

November 21, 2013

H.E. VICTORIANO LECAROS

The Ambassador

No. 1, Changkat Kia Peng

50450 Kuala Lumpur

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Dear Ambassador,

RE: Ampatuan Massacre – #gettingawaywithmurder

Four years have passed since the brutal massacre of 58 people including 32 of our journalist colleagues near Ampatuan Town, Maguindanao, in the Philippines.

Despite the Aquino government's pledge to lead the country into what he called "matuwid na daan" (a straight path), the press freedom situation in the Philippines tells otherwise. Three years since Benigno Aquino III assumed the presidency, the Philippines continues its tragic record as a country where the culture of impunity works at its worst.

Targeted killings and attacks against our journalist colleagues in the Philippines continue unabated. The toll of media murders since 1986 now stands at 157. Just this past month saw the murders of three more journalists: Fernando Solijon, Vergel Bico and Jessie Tabanao.

Who is responsible for this savage death toll? The masterminds of these mostly work-related attacks continue to be public officials, the heads of some government agencies, and police and military officers.

Despite the horror of 157 media killings weighing heavily on the Philippines, impunity has triumphed - the perpetrators are getting away with murder. Cases have failed to move forward because of sloppy investigation, weak prosecution, and the vulnerability to influencers of the very institutions tasked to deliver justice. Only 10 cases have ever led to a conviction. Currently, only 15 cases of media killings are currently on trial. Of all the remaining cases, most have failed to move forward from preliminary investigation; that is if they have not already been archived, dismissed, or simply forgotten. And perhaps most damning of all, in not a single case has the mastermind who ordered the killing been convicted.

This month's anniversary of the Ampatuan Massacre is a painful reminder of how the decades-long culture of impunity continues to thrive in the Philippines, and how justice has been denied by the excessive delays in the trial of the case. Although most if not all the Ampatuans arrested have been arraigned, 93 suspects in the massacre remain at large and free to this day, and four years on no one has been convicted.

In addition, at least three crucial witnesses have themselves been killed, others have been barred from testifying, and families are being lured into accepting a cash settlement just to withdraw from the case.

The slow pace of the massacre trial mocks not only the memory of our fallen colleagues, but also press freedom and the rule of law in the Philippines. No one can deny the chilling effect this gruesome incident has on journalists who are tasked with speaking truth to power.

On behalf of our journalist colleagues and affiliates in the Philippines, across the wider region and the global community of journalists, we now ask for a response and demonstrable evidence of concrete action your government is taking to address the culture of impunity in the Philippines.

We urge President Aquino to revisit the Action Plan to End Impunity, first submitted on the day of his inauguration in July 2010 by the International Federation of Journalists (IFJ) and its affiliate the National Union of Journalists of the Philippines (NUJP) (see the attached original 2010 letter or go to: <http://asiapacific.ifj.org/en/articles/ifj-action-plan-for-president-aquino-to-end-impunity-in-the-philippines>), and to provide a formal update on all the efforts taken by concerned agencies to stamp out these violent attacks against press freedom and democracy in the Philippines.

More than just remembering our fallen colleagues, we also seek a formal response, in light of the United Nations Security Council Resolution 1738 (2006), which requires governments to actively protect journalists and media workers in areas of conflict within national borders, about the efforts being made to train the armed forces and national police of the Philippines in their obligations under international law.

We respectfully ask you to communicate this letter to your government in putting the case forward that state forces and agencies hold accountable all suspects of the Ampatuan Massacre and the media murders that have preceded and that have followed, as a way to move forward in the fight to end impunity that has blighted this country for so long.

We seek your response by **November 23**, the International Day to End Impunity and the anniversary of the Ampatuan Massacre, and we trust that you will do all in your power to help the slain journalists, their colleagues and their families to finally see the justice that has been denied them for so long.

Respectfully Yours,

A handwritten signature in black ink, appearing to read 'S. De Rozario', with a horizontal line underneath the name.

SCHAVE JEROME DE ROZARIO

General Secretary NUJ Malaysia

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