



National Solidarity Mission to the Province of Abra
April 4-7, 2014
Initial Report

Introduction:

This April 4-7, 2014, a National Solidarity Mission was held in response to one of the gravest cases of human rights violation in the Cordillera region in recent years – the massacre of the Ligiws of Sitio Sucao, Barangay Domenglay, Licuan Baay, Abra.

On March 7, 2014, Fermin Ligiw, Eddie Ligiw and their aged father, Licuben Ligiw, were found buried in a shallow grave near their hut after they went missing on March 3. Their bodies were piled up in the grave. The body of Eddie was at the bottom. He was shirtless when found. On top of him were the bodies of his father, Licuben and his brother, Fermin. All were in fetal position. The hands of Eddie and Fermin were bound by thick nylon ropes. There were rope marks around the neck of Ama Licuben. Eddie had dark marks in the chest area. Fermin's head was "nalumo" (iloko term) meaning that some parts of his head were macerated.

The Ligiw clan and members of the community highly suspect the 41st IBPA as the perpetrator of these brutal extrajudicial killings.

Even after the Ligiws were laid to rest, harassment, threats, intimidation and other human rights violations heightened in the community due to the continuing presence of the military.

The three victims and their immediate family are members and leaders of BALITOK (Baay Licuan Takderan Umno a Karbengan), KASTAN (Kakailian Salakniban tay Amin a Nagtaudan) and CPA (Cordillera Peoples Alliance). These organizations have long been under attack by the AFP with their political vilification campaign branding these organizations as terrorists.

The National Solidarity Mission was organized to register concern over the recent spate of human rights violations due to heavy militarization of the communities of Abra.

The objectives of the mission are: (1) to express solidarity with the people affected by the operations of the 41st IBPA and (2) monitor the human rights situation in the said communities.

Composition:

The National Solidarity Mission was composed of representatives from the following organizations:

1. Cordillera Human Rights Alliance (CHRA-KARAPATAN)
2. Cordillera Peoples Alliance (CPA)
3. Abra Human Rights Movement (AHRM)
4. Kakailian Salakniban Tay Amin a Nagtaudan (KASTAN-CPA)

5. DINTEG Cordillera Indigenous Peoples Legal Center
6. National Union People's Lawyers (NUPL-Baguio-Benguet)
7. KARAPATAN Alliance for the Advancement of People's Rights
8. Hustisya
9. Kalipunan ng mga Katutubong Mamamayan sa Pilipinas (KAMP)
10. Katribu Partylist
11. Bayan Muna Partylist
12. National Council of Churches in the Philippines (NCCP)
13. Salinlahi Alliance for Children's Concerns
14. Children's Rehabilitation Center (CRC)
15. KODAO Productions
16. Northern Dispatch Weekly
17. Regional Ecumenical Council in the Cordillera Region (RECCORD)
18. Community Health Services and Training in the Cordillera Region (CHESTCORE)
19. Cordillera Relief and Development Services (CORDIS)
20. Alliance of Concerned Teachers (ACT-Baguio-Benguet)
21. Alliance of Concerned Teachers (ACT-Abra)
22. Dap-ayan Ti Kultura iti Kordilyera (DKK)
23. Cordillera Youth Center (CYC)
24. Anakbayan - Cordillera
25. Innabuyog – Gabriela
26. DEFEND-Ilocos

Sites covered by the mission:

1. Sitio Sucao, Baranggay Domenglay, Licuan Baay, Abra
2. Domenglay, Licuan Baay, Abra
3. Sitio Mugao, Domenglay, Licuan Baay, Abra
4. Poblacion, Lacub, Abra
5. Sitio Manapnap, Binasaran, Malibcong, Abra

Methodology:

The Mission delegates paid a courtesy call to Governor Eustaquio Bersamin where he together with PSSupt Benjamin M. Lusak, Provincial Director of the Abra Provincial Police Office (APPO), and Indigenous Peoples Provincial Sectoral Representative Cesar Barona guaranteed the security of the group.

During the mission, discussions on basic human rights and international humanitarian law were held in the different sites, interviews along with photo and video documentation were conducted to gather information and monitor human rights violations and women and children's workshops were convened.

