



## Philippines

13 October 2010

### Defamatory statements against Mr. Kelly Delgado - PHL 004 / 1010 / OBS 123

**The Observatory has been informed by the Alliance for the Advancement of People's Rights (KARAPATAN) of the defamatory statements against Mr. Kelly Delgado, Secretary General of KARAPATAN-Southern Mindanao Region, in Davao City, Davao Region, in the Island of Mindanao.**

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

According to the information received, on September 21, 2010 at around 10 am, Brigadiers General Eduardo del Rosario and Datu Ruben Labawan held a press conference at Apongcola, Davao City during which they accused Mr. **Kelly Delgado** of masterminding a plot to liquidate the Eastern Mindanao Command Spokesperson, Lieutenant Colonel Cabangbang, allegedly to avenge the abduction and death of Ms. Rebelyn Pitao, the daughter of Leoncio Pitao, a known New People's Army (NPA) commander. Brigadier General Eduardo del Rosario was reported to have claimed that he had in his possession an affidavit of a witness stating that in April 2009, Mr. Delgado had purportedly gathered three NPA members and ordered them to kill the then Major Randolph Cabangbang. During the conference, Mr. del Rosario also insinuated that while KARAPATAN is supposed to uphold human rights, its Secretary General had ordered to kill someone. He further alleged that KARAPATAN is a legal front of the NPA. The press conference took place three days after KARAPATAN received classified information from a reliable source that elements of the Philippines Army have ordered to "eliminate" Mr. Kelly Delgado.

Mr. Kelly Delgado has been the target of acts of harassment reportedly by the military as a result of his work denouncing human rights violations attributed to the military as part of the counterinsurgency strategy. On May, 14-19, 2009 representatives of a mission organised in solidarity with the victims of human rights violations in Southern Mindanao received a copy of a PowerPoint presentation allegedly prepared by the 10th Infantry Division of the Armed Forces of the Philippines (AFP) entitled "JCICC "Aguila" 3rd QTR 2007 OB (order of battle) Validation Result - a progress report on the OB list" [1]. The list contained 105 names of known leaders and several organisations, amongst them peasant leader Mr. **Celso Pojas**, who was shot dead in front of his office in Davao City on May 15, 2008, and Mr. Kelly Delgado. On May 16, 2008, one day after the assassination of Mr. Celso Pojas, an anonymous listener had sent death threats to Mr. Delgado through the Charm radio station. The individual stated that Mr. Delgado would be the next victim and that he would be soon 6 feet under. Following this threat, on June 20, 2008 the United Nations Special Rapporteurs on the right to freedom of opinion and expression and on the situation of human rights defenders wrote a joint a public letter calling to put in place measures to ensure his safety.

The Observatory strongly condemns the defamatory statements made against Mr. Kelly Delgado and KARAPATAN,

which seem to merely aim at silencing their work in the promotion and protection of human rights.

**Actions requested:**

Please write to the Philippines authorities urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Mr. Kelly Delgado and members of KARAPATAN and in general of all human rights defenders in the Philippines;
- ii. Ensure that law enforcement officials as well as public officials refrain from stigmatising human rights defenders by notably assimilating them with rebel groups;
- iii. Put an end to all acts of harassment against all human rights defenders in the Philippines, and ensure in all circumstances that they be able to carry out their work without any unjustified hindrances;
- iv. Conform in any circumstances with the provisions of the Declaration on Human Rights Defenders, adopted on December 9, 1998 by the United Nations General Assembly, in particular its Article 1, which states that "everyone has the right, individually or in association with others, to promote the protection and realization of human rights and fundamental freedoms at the national and international levels", and its Article 12.2 which provides 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";
- v. Guarantee the respect of human rights and fundamental freedoms in accordance with the Universal Declaration on Human Rights and other international human rights instruments ratified by Philippines.

**Addresses:**

- His Excellency Benigno Simeon C. Aquino III, President, Malacanang Palace, JP Laurel St., San Miguel, Manila, Philippines, Fax: +632 736 1010, Email: [corres@op.gov.ph](mailto:corres@op.gov.ph) /[opnet@ops.gov.ph](mailto:opnet@ops.gov.ph)
- Hon. Leila De Lima, Secretary, Department of Justice (DOJ) Padre Faura, 1004 Manila, PHILIPPINES, Fax: +632 521 1614, Email: [atty\\_delima@yahoo.com.ph](mailto:atty_delima@yahoo.com.ph)
- Office of the Chairperson, Commission on Human Rights (CHR), SSAC Bldg., Commonwealth Avenue UP Complex, Diliman, Quezon City, Philippines, Fax: +632 929 0102
- Lieutenant General Ricardo A. David Jr., Chief of Staff, Armed Forces of the Philippines (AFP), AFP-GHQ Offices, Camp Gen Emilio Aguinaldo, Quezon City, Metro Manila, Philippines, Fax: +632 911 6436
- Director General Jesus A. Verzosa, Chief, Philippine National Police (PNP) Camp General Rafael Crame, Quezon City, Philippines, Fax: +632 724 8763, Email: [bluetree73@gmail.com](mailto:bluetree73@gmail.com)
- Permanent Mission of the Philippines to the United Nations in Geneva, 47 Avenue Blanc, 1202 Geneva,

Switzerland, Fax: +41 22 716 19 32, Email: [mission.philippines@ties.itu.int](mailto:mission.philippines@ties.itu.int)

· Embassy of the Philippines in Brussels, 297 Avenue Moliere, 1050 Brussels, Belgium, Tel: +32 2 340 33 77 / 2 340 33 78, Fax: +32 2 345 64 25.

Please also write to the diplomatic representations of Philippines in your respective countries.

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[1] See the Observatory's 2010 Annual Report.

<http://www.fidh.org/Defamatory-statements-against-Mr-Kelly-Delgado>