

19 November 2007

Reporters Without Borders

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Language: **English** and French

Human Rights Council – universal periodic review

First session – 7-18 April 2008

**Evidence of Reporters Without Borders, an NGO with special consultative status, about
press freedom in THE PHILIPPINES**

Press freedom

Despite arrests in some of the investigations into the murders of journalists, the authorities failed to stem the wave of violence against the media. Reporters Without Borders wrote to President Gloria Macapagal-Arroyo in February 2007 calling for energetic measures to put an end to the prevailing impunity in killings of journalists. The organisation is convinced that the police and judicial authorities must go after those responsible if the rule of law and press freedom is to be strengthened in the Philippines. At least six journalists were killed in 2006 and two in 2007.

The past two years have been marked by murders, physical attacks, arrests, abusive lawsuits and cases of censorship.

Defamation is still a criminal offence punishable by imprisonment, and President Arroyo's husband put the freedom of dozens of journalists in danger in 2006 by bringing lawsuits against them. In October 2006, eight members of the management of the privately-owned daily *Malaya* narrowly escaped arrest after publishing an editorial accusing José Miguel Arroyo of corruption.

The president's husband claimed a total of 70 million pesos (1.1 million euros) in damages in 43 lawsuits brought against journalists. In December 2006, journalists' organisations counter-attacked with a complaint accusing the president's husband of violating press freedom and demanding one peso in damages for each Philippine citizen. All the suits have since been dropped.

Most of the journalists murdered because of their work in 2006 and 2007 hosted programmes

on the country's many FM radio stations. In Philippines, local stations often sell airtime to private individual known as "block timers" who put out their own commercial or political programmes. One example was Rolly Canete, gunned down in January 2006 in the southern city of Pagadian, who presented programmes on local radio on behalf of a parliamentarian and his wife, the province's governor.

Hit-men sometimes show extreme determination. Fernando Batul, a commentator on *dyPR* radio was shot dead on his way to work on Palawan Island, southwest of Manila in May 2006. A few weeks earlier, he narrowly escaped a murder bid in which two grenades were thrown at his home. His assailants left a letter telling him to "hold your tongue." When a police officer was arrested a few days later, it was alleged that the instigators were local politicians. The local print media can also be targeted in the same way.

Gloria Arroyo's administration has been widely criticised for its inability to combat the murders of opposition activists and human rights defenders. Politically-committed journalists have also been victims of this kind of political violence. Such was the case of Dodie Nunez, a photographer with the regional newspaper *Katapat* in Cavite province, whose editor, Archie Gadang, ran for provincial governor with Nunez's support. During the campaign, *Katapat* accused rival candidate Ireneo Maliksi of corruption. After winning, Maliksi sued Gadang. Nunez was gunned down on 21 May 2007, shortly after the election.

Community media defending the rights of peasant farmers were also targeted. In July 2006, armed men torched the building housing *Radyo Cagayano*, one of whose presenters, a peasant union leader, was killed a few months later. Members of the armed forces were suspected of being behind these attacks.

The police and courts have had some successes in case of murders of journalists. Four men were found guilty of the March 2005 murder of Marlene Esperat, a journalist who covered corruption, and were sentenced to life imprisonment. But thanks to official collusion, those who ordered her killing have for the time being escaped justice. A former police officer suspected of masterminding the June 2004 murder of journalist Ely Binoya was, however, acquitted by a court in the southern city of General Santos in March 2006 on the grounds of insufficient evidence.

There were at least 28 murder attempts and assaults on journalists in 2006 and 2007, while at least 10 journalists were arrested. Censorship also bit deeper, often because of local politicians seeking to silence opposition media. Jose Cagalawan Pantoja of radio *dxLS* in the southern province of Lanao del Norte, for example, was the target of a murder attempt in October 2007.

Known as a hard-hitting reporter, Pantoja is the main presenter of "Katawhan Alagaran" (Serve the People), a daily programme on local politics in which he investigates corruption and often criticises Lanao del Norte governor Vincente Belmonte. He has been the target of several defamation suits, some of which have been dismissed. He used to be the spokesman of former Lanao del Norte governor Imela Dimaporo, who was defeated by Belmonte in the most recent elections. He said he received death threats prior to the shooting attack, in which he was seriously wounded.

When not targeted by violence, opposition journalists are sued for defamation. A court in Davao sentenced radio journalist Alex Adonis to four and a half years in prison on 31 January

2007 for defaming parliamentarian Prospero Nograles, said to be a close supporter of President Arroyo. He sued Adonis for referring on the air to an affair he allegedly had in 2001. Adonis could not afford the fares to Davao and most of the hearings took place in his absence. Friends said he became depressed and stopped going to work. His lawyer, whose fees had until then been paid by his radio station, withdrew his services and Adonis was not represented by a lawyer during the latter part of the trial.

Philippine Daily Inquirer correspondent Delfin Mallari and radio *DZMM* reporter Johnny Glorioso were sued for defamation by Quezon governor Rafael Nantes for telling the press that he was behind a shooting attack on them on 19 April 2007 south of Manila. Mallari also told the Centre for Media Freedom and Responsibility that Nantes had threatened him, saying, "If I lose the elections, blood will flow."

Finally the authorities in Aurora province, northeast of Manila, failed to mount any search for radio presenter Joey Estriber, a specialist on environmental issues, who was kidnapped in March 2006. He had spoken out against illegal logging in the region.

Government efforts to improve the situation

Creation of a Task Force to investigate murders of journalists.

Cooperation with NGOs

The authorities, especially the police and judicial authorities, regularly respond to queries from NGOS.

Recommendations

- Reinforce the work of the Task Force on murders of journalists.
- Reinforce the judicial system's capacity to bring successful trials against those who murder journalists, and its capacity to identify and punish those who instigate the murders as well.
- Reinforce protection for threatened media and journalists, especially on the island of Mindanao.
- Decriminalize defamation.

Methods used

The material in this update was gathered and checked by Reporters Without Borders, which has a worldwide network of correspondents (in 130 countries) and partner organisations (in about 20).

Journalists in some countries can be sent to prison for several years just for a word or a photo

that offends. Jailing or killing a journalist eliminates a vital witness and threatens the right of each of us to be kept informed. Reporters Without Borders has been fighting day-by-day for press freedom since it was founded in 1985.

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