

Suspect 'Ana': The story of an NPA guerilla's ex-wife

BONG SARMIENTO, Philippine Human Rights Reporting Project

POLOMOLOK, June 3-- Less than 100 metres from a police detachment at the so-called barangay Cannery Site in Polomolok Town is the sari-sari (general merchandise) store owned by Luzviminda Mosquera.

The owner of the shop, which lies deep in a warren-like neighborhood of narrow alleys, is known as Inday, a petite 41-year-old, single mother of two teenage girls.

In early March, Mosquera was not seen managing her small store - little more than a room facing toward the main road and attached to the roughly built concrete house of her parents.

Instead, it is her mother, Cecilia, who tended the store which sells candies, soft drinks, repacked cooking oil, charcoal and other small quantities of household supplies.

Mosquera closed up the store at around 9 pm on March 9. - Philippine Human Rights Reporting Project

Four hours later - around 1 am when all save some stray dogs were asleep - the neighborhood quiet was interrupted.

"There were loud raps on our door, asking us to open up," Mosquera's father Celedonio told the Philippine Human Rights Reporting Project.

"They then kicked the door in," he said, showing a broken lock and marks on the door.

Celedonio shivers as he recalled looking for his bolo (field knife) to defend his family against the intruders - who allegedly refused to identify themselves as they banged at the door.

But before he could reach for the weapon, the 66-year old said the door burst open from the brute force of the attack by what turned out to be members of the Philippines' national police force.

Celedonio maintains there were almost a dozen men belonging to the Criminal Investigation and Detection Group, CIDG, of Central Mindanao region.

They were looking for an "Ana" - an alias used by a suspect charged with robbery alongside several suspected members of the New People's

Army, the armed-wing of the Communist Party of the Philippines.

Although the police claimed to hold a warrant of arrest for Ana, Celedonio said the raiding team just waved the paper and wouldn't allow the family to read it.

"We have no Ana in this household," Celedonio remembers telling the men, who used their guns to poke around the house and threaten its occupants.

Because of the commotion, everyone inside the house was now fully awake, including a wailing child. According to Celedonio, the civilians were ordered to lie face down on the floor.

When the police found Mosquera, who was in another room with a separate front door along with her two children, Karina, 15, and Lorena, 13, a hooded police informer identified her as the woman they sought.

"They carried her like a pig," said her mother Cecilia, in tears, trembling as she rose to get water from a faucet to calm her nerves.

"I have not eaten normally since the incident. I'm terrified by what happened. Why are they doing this to us?" she asked.

Cecilia said that during the arrest, Mosquera's eldest daughter clung on to her mother and appealed to the police to go easy.

However, officers forced the young girl to let go, injuring her in the process.

Neighbours watched helplessly as the police took a wailing Mosquera to a waiting car in handcuffs, before driving her to the region police headquarters in General Santos City.

Affair with a commander

Mosquera was arrested on the suspicion that she took part in a raid on a military unit, conducted by the NPA.

Court records allege that communist rebels stormed a military detachment in Barangay Bituan, in Tulunan town in North Cotabato Province, about 100 kilometres northwest from Mosquera's hometown on Nov. 2, 2006.

The communist guerrillas, alleg-

edly headed by Manuel Fernandez alias Kumander Bobo, looted 22 assorted high-powered firearms from the detachment.

Fernandez is the father of Mosquera's two teenage daughters and is a known NPA figure in Central Mindanao region, blamed by the authorities for various attacks in the area.

Fernandez alongside others allegedly headed a New Year's Day raid during which some 40 NPA members are reported to have caused damage worth at least 12 million Philippine pesos to property at the base camp of Sagittarius Mines Incorporated in Tampakan, South Cotabato.

More than two dozens suspects were charged for the Nov. 2, 2006 incident, which was docketed as criminal case number 568-2007.

The authorities identified Mosquera as the alias Ana mentioned in an arrest warrant issued in January in relation to the incident, by Judge Rogelio Narisma of the regional court in Kidapawan City.

