

# THE PHILIPPINE HUMAN RIGHTS SITUATION

**A Compendium of Executive Summaries of the Submissions  
to the United Nations Office of the High Commissioner on Human Rights  
in relation to the UN Human Rights Council Resolution 41/2**

Prepared by the



Ecumenical Voice for Human Rights and Peace in the Philippines



# PREFACE

**T**HE HUMAN RIGHTS SITUATION in the Philippines continues to worsen under the administration of President Rodrigo Duterte. Since July 2016, thousands of drug suspects have been killed by the police and vigilante groups in the context of the government's anti-illegal "drug war." Its anti-terror program targets legitimate human rights groups, peoples' organizations, and members of the political opposition. Duterte's state policies have endangered the lives and liberties of human rights defenders, lawyers, journalists, indigenous peoples, and civil society actors, exposing them to the dangers of extra-judicial killings, enforced disappearances, illegal arrests, trumped-up charges, vilifications, and other forms of state-sponsored harassment.

Concerned with the alleged human rights violations, the United Nations Human Rights Council (UNHRC) adopted a Resolution (HRC Resolution 41/2) requesting the UN Office of the High Commissioner on Human Rights (UNOHCHR) to prepare and present a comprehensive written report on the Philippine situation during its 44th Session in June 2020. The UNOHCHR has since concluded its open invitation for individuals and organizations to submit information or analysis to contribute to the human rights report on January 31, 2020.

Twenty (20) groups led by convenors of the Ecumenical Voice for Human Rights and Peace in the Philippines (EcuVoice) network responded to the call and submitted their separate reports to the High Commissioner in December 2019 and January 2020. EcuVoice was convened by the Karapatan, the National Council of Churches in the Philippines (NCCP), and the National Union of Peoples' Lawyers (NUPL).

In the following pages, the EcuVoice presents the executive summaries of the individual submissions of Alliance of Concerned Teachers, Bagong Alyansang Makabayan, IBON Foundation, Kalikasan People's Network for the Environment, Karapatan, Kilusang Magbubukid ng Pilipinas, Kilusang Mayo Uno, Makabayang Koalisyon ng Mamamayan, Migrante International, NCCP, National Union of Journalists of the Philippines, NUPL, Rise Up for Life and for Rights, Save Our Schools (SOS) Network, and the joint submission of Cordillera Human Rights Alliance, Cordillera Peoples Alliance, KATRIBU Kalipunan ng Katutubong Mamamayan ng Pilipinas, Kusog sa Katawhang Lumad sa Mindanao, Philippine Task Force for Indigenous Peoples, SANDUGO Kilusan ng mga Moro at Katutubong Mamamayan para sa Sariling Pagpapasya (Movement of Moro and Indigenous Peoples for Self-determination) and SOS Network.

Ecuvoice hopes that this compendium will be useful in the context of the "asks" of the said Resolution and in the formation of the UNHRC's follow-up or further resolutions and actions on the human rights situation in the Philippines.

***ECUVOICE CONVENORS***  
FEBRUARY-MARCH 2020



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# ON CHURCH PEOPLE

Extra-judicial killings, threats, harassment, and intimidation through vilification, filing of trumped-up cases and unlawful arrests show a pattern committed against church people doing community work with marginalized sectors especially the peasant folks and Lumad (collective term for indigenous peoples in Mindanao) communities. These attacks occur after church people are tagged as members or sympathizers of the New People's Army (NPA).

Aldeem Yanez, a church worker, was monitored for a week by two suspicious persons on motorcycles not too long ago after agents from the National Intelligence Coordinating Agency and Military Intelligence Brigade visited his home and asked for his personal information. Combined forces of the Philippine National Police and Philippine Army unlawfully searched the United Methodist Church in Oriental Mindoro and then interrogated the pastors for allowing a fact-finding team of human rights group Karapatan refuge in the church. Sr. Patricia Fox was also arbitrarily singled out for deportation for her "political activities" and "disorderly conduct" even as she has been in the Philippines for three decades doing missionary and social justice work.

Church groups, specifically Iglesia Filipina Independiente (IFI), United Church of Christ in the Philippines, and the Rural Missionaries of the Philippines, have experienced red-tagging or being maliciously affiliated with the NPA through graffiti and fliers distributed by anonymous people. Military presence was noted in areas near these postings.

Church people have been victims of baseless and trumped-up cases of illegal possession of explosives and murder, which are non-bailable offenses, leading to their incarceration for close to a year only to be freed after for the prosecution's failure to prosecute.

Many have been victims of extra-judicial killings. Willerme Agorde, a land rights advocate, was shot and stabbed in North Cotabato. Fr. Marcelito Paez, a retired priest in Nueva Ecija, was shot dead on his way home after assisting in the release of a political prisoner. Erning Aykid, an advocate for indigenous people's rights, was shot dead in Oriental Mindoro. Aykid was killed after being questioned by the military about his affiliation with the IFI and the NPA.

In these instances, the deceased were involved in work towards justice and protecting the rights of marginalized sectors.

## ***National Council of Churches in the Philippines***

The NCCP is an ecumenical fellowship of 10 Protestant and non-Roman Catholic churches and nine service-oriented organizations working in solidarity with other civil society organizations in the struggle for justice, peace and the integrity of creation.

