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Amnesty International

# MONTHLY ACTION

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## PHILIPPINES: TORTURE CASE

### Call for justice for the family of Darius Evangelista

On 5 March 2010, Darius Evangelista was arrested by police in Manila on suspicion of theft. Fellow detainees saw him brought back to their cell badly injured, before being taken from the police station. They never saw him again.

In August 2010, a video was broadcast on national television of a naked man crying out in pain on the floor, while a police officer beat and abused him. Darius's wife, Margie Evangelista, is convinced that the man in the video is her husband as she recognised his tattoos. It's the last time she saw her husband alive.

No one has been brought to justice for the torture, enforced disappearance and possible extrajudicial execution of Darius Evangelista.

#### What you need to do:

Write to the Chief of Philippine National Police calling for justice for the Evangelista family. Contained within this mailing is a template letter. You could send individual letters, or a joint letter signed by members of your group.

**Target Name:** PDG Nicanor Bartolome

**Title:** Chief of Philippine National Police

**Address:** PDG Nicanor Bartolome, PNP National Headquarters Camp General Crame, Quezon City, Metro Manila, Philippines 1100

**Online action:** If you have a Facebook account, you can leave a message on the Philippines Police Chief's Facebook page at: <https://www.facebook.com/messages/100003912557493>

#### If you have more time:

If you would like to do a follow up action, please send a solidarity message to the Darius Evangelista family. 5 March is the anniversary of Darius's detention and his birthday is 12 April, so this will be a difficult period for the family. Show your support by sending the family a solidarity message.

#### Send your letters or cards to:

Margie Evangelista, c/o Center for International Law, Unit 1904 Antel Corporate Center, 121 Valero Street, Salcedo Village, Makati City, Philippines

**Suggested message:** Be strong. There are people across the world who are thinking of you and trying to make sure the police officers who tortured your husband are punished. I have also written to the Chief of Philippine National Police calling for justice for your husband.

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#### GOT QUERIES OR WANT TO DO MORE?

Please contact: The Individuals at Risk team on 0207 033 1572 or by e-mail at [iar@amnesty.org.uk](mailto:iar@amnesty.org.uk)  
Download this action at: [www.amnesty.org.uk/groups](http://www.amnesty.org.uk/groups)

**INDIVIDUALS AT RISK**

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**BACKGROUND INFORMATION****Darius Evangelista's case**

Margie Evangelista's husband Darius, father of her three young children, had been missing for five months. Imagine her shock when she was told that on 17 August 2010 a video of her husband being tortured was broadcast on national television in the Philippines (and then worldwide on CNN, Al Jazeera and youtube). The video showed a naked man, writhing on the floor and crying out in pain while a police officer beat him and repeatedly yanked at a string tied to his genitals. Other uniformed policemen looked on. Margie Evangelista is convinced it was her husband in the video. *"I know it was him. I recognized the tattoos on his body"*.

Three days later, Margie Evangelista read in a newspaper that a human head had been found. She went to the funeral home where the police had taken the skull. She said that the teeth and head were similar to those of Darius. Later, Margie and her lawyer submitted the skull for forensic examinations to determine its identity, but the Philippine forensics laboratory which agreed to examine the skull was unable to conclusively determine its identity. She could not afford to have the skull re-examined in another laboratory.

On 5 March 2010, Darius Evangelista was arrested in Manila on suspicion of theft. According to the Philippine Commission on Human Rights, which investigated the case, three fellow detainees saw him in the cell of a police station in Tondo. They said he was taken to the office of the police chief and was returned to their cell badly injured. His face looked like it had been struck with a blunt instrument and his swollen eyes were covered with tape. After that, he was taken out of the police station. The former detainees said that they then heard one of the police officers say to a subordinate, *"Get rid of him."* They never saw Darius again.

The Evangelista family has filed a criminal complaint for torture against nine policemen. The primary suspect was dismissed by the National Police in January 2011. In November 2011, a Manila Court ordered the arrest of seven of the policemen suspected of torture in the case, who were charged with violation of the Anti Torture Act of 2009.

Margie insists that the mere dismissal from service of the primary suspect does not constitute justice. The police officers suspected of perpetrating the torture of Darius or allowing the act to happen must be held accountable for their actions.

Margie will be fighting against the odds. The National Prosecution Service has only a 19 per cent conviction rate overall. If Darius is indeed dead, and if he was killed by policemen or those close to the police, then this becomes another case of extrajudicial killing in the Philippines. The Philippines has a 1 per cent conviction rate for such killings and so far, no member of the Philippine police or military has ever been convicted of grave human rights violations such as torture or enforced disappearance. In 2009 the Philippines enacted landmark legislation against torture, yet the torture and ill-treatment of criminal suspects remain rife.

**New global campaign to Stop Torture**

In May 2014 we will be launching a new global campaign to Stop Torture. The Philippines will be one of the countries featured in this campaign and individual cases, such as that of Darius Evangelista, will be at the heart of this campaign

This year marks the 30th anniversary of the UN Convention against Torture (CAT). In 1984 Amnesty International campaigned successfully for this historic international ban on torture. Thirty years on, governments continue to carry out this barbaric and de-humanizing practice and they continue to deny it. We will insist that governments live up to their promises and respect international law. Now more than ever we must unite and demand an end to torture once and for all. Look out for updates, materials and further calls to action over the coming months.