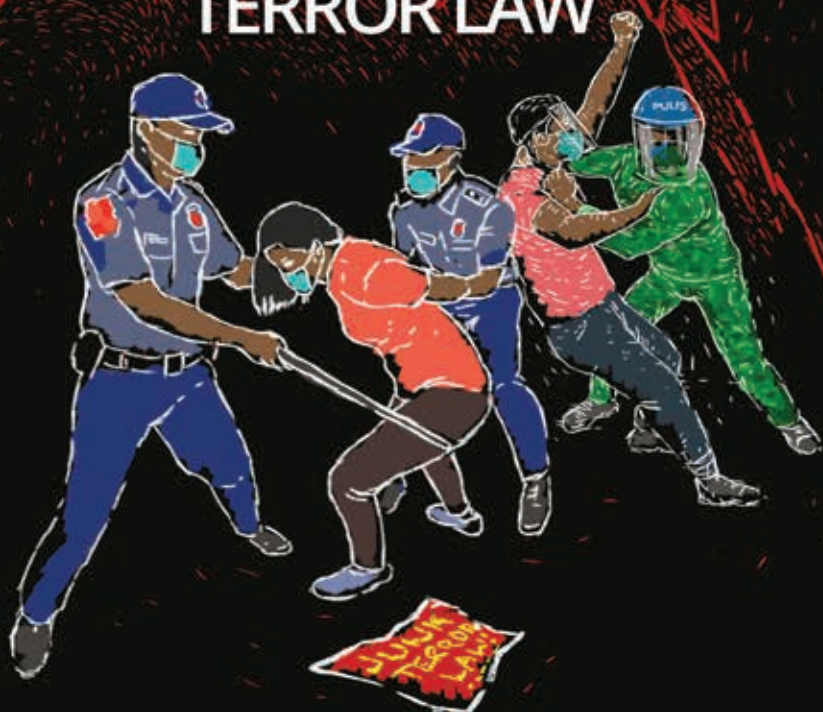




SPREADING STATE TERROR UNDER THE PANDEMIC AND TERROR LAW



**Spreading State Terror
Under the Pandemic
and Terror Law**

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IBON International responds to international demands to provide support in research and education to people's movements and grassroots empowerment and advocacy and links these to international initiatives and networks. It is a member of the International Coalition for Human Rights in the Philippines.



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SPREADING STATE TERROR:
UNDER THE PANDEMIC AND TERROR LAW



List of acronyms and abbreviations

AFP	Armed Forces of the Philippines
ANGLO-KMU	Alliance of Nationalist and Genuine Labor Organizations-Kilusang Mayo Uno
ATA/ATL	Anti-Terrorism Act of 2020/Anti-Terrorism Law
ATC	Anti-Terrorism Council
BANSIWAG	Bol-anong Artista nga may Diwang Dagohoy
CHD	Council for Health and Development
CHR	Commission on Human Rights
CIDG	Criminal Investigation and Detection Group
COVID-19	Coronavirus disease
CPA	Cordillera Peoples Alliance
CPP	Communist Party of the Philippines
CSOs	Civil society organisations
DDos	Distributed Denial of Service
DOH	Department of Health
ECQ	Enhanced Community Quarantine
EJKs	Extrajudicial killings
EO 70	Executive Order No. 70
GCQ	General Community Quarantine
IATF-EID	Inter-Agency Task Force on Emerging Infectious Diseases
ICC	International Criminal Court's
IP	Indigenous Peoples
IPHRDs	IP human rights defenders
JIPCO	Joint Industrial Peace and Concerns Office
JRRMC	Jose R. Reyes Memorial Medical Center
KADAMAY	Kalipunan ng Damayang Mahihirap