# ON CIVIL AND POLITICAL RIGHTS

The human rights situation in the Philippines is worsening, marked by disrespect to the right to life and civil liberties, strengthened climate of impunity closing civic and democratic spaces, and unmet obligations to core international human rights conventions.

The impact of the government's anti-narcotics program, counter-insurgency campaign, and its efforts to implement and enact policies that undermine its commitments to international and domestic human rights frameworks are among the stark indications of this spiraling situation.

Civil and political rights violations were committed with impunity against families, communities, and human rights defenders. No less than President Rodrigo Duterte vowed to kill all those involved in drugs and urged the public to kill drug addicts. His numerous public pronouncements bear similar declarations. His directives were executed by the Philippine National Police through various Operational Plans, which have resulted in the death of 5,526 drug personalities (as of June 2019).

Public vilification by Duterte and officials of the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) incite violence and killings and are considered direct orders and policy pronouncements by State forces (and suspected State forces) on the ground. Likewise, other forms of harassments were perpetrated by the government.

Under Duterte's administration, the same framework of counter-insurgency programs of previous administrations has been employed, together with other repressive policies, resulting in a high number of extra-judicial killings of human rights defenders and civilians. Oplan (Operation Plan) Kapayapaan and now Oplan Kapanatagan, through Executive Order No. 70 and the NTF-ELCAC, have unleashed various atrocities against defenders and dissenters. The victims of killings have been routinely and baselessly labelled as members of "front organizations" of the Communist Party of the Philippines (CPP) and the New People's Army (NPA).

Karapatan and other human rights, civil society, and people's organizations, humanitarian non-governmental organizations, and even foreign funders, have been stigmatized. Leaflets, posters, infographics, streamers, and fliers have proliferated online and in various parts of the country vilifying leaders and members of these organizations. These public statements incite violence and killings and are considered direct orders and policy pronouncements by State forces on the ground.

Human rights workers have received death threats and threats of violence via calls, texts, and online spaces. Likewise, the use of search warrants (issued by a judge from another locality) resulted in highly questionable raids and arrests of human rights defenders. Consistent in the cases of arrests are testimonies by those arrested that the so-called evidence of guns, bomb-making materials and explosives, and documents considered subversive were planted.

Human rights defenders, including trade unionists and peace advocates, have been arrested and are still detained. Many, who are considered political prisoners, are facing formulaic non-bailable charges and other trumped-up charges. As of November 2019, there are 629 political prisoners, including 382 under the current administration. At least 3,130 have been subjected to arbitrary or illegal arrests. These charges and arrests are forms of judicial harassment, which is a form of reprisal on their work as human rights defenders, peace advocates, and critics of the administration. Another form of judicial harassment is the baseless perjury charge against officers of Karapatan and other non-governmental organizations. The Human Security Act of 2007 is also being used to hail rights defenders to court despite having no sufficient evidence.



The opposition, together with religious leaders, are facing charges seen as retaliatory actions to their vocal stance against extrajudicial killings. A Supreme Court Chief Justice faced questionable quo warranto proceedings that resulted in her removal and the dominance of appointees by Duterte at the Court.

Karapatan, other non-governmental organizations, and online community news organizations experienced cyber-attacks bringing down the their websites.

Despite a law criminalizing enforced or involuntary disappearances, there have been cases of missing human rights defenders. Small-scale miners and members of peasant organizations were abducted and tortured by soldiers. At least 454,060 forcibly evacuated in the course of bombings and military operations in Marawi City and communities in Mindanao, Eastern Visayas, Bicol, Cagayan Valley, and Southern Tagalog.

At least 3,043 victims of forced or fake surrenders were documented, wherein civilians and rights defenders are coerced to go to camps and sign documents as “rebel returnees.”

Through Oplan Kapayapaan and Oplan Kapanatagan, a militarist “Whole-of-Nation” Approach is adopted to address the armed conflict. The creation of NTF-ELCAC through Executive Order No. 70 is the latest of measures to systematize and institutionalize such approach. The Duterte administration’s counter-insurgency program does not distinguish civilians, or non-armed individuals, from armed combatants, resulting in widespread, systematic, and grave violations and the criminalization of human rights defenders.

Many non-profit and non-governmental organizations opined that Memorandum Nos. 15 and 17 of the Securities and Exchange Commission (SEC) infringe on the independence of their organizations as these will enable undue classification and regulation, government interference in their activities, and violation on the right to privacy and the right to freedom of religious and political beliefs, which may all lead to their blacklisting or illegalization. The government also disseminated misinformation regarding the registration with the SEC of Karapatan and other non-governmental organizations.

There were actions, pronouncements, and measures by government to defund and restrict funding for human rights and development work including Bureau of Customs Memorandum Circular No. 211-2019 on the suspension of loans and grants from countries which voted for Resolution 41/2 on the Philippines at the United Nations Human Rights Council.

Proposals to reimpose the death penalty continue to be among the top legislative agenda of Duterte’s allies. Bills lowering the minimum age of criminal responsibility from 15 years to 13 or 12 are pending. The proposal to amend the Human Security Act directly impacts on democratic space. Some officials also recommended to revive the Anti-Subversion Law to criminalize mere membership or association with the CPP, NPA, and their so-called “front organizations.”

