

Press Statement

# Martial Law Commemoration

Wednesday 21 September 2005, by [PAHRA](#) (Date first published: 21 September 2005).

## 33<sup>rd</sup> Year of Martial Law

### Remembering the Heroes, Reminiscing the Anguish

#### Continuing the Struggle

September 21, 1972: the start of a dismal period for the Filipino people. It opened a new era of anguish, cruelty, injustice, social unrest and struggle. It was during the period of Martial Law when political and civil liberties were suspended, and illegal arrest and detention, torture, summary execution and involuntary disappearance became a standard operating procedure. Children lost their fathers or mothers or sisters or brothers or friends. These are the memoirs of the Martial Law Regime.

Thirty-three years had past but the memory lingers. The bruises and agonies are still present and remain uncured. For one, the sufferings of the Martial Law victims persist. Justice has eluded them. While the Supreme Court declared US\$680 million Swiss Deposit of Ferdinand Marcos as ill gotten, up to this day, not a single cent has benefited the claimants. Cases of torture during the Martial Law Era remain unsolved. An example of which is the case of Aberca vs. Ver that was filed in February 1983. Torturers were identified to include then Col. Panfilo Lacson, Maj. Rodolfo Aguinaldo (+), and Sgt. Balaba. Evidences made the court decide in the victims' favor on September 1991. Yet, the case has been appealed in 1995. Since then, there hasn't been any action on the matter.

The cases of abuse and injustice that have transpired during the Martial Law are long overdue. Hence, they must be acted upon immediately. But the present government is found wanting and has become a perpetrator of human rights violations itself.

Thirty-three years have passed yet the trend of human rights abuses during the Martial Law is reflected in the current administration. September 21 is here again with 21 twenty-one reasons and issues of the GMA administration's decadence and treachery as symbolized by rotten eggs: DALAWAMPU'T ISANG ITLOG NI GLORIA; DALAWAMPU'T ISANG KABUGUKAN AT PAGPAPAKANA.

Rotten Egg # 1: Torture remains a Standard Operating Procedure. In 2004 alone, 20 cases of torture had been documented by the Task Force Detainees of the Philippines (TFDP) involving 45 individuals.

Rotten Egg # 2: Political Detention is still present. There are still 261 political detainees languishing in 55 detention centers in the country. In 2004, 55 cases of arbitrary arrest and detention with 363 victims were documented.

Rotten Egg # 3: Involuntary Disappearance continues. From 2001 to 2004 there are 31 cases involving 78 victims of involuntary disappearance. In 2004, 12 cases involving 30 individuals were recorded by the Families of Victims of Involuntary Disappearance (FIND). They were mostly members of Party-list and peoples' organizations.

Rotten Egg # 4: Death Penalty Law remains operative under a flawed justice system. There are 1,081 death row convicts of whom 1,051 are male and 30 are female by the end of 2004. This is despite the 907 cases reviewed by the Supreme Court in June 2004 where 74.4% were dismissed, acquitted, or modified due to wrong judgment.

Rotten Egg #5: Internally Displaced Persons remain a phenomenon. There were an estimated 60,000 people at the end of 2004 who remained displaced due to war in Mindanao and other parts of the country.

Rotten Egg # 6: Increasing cases of Extra-Judicial Killings. In 2004 alone, there were 9 victims of summary execution, 62 individuals were massacred, and 18 journalists were killed. The Philippines is tagged as one of the most dangerous places for journalists in the world.

Rotten Egg # 7: Justice for Martial Law victims remained doomed. Human rights victims of the Marcos dictatorship still await the promised compensation awarded by the Honolulu Court. Until at present, the Compensation Bill long pending in Congress is not acted upon.

Rotten Egg # 8: No Permit No Rally Policy. Making hostage of the right to express dissent and opinion through a permit that is not readily given. Non-provision of a permit becomes a warrant for violent dispersal and abuse of police power.

Rotten Egg # 9: Violence in the picket lines. Most often Government police and military are transformed into private goons of the capitalists to break into the ranks of workers demanding legitimate claims. The latest of which was last September 13 killing of Teotimo Dante and the wounding of 7 others in Caloocan for picketing and demanding for a minimum labor standard and negotiating for a Collective Bargaining Agreement with the Schneider and Winner's company managements.

Rotten Egg # 10: Police Brutality. Supposed to be the civilian protectors and guardians of peace and order, the police have cultivated within its ranks a culture of brutality and incivility during rallies, pickets, raids and arrests among others. The Commission on Human Rights tagged the department as the number one perpetrator of human rights violations.

