

Urgent Action! Urgent Action! Urgent Action! Urgent Action! Urgent Action! Urgent Action!

RIGHTS DEFENDER & VICTIMS OF RIGHTS ABUSE UNDER THREAT

We are gravely concerned over the safety of a human rights defender and two human rights abuse victims who have been further exposed to greater risks after they were placed recently on the crosshairs of the Philippine National Police and Armed Forces of the Philippines.

Development advocate Mr. Oliver Gimenez, M.D., 43, and peasant activists Mr. Jessie Almenes, 20, and Mr. Marlon Almenes, 24, were falsely tagged by the Malacañang-based Inter-Agency Legal Advisory Group, through the PNP-Negros Oriental/Siquijor Criminal Investigation and Detection Team of being “top-ranking members” of the so-called “CPP-NPA *Komiteng Rehiyon Sentral Bisayas*” and baselessly accused of multiple frustrated murder on 26 November, 2008.

By so doing, the AFP-PNP virtually issued death warrants against the victims as the public declaration effectively turns them into targets of every foot soldier and anti-communist fanatic. It also justified these attacks in the pretense of national security operations.

The Victims

The victims are not new to political persecution.

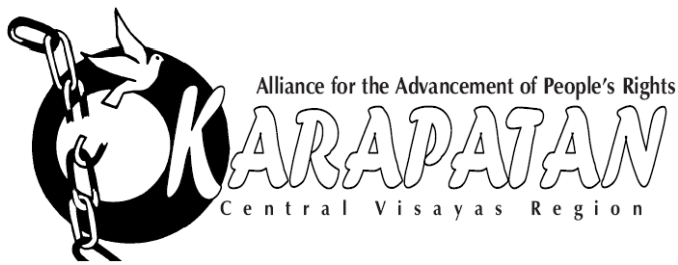
For struggling for peasant rights, Marlon Almines and Jessie Almines, both residents and farmers of Sta. Catalina, Negros Oriental have been the targets of military persecution since 2004. Jessie survived torture by troops of the 61st Infantry Battalion (IB) on March 15, 2004 and mauling by 2Lt. Abel Potutan's soldiers on December 5, 2007. Marlon, meanwhile, was manhandled by the same AFP unit on March 14, 2006. Both victims are members of *Nagkahiusang Mag-uuma sa Sta. Catalina* (United Farmers of Sta. Catalina), an affiliate of the provincial peasant organization KAUGMAON-KMP

Dr. Oliver Gimenez is a veteran of many human rights campaigns since 1993. He is also one of medical personalities in the forefront of humanitarian missions in depressed and militarized areas in Central Visayas as officer of the Health Alliance for Democracy. As such, he has been hounded with threats and harassment by government agents who warned him from continuing his human rights advocacy.

It is clear that the AFP-Central Command is dead-set to neutralize the victims from promoting and protecting human rights and dissuade them from being active with KAUGMAON-KMP and HEAD.

The Perpetrators

The trumped up complaint was concocted by C/Insp. Fermin Armendarez III, of the PNP-Criminal Investigation and Detection Group based on the false testimonies by 2Lt. Romualdo Rubi, Sr., of the 79th IB-Philippine Army, and Maximo Acaba, a 79th IBPA agent, under the direction of the 302nd Infantry Brigade commander Lt. Col. Ceasar Yano and his loyal sidekick Supt. Augusto Marquez.



The perpetrators claimed incredulously that the victims were among the NPAs who allegedly ambushed the 79th IBPA soldiers on 25 September, 2008 in Negros Oriental.

Motive

The appropriation of the Philippine courts and its legal processes in service of national security plan Bantay Laya is an old tack that compliments extra-judicial killings.

The perpetrators know very well that they cannot win these trumped up charges in any court of reason. They are more concerned in laying down the justification for further attacks against the victims and creating a climate of terror, atrophy, and impunity.

This recent action by the AFP-PNP against the three victims and 13 others follows the dismissal of AFP-PNP-instigated multiple murder charges against 36 individuals--including KARAPATAN field workers--in Cebu in 2007, and the dismissal of kidnapping charges against KARAPATAN in Dumaguete City this year.

As in many previous cases, it is important to frustrate this attack in its earliest stage of prosecutorial.

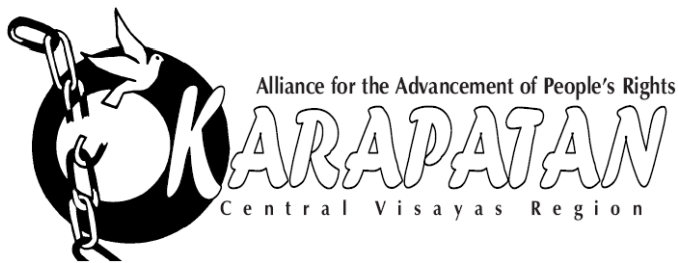
ACTION REQUESTED

Please send notices and letter of concern demanding that the Philippine government **1)** ensure that individuals who works for promotion of human rights are protected, especially those who seek redress for violations committed on them; **2)** ensure that its legal procedures are not misappropriated for political persecution of critics, activists and other perceived "enemies of the state"; **3)** review the complaint filed against Dr.Oliver Gimenez, Mr.Marlon Almenes and Mr.Jessie Almenes, and investigate the purported complainants under pain of perjury; **4)** desist from further publicly humiliating the victims with unfounded charges and other labels; and, **5)** dissolve the Inter-Agency Legal Advisory Group as per recommendation of UN rapporteur Philip Alston, to **local agencies**, among others, listed as:

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