### **Karapatan Alliance Philippines**

Karapatan is an alliance of human rights organizations, desks and individual advocates in the Philippines.

# ON CIVIL SOCIETY

When the peace talks between the National Democratic Front of the Philippines and the Philippine government were terminated, attacks against legal dissenters have intensified. After President Rodrigo Duterte issued Proclamation No. 374 declaring the underground rebel groups Communist Party of the Philippines of the Philippines-New People's Army (CPP-NPA) as terrorist organizations, focused attacks on all political dissenters deemed by government as legal fronts of the CPP-NPA were conducted.

Not only has the government tried to de-legitimize the advocacies of legal dissenters, it has also intimidated such organizations and individuals from exercising their constitutionally-protected right to free speech, to peaceably assemble, and to petition for redress from the government.

These instances include, among others, the red-tagging of activists including Bagong Alyansang Makabayan (BAYAN-New Patriotic Alliance) through tarpaulins and flyers declaring it as “communist terrorists.” Even former police chief and now Senator Ronald Dela Rosa has branded activists student organizations as “NPA recruiters” just because their group and their members participate in protest actions and conduct educational discussions about injustices experienced by Filipinos in different sectors.

Such red-tagging of activists have serious implications: extra-judicial killings, illegal arrests, trumped-up charges, illegal surveillance, and vilification.

What is also of concern is the use of government funds and resources for the vilification of activists and spread of disinformation. For example, the Philippine News Agency, a government website and news outlet, has been a leading purveyor of articles smearing the reputation of activists and legal organizations. Security forces were reported to have been distributing flyers against progressive candidates and party-lists near voting precincts during the recent May 2019 elections.

## **Bagong Alyansang Makabayan**

BAYAN is a multi-sectoral alliance of workers, peasants, women, youth, indigenous peoples, and professionals.

# ON DRUG WAR VICTIMS

President Rodrigo Duterte is liable for the drug-related killings. The anti-illegal drug policies are being implemented upon his directives and orders. Aside from issuing shoot-to-kill orders, Duterte has vowed to protect the police who do their “duty,” even if they kill thousands in the course of their work.

The drug-related killings, especially those committed under so-called “legitimate police operations”, were carried out within the chain of command and in compliance with the directives of the police hierarchy. The government’s policy on the so-called “war on drugs” is embodied in several issuances by the Philippine National Police.

The words “nanlaban” (fought back while resisting arrest) and “buy bust” became the buzzwords used to justify the killings of drug suspects during police operations. Witnesses would later on attest that the victims were killed execution style where the perpetrator kills at close range a conscious victim who is under the complete physical control of the assailant and who has been left with no course of resistance or escape.

However, police operatives routinely report them to have died in shootouts or after supposedly fighting back. This is also true with vigilante-style killings of drug suspects carried out by unknown assassins not in uniforms. Many were tagged as either drug users or drug pushers and included in the barangay (village) drug list. Some were also listed as surrenderees under Operation Tokhang (knock and plead). It is for this reason that the drug lists are considered a death list.

Among those killed in the so-called drug war between July 2016 and December 2017 were at least 74 minors. Some of the victims were included in the so-called drug lists drawn by the police and local officials. The government has tried to depict minors as “pawns” in the drug trade, wittingly or unwittingly drawn in as “runners” or errand boys, couriers, or even sellers. The youngest known victim is a three year old who was killed on June 29, 2019.

The conflicting and varying numbers of people killed in the war on drugs as reported by the police lead people to doubt the accuracy and veracity of its report.

As of November 2019, records of the Philippine Drug Enforcement Agency show that from July 2016, some 151,601 anti-illegal drug operations have been conducted, where 220,728 suspects were arrested and 5,552 persons killed. However, there is a paltry few cases filed against police perpetrators, and majority of these cases were filed at the instance of the victims’ relatives, their lawyers, and civil society organization.

In September 2019, the Internal Affairs Service of the police admitted that only 594 officers have been charged administratively for deaths related to anti-illegal drug operations, while only 103 officers have been charged in court, and only 150 others have undergone an inquest. Indeed, investigative competence of law enforcement agencies is wanting, if not absent. There is also the issue of lack of interest, unwillingness to investigate or prosecute, or even a deliberate intent not to conduct a credible and thorough investigation.

The demeanor of the perpetrators shows that they have no qualms. They were not deterred by the presence of witnesses who can attest that it was impossible for the victims to have fought back because they were already subdued and were under arrest before the witnesses were ordered to go out of the house. The killers were confident that they can invent stories and will get away with it.

Beyond the extra-judicial killings are thousands of mostly dwellers in urban poor communities who are rounded up even at night, arrested and detained with no definite evidence and in open violation of due process rights.

## ***Rise Up for Life and for Rights***

Rise Up for Life and for Rights is an organization of the families of the victims of war on drugs and a network of advocates of human rights against drug-related extrajudicial killings and other violations. It has helped facilitate the filing of complaint-communications and supplemental pleadings before the International Criminal Court on crimes against humanity against President Duterte.

# ON ENVIRONMENTAL DEFENDERS

In 2019, the Philippines was declared as the world's deadliest country for land and environmental defenders, with at least 30 murder cases of environmental defenders on record.