Rotten Egg # 11: Hiding from electoral fraud and covering up the truth. Felt sorry but unrepentant for using the COMELEC last 2004 elections scam. Without remorse the administration facilitated fugitive Garcilano to conceal the truth behind the "hello Garci tape".

Rotten Egg # 12: Series of unlawful searches and raids: Muslims/Moro people are easy suspects of terrorism due to an international political mindset tagging them as terrorists. In the Philippines, their communities are frequently subjected to unlawful search, raids and zoning operations allegedly to flush out suspected terrorists.

Rotten Egg # 13: Piling-up of unresolved human rights cases. Human rights cases perpetrated by government agents become just a matter of statistics. Most often than not, violators are only charged with administrative sanctions. The latest of which was the March 14-15 Bicutan Siege where 25 Muslim detainees died from the attack. The Commission on Human Rights came up with an investigation which led to a conclusion that the event was a massive show of abuse of power and grave violation of human rights yet no justice was rendered to the victims. Unresolved human rights cases breed a culture of impunity.

Rotten Egg # 14: Continuing war in Mindanao. While the Estrada Administration declared "All Out War in Mindanao", Arroyo unsheathed her "War on Terror". Such led to relentless pursuit of suspected enemies unmindful of the costs it takes from the civilian populace. Communities are

bombarded with heavy artilleries; areas are declared “no man’s land”; schools are disrupted; livelihoods are dislocated; and people are regular sight in evacuation centers suffering from various health conditions caused by the dislocation itself.

Rotten Egg # 15: GMA is hatching the Anti-Terrorism Law. The bill is considered top priority which in essence is giving power to the government to justify and legalize State-Terrorism as the bill does not safeguard basic freedom and liberties of the citizenry.

Rotten Egg # 16: Galvanizing a culture of discrimination. The war on terror espoused by the government has reinforced a culture of discrimination against the Muslims/Moro people and the Indigenous communities. They become automatic suspects and easy targets of human rights violations because of prejudice and animosity. There are 101 Muslims arrested during the time of Arroyo and 25 of them happened in 2004 alone.

Rotten Egg # 17: Hatching a Charter Change to remain in power. The government hides behind the need for constitutional change as the answer to mis-governance and poverty while doing away with the question of accountability and public trust. It covertly deals with a US lobby firm for a big amount to source out funds, benefactors and foreign interests and opens a possibility of influencing the basic framework of the land.

Rotten Egg # 18: The imposition of the Expanded Value Added Tax (EVAT). Amid the poverty experienced by the Filipinos with low wages and irregular income, another regressive tax measure is implemented making the majority unable to cope with the spiraling prices of basic commodities.

Rotten Egg # 19: Migration becomes a forced option. There are 7.76 million OFWs around the world, of which 1.5 million are undocumented. The Philippines now ranks as the number-1 exporter of nurses in the world. An estimated 85 percent of the total employed Filipino nurses (more than 150,000) work abroad. As of August 2004, 575 OFWs are in jails; 412 recorded cases of physical abuse, 258 cases of verbal abuse, 525 suffered from oppressive working conditions. They are considered “modern heroes of the country” yet their rights are seldom protected and promoted by the government.

Rotten Egg # 20: The issue of corruption. Corruption is imbedded in the Philippine political system. This is shown in the disparity of the budget allocation and the actual implementation of projects and programs aimed to benefit the poor. This, notwithstanding the bribe coming from “gambling lords” for favors and protection of unhampered operation. While government officials become richer as reflected in their lifestyle, the poor becomes poorer with less and less access to social services.

Rotten Egg # 21: Rising poverty incidence. Roughly 45% of the entire population is living below poverty line. In October 2004, 15.1% of the population have limited or no access to food.

As we commemorate the declaration of Martial Law and the celebration of the International Day of Peace, we are reminded of the similarities to a Martial Law situation today. Nothing has changed. The issues of abuse, misgovernance and disregard of human rights remain and are being sustained by the current administration. As these predicaments heighten the challenge to the human rights community to continue its struggle for a culture of human rights, they are also a call to all the Filipino people to initiate the necessary change for the country.

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## **P.S.**

\* Philippine Alliance of Human Rights Advocates (PAHRA) is an alliance of more than 100 human rights organizations, institutions, people’s organizations and individual leaders.

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