefore urges the Government to use due legal process without the resort to brute force that could undermine any prosecutions.

Compensation

17. The Government is responsible for providing effective, adequate and ongoing compensation to the families of all victims.

Journalism in the Philippines

18. The Government must take measures to protect media personnel who witnessed the events of November 23, including the provision of a safe haven during the investigation and legal process.
19. Journalists working in Mindanao must be provided with trauma counselling.
20. Support is needed to assist the NUJP to establish a regional safety office in Mindanao (working with the NUJP's Manila-based Safety Office) before the May 2010 elections, in order to provide safety training and support for journalists covering the campaign. The office would also seek to monitor the effect of the massacre on reportage in the region as well as ongoing threats to journalists' safety.

21. Support is further needed to assist the NUJP and other organisations to revise safety procedures for journalists and media houses across the country. Complementing this, assistance is required to upgrade the skills of current safety trainers and to train more locally based trainers who can work with media at the local level across the country, most efficiently through NUJP local chapters.
22. The Government must ensure a safe environment in which media across the country can report fairly and critically on the conduct of the campaign for the May 10 elections.

International obligations and actions

23. The Government is urged to acknowledge and act on its commitments under International Obligations and Actions to ensure protection and safety for media personnel as citizens working in the public interest. Relevant international instruments including the Geneva Conventions, the Universal Declaration on Human Rights, and the 2006 United Nations Security Council Resolution 1738 must be respected.

Chance for Progress and Security

The International Crisis Group (ICG) notes that the level of domestic and international anger over the November 23 massacre may have opened a window of opportunity for the Philippines to make progress on justice, security and peace.

This can only happen if:

The perpetrators are quickly brought to trial, requiring the justice department to actively seek – and donor countries actively offer - assistance in forensic analysis, case preparation and tracing the remaining fugitives. Help in protecting judges, witnesses, lawyers and prosecution is particularly important.

Donor countries should also offer assistance in funding an analysis of the Philippines' security needs, help to freeze suspects' assets abroad and to place them on immigration black lists. The Government must end all private and local funding of police and military auxiliaries, and assert far stricter control over procurement and issuance of firearms and bans civilian militias

The MILF and the Government must work together to pursue suspects in the Ampatuans' private army to give momentum to peace talks.

The Philippines and international media and civil society need to keep the case front and centre in the public eye to demand prosecution of the perpetrators and broader reforms, even as the Philippines moves into election season in 2010.

Source: International Crisis Group, Asia Briefing N98, Jakarta/Brussels December 21, 2009

Journalists and Media Workers killed in the massacre

The journalists and media workers massacred on November 23, 2009 at Ampatuan:



From left: Noel Decena, Hannibal Cachuela, Joel Parcon, Ernesto "Bombo Bart" Maravilla & Rey Merisco

