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REGIONAL WHIP

Ellen O. Tauscher
Congress of the United States
House of Representatives
10th District, California

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2459 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
TELEPHONE (202) 225-1880
FAX (202) 225-5914

2121 NORTH CALIFORNIA BOULEVARD
SUITE 555
WALNUT CREEK, CA 94596
TELEPHONE (925) 932-8899
FAX (925) 932-8159

2000 CADENASSO DRIVE
SUITE A
FAIRFIELD, CA 94533
TELEPHONE (707) 428-7792
FAX (707) 438-0523

420 WEST 3RD STREET
ANTIOCH, CA 94509
TELEPHONE (925) 757-7187
FAX (925) 757-7056

www.house.gov/tauscher

The Honorable Gloria Macapagal-Arroyo
President
Malacañang Palace
JP Laurel Street
San Miguel, Manila NCR 1005
The Republic of the Philippines

Dear President Macapagal-Arroyo:

Firstly, I would like to take this opportunity to express my condolences for the victims of the recent mudslides in Southern Leyte Province. The Republic of the Philippines has been a longstanding ally of the United States and an important partner in the War on Terror. The peaceful end to martial law through the People's Revolution and the adoption of a Constitution that reflects a strong commitment to, and respect for, human rights, make the Philippines a powerful example of peaceful democratic transition. In the face of security threats within your country and our countries' long-standing cooperation on security matters, the Philippines has received the largest increase in U.S. foreign assistance in the East-Asia Pacific region since 2001, particularly in the form of foreign military financing. It is my hope that the Philippines and the United States continue their tradition of cooperation and partnership in security, human rights, trade, and investment.

Recently, however, Filipino-Americans and my constituents in the 10th Congressional District have raised concerns regarding the occurrence of extrajudicial killings of left-wing political activists. As a member of the House Armed Services Committee, which oversees the disbursement of foreign military financing, I am concerned about allegations that have been raised that members of the Armed Forces of the Philippines (AFP) are responsible for the murders. I applaud your decision to make public the Melo Commission's report, as well as your support for United Nations Special Rapporteur Philip Alston's fact-finding mission regarding these killings. However, in order to stem the ongoing extrajudicial killings and to renew public faith in the political and military institutions of the Philippines, I urge you to move quickly to prosecute those responsible for the crimes and to make clear that political policy toward the left-wing parties in Congress does not extend to the condoning of murder as a tactic to limit these parties from operating freely. Moreover, I urge you to not only provide legitimate political space for leftist groups, but to also ensure that counterinsurgency strategy, especially at the local level, does not include extrajudicial killings of political activists.

In addition, thorough investigations and credible prosecution of the murders will demonstrate that the Philippine Armed Forces do not have impunity from prosecution and that the Philippine government does not condone such murders. It is essential to these investigations that witness protection programs are strengthened in order to encourage witnesses to come forward with information that can lead to convictions. Flaws in the current witness protection system are evident in civilian mistrust of the government's ability and willingness to protect them as witnesses. Amnesty International has referred to a "climate of fear" amongst civilians that has resulted not only from the killings themselves but also from the general sense that the murders will go unprosecuted and the witnesses unprotected from reprisal killings. The strengthening of the mandates governing the Human Rights Commission and the recently created independent special court on extrajudicial killings to include the power to investigate, provide witness protection, and prosecute any person - including members of the AFP - responsible for extrajudicial murder will demonstrate your commitment to human rights, the rule of law, and democratic governance that includes freedom of political association.

The measures you ordered to be put in place in response to the Melo Commission report are important first steps, and I encourage you to remain committed to ending the murders as the concrete work of investigation and prosecution of these crimes begins. Thank you for your consideration of this important matter. I look forward to your response.

Sincerely,



Ellen O. Tauscher
Member of Congress

Cc: Ambassador Willie Gaa
Embassy of the Republic of the Philippines
1600 Massachusetts Avenue NW
Washington, DC 20036

Cc: Ambassador Kristie A. Kenney
United States Embassy
1201 Roxas Boulevard
Manila, Philippines 1000