



TASK FORCE 211

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"Task Force Against Political Violence"

Rm.278 Annex-C, Department of Justice, Manila
Tel. No. 536-0456/523-8481 loc.278
email: taskforce211@yahoo.com
www.taskforce211.com

TRANSPARENCY

FOCUS

PRO-ACTIVITY

January 8, 2010

UNDERSECRETARY RAFAEL E. SEGUIS
Office of the Undersecretary for Special and Ocean Concerns
Department of Foreign Affairs
2330 Roxas Boulevard, Pasay City

Dear Undersecretary Seguis:

We acknowledge receipt of your letters asking for regular updates on the developments on the Maguindanao Massacre.

Attached is a summary of what the Department of Justice and its attached agencies have done to address the Maguindanao Massacre.

A look into the cases filed shows that the Philippine government is indeed addressing, with zeal, the gruesome incident. However, please understand that the prosecutors involved in the cases, whether in the preliminary investigation or in the prosecution of the cases filed in court, are burdened on the preparation of their resolution/arguments. Thus, they cannot easily provide regular updates on the cases. Nonetheless, rest assured that justice will be properly delivered in due time.

Respectfully Yours,

RICARDO R. BLANCAFLOR
Undersecretary, Department of Justice
Chairman, Task Force 211

Department of Justice (DOJ) and its attached agencies

When the Maguindanao incident happened on November 23, 2009, Her Excellency Gloria Macapagal-Arroyo mobilized the different agencies/offices of the government to ensure that an immediate and proficient investigation of the case will be completed.

On the part of the DOJ, the Secretary of Justice immediately ordered the National Bureau of Investigation (NBI) to conduct its own investigation of the massacre. NBI experts were also sent to the crime scene. The forensic experts of the NBI have conducted autopsy on the bodies of the victims.

A few hours after the incident, Task Force 211 immediately communicated with the lawyers of the Mangudadatus to get their cooperation in gathering witnesses for the crime. Undersecretary Ricardo R. Blancaflor, chairman of TF211, conferred with the lawyer of the Mangudadatus, who promised to obtain the cooperation of the eyewitnesses and other relevant witnesses. The following day, TF211 coordinated with the Philippine National Police (PNP), Scene of the Crime Operatives (SOCO) units and instructed/coordinated with the NBI Team of Region 12 to conduct a parallel investigation.

Also, on November 24, 2009, a special panel of prosecutors was formed to handle cases arising out of the incident. The following day, the panel was further reorganized and two groups were formed to ensure the immediate and efficient inquest/preliminary investigation of the cases.

Many of the media members who were massacred were personal friends of the chairman of TF 211 because they have been actively involved in the resolution of a local media killing case (Dennis Cuesta, an anchorman and program director of RMN DXMD in General Santos City who was attacked on August 4, 2008 but died only five (5) days later in the hospital. As a matter of fact, TF211 and the General Santos media members, had a re-enactment of the Cuesta case to drum-up public attention as the primary suspect - a high ranking police officer - is still at large.)

In a meeting with the survivors of the incident, Usec Blancaflor convinced them to execute affidavits that were eventually used by the NBI to charge Datu Andal Ampatuan Jr. TF211 likewise gave financial assistance to the families of deceased media practitioners.

On November 25, 2009, Secretary Agnes VST Devanadera arrived in the area and visited different funeral parlors to see the remains of the victims. Additional NBI Medico Legal and investigating teams were also brought from Manila to augment the local NBI.

Working throughout the night of Wednesday (Nov. 25), the DOJ team was able to build-up a case against Datu Andal Ampatuan Jr. Thus, when Datu Andal Ampatuan Jr. arrived in General Santos Airport on Thursday afternoon (Nov 26), he was immediately arrested and subjected to inquest. The inquest was immediately terminated and Datu Andal Ampatuan Jr. was brought to Manila at the NBI Detention Center. The complaint for Multiple Murder referred for inquest and filed before DOJ Manila was docketed as XVI-INV-09K-00103 entitled "NBI-Mangudadatu et. al. Vs. Datu Andal Ampatuan Sr. et. al."

On December 1, 2009, Andal Ampatuan Jr. was charged with Twenty Five (25) counts of murder before the Regional Trial Court of Cotabato City. The Department of Justice also asked for a transfer of venue of the hearing of the case in Manila to ensure the security and safety of all the parties especially the witnesses in the case. On December 9, 2009, additional murder charges were filed before the Cotabato RTC.

The Supreme Court granted the request for transfer of venue, thus, the cases were transferred to RTC Quezon City. Criminal Case Nos. Q-09-162148-72 for Twenty Five (25) counts of murder and Criminal Case Nos. Q-09-162216-31 for sixteen (16) counts of murder are now being heard before the Hon. Jocelyn A. Solis-Reyes of RTC Branch 221 of Quezon City. Hearings will be held in Camp Crame.

On January 5, 2010, Datu Andal Unsay Ampatuan Jr. was arraigned and pleaded not guilty. Bail hearing has started and one (1) witness for the prosecution was presented. Next hearings are scheduled on January 13 and 20, 2010.

On the cases pending preliminary investigation:

On December 2, 2009, a complaint for Multiple Murder was filed for preliminary investigation in DOJ Manila and docketed as XVI-09L-00816 entitled "CIDG-CIDU vs. Gov. Datu Andal Ampatuan Sr. et. al". The following day, another complaint for Multiple Murder was referred for inquest and docketed as XVI-INV-09L-00104 entitled "CIDG vs. Esmail Canapia and Takipan Dilun".

On December 18 and 28, preliminary investigation hearings were held in DOJ Manila.

On the Rebellion Charges:

On December 7, 2009, at 11:00 o'clock in the evening, inquest proceedings for Rebellion was held in Cotabato City. Among those charged are Gov. Andal Ampatuan Sr., ARMM Gov. Zaldy Ampatuan, five (5) other members of the Ampatuan family and seventeen (17) others. The basis of the filing of the complaint are affidavits of witnesses who testified on the role of Ampatuans in planning and implementing the

withdrawal of allegiance from the RP National Government and affidavits of witnesses who testified that the Ampatuans ordered government offices to close down in protest of the crackdown of the military against the Ampatuan family.

On December 9, 2009, at 3:30PM, the Information for Rebellion was filed before the Regional Trial Court of Cotabato City docketed as C.C. No. SA 198.

Charges against additional respondents are currently undergoing preliminary investigation in DOJ Manila. Hearings were held on December 28, 2009 and January 12, 2010.

Bureau of Immigration (BI)

By virtue of an order by the Secretary of Justice dated November 27, 2009, the Bureau of Immigration included in its watchlist nine (9) members of the Ampatuan family. On December 4, 2009, ten (10) additional suspects in the incident were added and on December 18, 2009, several additional names were also included in the bureau's watchlist.