

STATEMENT FOR THE COMMITTEE ON JUSTICE AND HUMAN RIGHTS
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On the November 29, 2007 incident

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In the November 29 incident at the Manila Peninsula, I see two media -related concerns: The first pertains to the duty of a journalist to inform the public of the unfolding crisis as truthfully as he or she can. The second pertains to the constitutional right of a person—journalist or not—to liberty and due process.

I. When I decided to stay at the Manila Peninsula despite the evacuation order from authorities (Malaya was never officially informed about the warning from the PNP, but learned about it from TV news), it was in performance of my duty as a journalist, which is to inform the public as truthfully as I can of the unfolding events that I considered—and still consider—of national interest.

It is a duty that I must do to fulfill and fully avail of the constitutional guarantee of freedom of the press.

The public deserves complete and correct information. For the news media, that means all players in any event must be represented in the story.

In the Nov. 29 event, Malaya saw to it that reporters were assigned to not only the police, military and Malacañang but also to Sen. Antonio Trillanes, Brig. Gen. Danilo Lim and company who were at the Manila Peninsula. My assignment was to cover Trillanes, Lim and company, and the best way to do my job was to stay at the Manila Peninsula to gather firsthand accounts and not rely on anybody else outside the hotel.

II. I deplore the fascistic treatment by the police of members of media who stayed on to cover the unfolding crisis at the Manila Peninsula up to the end.

When we reached the stairs leading to the lobby of the Manila Pen from the Rizal Room on the second floor, we were prohibited by police officers from leaving the hotel because, they said, we were to be brought to some other place for "processing." We raised a howl because we needed to go to our offices to complete our stories.

A police officer told us that it was "SOP" or standard operating procedure in a crime investigation that those present at the scene of the crime are "processed" either as witnesses or suspects. The officer brushed aside our protestations and started segregating all those inside the hotel, including journalists.

He asked, "Who are military officers in civilian clothes?" The two or three who stood up were taken away.

The officer then asked for those who were "ABB." We were all puzzled. "ABB as in Alex Boncayao Brigade?" I asked, referring to the communist hit squad operating in Metro Manila.

"Yes," he replied.

Since I was nearest to him, I called out to the others who were at the top of the stairs and thus could not hear what were being said below. "Alex Boncayao Brigade daw," I said, eliciting laughter from many who had found it rather ridiculous.

The officer glared and barked at me, "Hindi ka pa pinapayagan magsalita (You have not been permitted to speak)."

Shocked, I said, "Kailangan ko permission bago magsalita (Do I need permission to speak)?" The officer ignored me.

NHK's Charmaine Deogracias, who was standing beside me, wanted to sit down. She was moving toward the chairs in the lobby about three meters away when the officer said emphatically, "No!"

At this point, the officer noticed that one video camera was running. He barked at the lady reporter: "Itigil na yang camera na yan (Turn off that camera)."

The camera was trained at the other end of the lobby where Magdalo officers were lying on the floor face down, their hands tied at their backs.

The officer became angry. He snarled at the cameraman, "Niloloko mo ba ako? Sinabi ko nang patayin yan. Kapag hindi mo itigil, kukunin ko yan (Are you making a fool of me? I told you to stop rolling the camera. If you don't, I'll confiscate it)."

Then he addressed everybody: "Yung mga nagka-camera, kapag hindi nyo itigil, kukunin ko yan (To all those using their cameras, if you don't stop what you're doing, I'll confiscate them)."

Melai Masecampo of ABS-CBN and another reporter asked the officer, "Pwede ba mag-CR (May we go to the toilet)?"

He replied, "Hindi (No)!"

This prompted Melai to appeal to us, "Sige, sumama na tayo, para maka-alis na tayo. Para makaihi na tayo (Come one, let's go with them so we can get out of here and use the toilet)."

We had no choice but to go with the police to Camp Bagong Diwa for "processing." The police instructed all members of media to move to the right side of the stairs. We did as told. It made me remember movie scenes of Nazi concentration camps.

The policemen then took out plastic handcuffs from a plastic bag and started tying us. We protested, saying that only criminals are handcuffed and we had not committed a crime. We told them we have rights. The police answer they were just doing their job.

I asked if martial law had been declared during the standoff, and wondered aloud why our basic rights seemed to have been suspended. I did not get an answer.

Under the International Covenant on Civil and Political Rights (ICCPR), to which the Philippines is a party, basic freedoms cannot be denied citizens, including their right to be recognized under law, even during national emergencies. These rights are enshrined in our Constitution, under Article III on the Bill of Rights. There was no declaration of a national emergency.

I noticed the presence of Police Superintendent Asher Dolina. Ces Drilon of ABS-CBN, Charmaine Deogracias of NHK and I protested the handcuffing to him. Dolina eventually agreed not to have us handcuffed.

But on the bus, I saw some journalists with their hands tied. When they put their handcuffed hands out of the window, the police tried to hit them with rattan truncheons.

That was deplorable. There is no justification for the highhandedness and rudeness of the police toward us that night.

Even in armed conflicts, under the Geneva Conventions, journalists enjoy the status of "protected persons" in recognition of the role they play in society. No democratic country can properly function without a truly free press. Journalists serve the public's right to know in matters that concern them because an enlightened citizenry is what democracy is all about.

Thank you.