General Observations:

1. The communities covered by the National Solidarity Mission are militarized with the presence and operations of the 41st IBPA in the areas. During the conduct of the National Solidarity Mission, the Bravo Company of the 41st Infantry Battalion of the Philippine Army (IBPA) headed by Lt. Mark de los Santos were housed within the vicinity of the house of Barangay Captain Josephine Carino in Sitio Sucao. According to Brgy. Captain Carino, the military offered their bayanihan service to construct the pathway, a work that could be done by community members themselves.
2. The Armed Forces of the Philippines have been using the civil-military operations part of Oplan Bayanihan in their effort to legitimize their stay in communities despite its being a clear violation of international humanitarian law. Projects such as road and school constructions, medical missions can be done by appropriate government agencies or through mobilizing the civilian residents in the community.
3. The people have expressed palpable fear because of the militarization. Incidents of intimidations and harassments after the massacre of the Ligiws have intensified. On one hand, Brgy. Captain Carino and the AFP refuse to acknowledge the prevailing fear among the villagers. The Mission is seriously concerned with such refusal to acknowledge the state of fear. Non-recognition of the prevailing fear will not lead to the appropriate resolution of the situation.
4. The Mission is convinced that the 41st IBPA should be highly suspected in the massacre of the Ligiws. From the statements and stories recounted by the villagers, and the progressive political track record of the Ligiws, the Mission finds no probable reason to attribute the massacre to the New People's army (NPA). The Ligiws have no record of association with the AFP nor are they involved in any anti-people or anti-social activities. Freddie was in fact coerced to guide the military in their operations last February 22, and was turned over by the 41st IB to the village council in Sucao. He was supposed to meet with and report this incident to the Abra Human Rights Movement (AHRM) and the Cordillera Human Rights Alliance (CHRA) last March 4, but he was not able to make it to the said schedule.
5. The continuing militarization of the communities is seriously hampering the economic activities of the people. The prevailing fear due to militarization has significantly lessened the mobility of the people within their communities especially when they go to their farms and small-scale mines or even trade with nearby municipalities. They have stated clearly that there is less food on their table. This is a major concern especially for the Ligiw family who stated that this has reduced them to fend for their food on a per meal basis.
6. Several immediate members of the Ligiw family and another community leader sought refuge with KASTAN while Jessie Ligiw is now under temporary sanctuary in light of heightened intimidation and threat and fear of reprisal. In the spirit of facilitating impartial and speedy investigation in a fear-free atmosphere, the Ligiw clan is seeking

the pull out of the 41st IB. A handwritten petition of the Ligiw clan was presented during the mission signed by the participants during their meeting in Sucao and is intended to be circulated to nearby communities to generate wider support.

7. As a form of support to the Ligiw clan, an earlier petition calling for the pull out of the 41st IB and all AFP forces, not only in the Licuan Baay but the entire province of Abra, was circulated by KASTAN. Many communities in the upland municipalities of the province signed the petition despite the prevailing atmosphere of fear. However, there are several communities, especially those adjacent to Sucao, who, while in full agreement with the demand for the pull out of the military, were afraid to sign individually in the petition.
8. Another petition is being circulated apparently under the auspices of the LGU to the effect of prohibiting military detachments within 100 meters from residential areas. While this measure taken by the LGU is a welcome development, villagers and the Mission team find the petition futile because 100 meters is still within the range of gunfire. It is devoid of other considerations such as agricultural areas, pasture areas, hunting grounds, roads, path ways, sources of water or places frequented by the people of whom civilian lives and properties could be endangered if military detachments are to be set up.
9. There are different investigations being conducted by various bodies regarding the Ligiw case aside from the ongoing criminal investigation by the Philippine National Police (PNP) and the Crime Investigation and Detection Group (CIDG). The elders organizations Licuan Baay Binongan Tribe Organization (LIBABITO) and Binongan Elders Association of Baay Licuan for Ancestral Domain Inc. (BEALBADI) are also conducting their joint investigation.

The family has also filed a complaint against the 41st IBPA with the office of the Commission on Human Rights-Cordillera Administrative Region (CHR-CAR) which is expected to perform their own independent investigation.