Majority of the human rights violations committed against environmental defenders comprise a trend of red-tagging, vilification, and other forms of threats and harassment of defenders, including the inclusion of a number of prominent defenders in a "terror list" released by the Department of Justice and a significant number of illegal arrests and detention mostly based on trumped-up criminal charges.

Small farmers, agricultural workers, and indigenous peoples are increasingly becoming targets of such attacks. They are also subjected to forced evacuation from their communities in conflict with agribusiness plantations and large-scale mining companies. There are also cases of enforced disappearances involving Lumad farmers confronting mining threats in Sultan Kudarat province.

The Philippine government's neoliberal economic policies on mining, agribusiness, and forestry have provided guarantees, incentives, and rights to big businesses, overriding the ancestral lands, protected areas, and agrarian reform areas.

While President Rodrigo Duterte initially appointed the late Regina Lopez as environment secretary, he allowed her removal from the position through the Commission of Appointments, which led to a reversal of Lopez's orders closing and suspending several large-scale mines. The same happened to former Department of Agrarian Reform Rafael Mariano whose order of moratorium on land use conversions was subsequently lifted by his successor.

The Armed Forces of the Philippines has also provided investment guarantees for various big business projects. The presence of the military in communities where big businesses operate or where they have interests have led to violence such as in the case of the Lake Sebu massacre, wherein military troops killed seven Lumad farmers who were occupying lands grabbed by timber and coffee plantations. While the Philippine Army tried to justify this as a combat operation against insurgents, the Commission on Human Rights concluded that the soldiers should be made accountable for the said killings.

## ***Kalikasan People's Network for the Environment***

Kalikasan PNE is a national environmental campaign center in the Philippines. It places primacy on addressing environmental issues from the perspective of advancing environmental issues from the perspective of advancing the welfare of the grassroots-level populace foremost.

# ON INDIGENOUS PEOPLES

Indigenous peoples in the Philippines continue to experience institutional discrimination from the government in spite of the passage into law of the Indigenous Peoples' Rights Act of 1997. The government is also among the first to adopt the United Nations Declaration of the Rights of Indigenous Peoples in 2007.

Ancestral lands and territories continue to be treated as a resource base for profit by the government at the expense of the right to self-determination and other human rights. Under the administration of President Rodrigo Duterte, violations against individual and collective rights of indigenous people worsened to an ethnocidal scale. Development aggression and militarization gravely impact on the lives of the indigenous communities.

The "Whole-of-Nation" Approach is being implemented by the Duterte administration. This national internal security policy institutionalizes Operation Plan Kapayapaan and Executive Order No. 70, which seeks to mobilize different government agencies for counter-insurgency even those with distinctly civilian functions like the National Commission on Indigenous Peoples.

The indigenous peoples' right to free, prior, and informed consent was violated when Duterte announced that he would personally choose investors to develop ancestral domains. As a result of this announcement, contentious projects were railroaded without the affected indigenous communities' said consent.

Militarization has further resulted in the internal displacement of indigenous peoples. There were also indiscriminate airstrikes and bombing of indigenous communities in response to Duterte's pronouncements to drop bombs on the rebels and flatten hills where rebels are purportedly staying.

There were also violations of the Lumad's right to self-determination to establish their own indigenous schools and violations to their right to culturally-appropriate education.

The Department of Justice filed a petition in court to proscribe the Communist Party of the Philippines and the New Peoples' Army as terrorist organizations, including a list of persons alleged to be their officers and members. Among the indigenous activists baselessly listed were former and current officers of indigenous organizations and formations.

Likewise, the Anti-Money Laundering Council froze the bank accounts of the Rural Missionaries of the Philippines-Northern Mindanao Region on false allegations that the funds were being used to finance terrorism. This affected their activities supporting indigenous peoples in Mindanao and some joint projects on the promotion of indigenous land rights funded by the European Commission.

Further, trumped-up charges caused the arrest and detention of at least 196 indigenous peoples since 2016. There are at least 36 indigenous people unjustly imprisoned at present apart from cases of extra-judicial killings.

***Cordillera Human Rights Alliance, Cordillera Peoples Alliance, KATRIBU Kalipunan ng Katutubong Mamamayan ng Pilipinas, Kusog sa Katawhang Lumad sa Mindanao, Philippine Task Force for Indigenous Peoples, SANDUGO Kilusan ng mga Moro at Katutubong Mamamayan para sa Sariling Pagpapasya (Movement of Moro and Indigenous Peoples for Self-determination), and Save Our Schools Network*** are organizations of indigenous peoples from all around the Philippines.

# ON INDIGENOUS PEOPLES

Attacks on schools during an armed conflict is considered as one of the six grave violations identified and condemned by the United Nations Security Council. The statement of President Rodrigo Duterte that he will “bomb Lumad schools” runs counter to the United Nations Declaration on the Rights of Indigenous Peoples.

The government’s counter-insurgency program resulted in military operations that target Lumad schools and their community. Relying on unverified reports, the government, through the Department of Education, forcibly closed Lumad schools. Bomber planes hover over Lumad communities and elements of the military conduct interrogations among the community members. The police and the military filed trumped-up charges against volunteer teachers. Paramilitary groups are implicated in numerous cases of strafing, killings, attacks, and threats of closure of Lumad sanctuaries.