However, the suspect has strongly denied she is a member of the communist movement, says Emily Lopez, spokesperson of Philippines human rights group Karapatan, or the Alliance for the Advancement of People's Rights.

Lopez, who has been a close friend of Mosquera for 15 years, said that she admits to a relationship with Fernandez: Her two children use his family name.

However, she swears that Mosquera is not an NPA member.

"Mosquera severed her marital ties with Fernandez some six years ago. She has not been a member of the NPA although she had a husband who is an NPA commander," said Lopez.

Her friend said in her younger days, Mosquera was active in progressive groups, such as the Agri Services Development Programme, the Women's Inter-Service Center, and the Catholic Youth Movement. These groups, according to Lopez, were involved in community grassroots works where there was

a possibility of encountering communist rebels.

"But as far as I know, she has not been a member of the communist movement. Never," reiterated Lopez.

"Moreover, Mosquera was not involved in the Nov. 2, 2006 raid by the communist rebels because I've seen her and we talked at a cemetery in Polomolok."

According to Lopez, the suspect could not have been in the mountains all that time or taken part in the raid since she was attending to the health of her eldest daughter who suffers from the autoimmune disease lupus.

"Maybe, her [Mosquera's] sin was that she was a wife of an NPA commander," she said.

Lopez speculated that the authorities' apparent harassment of civilians with relatives active in the communist movement could be a ploy to pressure them to surrender.

Only in the movies

Erlinda Mosquera, the suspect's younger sister, also denies that her sibling is a member of the NPA, saying she is kept busy tending her store, as well as looking after her sickly daughter.

Erlinda said she has been greatly affected by the manner in which police handled the arrest of her sister.

"I thought it can only happen in the movies," interrupted Erlinda, as her father recounted the frightening, violent events of that fateful night.

"There would be no problem if the arrest was carried out in a correct and peaceful manner. It's frightening to see gun barrels pointed at you," continued Erlinda, adding that family members had been left traumatised by the incident.

For his part, Celedonio stressed that he could not forget the "beastly conduct of the CIDG agents" during the serving of the arrest warrant.

Local peoples' groups have decried it as "warrantless arrest" - as Ana was the only name on the warrant - and held a protest outside the police regional office in General Santos City on March 12.

"Her name was not on the list of the arrest warrant," Edward Flores, spokesperson of left-wing political coalition Bagong Alyansang Makabayan-Socskarsargen, told local reporters.

Flores claims the witness who identified Mosquera to police as Ana is a "paid hack" used to destroy the reputation of local people's organisations, such as the national trade union Kilusang Mayo Uno, by linking them to the NPA.

However, the police maintain the raid was above board and that they bagged the right suspect.

Senior superintendent Generoso Bonifacio, CIDG director for Central Mindanao, said that there was a "strong case against Mosquera since the police have witnesses who were formerly members of the communist movement".

"We have at least two witnesses identifying [Luzvi] Minda Mosquera as one and the same person as Ana," Bonifacio told newsmen who covered the militant's picket pressing for the release of Mosquera.

"One of our witnesses, who executed an affidavit, even took part in the robbery incident [of Nov. 2, 2006]," he said.

Right of protection denied

Celedonio filed a petition for writ of amparo against the actions of the raiding team at a court in General Santos City, saying the arrest was unlawful. A writ of amparo, or right of protection, is an order issued by a court to protect the constitutional rights of a person.

However, 11th Judicial Region Executive Judge Oscar Noel Jr. dismissed the petition on March 14, saying the court had no jurisdiction over the case.

"The proper venue should be the court in Polomolok and not in General Santos," said the judge.

Lopez said the family has now filed a motion for reconsideration for the writ of amparo in favour of Mosquera, urging the court to act quickly so the suspect can be released from jail.



Above: MGEU members gather at a special conference devoted to women's issues.



Left: Les Crisostomo says MGEU membership was key to many of the benefits he now enjoys in retirement.

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