10. The continuing presence of the 41st IBPA in the areas have resulted in various cases of human rights violations.

Of the human rights violations that surfaced during the mission are the following:

- i. Sexual abuse among women and children with several cases of abandoned children from soldier-fathers;
- ii. Violations of children's rights, particularly, cases of threats and intimidations from elements of the 41st IBPA;
- iii. Intensified harassment, threat and intimidation especially those participating in activities organized under KASTAN, Abra Human Rights Alliance and Cordillera Human Rights Alliance. Of note is the systematic

insinuation of officers of the 41st IBPA to the effect that the massacre of the Ligiws is perpetrated by KASTAN. Arsenio Ligiw who is the most vocal member of the Ligiw clan is persistently being associated with KASTAN; and

- iv. Encampments in houses and within residential areas during military combat operations under the pretext of “bayanihan.”

11. The Mission finds the behavior and conduct of Lt. Mark Delos Santos of the Bravo Coy of the 41st IBPA rude, unethical and unbecoming of a military officer. Most of his men, including himself were wearing incomplete uniform, in civilian attires during the community meeting held in sitio Sucao last April 6.

They were disrespectful and hostile towards the National Solidarity Mission delegates and the people who had attended the activity in Sitio Sucao.

They took photos and videos of the mission delegates and the activities including the mass in a manner meant to harass and intimidate not just the mission delegates but the people as well.

Lt. de los Santos spoke disrespectfully during the community meeting and wanted to settle the case immediately through the *sapata*, unmindful of the important requisites of the indigenous process of addressing the case.

12. Members and leaders of KASTAN and the Abra Human Rights Movement have reported of intensified surveillance and harassments after the case as well. This was brought up during the meetings held especially with Governor Bersamin and PSSupt Benjamin M. Lusad wherein the demand for their safety and security was forwarded by the Mission.

Recommendations:

1. A prompt, impartial, independent and competent investigation must be done on the reported human rights violations, especially regarding the massacre of the members of the Ligiw family.
2. The immediate pull-out the 41st Infantry Battalion of the AFP for the following reasons:
 - i. The AFP presence in the area hinders the economic activities of community members. Military presence and operations create an atmosphere of insecurity and fear, preventing community members from moving freely from their homes to their farmlands, marketplaces, and other places of their economic activities.
 - ii. Human rights violations committed by the 41st IBPA were reported and documented in the different sites visited by the National Solidarity Mission. The investigation of these cases, as demanded by the people, would be compromised with the presence of the military in these areas.

- iii. The encampment of the 41st IBPA within civilian facilities and near schools and health facilities endangers the populace, and is a violation of CARHRIHL and RA 7610 and makes the women and children more vulnerable to violations
 - iv. The presence of the military continuously threatens and intimidates the Ligiw family and the community.
3. Financial support must be given to the Ligiw family whose livelihood has been gravely affected by the killings of their three family members. The family's economic force has been significantly reduced with the killings while another is economically displaced due to security reasons.
 4. Support must be given to the community's demand for justice and accountability for the human rights violations committed against community members especially in the brutal massacre of the Ligiws. Lack of direct witness to the Ligiw killing should not put an end to further investigation of the accountability of the 41st IBPA. Existing circumstantial evidence and continuous developments are sufficient to establish the culpability of the 41st IB.
 5. The concerned government bodies/agencies, must conduct immediate investigation on the human rights violations committed in the communities by the 41st IBPA since the time they were deployed in these areas and hold them accountable for violations of the CARHRIHL, other international laws and domestic laws.
 6. The government must recognize, respect and consider the current and future efforts and actions of the clans to address their grievances through petitions and resolutions calling for the immediate pull out of the military troops and their demand for justice for the Ligiw family and all victims of human rights violations.
 7. Local Government Units should demand that State security agents abide by human rights and international humanitarian law.
 8. Scrap the Oplan Bayanihan, the current counter-insurgency program of the government, as it only breeds abuses and grave human rights violations in the communities.
 9. President Benigno Aquino, as the commander-in-chief of the Armed forces of the Philippines and Gen. Felix Brawner, commanding officer of the 5th ID, must immediately order the pull out of the 41st IBPA in the province to facilitate the search for justice of the Ligiw family.###