The establishment of Lumad schools aims to inculcate in the next generation of Lumad, with literacy, defense of their identity and ancestral domain. But this is met with suspicion by the military who discriminate on the Lumad as “illiterate” and “ignorant” and tag them as “rebels”. Various types of attacks on schools range from threats, harassment, and surveillance of teachers and parents; illegal arrest and filing of trumped-up charges; encampment in school grounds; frustrated and consummated killings; forced surrender; forcible evacuation; and closure of schools.

There were 671 cases of attacks from July 1, 2016 to July 30, 2019. Duterte’s imposition of martial law in Mindanao and the open threat to bomb Lumad schools have brought unprecedented increase in cases of attacks on schools. The attacks have affected at least 16,976 students, 1,376 teachers, and 57,844 members of the Parents-Teachers Community Associations.

At least 161 Lumad schools were forcibly closed by the government all over Mindanao, affecting about 4,792 Lumad learners. Government allege that the schools are teaching an ideology that protest against the government.

Save our Schools Network (SOS) documented 40 cases of forced evacuation in community schools in Mindanao under the Duterte Administration. These forced displacements have affected 19,632 students, teachers, and community members. Students from various Lumad schools are being adopted by various tertiary schools, organizations, and churches in the cities of Manila, Cebu, and Davao where they set up alternative “Bakwit” Schools with volunteer teachers.

As of December 2019, there are 30 cases of Lumad school teachers who faced fabricated charges filed by the police and the military. These charges include murder, kidnapping, illegal possession of firearms and explosives, illegal detention, and illegal assembly.

On June 20, 2017, a member of a paramilitary group opened fire at a Lumad school which brought fear among the teachers and students. This incident resulted in an injured student and left 60 others traumatized. On September 5, 2017, a Lumad student was shot dead by members of a paramilitary group.

On January 25, 2020, members of a local paramilitary forcibly entered the United Church of Christ in the Philippines Haran compound in Davao City, where at least 500 Lumad (including 236 children and infants) have sought sanctuary due to military operations in their communities. The attack came after reports that the Lumad were being exploited – which have been repeatedly denied by the Lumad evacuees themselves and church leaders.





The attacks on Lumad communities and schools in Mindanao are part of the Duterte government's "Whole of Nation" Approach contained in Executive Order No. 70, which operationalizes the National Task Force to End Local Communist Armed Conflict. The government targets the Lumad based on the erroneous assumption that majority of the communist insurgents come from the indigenous people.

Likewise, Executive Order No. 546 allows the police and military to conscript civilians to beef up the military in its crusade against insurgency. They developed the tactic of forming Lumad paramilitary groups to pit Lumad against their fellow Lumad. This group serves as a force multiplier for the armed forces.

Another repressive and divisive tactic employed by the government is the formation of indigenous peoples' organizations purportedly representing the Lumad tribes but are actually led by Lumad paramilitary leaders. Recently, some representatives of these groups went to the European Union office, through the funding of the government, to urge the latter to withdraw funds that have allegedly reached communist groups through the Lumad.

The said delegation also went the rounds of several Philippine Embassies and countries to malign Lumad and non-governmental organizations connected with them, while they actively negotiated for contracts with private companies to invest in their ancestral domains, which they secured in collaboration with the military.

### **Save Our Schools Network**

SOS is comprised of individuals, organizations and institutions taking action to protect the children's right to education, particularly in the context of militarization and attacks on schools.

# ON JOURNALISTS

**T**he National Union of Journalists in the Philippines (NUJP) believes the Duterte government has not only failed in protecting journalists and press freedom in the Philippines but has engendered an atmosphere that targets media practitioners with threats and attacks.

Over the past three years, journalists, news outfits and media organizations have increasingly found themselves in the cross sights of a government led by a president who is averse to dissent and criticism.

Fifteen (15) journalists have been murdered since the start of the Duterte administration, bringing the total number of media practitioners killed in the country since 1986 to 187. These killings show the failure of Duterte's Administrative Order No. 1 of October 11, 2016 creating the Presidential Task Force on Violations of the Right to Life, Liberty and Security of the Members of the Media, more popularly known as the Presidential Task Force on Media Security.

Cases of intimidation and online harassment registered the highest numbers by category of incidents since July 1, 2016. The most worrisome numbers are 28 incidents of intimidation, 20 online harassment, 12 threats via text messages, 12 libel cases, 10 website attacks, eight slay attempts, and eight cases of journalists barred from coverage.

Journalists and their organizations are not spared from red-tagging or red-baiting by police or military officers or their intelligence assets and allies. They are accused of either being members or supporters of the underground communist movement in the Philippines, thus exposing them to harassments, threats and even assassinations. The NUJP and its members have also fell victims to these attacks.

Journalists are also compelled to signify their support to the implementation of the government's program to end local communist armed conflict even if these efforts translate to more human rights violations. Failure to do so would open them to attacks and further harassment.

## ***National Union of Journalists in the Philippines***

The NUJP is one of the biggest media organizations in the Philippines. It was founded in 1986 to uphold and defend press freedom and the rights and welfare of the working press.



# ON LAWYERS

The human rights situation in the Philippines has reached an unprecedented scale and scope since President Rodrigo Duterte was inaugurated into office on June 30, 2016. This milieu has made the terrain where lawyers practice more perilous. Lawyers providing services to human rights victims as well as to suspected drug offenders have mostly become targets of the attacks themselves.

