



ROLANDO URETA, 32

Place of death: Kalibo, Aklan

Date of death: 3 January 2001

Family Background / Civil Status: Married, with one son

News Organization/s (position/s): dyKR (program director/commentator)

Job/Employment Classification: Regular

Affiliated Organizations:

Academic / Professional Background:

Ureta's involvement with the media began in the last '80s, when he took a vocational course in radio operation at the Panay Technical Institute. In 1990, Ureta went to Manila and worked as a messenger for different companies. He went back to Aklan in 1993 and enrolled at the Northwestern Visayas College (NVC) under the Bachelor of Arts major in English program, while at the same time working as a reporter for radio, IBC-dyRG, and print, Daily Reporter (a community newspaper circulated in Visayas).

He graduated from NVC in 1996 with a degree in English, cum laude. After graduation, he immediately was accepted as a part-time teacher at NVC, teaching English, Math, Psychology and Social Sciences. He continued to work for IBC-dyRG until 1997, when he transferred to dyKR, where he was promoted as program director just after two months after he started

He was also elected as president of the NVC student council for two terms, 1993-94, 1994-95, when he was still studying.

In 1991, Ureta also received a certificate in radio operation and was later accredited by the Kapisanan ng mga Brodkaster ng Pilipinas (KBP). He was a member of Lezo, Aklan's Sangguniang Bayan (Village Council).

Circumstances:

Ureta was killed at around 9:30 p.m. on 3 January 2001. Suspects on motorcycles trailed Ureta along the national road in Barangay Bagto, Lezo town in Aklan while on his way home from his evening broadcast. He was shot three times. He was able to run from his motorcycle to a house along the road, but succumbed to gunshot wounds there.

Case Status/Updates:

On 24 September 2004, the Aklan Provincial Police Office filed a murder charge against suspects Jessie Ticar, Amador Raz, and two other John Does before the Aklan Prosecutor's Office, docketed as IS No. 2004-4161.

On 6 December 2004 the complaint however was dismissed by Third Assistant Prosecutor Apolinar Barrios for lack of probable cause.

The provincial prosecutor's office rejected the testimony of lone witness Gerson Sonio, who claimed he was 10 meters from where the shooting took place. Hiding behind a mango tree, Sonio claimed he saw Raz driving a motorcycle with Ticar as the back rider and gunman. According to Sonio, Ticar shot Ureta twice. But the witness's father, Perlito Sonio, and uncle, Diego Masangya, filed separate affidavits claiming that Sonio had been selling ice cream in Iloilo City, some 200 kilometers away from Kalibo, on the date of the killing.

Both Ticar and Raz denied having known each other as well as Sonio prior to the filing of the complaint. They also claimed to have been at other locations on the night of the murder.

On 4 January 2005, the Philippine National Police and Ureta's wife filed a motion for reconsideration. The motion contained affidavits of additional witnesses supporting Sonio's testimony. But it was denied on 10 February 2005.

The local police and Ureta filed an appeal for the reversal of the complaint's dismissal on 27 April 2005, alleging grave abuse of discretion against the investigating prosecutor. They argued that the respondents' alibis were not sufficient and that they were unable to prove that their sheer physical distance from the crime would render them unable to have been masterminds of the crime or in the vicinity of the crime scene.

They also upheld Sonio's categorical identification of the suspects as well as his "positive" testimony over the counter-claims of the elder Sonio and Masangya. They also contended that inconsistencies regarding minor details not related to the commission of the crime do not affect the weight or the veracity of the witness's claims (The prosecutor noted that the witness did not indicate his profession as a balut or fertilized duck egg vendor and his associations with Anthony Gerson, to whom he was said to have remitted money from the sold balut).

On 7 July 2005, Senior State Prosecutor Leo Dacera wrote a letter to Chief State Prosecutor Jovencito Zuño of the Department of Justice (DoJ) requesting for the case to be given preferential attention.

On 16 January 2007, a resolution by the DoJ reversed the dismissal of the case against Raz and Ticar. The DoJ also directed the Aklan provincial prosecutor to file the appropriate charges against them. The resolution stated that the defendant's alibis were insufficient and that the petition for review is "impressed with merit."

"Weighed against the denials and alibis of respondents, said witness' affirmative testimony is stronger than a negative one," the DOJ resolution stated.

The DoJ also found no probable cause for Sonio to maliciously fabricate stories against the accused.

"The record is bereft of any (indication) that Sonio was prompted by ill-will in testifying against said respondents. Absent the most compelling reason, it is inconceivable why a witness would openly concoct a story that would send an innocent man to jail," the DoJ resolution stated.

"I'm very happy. For six years I have been praying for something to happen with the case. This is an answered prayer," Emely said

On 10 January 2007, Ticar and Raz were arraigned and pleaded not guilty to charges of murder before Judge Marietta Homena-Valencia of the Kalibo Regional Trial Court in Aklan.

The Supreme Court granted on 18 March 2008 a petition by the Freedom Fund for Filipino Journalists (FFFJ) and the National Union of Journalists of the Philippines (NUJP) to transfer the venue of the Ureta trial, along with the Herson Hinolan case also in Aklan, to a Regional Trial Court in Cebu.

On its letter dated 5 February 2008, the FFFJ, a coalition of six media organizations formed in response to the tide of journalist killings, and the NUJP asked the High Court to transfer the venue of the trials of the suspects in the Ureta and Hinolan killings from the RTC of Kalibo, Aklan to any branch of the Cebu City or Makati City RTC "to avoid a miscarriage of justice and to dispel the impression that a culture of impunity encouraged by government inaction makes the Philippines 'the most murderous place for journalists.'"

FFFJ said that "(b)ecause of the clout and influence of the accused in the area as shown by their ability to unduly influence the investigation of the case, witnesses have been reluctant to break their silence and testify for fear of retaliation. To date the masterminds of the crime remain free as none of the law enforcement agencies dare to enforce the warrant of arrest against them and/or conduct further investigation to shore up the prosecution's evidence."

The Ureta and Hinolan families said they were grateful for the approval of the petition.

"I'm really happy that the case was transferred.... because it would be hard to achieve justice if [the suspect] is tried here in Kalibo," Aphrodite Hinolan, wife of Herson Hinolan, said.

"I feel more encouraged (that justice will be achieved) now that the case has been transferred to another venue," Rolando Ureta's widow Emely, said.

The case is now being heard by Sylva Aguirre-Paderanga at the Cebu RTC Branch 16.

Background:

Ureta was reported to have received death threats since August 2000 due to his sharp commentaries in his radio program, the most recent of which were directed against provincial government officials and reputed drug lords. He was tackling issues on illegal gambling and illegal drugs in Aklan before he was killed.