

URGENT APPEAL - THE OBSERVATORY

Extra-judiciary killings in the Philippines: the case of Diosdado Fortuna

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October 17, 2005

The Observatory for the protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), requests your urgent intervention in the following situation in the Philippines.

Brief description of the situation:

The Observatory has been informed by the Philippine Alliance of Human Rights Advocates (PAHRA) of the extrajudicial killings of Mr. *Diosdado “Ka Fort” Fortuna*, president of the Filipino Employees Union, chairman of the Unity of Workers in Southern Tagalog - May First Movement (PAMANTIK-KMU) and chairman of Anakpawis-Southern Tagalog, and of Ms. *Victoria Samonte*, regional vice-president of May First Movement, Caraga section (KMU-CARAGA), president of the Andres Soriano College Employees Union, chairperson of ACT-BISLIG, president of Drivers and Operators of Cumawas and Bliss (two districts of Bislig) Association (DOCUBA), general secretary of the Bislig City Alliance of Transport Association (BCATA), and president of the Castillo Bagong Lipunan Homeowners Association (CBLHA).

According to the information received, on September 23, 2005, at about 5 p.m., Mr. Diosdado Fortuna was riding a motorcycle on his way home to Barangay Paciano, Bislig, when he was suddenly attacked by several unidentified persons in Canlubang, Laguna. The men shot twice at him in the chest, and Mr. Fortuna was pronounced dead on his arrival at the Calamaba Doctors Hospital, where he was taken to by some witnesses of the scene.

Moreover, on September 30, 2005, at about 9:40 p.m, Ms. Victoria Samonte rented a rickshaw along with her colleague, Ms. Mansueta “Sweet” Sanchez, on their way from Andres Soriano College in Barangay to the Bliss Project offices in Barangay Mancarogo. At about 100 metres from the school, a man flagged down the driver and asked for a ride. The driver firstly refused because he already had some clients, but Ms. Samonte offered the man to share the motorcycle, as his destination was on their way. The man sat on the back seat of the rickshaw, besides Ms. Sanchez, although the latter asked him to seat in the front. On the way, Ms. Samonte asked the man twice where he exactly wanted to stop, but he replied each time that he wanted to go “further ahead”.

When Ms. Samonte and Ms. Sanchez finally arrived near their destination, Ms. Samonte asked the driver to bring the man first, wherever he wanted to go. The rickshaw arrived in a dark part of the highway, at about 100 meters away from the Bliss Project office, and the man stopped there. He walked along the street and got on a motorcycle.

Suddenly, Ms. Samonte felt she had been stabbed on her back and Ms. Sanchez pulled a knife out of

her back. Ms. Samonte was taken to the nearest hospital, where she was declared dead at her arrival.

The Observatory strongly condemns the assassinations of Mr. Diosdado Fortuna and Ms. Victoria Samonte and believes that they are connected to their work in favour of economic, social and trade unions rights. The Observatory considers that these events blatantly violate the provisions of the Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, in particular its article 12.2, which states that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, /de facto/ or /de jure/ adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”.

Action requested:

Please write to the authorities of the authorities of the Philippines urging them to:

- i. conduct a fair, impartial and independent inquiry into these events, in order to identify the perpetrators, bring them to justice and pronounce sentences proportional to the gravity of the crime;
- ii. Guarantee that adequate reparation is provided to the families of the victims;
- iii. adopt immediate measures to put an end to all acts of violence against human rights defenders and guarantee in all circumstances that human rights defenders and organisations are able to carry out their work in the Philippines;
- iv. comply with the provisions of the UN Declaration on Human Rights Defenders, in particular article 1, which states that “everyone has the right, individually or in association with others, to promote the protection and realisation of human rights and fundamental freedoms at the national and international levels”, and above-mentioned article 12.2;
- v. more generally, comply with the terms of the Universal Declaration of Human Rights and regional and international mechanisms concerning human rights, to which the Philippines are a party.

Addresses:

Mrs. Gloria Macapagal-Arroyo, President of the Republic of the Philippines, New Executive Building, Malacañang Palace Compound, J.P. Laurel St., San Miguel, Manila, Philippines, Fax: +632 735 6192; +632 736 1010; Email: opnet ops.gov.ph; corres op.gov.ph

Secretary Avelino Cruz Jr., Department of National Defense, 3rd Floor, DND Building, Camp Aguinaldo, EDSA, Quezon City, Philippines, Fax: +632 911 6213, Email: sndcruz dnd.gov.ph; ajcruz dnd.gov.ph

Hon. Raul M. Gonzalez, Secretary, Department of Justice, Padre Faura Street, 1004, Manila, Philippines, Telefax: +632 521-1614, Email: sad doj.gov.ph

Hon. Purificacion Valera Quisumbing, Chairperson, The Commission on Human Rights, SAAC Building, Commonwealth Avenue, U.P. Complex, Diliman, Quezon City, Philippines, Fax: +632 929-0102, Email: drpvq chr.gov.ph

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Hon. Loretta Ann Rosales, Chairperson of the Committee on Human Rights, House of Representatives, Batasan Hills, Quezon City, Philippines, Telefax: +632 931 6288, Email: conglapr nsclub.net

Hon. Francis Pangilinan, Senator, The Senate, Rm. 526 GSIS Bldg., Financial Center, Roxas Blvd., Pasay City, Philippines, Fax: +632 552-6747, Email: kilosko2004 yahoo.com

Ambassador Enrique A. Manalo, Permanent Mission of the Philippines to the United Nations in Geneva, Avenue Blanc 47, 1202 Geneva, Switzerland, Fax: +41 (0)22 716 19 32, Email: mission.philippines ties.itu.int

Please also write to the embassies of the Philippines in your respective country.

Geneva-Paris, October 17, 2005

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.
The Observatory, a joint FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders, and aims to offer them concrete support in their time of need.
To contact the Observatory, call the Emergency Line:

Email: observatoire iprolink.ch

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