



Bacolod City, 17th June 2017

Factsheet: The case of Temogen “Cocoy” Tulawie

Temogen “Cocoy” Tulawie is a Philippine human rights activist from the southern province of Sulu, head of the regional bureau of the Consortium of Bangsamoro Civil Society (CBCS) and founder of the local human rights group Bawgbug. Tulawie campaigns for a democratization of local politics, transparency in government as well as for civil, workers’ and LGBTI rights. His non-violent activism aims at putting an end to a culture of violence and corruption in the Bangsamoro region.

Tulawie is continuously being criminalized for his political activism. In 2009, he was falsely accused of being the mastermind behind a bomb attack against the governor of Sulu, Abdusakur Tan. Despite lacking evidence, he was taken into custody and spent more than three and a half years innocently in jail before being acquitted on all accounts.

Less than two years after his release, he faces arbitrary and trumped-up charges again. This time, he is accused of being involved in a kidnapping that took place 17 years ago.

In January 2017, Tulawie filed a petition at the Office of the President to remove state prosecutor Annie Marie Pierreangeli P. Ledesma from office on grounds of dishonesty, betrayal of public trust and grace misconduct. In return, Ledesma filed a complaint against Tulawie at the Regional Trial Court in Jolo, Sulu, on 10th February 2017. This led to formal charges against Tulawie for “kidnapping and serious illegal detention with ransom” on 8th May 2017.

The fabricated charge is related to the case of the kidnapped German journalist Andreas Lorenz from the Spiegel-magazine. In 2000, Lorenz had been covering the kidnapping of the German Wallert family on the Malaysian island of Sipadan, when he himself was abducted by the Abu Sayyaf Group. Lorenz’ then supervisor, Olaf Ihlau, who reported about the kidnapping for the Spiegel, testified under oath that “the accusation that Cocoy kidnapped Lorenz is absurd”. Furthermore, the American photo-journalist David McIntyre attested that “Cocoy was there to help us verify information, facilitate contact with the hostages and help us bring in goods and messages to and from the hostages”. On the other hand, the two main witnesses, who testified against Tulawie, are closely connected to Governor Tan, who filed the trumped-up charges against Tulawie in 2009.

A warrant of arrest was issued against Tulawie by the Regional Trial Court in Sulu on 10th May 2017. Since then he lives in a constant state of fear and uncertainty. Those close to Tulawie have serious concerns about his physical safety once he will be arrested. The consequences of yet another imprisonment would be grave - an immense financial burden with high litigation costs to confront, his political activism coming to a temporary halt and him and his family being torn apart again for an indefinite period of time.

Philippine state officials have failed to recognize and dismantle the charges as being arbitrary, fabricated but most of all politically motivated and retaliatory in nature. Though lacking evidence, the charge has not been dropped at the level of preliminary investigations. Most significantly however, the filing of yet another arbitrary case has only been made possible by failing to hold those persons accountable that were responsible for the trumped-up charges against Tulawie in 2009.

The Philippine government continues to deny the systematic misuse of the judiciary to repress peaceful activism and lacks the political will to seriously tackle the ongoing criminalization of HRD.