

Philippines: The killing of a priest and a judge

Asian Human Rights Commission

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The killing of a Catholic priest, Jesus Reynaldo Roda of Tawi Tawi and a judge, Roberto Navidad of Calbayog City illustrates how miserable the lives of citizens have become in an environment on the brink of lawlessness. Father Reynaldo was shot on Tuesday while praying in a chapel by gunmen who were trying to abduct him. Judge Roberto was killed by a lone gunman in public on Monday soon after boarding his car.

Perpetrators can today go around killing their victims in private or in public. It is not that they have no fear of being identified and arrested; rather, it is the improbability of being held to account that emboldens them. While the killings are shocking, they also follow a pattern; like other victims, both Father Reynaldo and Judge Roberto had been receiving threats to their lives. Their subsequent murders can hardly be unexpected.

Targeted killing of persons is nothing new in the Philippines; over the past few years this phenomenon has claimed hundreds of lives. Few of the perpetrators have ever been prosecuted and punished, however. The government has continuously failed to ensure that investigations are properly carried out to ensure the possibility of effective prosecution. It also refuses to acknowledge that the inability of the police and prosecutor to hold the perpetrators to account has allowed these killings to continue, particularly of persons involved in social activism.

Father Reynaldo was a member of Oblate of Mary Immaculate (OMI). His congregation is known for their work on peace and development in the conflict areas of Mindanao. Priests and religious leaders have long been targets of killings there.

Judge Roberto is the 15th judge to be murdered since 1999, according to a Supreme Court press release. His murder, similar to previous cases, is reported to have had a connection to court cases he had decided. None of the perpetrators in the murders of these judges have been convicted; in fact, their cases largely remain unsolved.

The attack on Judge Roberto is an attack on the entire judicial institution. The message is clear: do not abide by the rule of law. Here was a member of the judiciary performing his duties to uphold the rule of law becoming a target of persons who refused to be ruled by the law. Following the incidents of extrajudicial killings in recent times, the Supreme Court has been prompted to strengthen the security arrangement for justices and judges at all court levels. They have held training sessions for security, improved internal security and issued licensed firearms to judges and government lawyers.

This raises serious questions about the authorities, particularly the ability of the law enforcement agencies to protect members of the judiciary and legal professionals, as well as ordinary citizens. Carrying firearms is clearly not a reasonable long term solution to the continuing insecurity within the country. Moreover, it is the responsibility of the state to protect the security of its citizens. The issuance of firearms to judges and lawyers just illustrates how cruel and absurd the country has become.

Although Chief Justice Reynato Puno has demanded that the police "expedite their investigation" into Judge Roberto's murder, it is unlikely for the outcome to be substantial. With only two convictions in cases involving extrajudicial killings and none involving the murder of judges, the police's capability of dealing with this case is in serious question.

The police's past record reveals that they are largely unable to identify the perpetrators because of their inability to produce and protect credible witnesses. Neither can they ensure that the evidence they gather is sufficient to ensure a conviction. The failure of the police in these areas has even resulted in witnesses and families of the dead being subsequently targeted as well. If the cases of murdered judges go unsolved and perpetrators remain unpunished, how can public confidence be restored in the policing institution, particularly in its ability to resolve cases of the hundreds of victims of extrajudicial killings and enforced disappearance?

Targeting of families of the dead has also been experienced by relatives of Judge Nathaniel Pattugalan, who was murdered in Quezon City in January 2007. He too, had received death threats before he was killed; in fact, he had survived an earlier attempt on his life before his murder. It is reported that those responsible for his murder had connections with one of the cases he handled. His family had expressed concern for their safety and security after his murder; however, no known protection has been afforded to them.

The murder of judges and lawyers performing their duties to uphold rule of law illustrates how entrenched the lack of security and lawless the situation has become in the Philippines. Perpetrators no longer need to think twice before committing crimes; they know that the chances of being held accountable are practically nil. This situation can sow fear in members of the judiciary and prevent them from performing their duties. This in turn effectively undermines the judicial institution. It also sends a strong message that nobody is safe.