

### ***On the Revival of the Civilian Armed Forces Geographical Units (CAFGUs)***

Queries have been made from several quarters and the media on the position of the Commission on Human Rights on the to revive the militia forces known as the Civilian Armed Forces Geographical Unit (CAFGU), as a measure to prevent the increasing incidents of terrorist attacks and violence committed by rebel groups. While the motive of government might be laudable, the Commission on Human Rights manifests its grave concern on the possible dangers of violation of human rights of innocent people. The revival of the CAFGU is being justified as an emergency measure of protecting people from violence committed by criminal elements. The Armed Forces of the Philippines and the other law enforcing agencies are reminded of some provisions of international instruments on human rights of which the Philippines is a signatory.

Article 4 of the International Covenant on Civil and Political Rights, reads:

*"In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the State Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not consistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.*

*No derogation from Articles 6, 7, 8 (pars. 1 and 2), 11, 15, 16, and 18 may be made under this provision."*

Article 5 of the same Covenant also reads:

*"Nothing in the present Covenant may be interpreted as implying for any State, group, or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant. There shall be no restriction upon or derogation from any of the fundamental human rights recognized or existing in any State Party to the present Covenant pursuant to law, conventions, regulations or custom on the pretext that the present covenant does not recognize such rights or that it recognizes them to a lesser extent."*

It has been a sad experience in the past that the CAFGUs have committed abuses on innocent civilians resulting in the violation of human rights. Armed as they were, some CAFGU elements have abused their authority. Some were even identified and mobilized as paramilitary members of groups such as Alsa Masa and Pulahans.

Unless they are properly trained as required for the military and the regular police force and are subject to disciplinary sanctions, the armed CAFGUs might violate human rights of persons. It is to be recalled that active auxiliary units purportedly screened by local executives have formed part of the CAFGUs.

The record of the Commission on Human Rights show that about 853 cases consisting of murder, execution, torture, disappearance, illegal arrest, and detention were filed with the Commission against 1,070 CAFGU members.

*Quezon City, 23 March 2000*