

national lawyers guild

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February 2, 2012

President Benigno S. Aquino, III
Malacañang Palace
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San Miguel
Manila, NCR
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VIA FAX

Re: Retired Major General Jovito Palparan and the Culture of Impunity

Dear President Aquino,

It has come to our attention that the notorious Armed Forces of the Philippines (AFP) Retired Major General Jovito Palparan, known as “The Butcher,” has evaded capture since an arrest warrant was issued for him by the Malolos Regional Trial Court in the Philippines on December 19, 2011. During Palparan’s time as a division commander, his troops were implicated in grave abuses constituting violations of international humanitarian law, including extrajudicial killings, torture, and enforced disappearances.

Palparan was operating under the counter-insurgency program, Oplan Bantay Laya, which targets perceived “enemies of the state” whether they are combatants, activists of the legal democratic movement, journalists, lawyers, judges or church members. Palparan publicly admitted to targeting groups and individuals he considered to be communist fronts or Communist Party supporters. A favorite tactic of his has been to label civil society groups as fronts for communist insurgents. In a 2006 interview, Palparan said that the deaths of activists are “small sacrifices” which must be made to win the anti-insurgency campaign.

Palparan and three others are accused of kidnapping and detaining activists Shrelyn Cadapan and Karen Empeño in 2006. In May 2011, their families filed a suit and only then did the government start the process of prosecution against these men.

The National Lawyers Guild (NLG) and other groups, particularly including human rights activists within the Philippines and our colleagues with the National Union of People’s Lawyers, have been calling for an end to the culture of impunity in the Philippines for many years. That culture has seen the country plagued by rampant extra-judicial killings and enforced disappearances targeting left-wing political parties, human rights activists, lawyers and judges, journalists and other civilians since 2001. In September 2010, more than 250 attorneys from 23 countries, including NLG representatives, gathered in Manila to attend the fifth Conference of Lawyers in the Asia Pacific (COLAP V). As a result of COLAP V, the Manila declaration was signed and stated in part: “The conference stressed the need to end impunity for perpetrators of human rights violations and support

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President Benigno S. Aquino, III
February 3, 2012
Page -2-

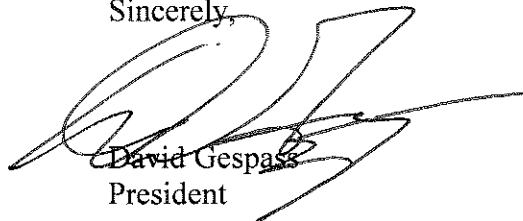
efforts to insure that those governments and individuals responsible are held accountable.”

Unfortunately, it seems your administration has utterly failed to improve the human rights situation in the country, except for the singular instance where were it was compelled to belatedly release the Morong 43 health workers. Extrajudicial killings, enforced disappearances and torture continue, while the perpetrators continue to escape any punishment.

According to a Human Rights Watch statement, civilian officials have expressed the belief that some military personnel and business owners are protecting Palparan. The NLG joins with many other defenders of human rights, both in the Philippines and around the world, in calling on you to order the armed forces to cooperate with civilian authorities in arresting Palparan and others charged with enforced disappearances of the two activists in 2006 and then insure that your orders are followed. Palparan must be immediately arrested and prosecuted.

The National Union of Peoples’ Lawyers has undertaken historic and unprecedented cases against top military and police officials of the previous administration of President Arroyo for their high-profile and heinous human rights violations. The NLG recognizes the dangers the lawyers handling these cases are facing and supports them in their monumental efforts. We remind you that the international community is watching closely and demand that prosecution and punishment replace inaction. It is past the time for you to end the culture of impunity in the Philippines and place your administration on the right side of history.

Sincerely,



David Gespass
President

cc: Philippines Justice Department
Philippine National Police
Department of Local Government and Interior
National Bureau of Investigation
National Union of People’s Lawyers