VICTIM	MEDIA AFFILIATION / POSITION	TYPE of NEWS ORGANIZATION	DATE OF BIRTH
Adolfo, Bengie	Gold Star Daily / Driver	Print	26-Apr-89
Araneta, Henry	dzRH radio station / Correspondent	Radio	27-Dec-66
Arriola, Mc Delbert "Mac-mac"	UNTV / Cameraman	TV	30-Sep-89
Bataluna, Rubello	Gold Star Daily / Correspondent	Print	19-Nov-65
Betia, Arturo	Periodico Ini / Marketing Director	Print	
Cabillo, Romeo Jimmy "Pal-ak"	Midland Review Correspondent	Print	
Cablitas, Marites	News Focus / Publisher RPN - dxDX / News Anchor	Print, Radio	9-Nov-72
Cachuela, Hannibal	Manila Star / Correspondent Punto News / Bureau Chief	Print	21-Jan-59
Caniban, John	Periodico Ini / News Bureau Chief Sultan Kudarat Gazette / Associate Publisher	Print	26-Oct-79
Dalmacio, Eleanor "Leah"	Socsargen News Today / Secretary	Print	3-Apr-71
Decena, Noel	Periodico Ini / Circulation Manager	Print	
Dela Cruz, Gina	Saksi Balita / Correspondent	Print	24-Jul-68
Duhay, Jose "Jhoy"	Gold Star Daily / Correspondent	Print	
Evarado, Jolito	UNTV / Assistant Cameraman	TV	4-Nov-86
Gatchalian, Santos Jr.	Mindanao Daily Gazette / Reporter	Print	19-Dec-57
Legarta, Bienvenido Jr.	Periodico Ini / Contributor Tingog Mindanao / Publisher	Print	26-Sep-73
Lupogan, Lindo	Mindanao Daily Gazette / Publisher	Print	10-Mar-67
Maravilla, Ernesto "Bombo Bart"	Bombo Radyo / News Anchor and Reporter	Radio	
Merisco, Rey	Periodico Ini / Columnist	Print	
Momay, Reynaldo (Bebot)	Midland Review / Photographer and Messenger	Print	18-Jan-48
Montaño, Marife "Neneng"	Saksi Balita / Correspondent dxCP station / Reporter	Print Radio	
Morales, Rosell	News Focus / Circulation Manager	Print	16-Jul-75
Nuñez, Victor	UNTV / News Anchor and Reporter	TV	19-Aug-85
Parcon, Joel	Frontiera News / Correspondent	Print	26-Nov-59
Perante, Ronnie	Gold Star Daily / Correspondent	Print	19-Sep-66
Razon, Fernando "Ranny"	Periodico Ini / Sales Manager	Print	5-Feb-65
Reblandon, Alejandro "Bong"	Manila Bulletin / Correspondent Reuters / Stringer	Print	11-Jan-55
Salaysay, Napoleon "Nap"	Clear View Gazette / Publisher and Editor-in-Chief	Print	11-Jun-54
Subang, Francisco "Ian" Jr.	Socsargen News Today / Publisher	Print	28-Jul-60
Teodoro, Andres "Andy"	Mindanao Inquirer / Editor-in-Chief	Print	30-Nov-50
Tiamzon, Daniel	UNTV / Driver	TV	30-Oct-57

Journalists and Media Workers killed in the Philippines since 1986

(excluding the 31 journalists slain in the Ampatuan Town massacre)*

DATE KILLED	NAME	ORGANISATION	PLACE KILLED
24 April 1986	Pete F. Mabazza , Correspondent	Manila Bulletin	Tuguegarao, Cagayan
24 April 1986	Wilfredo “Willy” Vicoy , Photo journalist	Reuters	Tuguegarao, Cagayan
1986	Florante “Boy” de Castro Lawyer/Broadcaster	DXCP/General Santos City	General Santos City
12 April 1987	Dionisio Perpetuo Joaquin	Olongapo News	Casa Blanca Restaurant, Barrio Barretto, Subic, Zambales
27 August 1987	Narciso Balani , Technician	DXRA / Davao City	Davao City
27 August 1987	Rogie Zagado , Commentator	DXRA / Davao City	Davao City
27 August 1987	Leo Palo , Commentator	DXRA / Davao City	Davao City
