



Civicus House,
24 Gwigwi Mrwebi (formerly Pim) Street,
Newtown 2001, Johannesburg, South Africa.
PO Box 933, Southdale 2135,
Johannesburg, South Africa.
tel +27-11-833-5959
fax +27-11-833-7997
email info@civicus.org

1420 K Street NW, Suite 900,
Washington DC, 20005, USA.
tel +1-202-331-8518
fax +1-202-331-8774
www.civicus.org

18 March 2010

To:

H.E. Gloria Macapagal-Arroyo

President of the Republic

Malacañang Palace,

JP Laurel St., San Miguel

Manila Philippines

E-mail: corres@op.gov.ph / opnet@ops.gov.ph

Your Excellency,

I write as the Secretary General of CIVICUS: World Alliance for Citizen Participation, an international movement of civil society with members and partners in over a hundred countries. We are deeply concerned with regard to the detention of the 43 health workers, known commonly as the “Morong 43,” by the Armed Forces of the Philippines (AFP). As discussed below, we strongly believe that justice requires the return of the 43 health workers to their families without further delay.

It is our understanding that on 6 February 2010 these medical practitioners and health workers were illegally arrested by heavily armed elements of the military and police while participating in a one week First Responders Training, sponsored by the Community Medicine Foundation, Inc. and the Council for Health and Development at the farm of Dr. Melecia Velmonte located in Bgy. Maybangcal, Morong, Rizal. Dr. Velmonte is a respected infectious disease specialist as well as a consultant at the Philippine General Hospital and her farm is a regular venue for medical health trainings that attract community workers, hospital staff and academicians.

We deplore that contrary to constitutional and international law the health workers were detained incommunicado without access to legal counsel or visits from their families for their first two days in military custody. We are also deeply distressed to learn that family members, legal representatives, medical doctor, priest or religious minister chosen by the 43 health workers continue to face difficulties in gaining access to visit the detained health workers; including five individuals held in solitary confinement and without access to legal counsel up to now. As President, we call upon you to order the AFP to

ensure that all detained individuals are allowed unimpeded access by their families and lawyers as mandated by law.

These unjustified restrictions on external visitations have heightened our concern for the wellbeing of the health workers. The Philippine Commission on Human Rights has categorically stated that its own findings and initial observations confirm formal complaints that the health workers were subjected to mentally and physically degrading treatment while in military custody. As the Head of the Government, it is essential that you unequivocally condemn all torture and mistreatment of any detained individual and ensure their safety.

We are also deeply worried by the involvement of the AFP in the detention of the 43 health workers and in the civilian legal process. We note that in defiance of a Philippine Supreme Court order, the AFP did not present the 43 health workers before a court of law until 9 days after their initial arrest. We strongly believe in the principle of civilian oversight of the military and the imperative to respect and abide by independent judicial process. On this principle, we support the health workers' appeal to the Philippine Supreme Court for their urgent transfer from the military Camp Capinpin to the Philippine National Police Custodial and Detention Center at Camp Crame, as one significant step to prevent any further possible abuse. Without needing to wait for the Philippine Supreme Court's final decision, we urge you to exercise your constitutional authority as the highest government executive to order the 43 health workers' immediate transfer from military to civilian police custody.


We are further disturbed to hear that on 23 February 2010, the AFP high command officially announced its intention to confer the fourth highest military award in the country, the Bronze Cross Medal, on two commanders who led the operation to arrest the 43 health workers. It is not our wish to vilify all those who serve honourably in the government or military. To the contrary, rather than confer hasty honours that put the rule of law in serious question, it is imperative that as Commander-in-Chief of the AFP you should postpone these awards and act as the chief executive to establish an independent investigation lead by the Philippine Commission on Human Rights and involving representatives from civil society and local government.

Convening an independent investigation into the arrest, detention and abuse of the 43 health workers will send a clear message that every person's procedural and human rights must be upheld at all times and that impunity will not be permitted. Moreover we call upon you to ensure that the Anti-Torture Act enacted on 10 November 2009 is published at once and that all perpetrators of torture and other human rights violations are investigated and brought to justice.

Due to the plainly defective search warrant in respect of the 1987 Philippine Constitution and the disgraceful abuse of the health workers while in military custody, we are of the firm conclusion that the arrest, ill-treatment and continued detention of the 43 health workers are serious violations of the rule

of law, due process and international human rights standards. We urge you, Madame President, to lead the Philippines in living up to its constitutional and international commitments, including the Universal Declaration of Human Rights and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, by ordering the immediate release of the 43 health workers.

Sincerely,


SECRETARY GENERAL

Secretary General
CIVICUS: World Alliance for Citizen Participation
E mail: ingrid.srinath@civicus.org Tel: +27 11 833 5959

Attachment:
Names of the "Morong 43"

CC:

Norberto Gonzales
Secretary, Department of National Defense
Room 301 DND Building, Camp Emilio Aguinaldo,
E. de los Santos Avenue, Quezon City
Email: osnd@philonline.com

Atty. Agnes Devanadera
Secretary, Department of Justice
Padre Faura St., Manila
Email: soj@doj.gov.ph

Atty. Leila De Lima
Chairperson, Commission on Human Rights
SAAC Bldg., UP Complex
Commonwealth Avenue
Diliman, Quezon City, Philippines
Email: chr.delima@yahoo.com

KARAPATAN (Alliance for the Advancement of People's Rights)
National Office
2/F Erythrina Bldg., #1 Maaralin cor Matatag Sts., Brgy. Central, Diliman,
Quezon City 1100 PHILIPPINES
Email: urgentaction@karapatan.org

Names of the “Morong 43”

1. Dr. Merry Mia, Health Education and Training Services coordinator for Council for Health and Development (CHD) and wife of Mr. Roneo Clamor (KARAPATAN Deputy Secretary General)
2. Dr. Alexis Montes, member of Community Medicine Development Foundation (COMMED)
3. Gary Liberal, Registered Nurse (Jose Reyes Medical Memorial Center)
4. Teresa Quinawayan, Midwife
5. Lydia Obera, community health worker
6. Reynaldo Macabenta, community health worker
7. Angela Doloricon, community health worker
8. Delia Ocasia, community health worker
9. Jane Ballea, community health worker
10. Janice Javier, community health worker
11. Franco Remoroso, community health worker
12. Ailene Monasteryo, community health worker
13. Pearl Irene Martinez, community health worker
14. Elen Carandang, community health worker
15. Dany Panero, community health worker
16. Rayom Among, community health worker
17. Emily Marquez, community health worker
18. Emelia Marquez, community health worker
19. Glenda Murillo, community health worker
20. Ace Millena, community health worker
21. Ely Castillo, community health worker
22. Laly Saligumba, community health worker
23. Jovy Ortiz, community health worker
24. Samsung Castillo, community health worker
25. Mark Estrellado, community health worker
26. Miann Oseo, community health worker
27. Selvia Pajanosta, community health worker
28. Lolibeth Donasco, community health worker
29. Jenelyn Pizaro, community health worker
30. Ramon de la Cruz, community health worker
31. Jacqueline Gonzales, community health worker
32. Maria Elena Serato, community health worker
33. Mercy Castro, community health worker
34. Lea de Luna, community health worker
35. Judilyn Oliveros, community health worker
36. Valentino Paulino, community health worker
37. Yolanda Yaun, community health worker
38. Edwin Dematera, community health worker
39. Sherilyn Riocasa Tawagon, community health worker
40. Gerry Sustinto, community health worker
41. Jenmark Barrientos, community health worker
42. Mark Escartin, community health worker
43. Romeo de la Cruz, community health worker