From 2016 to 2019, the National Union of Peoples' Lawyers (NUPL) documented at least 72 prima facie work-related attacks on lawyers and lawyers' groups nationwide.

The continuing human rights violations are in open contravention of the government's commitments to various pertinent international covenants and in breach of its pledges before the Human Rights Council.

The President, who is himself a lawyer, has openly advocated for attacks on lawyers critical of the administration. His government is pursuing a so-called "Whole-of-Nation" Approach creating the National Task Force to End Local Communist Armed Conflict under Executive Order No. 70, which result in various rights violations against unarmed human rights defenders and dissenters. Likewise, State forces and their allies in the media and the private sector are being used to perpetrate the attacks against human rights lawyers.

From July 1, 2016, there are at least 44 lawyers who were killed in the Philippines on account of various motives, some of which were linked to the lawyers' work in prosecuting human rights violations and defending alleged drug offenders. At least five frustrated or attempted murders were recorded from July 1, 2016 to November 30, 2019. The motives include their involvement in human rights cases or in handling drug cases.

Human rights lawyers have been tagged as "destabilizers", "leftists", "communists", and "terrorists" by the State forces and their allies in media and the private sector. Likewise, lawyers who are critical of the government have also been subject of red-tagging by military and law enforcement agencies. Further, the military has been leading the intensified vilification of peoples' lawyers.

The continuing attacks have hampered lawyers, judges, and other legal professionals from freely exercising their profession. Some lawyers have been afraid to take on the prosecution of human rights violations and defense of alleged drug offenders for fear of reprisals from State forces. Some lawyers and law students too have declined to join the NUPL or have kept a low profile. Some prosecutors are forced to file weak cases for fear of their careers. Some judges decline to outrightly dismiss cases despite a Supreme Court mandate to do so when legal protocols are breached.

## **National Union of Peoples' Lawyers**

The NUPL is a nationwide association of pro-bono or pro-deo human rights and public interest lawyers and law students founded in 2007 and counts among its members, judges, prosecutors, public defenders, law professors, private practitioners, government lawyers, and paralegals.

# ON MIGRANTS

Filipino migrant workers and their families have become victims under harsh conditions of employment abroad and through the incompetence of the government in protecting migrant rights. Migrante International have documented cases of different forms of abuse faced by migrant workers abroad. Among these cases that clearly show the abandonment of the government of its duty to protect its citizens abroad are those of Mary Jane Veloso and Mary Jean Alberto.

Veloso is a victim of human trafficking and has been languishing in death row in Indonesia for illegal drug smuggling since 2010. The Duterte administration has failed to exhaust efforts to defend Veloso's rights. President Rodrigo Duterte has not appealed Veloso's case for pardon or clemency.

Alberto was an overseas Filipino worker in Abu Dhabi, United Arab Emirates working as a nanny where she suffered starvation, exploitation and maltreatment. She died because of an alleged suicide, but her family suspected foul play. Philippine embassy officials failed to give timely assistance to her family. The Overseas Workers Welfare Administration also refused to provide financial assistance to Alberto's family because of her undocumented status.

Migrante International and its members have themselves experienced attacks from Philippine embassy and consulate officials. They were repeatedly vilified and red-tagged in symposia and seminars organized by the consulate officials in Saudi Arabia. Members of Migrante have also been subject of harassment and surveillance in 2019 when members of the Philippine National Police entered the bus that was transporting Migrante members who were attending the People's State of the Nation rally.

These cases show the Duterte government's lack of genuine interest in actively pursuing justice for the deaths and abuse of Filipino migrant workers.

## ***Migrante International***

Migrante is a global alliance of overseas Filipino migrants and their families.

# ON PEASANTS

**M**ajority of Filipino peasants remain landless as they continue to face the fundamental problem of feudal exploitation in the Philippines with big landlords and foreign agribusinesses taking control over vast tracts of domestic agricultural and arable land. This has further subjected farmers to unfair social conditions such as high land rent, high cost of production, low buying prices of agricultural produce and other exploitative practices.

Landlessness and poverty remain prevalent as millions of farmers remain landless. Decades of government land reforms have failed to address even the most basic demands of the peasant masses. Worse, farmers who uphold their right to the land they till are often subjected to the worst human rights violations and abuses.

Soon after promising change to millions of hopeful who voted for him in 2016, President Rodrigo Duterte has reneged on his statements and instead waged a full-scale, all-out war against Filipinos.

Heightened militarization of peasant communities and human rights violations are the government's responses to the calls for genuine land reform. Land rights advocates and peasant leaders are subjected to various forms of attacks against their civil and political rights.

They are either red-tagged as alleged supporters of the communists, exposing them to harassment and military surveillance, or forced to surrender as fake rebel members of the New People's Army, incarcerated for fabricated non-bailable criminal charges, or summarily killed and massacred.

From July 2016 to December 2019, close to 250 peasants were killed and barely none had been brought to the courts to account for these murders. Intensified militarization of peasant communities has likewise resulted to displacement and destruction of farmers' livelihood.

## ***Kilusang Magbubukid ng Pilipinas (Peasant Movement of the Philippines)***

The KMP is a mass organization of Filipino farmers and poor peasants primarily working for genuine land reform, social justice, and genuine social change.