28 August 1987	Martin Castor , Photo journalist	Pilipino Ngayon	Manila
28 August 1987	Ramon Noblejas , Manager/reporter	DYVL/Tacloban City	Tacloban City
29 March 1988	Noel Miranda , Publisher/Editor/Owner	Mindanao Scanner	Tagum, Davao, Del Norte
12 August 1988	Ruben R. Manrique , Publisher/Editor/Owner	Luzon Tribune/Bataan	Balanga, Bataan
30 October 1988	Josef Aldeguer Nava , Publisher/Editor	Visayan Life Today/Iloilo	Molo, Iloilo City
17 October 1989	Severino Arcones , Anchor/ Manager	DYFM-Radyo Bombo/ Iloilo	San Roque Village, Jaro District, Iloilo City
1 December 1989	Eddie Telan , Publisher/Editor	Newscaster/Manila	Quezon City
15 May 1990	Reynaldo Catindig Sr. Publisher/editor	Northern Sierra Madre Express/Isabela	Tumauni, Isabela
8 July 1990	Jean Ladrangan , Publisher/Editor	Southern Star/General Santos City	General Santos City
14 April 1991	Nesino Paulin Toling , Publisher/Editor/Owner	Panguil Bay Monitor/ Ozamiz	Ozamiz City
1 July 1992	Danilo Vergara , Publisher	Philippine Post	Iligan City
3 July 1992	Ladjid Ladja ,	Prensa Zamboanga	Sitio Baliwasan Grande, Bgy. Baliwasan, Zamboanga City
21 September 1992	Rev. Greg Hapalla , Preacher/Broadcaster	DXAS/Zamboanga	Station booth of dxAS, Tugbungan, Zamboanga City
30 December 1992	Gloria Martin , Commentator/Reporter	DXXX/ Isabela Basilan	Isabela, Basilan
11 January 1993	Romeo Andrada Legaspi , Publisher	Voice of Zambales	Zambales
22 November 1993	Rosauro Lao	Cotabato News	
22 November 1993	Ding Sade	Cotabato News	
12 February 1996	Atty. Ferdinand Reyes , Publisher	Press Freedom/Dipolog City	Dipolog City
15 December 1996	Alberto Berbon , Deskman	DZMM / Manila	Imus, Cavite
1997	Evelyn Joy Militante	GMA Channel 2 / Legazpi City	Bgy. Sagmin, Legazpi City
3 June 1997	Daniel J. Hernandez News Editor/Columnist	People's Journal Tonight / Manila	Novaliches, Quezon City
17 December 1997	Regalado Mabazza , Announcer	Polaris cable network	Cauyan, Isabela
February 1998	Odilon Mallari , Lawyer/Commentator	DXCP / General Santos City	General Santos City
29 March 1998	Rey Bancairin , Commentator	DXLL / Zamboanga City	Radio booth of dxLL, Mayor Jaldon St., Zamboanga City
16 April 1998	Nelson Catipay	DXMY/ Cotabato	Sultan Kudarat
30 October 1998	Dominador “Dom” Bentulan	DXGS / General Santos City	General Santos City
25 April 1999	Frank Palma , Senior reporter/Pastor	Bombo Radyo / Bacolod	Manila
23 May 2000	Vincent Rodriguez , Correspondent	DZMM / Pampanga	Pampanga
17 November 2000	Olimpio Jalapit , Commentator	DXPR / Pagadian City	Pagadian City
3 January 2001	Rolando Ureta , Commentator	DYKR / Kalibo, Aklan	National Highway, Bagto Village, Lezo town, Aklan Province
24 February 2001	Muhammad Yusop , Commentator	DXID / Pagadian City	Pagadian City
30 May 2001	Candelario Cayona , Commentator	DXLL / Zamboanga City Bgy. Canelar, Zamboanga City	Entrance of Atilano Drive,
31 May 2001	Joy Mortel , Reporter	Mindoro Guardian	In her home, Bgy. Talabangan, Occidental Mindoro
5 April 2002	Benjaline “Beng” Hernandez , 22, Editor	CEGP / Davao	Arakan Valley, Cotabato Province