KAGUBAK	Kawsa Guihulngan Batok Komunista
KMP	Kilusang Magbubukid ng Pilipinas
KMU	Kilusang Mayo Uno
LGUs	Local government units
MO 32	Memorandum Order No. 32
MPD	Manila Police District
NAPOCOR	National Power Corporation
NCIP	National Commission on Indigenous Peoples
NCR	National Capital Region
NDF	National Democratic Front
NGHCP	National Grid Corporation of the Philippines
NGOs	Non-governmental organisations
NIHPCD	Negros Island Health Integrated Program for Community Development
NPA	New People's Army
NTF-ELCAC	National Task Force to End Local Communist Armed Conflict
NUPL	National Union of Peoples' Lawyers
OHCHR	Office of the High Commissioner on Human Rights
PGH	Philippine General Hospital
PISTON	Pagkakaisa ng mga Samahan ng Tsuper at Operator Nationwide
PNP	Philippine National Police
PPE	Personal protective equipment
PPP	Public-private partnership
PUVs	Public utility vehicles
RT-PCR	Reverse transcription-polymerase chain reaction
SOGIE	Sexual Orientation and Gender Identity Expression
SONA	State of the Nation Address

SAMANA	Samahan ng Magsasakang Nagkakaisa sa Sitio Buntog
SEMPO	Synchronized Enhanced Management of Police Operation
TUMANDUK	Tumandok nga Mangunguma nga Nagapangapin sa Duta kag Kinabuhi
UCCP	United Churches of the Philippines
UN	United Nations
UN HRC	UN Human Rights Council
UP	University of the Philippines

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Introduction

Today, repressive governments who are either unwilling or incompetent in addressing ongoing economic, health, development and political crises have responded with tyranny instead. Governments in the United States, Hong Kong, Thailand, to Myanmar have cracked down on mass movements and dissent. In the Philippines, the Duterte administration, with its international notoriety for the false “drug war” and the attacks on critics, has exploited the COVID-19 pandemic since March 2020, up to the present, to consolidate authoritarian rule.

Former high-ranking military personnel in the Cabinet have been leading national task forces that implemented militarist pandemic responses. These same officials are behind the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC), which has been blurring the line between the armed movement of the New People’s Army (NPA) and the civilian organisations critical of the administration’s economic policy and authoritarianism, in order to license police and military repression against activists.

The Anti-Terrorism Act (ATA) of 2020, or the “Terror Law,” was railroaded in Congress and signed into law by July 2020, after the President and key officials in the NTF-ELCAC marked it as urgent. The new law and its implementing rules confirm the concerns of a broad range of organisations about the systematic criminalisation of dissent and the closing of democratic spaces. The ATA changed the legal horizon, expanded the threats of state terror (from surveillance to warrantless arrests), and moved the administration a step closer into, if not already being, a full-blown military dictatorship.

When speaking at the international level, the Philippine government insists on the misleading claim that domestic justice mechanisms are adequate – as the international clamour for an independent United Nations-level probe on the Philippine rights situation continues. Rights organisations and movements have already expressed concerns on the inadequacy of the UN Human Rights Council (UN HRC) resolution that has prescribed technical cooperation with the government. In response, they have been working towards a parallel, civil society-led initiative for accountability, called Investigate PH. At the national level, various petitioners at the Supreme Court opposed the ATA, but the Court has been slow in convening sessions to tackle the opposing petitions, and with outcomes still uncertain.

This book, now the fourth in the series, testifies to how the militarist pandemic lockdowns and the ATA, far from addressing the health emergency, have only resulted to unwarranted restrictions on expression, and to rights violations—from killings, to arrests of civilians and even relief workers.

An intensified wave of “red-tagging” has been attacking the work and lives of advocates for the people’s rights. Many of the articles in this book are written by people’s organisations and networks of movements at the frontlines, or by institutions closely working with toiling sectors. These articles cover the attacks on workers, farmers, Indigenous Peoples, women, LGBTQ+, communities under the continuing false “drug war,” even repression against development workers. A common thread for these articles is their urgent and strong concern about the roles of the NTF-ELCAC, ATA, and IATF, with the new levels of repression and the effective lack of “domestic mechanisms” for grievances and justice today.

IBON International remains committed to contributing to the assertions of people's rights and sovereignty, including in the Philippines where it has its roots as an international organisation. The book therefore discusses the implications on the work for democratic rights, people-centred development, and social justice. It also establishes which institutions and officials are accountable for the dire rights situation.