# ON THE POLITICAL OPPOSITION

The political opposition is a target of human rights violations under the administration of President Rodrigo Duterte. Threats and intimidation against members of the opposition were committed such as in the case of the ouster of Supreme Court Chief Justice Maria Lourdes Sereno, the detention of Senator Leila De Lima on trumped-up charges, and verbal attacks on church leaders and the media. These personalities and entities all criticized President Duterte's war against illegal drugs, extra-judicial killings, and his anti-people policies.

Parliamentarians under the political coalition Makabayang Koalisyon ng Mamamayan (Makabayan/Patriotic Coalition of the People) including their leaders and members are vocal oppositionists to graft and corruption in government; to policies which further oppress the poor and the marginalized of society; and to violations of the basic rights of the people by the administration.

These positions have been expressed in the bills and resolutions they filed; in their privilege speeches; and, in their debates during the meetings, deliberations and investigations at the committee level and at the plenary in Congress. Further, the Makabayan bloc has filed cases in the Supreme Court and other tribunals to restrain and void Duterte's orders which violate human rights.

Because of this, they have become targets of extra-judicial killings, trumped-up charges based on planted evidence, red-tagging, and other forms of harassment and threats. Makabayan, as well as its senatorial candidate, lawyer and human rights defender Neri Colmenares, were subjected to disqualification attempts from participating in the 2019 elections based on unfounded allegations of having links with the Communist Party of the Philippines.

## ***Makabayang Koalisyon ng Mamamayan***

Makabayan is a political coalition or bloc composed of opposition parliamentarians from progressive party-list groups in the Philippine Congress, namely, Bayan Muna (People First) Party-List, Gabriela Women's Party, Anakpawis Party-List, Kabataan Party-List, and ACT Teachers Party-List.

# ON SOCIO-ECONOMIC RIGHTS

**T**he Philippine government violated the Filipino people's right to public participation, accountability, transparency and access to information in its enactment and implementation of the Tax Reform for Acceleration and Inclusion (TRAIN) law. It willfully disseminated information that the TRAIN law is "progressive" when it actually reduced the income of the poorest 60% households while redistributing income and wealth to the middle class and the country's wealthiest families.

It also denied access to relevant information to assess the TRAIN law when this was still being deliberated in Congress. The implementation of the TRAIN law also contributed to high and rising inflation since the start of 2018 while its supposed mitigating measures were only substantially implemented by the end of the year. Currently the Duterte administration is pursuing even more packages of its comprehensive tax reform program which will make the tax system even more regressive if these are passed into law.

The Duterte administration continued to neglect the country's agriculture sector and actively disrupted the livelihood of millions of rice farmers due to the government's policy of rice liberalization, which caused drastic cuts in the incomes of rice farmers, driving many of them to bankruptcy.

The Duterte administration is keeping household incomes low by having the least frequent minimum wage hikes and giving the lowest wage increases among all post-Marcos administrations. For instance, the administration has so far only given an average of one wage hike every 21 months in the National Capital Region; in contrast, previous administrations were giving one wage hike every 16 months (Arroyo administration).

The Duterte administration gives low priority to fulfilling economic and social rights, while giving disproportionate attention to corporate sector and growth-oriented spending. Increased "peace and order" spending on State security forces has also controversially resulted in wide-scale civil and political rights violations.

## **IBON Foundation**

IBON is a non-stock non-profit development organization in the Philippines. IBON seeks to promote an understanding of socioeconomics that serves the interests and aspirations of the Filipino people.

# ON TEACHERS

Teachers and educators from the Alliance of Concerned Teachers (ACT) have been the subject of profiling, threats and intimidation, red-tagging and cyber-bullying, and trumped-up charges and incarceration. These attacks have mostly been perpetrated by members of the Philippine National Police (PNP) and Armed Forces of the Philippines (AFP), and prima facie linked to union busting.

The profiling of ACT members and affiliates by the police and military intelligence officers has intensified during the Duterte administration wherein police visited schools, homes and offices of its members to obtain personal information under the directive of local police chiefs. Policemen even accosted some members in places like a public market.

ACT was able to obtain copies of such directives despite the denial of then PNP Chief Director General Oscar Albayalde of their existence. ACT members also experienced threats and intimidation through calls and text messages promising harm to their persons and families. ACT leaders have also received envelopes containing their personal information, photos, and private correspondences from suspected military or police agents which indicate that they are under direct surveillance.

ACT has been red-tagged by top government officials like presidential spokesman Salvador Panelo and PNP chief Albayalde. The National Intelligence Coordinating Agency also labeled ACT members and leaders as communists in an effort to dissuade teachers from voting for ACT as the sole and exclusive negotiating agent for public school teachers in Central Luzon.

ACT leaders have also been victims of trumped-up charges: one was falsely charged of child abuse under Republic Act No. 7610 when she participated in a solidarity mission to rescue indigenous students who were victims of militarization and one was falsely implicated in an alleged raid by the New People's Army.

ACT leaders and members have experienced profiling, surveillance, threats, filing of fabricated charges, subsequent arrests, and cyber-harassment in an effort to discourage them in their fight for higher salaries and benefits.

These cases show the systematic campaign waged by the government through the military and police against ACT leaders and members and against ACT Teachers Party-list, which represents teachers before the House of Representatives.

