

# Plotters behind violent massacre in Philippines convicted after 10 years

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Five members of the Ampatuan family, which governed the southern Philippine province of Maguindanao for decades, have been found guilty of orchestrating a bloody massacre in 2009 that left 58 people dead, the nation's worst case of election violence.

On December 19, in a special court in Taguig city, the verdict was announced concluding a 10-year-long legal case. In a trial of 107 defendants, Judge Jocelyn Solis-Reyes sentenced a total of 28 people to *reclusión perpetua*, a 40-year prison term without parole, while 56 others were acquitted. A further 80 suspects, including several dozen police officers and soldiers, remain at large. The powerful Ampatuan family has consistently denied the charges and is expected to appeal the convictions.

The Ampatuan clan allegedly carried out the massacre after the rival Mangudadatu family announced their intention to field a candidate in the gubernatorial election to challenge the dynasty's long-standing political rule over Maguindanao province. The candidate, Esmael Mangudadatu, having received death threats from the Ampatuans, sent his pregnant wife and two sisters to the provincial capital to file his candidacy papers in his stead. He assumed a convoy of female family members and supporters, accompanied by journalists, would not be attacked.

In November 2009, the convoy of 58 unarmed men and women, travelling in six buses on the road from Buluan to Shariff Aguak, was reportedly ambushed by more than a 100 armed men and diverted towards a hilltop where three mass graves had already been dug by a government-owned excavator. They were then beaten and shot, their bodies dismembered and tossed into the prepared graves. The victims included 32 journalists and 22 women, many of whom were raped

and sexually mutilated.

A text message secretly sent from one of the victims brought the intervention of armed forces before the excavator could complete the burial of the remaining body parts. The armed men fled, shooting the operator of the backhoe as they left. Had the concealment gone to plan, the convoy would have simply vanished.

Due to the intense public outrage at the slaughter, the administration of President Gloria Macapagal Arroyo, seeking to distance herself from her close allies the Ampatuans, ordered multiple murder charges to be filed against prime suspect Andal Ampatuan Jnr, a town mayor and successor to patriarch Andal Snr. His brother Zaldy and their father Andal Snr were also arrested, along with some 200 suspects.

The Quezon City Regional Trial Court in Metro Manila embarked on a case that would last 10 years, accumulating 238 case folders and involving 357 witnesses.

Throughout the case, victims' families and media groups reported harassment and threats. At least four witnesses testifying against the Ampatuans were killed by unidentified gunmen. Nena Santos, lawyer for Esmael Mangudadatu, told Associated Press she had received a hundred death threats over the past decade and was once offered a large sum of money to withdraw from the proceedings. She also raised concerns for the victims' families, who fear for their lives as many of the suspected killers were acquitted.

The protracted case was representative of the notoriously sluggish Philippine courts, which are especially vulnerable to pressure from the Manila-based political elite. Added to this was the fact that numerous witnesses recanted their testimony, apparently due to intimidation or bribes from the Ampatuans. Further delay was caused by many of the accused changing

their legal counsels, with Andal Jnr changing his counsel five times, in a clear attempt to push back the deadline for the court's decision.

In 2014, Salvador Panelo, a lawyer who would go on to serve as spokesman for President Rodrigo Duterte, joined the legal team of Andal Jnr. According to the *Philippine Star*, Panelo argued that the Ampatuans did not commit the massacre but had been "framed" by another rival clan, the Sangkis, in a bid to seize political power.

Judge Solis-Reyes shocked onlookers at one stage by granting bail to 16 accused police officers, when it was publicly known that senior level police officers and army officials at checkpoints along the highway had turned a blind eye to the Ampatuans' thugs stalking the Mangudadatu convoy.

Last year public anger over the slow court proceedings was reignited when Zaldy Ampatuan was permitted to leave jail to attend his daughter's wedding. As the *Daily Inquirer* explained, growing pressure from frustrated Philippine workers and farmers, seen in the increased presence of large rallies in the major cities, ultimately compelled the trial to reach a conclusion.

In the lead-up to the final verdict, the prosecution relied particularly upon the witness Sukarno Badal, who admitted to being a commander of the Ampatuans' private army. Badal revealed that meetings planning the massacre commenced as early as four months prior. Andal Jnr allegedly told his father at one of these meetings, "Father, whoever attempts to wrest power from us, we'll kill them all, especially the Mangudadatus." Badal also claimed he saw Andal Jnr ordering his men to stop the Mangudadatu convoy and afterwards shooting some of the victims himself.

The verdict is being hailed by civil liberties groups around the world as a triumph of the Philippine judiciary and a hopeful sign for future democracy. Phil Robertson, Deputy Asia Director of Human Rights Watch, said the court's decision was momentous and should "prompt the country's political leaders to finally act to end state support for 'private armies' and militias that promote the political warlordism that gave rise to the Ampatuans."

In reality, successive governments have directly benefited from the existence of familial dynasties that control rural areas, from Arroyo to Duterte. The

Ampatuans proved effective agents in Arroyo's 2004 presidential campaign, rigging the Maguindanao vote in her favour. And Duterte, through his long run as mayor of Davao City, relied on the same culture of corruption, crony politics, and election violence that enabled the Ampatuans and Mangudadatus to retain their rule.

In a complete turnaround from his previous defence of the Ampatuans, Salvador Panelo issued a statement from Malacañang Palace, in his current role as Presidential spokesperson, applauding the convictions. "This savage affront to human rights should never have a duplication in this country's history," he said.

The killing of political candidates and their family members, journalists and activists is, however, a routine occurrence in the Philippines during election season. The press, meanwhile, both in the Philippines and internationally, generally fail to report on these atrocities. As the WSWs wrote in 2009, "Had the 57 murders of Maguindanao been committed in groups of three or four over the space of several weeks, no comment would have been made."



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