

## Order of Battle - Malicious Forgery or Conspiracy to Murder?

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Commentary by Alan Davis

M/ANILA -- Just as there is a law against sedition, so equally there must surely be some law against inciting or conspiring to murder.

An alleged Order of Battle belonging to the Philippine Army's 10th Infantry Division has just been leaked and is said to name 110 people in the Davao region who are believed to be somehow sympathetic to the communist insurgency and therefore listed as a threat. The word 'target' is explicitly mentioned in relation to at least some of them --including the well-known journalist Carlos Conde, a friend and contributor to the Philippine Human Rights Reporting Project, as well as local correspondent of the International Herald Tribune and its sister paper, the New York Times.

Kelly Delgado, the southern Mindanao head of Karapatan who is also a colleague and public source for our project is also reportedly on the list. I last saw Kelly last month in Davao at the 40th day mass for Rebelyn Pitao -and without trying to second-guess his political views, he is as brave and committed as they come: He is on record as having told us he believes he and his Karapatan colleagues have been repeatedly followed by a black 4 by 4 Lancer with the plate number PPN 665.

The name of Celso Pojas, the peasant leader and army critic is also reportedly on the list that is said to date back to late 2007. Pojas was shot dead in May last year.

The Army's reputation is either being maliciously attacked here and the document is a forgery --or it is genuine but its contents have been misinterpreted -- or the claims made by those who have presented it are true.

Either way, the story needs following up and is a matter of concern for us all --including the entire diplomatic and donor community.

If the army is being falsely maligned by communist propaganda, let us prove it. Likewise, if it is real, let's find out once and for all. It is not so hard to do. Sadly, it is much easier than finding a body.

The alleged document and the claims and counter claims surrounding it represent a root problem here in the Philippines --namely political immaturity and a failure so far to develop a multi-party system that would reduce and eventually end the power of the military as an all pervasive and pseudo-political force perceived by many as an unforgiving supporter of the status quo.

As such, the validity or otherwise of this document is a far, far, far more pressing issue than whether military commanders in Western Mindanao did or did not embezzle public funds. While corruption is very much against the law, so too - in spades - is the alleged compilation and possession of what can justifiably be termed a "death list" by the military.

Death lists were all common in Indonesia in the early 60s as they were of course in the likes of El Salvador in the mid 80s (and the Philippines in the years of martial law). More recently, there were death lists too in Peru during the time of President Alberto Fujimori who was head of a democratically-elected government that had prevalence for targeting and disappearing people --many thousands of them.

The alleged Order of Battle document was presented in Davao on Monday by Rep. Satur Ocampo, Deputy Minority Leader during something called an International Solidarity Mission visit. Ocampo's political sympathies are very clear as is the relationship between him and the likes of retired army general Jovan Palparan -now a fellow congressman.

The document was allegedly leaked to Ocampo by a "conscientious soldier" and is said to specifically relate to the 3rd quarter of 2007.

It is not the first time an alleged order of battle has appeared.

In 2006 in Geneva at the 4th Session of the UN Human Rights Council, (now renamed Human Rights Commission) Philip Alston testified to having been given a similar order of battle.

His testimony then was quoted by the Daily Tribune and I am quoting from their own report in large part below.

"A copy of a leaked document of this type from 2006 was provided to me and I am aware of no reason to doubt its authenticity," Alston said.

In military terms, an order of battle, he explained, is defined as an organizational tool used by the military intelligence to list and analyze its enemy unit.

Alston said the document, some 110 pages in length lists hundreds of groups and individuals who have been classified on the basis of intelligence as members of organizations which the military deems "illegitimate";

"Newspapers carry almost daily reports of senior military officials urging that such groups be neutralized and calling upon the populace to recognize that to support their candidates in the upcoming elections would be to support the enemy," the UN official said.

"This practice was openly and adamantly defended by nearly every member of the military whom I spoke," Alston added.

A key word here is "illegitimate"; If people with guns think you represent an illegitimate force you are in serious danger.

There have been other reports too about alleged orders of battle —and complaints too that local media personalities have been included in them.

The concern though should not be that media personalities have been included in orders of battle &ndash;but that they exist in the first place. The moment we start special pleading for journalists is the moment we suggest the fate of everybody else on any list is somehow of lesser importance.

Again, it should not yet be taken as fact that this latest document is genuine or that it clearly proves there are death lists circulating within the military.

But the allegation is once again now clearly out there &ndash; and it should be investigated once and for all.

It is not a smoking gun &ndash;but it is at very least an alleged report of a possible smoking gun.

A document is a document, and the government cannot accuse the World Bank of not giving it up like their recent internal report into the road tender business. It either was written by the military or is a malicious forgery. Let us bring it out into the open to see and find the truth.

Executive Secretary Eduardo Ermita who is also Chair of the Presidential Human Rights Committee is quoted in the Inquirer today in regard to the Report on Torture to the UN that the administration was &ldquo;open, and transparent

about the actions of government in addressing all issues about human rights.

&ldquo;We have nothing to fear,&rdquo; he says.

If this is really so, the government is really transparent and the military is truly under presidential command, let the administration help put an end to all debate and conjecture about whether there is or is not an &ldquo;order of battle&rdquo; and what it says by opening the issue up to proper public scrutiny once and for all. Philippine Human Rights Reporting Project

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