

COMMISSION ON HUMAN RIGHTS
OFFICE OF THE EXECUTIVE DIRECTOR
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REPUBLIC OF THE PHILIPPINES
COMMISSION ON HUMAN RIGHTS

RESOLUTION CHR (V) No. AM2019-183

ON THE RECOGNITION OF THE PALIMBANG/TACBIL MASSACRE AND ITS COMMEMORATION EVERY 24th SEPTEMBER

Cognizant of the Commission on Human Rights (CHR) mandate to recommend to Congress effective measures to promote human rights and to provide effective remedies for human rights violations;

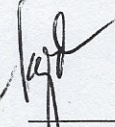
WHEREAS, transitional justice was defined by the United Nations Secretary General in 2004 as “a full range of processes and mechanisms associated with a society’s attempt to come to terms with the legacy of large scale abuses committed in the past, in order to achieve accountability, serve justice, and achieve reconciliation;”

WHEREAS, the *Joinet and Orentlicher Principles against Impunity* advances the right to truth, right to justice, right to reparation, and guarantee of non-recurrence;

WHEREAS, the Transitional Justice and Reconciliation Commission (TJRC) on the Bangsamoro acknowledged the ‘Malisbong massacre’ taking place in September 1974 in a coastal village located in Palimbang town, Sultan Kudarat province” and where a great number of Moro men and boys had been killed in a local mosque, women and girls had been taken against their will and placed in ships, and numerous houses burned to the ground by government forces and paramilitaries;¹

WHEREAS, the TJRC has made other recommendations with regard to transitional justice in the Bangsamoro, to wit:

- “Include Bangsamoro and indigenous peoples who were victims of Martial Law, while paying attention to the specificity (i.e. ethnoreligious and gender) of their victimhood and to the root causes of their struggle in the memorialization initiatives honoring Martial Law victims,”² and
- Ensure the creation and implementation of a culture- and gender-sensitive reparation program guided by the UN Basic Principles and Guidelines on the Right to Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law with particular attention given to restitution, compensation, and rehabilitation.”³


¹ Transitional Justice and Reconciliation Commission (TJRC) Report. Available online at [https://www.menschenrechte-philippinen.de/tl_files/aktionsbuendnis/dokumente/weiterfuehrende%20Dokumentensammlung/Transitional Justice and Reconciliation Commission - Report 2016.pdf](https://www.menschenrechte-philippinen.de/tl_files/aktionsbuendnis/dokumente/weiterfuehrende%20Dokumentensammlung/Transitional%20Justice%20and%20Reconciliation%20Commission%20-%20Report%202016.pdf). P. 31

² Ibid. P. 85

³ P. 86.

CHR: Dignity of all

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WHEREAS, on 24 September 2014 the CHR Chairperson accompanied by a team from CHR joined the 40th year commemoration of the massacre and encouraged the victims and/or their families to file for claims to the Human Rights Victims Claims Board (HRVCB);

WHEREAS, the Human Rights Victims Claims Board (HRVCB) awarded 46 claims from Palimbang, 33 of which were related to the Malisbong Massacre;

Recognizing the appeal of the victims and their families of the Malisbong Massacre to be acknowledged, henceforth, the CHR supports the recommendation that 24 September of each year be declared a Commemoration Day for the Malisbong Massacre. Alongside this, the CHR is in solidarity with the Sanggunian Bayan of the Municipality of Palimbang in issuing a similar acknowledgement at the local level.

The CHR also resolves to continue the accurate documentation of data and circumstances surrounding the Malisbong Massacre, in order to ascertain the full and unassailable truth behind it.

The CHR further resolves to support and recommend the enactment of remedial legislation to ensure that justice and reparation are accorded to all victims of all forms of human rights violations, without discrimination or exception, irrespective of race, gender, and identity of perpetrators, and covering all relevant periods before and after Martial Law, to include among others the TJRC recommendations that require the enactment of laws; establishing a continuing reparations program drawing lessons from the implementation of RA 10368, and the clamor for a similar mechanism to be undertaken within the Bangsamoro transition process.

SO RESOLVED.

Done this 6th day of September 2019 in Quezon City, Philippines.

JOSE LUIS MARTIN C. GASCON
Chairperson

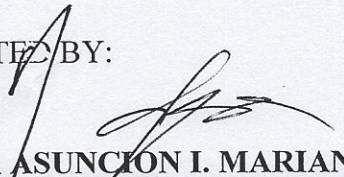

KAREN S. GOMEZ DUMPIT
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