## ***Alliance of Concerned Teachers***

ACT is a national organization of teachers and educators.

# ON WORKERS

One of the campaign promises of President Rodrigo Duterte was to end contractualization of labor but this has not been fulfilled. Aside from the call for regularization and security of tenure, workers have also asserted their right to occupational safety and health and the protection of their right to self-organization.

Workers of Pepmaco reported that they were not provided with protective gears and safety equipment despite their exposure to harmful chemicals and elements in the production of the surfactant. This resulted in ear-nose-throat ailments, respiratory diseases, and musco-skeletal problems. However, when they protested to demand for the workers' right to occupational health and safety, their picketline was attacked. The company Nutri Asia, instead of heeding its workers' rightful demand for job security, filed trumped-up charges and disciplinary actions against the workers.

Members of Nagkahiusang Mamumuo sa Suyapa Farm (NAMASUFA/United Workers of Suyapa Farm)-National Federation of Labor Unions-Kilusang Mayo Uno (KMU/May First Movement) also experienced threats to their life and property. A member of the union was shot dead in a public market in 2018 and no one has been prosecuted for the crime. There were also failed and successful attempts of arson committed against the NAMASUFA union officials.

Members of Musahamat Farm Workers Labor Union were abducted and detained without cause by military agents. They were coerced into withdrawing membership from their union and disaffiliate from KMU.

Several labor organizers have also been falsely charged with charges of illegal possession of firearms and ammunition. They were never served summons, they did not undergo any preliminary investigation and their warrants of arrest were issued by the same court based on made-up stories by soldiers.

## ***Kilusang Mayo Uno (May First Movement)***

The KMU is an independent labor center promoting genuine, militant and patriotic trade unionism.





# RECOMMENDATIONS

In sum the 20 non-government and peoples' organizations in this Compendium put forward the following recommendations for the United Nations Human Rights Council and the Philippine Government to carefully and seriously consider in crafting resolutions and in planning actions in regard to the allegations of grave human rights violations in the Philippines in relation to Resolution 41/2.

These recommendations would help uncover the actual human rights situation in the Philippines and hopefully aid in addressing legitimate concerns for justice and accountability.

## ***For the UN Human Rights Council***

1. To adopt a resolution providing for the initiation of an independent fact-finding mission or a Commission on Inquiry regarding the human rights situation in the Philippines;
2. To urge the Philippine government to stop the extrajudicial killings, vilification and other attacks on the people in the Philippines; and
3. To adopt all appropriate measures and resolutions within its framework and mandate in order.

## ***For the Philippine Government***

4. To officially invite the relevant UN special procedures and mandates and other pertinent UN bodies, particularly on the focal groups and issues in the Resolution, in order to conduct independent investigations on allegations of rights violations in the Philippines;
5. To abide by all international instruments and comply with its pledges on respect for human rights;
6. To stop extra-judicial killings, enforced disappearances, torture, illegal or arbitrary arrests and detention, vilification and incitement to violence, and other human rights violations;
7. To provide effective and timely measures to ensure accountability of perpetrators and indemnification of victims and their families;
8. To abolish the Inter-Agency Committee on Legal Action and the National Task Force to End Local Communist Armed Conflict, pursuant to Executive Order No. 70 on the "Whole of Nation Approach", and other measures which are instrumental in filing fabricated cases against civilians and encouraging various attacks against human rights defenders;
9. To drop all trumped-up cases against workers, peasants, teachers, members of civil society, human rights defenders, indigenous peoples, journalists, lawyers, members of the political opposition, and political dissenters;
10. To release all political prisoners and to halt the policy and practice of judicial harassment, criminalization of human rights work and weaponization of the law that discourage political dissent and public participation;
11. To end its militarization campaign and encampment in communities and civilian structures;
12. To rescind its policies and program pertaining to its violent campaign against illegal drugs and counterinsurgency campaigns that gravely impact on the human rights situation. Accordingly, address the persistence and proliferation of illegal drugs by reorienting its over-all policy and focus on people-oriented approaches that are based on health and human rights, and promote the safety and security of the people;

13. To cease all efforts to enact the reimposition of the death penalty, the measure lowering the minimum age of criminal responsibility, the amendments to the Human Security Act, and the revival of the Anti-Subversion Law;
14. To work for the legislation of the Human Rights Defenders Protection Bill;
15. To implement a genuine agrarian reform program that shall include free land distribution to tillers that will address the local armed conflict and implement a comprehensive system of support services for the agricultural sector, and the respect of civil, political, cultural and economic rights of the rural people;
16. To delink destructive projects of big business and government and the counterinsurgency and other internal security programs;
17. To stop human rights violations against church people and respect the freedom of religion and the exercise of ministries in furtherance of religious beliefs;
18. To immediately engage in protecting the safety of lawyers and legal workers in accordance with UN Basic Principle on the Role of Lawyers;
19. To decriminalize libel and finally stopping the draconian law from being used to threaten and unjustly punish journalists and human rights defenders;
20. To release public reports on the overseas activities of the Armed Forces of the Philippines and Philippine National Police attaches;
21. To re-open Lumad schools that have been forcibly closed; and,
22. To resume the peace negotiations with rebel forces as a platform to resolve the socio-economic problems that have gendered violations of human rights.





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