DATE KILLED	NAME	ORGANISATION	PLACE KILLED
13 May 2002	Edgar Damalerio , Commentator/ Managing Editor/Correspondent	DXKP, Zamboanga Scribe, Mindanao Gold Star / Pagadian City	E.S. Pajares Ave., Pagadian City, Zamboanga del Sur
22 August 2002	Sonny Alcantara , Publisher/Broadcaster	Kokus, Celestron Cable TV / San Pablo City	Near his home while riding a motorcycle.(Quirino St., San Pablo City Subd., San Pablo City)
28 April 2003	John Belen Villanueva Jr.	DZGB /Legazpi City	Bgy. Tagaytay, Camalig, Albay
17 May 2003	Apolinario "Polly" Pobeda	DWTI / Lucena City	15 meters from Quezon Ave., Railroad Crossing, Lucena City
8 July 2003	Bonifacio Gregorio	Dyaryo Banat / Tarlac	Outside his home in Caramutan, Tarlac
19 August 2003	Noel Villarante	The Laguna Score/DZJV	In front of his house in Santa Cruz, Laguna
20 August 2003	Rico Ramirez	DXSF/Butuan City	Bgy. San Isidro, Butuan City, Agusan del Sur
6 September 2003	Juan "Jun" Pala , Commentator	DXGO/Davao City	UN St., Vista Verde Village, Panacan, Davao City
2 December 2003	Nelson Nadura , Commentator	DYME/Masbate City	150 meters from radio station dyME, Masbate City
11 February 2004	Rowel Endrinal	DZRC/Legazpi City	Bgy. Oro Site, Legazpi City
17 June 2004	Elpidio "Ely" Binoya , Commentator	Radyo Natin / General Santos City	Crossing Taltip, Batomelong, Gen. Santos City
31 July 2004	Roger Mariano	DZJC-Aksyon Radio/ Laoag	Laoag City, Ilocos Norte
5 August 2004	Arnel Manalo Correspondent, columnist	DZRH/Bulgar/Batangas	Dyaryo Veritas, People's Courier Bauan, Batangas
8 August 2004	Jonathan Abayon	RGMA Superadyo/ General Santos City	Bgy. Labangal,General Santos City
12 August 2004	Fernando Consignado	Radio Veritas / Laguna	
29 September 2004	Romy Binungcal	Remate / Bataan	Boundary of Balanga City ad Pilar town, Bataan
19 October 2004	Eldy Gabinales (Eldy Sablas)	DXJR-FM	Tandag, Surigao del Sur
12 November 2004	Gene Boyd Lumawag	MindaNews / Jolo, Sulu	Pier of Jolo, Sulu, Mindanao
13 November 2004: shooting at 10:45pm. Died 15 November 2004	Herson Hinolan	Bombo Radyo / Kalibo, Aklan	D. Maagma St., Kalibo Town, Aklan province
13 November 2004	Michael Llorin	Freelance photojournalist/ Manila	Shell gas station, Congressional Ave., Quezon City
27 November 2004	Allan Dizon	Freeman Cebu and Banat News / Cebu	Street outside (cor. Soriano & Kaohsuing St) SM City Mall, Cebu City
December 2004 Abducted 26 November 2004	Stephen Omaois	Guru News Weekly	Kalinga
2 February 2005	Edgar Amor , Freelance broadcaster Key witness to the murder of his friend, journalist Edgar Damalerio. Second witness to be killed by accomplices of the convict, ex-police officer, Guillermo Wapile.	DXKP Pagadian City	In front of the gate of Zamboanga del Sur National High School, Bana St., Sta. Maria District, Pagadian City
28 February 2005	Arnulfo Villanueva , Columnist	Asian Star Express Balita	Along an irrigation road shortly after he left his house in Barangay Munting Mapino., Naic, Cavite
9 March 2005	Romeo Sanchez , Commentator Bayan Muna regional Coordinator	DZNL, San Fernando City, La Union	Inside a flea market (Ukay-Ukay) in 3rd Kayang St., Baguio City
24 March 2005	Marlene Garcia Esperat , Columnist	The Midland Review / Tacurong City	In her home, in front of her 10-year-old daughter on the eve of Easter, in Tacurong, Sultan Kudarat.
4 May 2005	Klein Cantoneros , Program Host	DXAA-FM / Dipolog City	Just stepped out of the radio station and was about to go home when attacked in Dipolog City.
10 May 2005	Philip Agustin , Publisher/Editor	Starline Times Recorder / Dingalan, Aurora	His daughter's home in Dingalan town, Aurora province.
3 July 2005	Rolando Morales , Anchorman ("Tingog sa Barangay"- The Voice of the Village)	DWMD-Radio Mindanao Network, South Cotabato	Along National Highway, Bgy Poblacion, Polomuluk, South Cotabato
18 November 2005	Ricardo "Ding" Uy , Commentator	DZRS-AM Sorsogon City	Inside his house, Sorsogon City Provincial coordinator, Bayan Muna

