

Statement before the Senate Committee on Justice and Human Rights Public Hearing, Dec. 13, 2007

By Charmaine D. Deogracias

Good morning. I am Charmaine Deogracias a reporter for Nippon Hoso Kyokai (NHK)/Japan Broadcasting Corp. NHK is Japan's sole public broadcaster, thus it is independent from any private or governmental organization and doesn't run its five television and three radio services for the Japanese audience on commercial basis. NHK Manila is just one of its 26 news bureaus around the world, while it maintains 54 stations across Japan. NHK also broadcasts news and general programs for overseas viewers and listeners on both television and radio. Its programs are distributed round-the-clock to foreign cable TV stations, satellite broadcasters, while some can be accessed on the internet. The company prides itself to have pioneered broadcasting in the digital High Definition format, the first in the world, through its recent satellite channel, the Digital Hi-Vision.

Our news broadcast is mainly in Japanese but I do English reports for various news programs for NHK World, the international broadcasting service of NHK. Our news bureau in Manila also covers outside the Philippines whenever and wherever we will be needed when news breaks anywhere in Asia.

It is noteworthy to mention that NHK established a news bureau in the Philippines in 1986 when the world was seeing the imminent restoration of democracy via the EDSA People Power 1. Since then, NHK never left the Philippines and continued to report the strides and leaps that this country took along a democratic path.

The November 29, 2007 incident at the Manila Peninsula, to NHK, it was just one among many news that we file from the Philippines. Be it here or elsewhere in the world, this kind of news events would require as much as possible extensive coverage and first hand account. But it was the first time, at least in the Philippines and in a similarly democratic space, that our team was subjected to such police action in the performance of our job as journalists, foreign correspondents at that.

Let me state for the record that we were covering on that day the court hearing of the Magdalo at Makati Regional Trial Court. When they walked out, it is almost reflexive for us to follow and cover as the event unraveled to Manila Peninsula. And from a universal standpoint as a journalist, it was our duty to report the event as it is happening and we saw the need to be there to give to the world their right to correct information. While being there, we had a clear sense of the situation on the ground and to us there was no clear threat to the media covering there. And should there be any risk and threat to our security by our determination, NHK will make the appropriate decision. And also for the record, our news desk did not receive any specific request or advice from any

government authority to pull out. But to NHK, the decision to pull out is ours to make in the same way that our decision to stay for coverage was solely our responsibility.

I would like to thank this honorable chamber for inviting me to this inquiry, that I may personally make known what has happened in there when the cameras stopped rolling as ordered, when all that was left inside the Manila Peninsula were just the media and a few civilians in the hands of the Special Action Force of the Philippine National Police. So much have been said and written about the media who covered there, both scoring those that have stayed behind and appreciating the role that we played to have a well-informed public after that. Now, let me speak my mind, perhaps I can claim authority for one that had been there from beginning at the court until it ended in my “processing” in Bicutan.

There were certain things that were not clear to me. The fact that the authorities weren't able to elucidate these facts to me, I cannot exact the rationale why I was subjected to such police action.

The Threat: 1) What was the level of threat that necessitated an assault by an anti terrorist team, a unit that is trained and equipped for close quarter battle? It is not my business to question the determination of the threat, but let me just ask if such is the capability of the assaulting team, that will enable them to discriminate the targets from the non-combatants, why would there be a need to process the media in a way that they have to be restrained? Personally, I see the threat as benign, that is my appraisal of the situation on the ground. From the many sieges in the Philippines, the Kabatangan siege, the May 1 Malacanang siege, the Lamitan to name a few, the Manila Peninsula siege was not at par with those where you have clear enemies. The Manila Peninsula only matched the caper of the same group at Oakwood in 2003, where they fired no shots only strong words.

What set the two incidents different would be the number, the capability of the alleged rebel soldiers and how the government chose to react. In Oakwood there was a bigger strength and number of Magdalo soldiers. In Manila Peninsula, the handful of Magdalo only had Brig. Gen. Danilo Lim, the very same man who led them back to barracks from Oakwood in 2003 after striking an agreement with government.

The Deadline: Are we covered by the police deadline? Has police supposed that we are covered by the deadline they set on their targets? Have we become targets after we chose to recognize only the deadline in the language of newsmen, that is the time that is set by our news desks to submit our reports and stories for the day? If the alleged rebel soldiers heeded that deadline, what did the police expect would happen? Those rebel soldiers will not walk free, they will be arrested all the same. But maybe just maybe, the media would have been spared if Magdalo walked out before the deadline. So then, that made us, the media, pawns in that deadline that police set or have we become part of the targets because the Magdalos didn't come out ahead of the deadline.

The Arrest: Are we suspects or witnesses? In either way I should have been properly informed of the charges being leveled against me if I was a suspect. And if I was a witness, I shouldn't have resisted when they wanted to tie my hands. And I should have at least been afforded the privilege to know where I will be taken. When we were loaded in the bus, I am not sure anyone of us was told we were taken to Bicutan by any member of the arresting team. We just presumed that we will be taken to the headquarters of the assaulting team, which in this case was the SAF. We tried to guess the possibilities where the bus will proceed that in fact when we made a turn at Fort Bonifacio, everybody sighed at the thought of a short field trip, but when it headed north of the C-5 road, some fancied that we may be taken to Camp Aguinaldo, but it was just a stop to gas up. It was not until we entered Camp Bagong Diwa and at the covered court where we saw familiar faces, Sen. Antonio Trillanes, Gen. Lim and all the others that were subject of an arrest warrant, that I can surmise I was a suspect after all except that I was released soon after I answered police questions.

In coming to this senate inquiry, I am inquiring as well. May this chamber help me get the answers from the authorities responsible for my arrest and will even think of doing it all over again as they may wish. Thank you very much.

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