

3/2/90



URGENT ACTION

TFDP-Mindanao

UA-020
02-15-90

Case: Frustrated Massacre*

Victims: (Killed)

1. Jury Rabaca, 19, single, farmer and resident of barangay Lipawan, municipality of Dumingag, Zamboanga del Sur.

(Wounded)

1. Orgil Escurro, 21, single, a college student and also a resident of barangay Lipawan, Dumingag;
2. Teopanis Natividad, 28, married with four children, farmer and a resident of barangay Mansawan, municipality of Don Mariano Marcos, Misamis Occidental

CIRCUMSTANCES:

On June 4, 1989 at about 6:00 in the evening, the victims were on their way home from Dumingag poblacion when strafed by armedmen killing Jury Rabaca on the spot and wounding Orgil Escurro and Teopanis Natividad.

Escurro identified the perpetrators as Bido Olaco, a member of the defunct Integrated Civilian Home Defense Force (ICHDF) of barangay Calubihan, Dumingag; Ronel Olaco and Boy Ceniza, both buddies of Bido.

Escurro, narrated in an interview that they had already crossed the Guitran river of barangay Lipawan also of Dumingag when suddenly Bido Olaco with his two companions appeared from the cornfields and fired their guns at them which were wrapped in sacks.

On the first volley of gunfire, Escurro added that Rabaca was fatally hit on his head causing his instantaneous death. Left with no choice, Escurro and Natividad ran back leaving Rabaca sprawled on the ground. But unfortunately, while they were still crossing the river, the perpetrators again strafed them wounding both victims.

Escurro was hit on the left side of his belly while Natividad suffered a wound on his right foot.

* Frustrated Massacre - The commission of all acts of massacre by an offender but he was not able to consummate it because of timely medical intervention and/or factors outside the offender's will.

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Task Force Detainees of the Philippines (TFDP) is a human rights organization established by the Association of Major Religious Superiors in the Philippines. TFDP believes in the inviolable dignity of the human person and his/her basic inalienable rights to life; to freedom and to the means necessary and suitable for the proper development of life. TFDP, therefore, strives to live up to the imperative of "action on behalf of justice . . . appear as a constitutive dimensions of the preaching of the Gospel of the Church mission for the redemption of the human race and its liberation from the very oppressive situation" (1971 Synod of Bishops Statement).

ESCURRO SAID, THEY WERE FORTUNATE ENOUGH TO REACH THE HOUSE OF HIS ELDER BROTHER ELIZALDE IN BARANGAY CALUBIHAN, AS THE PERPETRATORS DID NOT PURSUE CHASING THEM.

THE VICTIMS WERE THEN BROUGHT TO A HOSPITAL IN OZAMIS CITY.

ALTHOUGH THERE WAS NO CLEAR MOTIVE, ESCURRO ADDED THAT HE STRONGLY BELIEVED THAT THEY (VICTIMS) WERE SUSPECTED MEMBERS OF THE NEW PEOPLE'S ARMY (NPA).

ON THE OTHERHAND, LIPAWAN BARANGAY CAPTAIN SANTIAGO HORTELANO DISCLOSED THAT IMMEDIATELY AFTER THE INCIDENT, HE INFORMED THE LOCAL AUTHORITIES BUT THE DUMINGAG LOCAL POLICE REFUSED TO CONDUCT AN INVESTIGATION TO THE SITE OF THE INCIDENT SAYING THAT NPAs ARE STILL PRESENT IN THE PLACE. IT WAS LATER LEARNED THAT THE MILITARY HAVE ALLEGED THAT BARANGAY LIPAWAN IS HEAVILY INFLUENCED BY THE NPA REBELS.

THE FOLLOWING DAY, JURY RABACA WAS RETRIEVED BY HIS RELATIVES AND WAS BURIED ON THE SAME DAY.

LATER, THE VICTIMS FILED A COMPLAINT AGAINST BIDO OLACO'S GROUP. BUT TO DATE THERE ARE NO DEVELOPMENT YET AS TO THE ARREST OF THE PERPETRATORS.

ASIDE FROM FILING A CASE IN COURT, MARTINO ESCURRO, FATHER OF ORGIL, WENT TO THE ARMY'S 55TH INFANTRY BATTALION (IB) HEADQUARTERS BASED IN BARANGAY ARGAO, MOLAVE, ZAMBOANGA DEL SUR IN FEBRUARY THIS YEAR TOGETHER WITH THE 'INTERNATIONAL FACT-FINDING MISSION' (IFFM) TEAM AND SOUGHT ASSISTANCE REGARDING THE CASE.

REPORTEDLY, COL. JOHN BOLHAYON, COMMANDING OFFICER OF THE 55TH IB PROMISED TO ESCURRO AND TO THE IFFM GROUP THAT HE WILL CONDUCT AN INVESTIGATION INTO THE INCIDENT AND WILL DISARM THE SUSPECTS.

LATEST REPORT REVEALED, HOWEVER, THAT NO ACTION HAS BEEN TAKEN. THIS WAS RELAYED BY MARTINO ESCURRO TO TFDP-PAGADIAN UNIT.

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Recommended Action: Send Telegrams, express or airmail letters:

- expressing concern about the death of Jury Rabaca;
- requesting the authorities that a full and impartial investigation be undertaken into the case and that all persons involved in the act be arrested and tried in the civil court;
- asking that effective steps be taken to ensure the safety of all witnesses to the incident.

Send Appeals to:

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| 1. President Corazon C. Aquino
Malacañang Palace
Manila, Philippines | 4. Brig. Gen. Guillermo Flores
South Command Chief
Upper Calarian, Zamboanga City
Philippines |
| 2. Secretary Fidel Ramos
Department of National Defense
Camp Crame, Quezon City
Philippines | 5. Col. Roger Deinla
RECOM IX Chief
R.T. Lim Boulevard
Zamboanga City
Philippines |
| 3. Gen. Renato de Villa
NAFP Chief of Staff
Camp Aguinaldo, Quezon City
Philippines | |