DATE KILLED	NAME	ORGANISATION	PLACE KILLED
21 November 2005	Robert Ramos , Reporter	Katapat, Laguna	Bgy. Banlik, Cabuyao, Laguna
2 December 2005	George Benaojan	DYDD, Cebu City	Shot in his general merchandise store at the South Central Market, a privately owned mini-mall, in Barangay Lawaan 3, Talisay City.
20 January 2006	Rolly Cañete	DXPR, Pagadian City	Pagadian City, Zamboanga del Sur
21 January 2006	Graciano Aquino	Central Luzon Forum, Bataan	Cockfight arena in Sitio Panibatuan in Barangay Poblacion
2 April 2006	Orlando Mendoza , Editor-in-chief	Tarlac Profile / Tarlac Patrol	While riding his jeep from his farm in Tarlac
2 May 2006	Nicolas Cervantes , Freelance/Columnist	Surigao Daily & Daily Tribune	Outside his residence at F. Ortigas st., Acacia Lane, Barangay Hagdang Bato, Mandaluyong City in Metro Manila
16 May 2006	Albert Orsolino , Reporter	Saksi Ngayon	Near a gasoline station at the boundary of Caloocan's Letre district and Malabon City along the C-4 Road.
22 May 2006	Fernando "Dong" Batul	DYPR Puerto Princesa, Palawan	Valencia St. near Duchess Pension House, Puerto Princesa City
19 June 2006	George Vigo , Correspondent	Union of Catholic Asian News (UCAN), Kidapawan City	Sandawa district, Kidapawan City, South Cotabato
19 June 2006	Macel Alave-Vigo , Program Host	DXND Kidapawan City	Radyo Ukay dxDS Digos City
18 July 2006	Armando Pace , Commentator		
28 July 2006	Ralph Ruñez , Cameraman	RPN 9Metro	Manila
31 July 2006	Prudencio Melendrez , Photographer	Saksi Ngayon, Metro Manila	Narrow alley near his house at Gozon compound in Barangay Tonsuya Malabon City
7 December 2006	Ponciano Grande	The Recorder and the Nueva Ecija Times	Nueva Ecija
21 December 2006	Andres "Andy" Acosta	dzJC Aksyon Radyo (Action Radio)	
19 February 2007	Hernani Pastolero , Publisher	Lightning Courier	
18 April 2007	Carmelo "Mark" Palacios	Radyo ng Bayan Nueva Ecija	Found dead in Sta Rosa, Nueva Ecija Katapat, Cavite
21 May 2007	Dodie Nuñez		
25 June 2007	Vicente Sumalpong , Production Supervisor	Radyo ng Bayan, Tawi-tawi	Brgy. Nalil in Bongao, Tawi-tawi
24 December 2007	Fernando "Batman" Lintuan , Broadcaster	DXGO Aksyon Radyo	Davao City
7 April 2008	Benefredo Acabal , Publisher/Columnist	Pilipino Newsmen, Tabloid	Killed in Pasig City
27 April 2008	Marcos Mataro	UNTV host, D Ex-Man Minister, Ang Dating Daan	Killed near Ramos Store in Brgy. Santa Monica, San Simon Exit, Pampanga
30 June 2008	Fausto Bert Sison , Music program host and Contributor	Regional Bulletin and dzAT	Brgy Lutucan, Sariaya, Quezon
7 August 2008	Martin Roxas , Host of the program Targetanay sa Udto and auditor, NUJP-Capiz	RMN station dyVR and NUJP	Barangay Punta Tabuc, Roxas City, Capiz
4 August 2008: shooting Died 9 August 2008	Dennis Cuesta , Program director and anchor of "Straight to the Point"	RMN dxMD	General Santos City
17 November 2008	Arecio Padrigao , Commentator in the program "Sayre ang Katilingban" (Know the Society)	DxRS Radyo Natin Society)	Gingoog, Misamis Oriental
2 December 2008	Leo Luna Mila , Radio commentator	Radyo Natin	San Roque, Northern Samar
21 January 2009	Badrodin Abas , Blocktime program host	DxCM Radyo Ukay	Cotabato City
23 February 2009	Ernesto Rollin , Radio announcer	DxSY-AM	Brgy Talic, Oroquieta City
9 June 2009	Crispin Perez , Commentator	DwDO	San Jose, Occidental Mindoro
12 June 2009	Antonio Castillo , Reporter	Bigwasan	Uson, Mindoro
25 June 2009	Jonathan Petalvero , Radio Commentator	dxVM-FM Balita at Komentaryo	Bayugan, Agusan del Sur
27 June 2009	Godofredo Linao Jr. , Coordinator	Radyo Natin program Kapamilya Walang Iwanan	Barobo, Surigao del Sur
24 December	Ismael Pasigma , Commentator	B96-FM station	Labason municipality, Zamboanga del Norte

* Ismael Pasigma of B96-FM in Zamboanga del Norte, Mindanao, was killed on December 24, 2009 – one month and one day after the Ampatuan Town massacre. To the end of the 2009, 136 media workers have met violent deaths in the Philippines since 1986.



The IFJ is a non-governmental, non-profit organisation that promotes coordinated international action to defend press freedom and social justice through the development of strong, free and independent trade unions of journalists. IFJ Asia-Pacific coordinates IFJ activities in the Asia-Pacific region. The IFJ works closely with the United Nations, particularly UNESCO, the United Nations Human Rights Commission, WIPO and the ILO, the International Committee of the Red Cross, the European Union, the Council for Europe and with a range of international trade union and freedom of expression organisations. The IFJ mandate covers both professional and industrial interests of journalists.

Visit www.ifj-asia.org or www.ifj.org for more information