At the same time, the book aims to add to the critical evidence base of case stories and critiques that could contribute to efforts to exact accountability and justice. It serves to document organisations' and sectors' demands, resistance, and efforts for accountability vis-à-vis these institutions, rights violations, and repressive norms.

We hope that this book will inform readers—from policymakers to rights defenders, and other CSOs around the world—about the pressing need for international solidarity and efforts to support calls of people's organisations and civil society in the Philippines. Such support and solidarity are key in reversing the larger trend of rising authoritarianism amid the multiple health, economic, ecological and development crises today.

Jennifer del-Rosario Malonzo

Executive Director, IBON International

Terror amid the pandemic: By whom and against whom?

by **Rodolfo Lahoy**

“True peace,” according to the Philippine justice department, “demands more than security” because “peace is the work of justice.”¹ In contrast to this rhetoric, the Philippine government under the Duterte administration has responded to the ongoing health, economic and human rights crises with a higher prioritisation of internal security via militarised measures.

The administration has had a record of extrajudicial killings in its so-called “war on drugs,” and in its attacks against activists, people’s organisations and civil society. Local rights organisations and even UN Special Rapporteurs² have been condemning counter-insurgency plans of the past and present as campaigns against activists. The Office of the High Commissioner on Human Rights (OHCHR) was alarmed of another turn for the worse: of an even more “acute” situation in the last few years, of “widespread” rights violations, “persistent impunity,” and “practical obstacles to accessing justice [that] are almost insurmountable.”³

Basic civil-political rights have been eroded day by day, to a situation far worse than before the pandemic. The hard lockdowns, movement restrictions, the sudden opening for exceptional policies, became pretexts for intensified crackdowns on critics.

Institutionalised violence

In the context of the pandemic, the government's militarised measures, the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC), and the Anti-Terrorism Act (ATA) formed three major threats that loomed over the prospects for democracy and development for the people.

The policy-making Inter-Agency Task Force for Emerging Infectious Diseases and the implementor National Task Force COVID-19⁴ placed harsh punishments against "lockdown violators." These responses were "highly militarised,"⁵ and were matched by the deployment of soldiers in urban centres.

The NTF-ELCAC has been condemned for legitimising violence against activists. In place since 2018 through Executive Order 70, it has released the fury of police and military repression on unarmed critics by blurring the line between the armed movement of the Maoist New People's Army (NPA) and civilian organisations critical of prevalent economic policy and authoritarianism. Such campaigns were waged in the name of "counterinsurgency" and "counter-terror," in a country already considered among the worst for land activists and workers.

June 2020 to July 2020 saw the railroading of the Anti-Terrorism Act, radically reversing any semblance of democracy.

The government that has been decried for thousands of killings, now looked to organisations whom it wishes to subsume to its vague definition of "terrorists" as the main threat against the people. It established a new Anti-Terrorism Council (ATC) that has the power to name organisations as terrorists. In a stunning show

of priorities amid a health and economic crisis, the President marked it as an urgent bill on the first day of the lifting of the harshest lockdowns, was passed in both chambers of Congress, and signed by the President into law within over a month.

Militarised response from military officials

The role of the ex-generals and security sector officials is the common thread uniting the militarised pandemic measures, the NTF-ELCAC, and the ATA and its ATC. This began before the pandemic. By late 2019, the militarisation of government is a clear trend with 73 officials with ties from the military and police seated in 46 agencies, of which 38 were placed in leadership positions.⁶

These include the following ex-military men as secretaries of key agencies: Delfin Lorenzana as the Defense Secretary, Eduardo Año as Secretary of the Department of Interior and Local Government, Rolando Bautista as Secretary of the Social Welfare department, Roy Cimatu as Environment Secretary, Gregorio Honasan at the Information and Communications Technology department, Hermogenes Esperon Jr as the National Security Adviser, and Carlito Galvez Jr. as Presidential Peace Adviser, among others.⁷

The Executive Order 70 that created the NTF-ELCAC also de facto shaped the functions of civilian executive agencies along military counter-insurgency objectives. Led by the President himself and the National Security Adviser, the ELCAC includes as its members the Chief of the Armed Forces of the Philippines, the Philippine National Police, along with most of the executive agencies. These of course include the ex-military men who are secretaries of the interior, justice, defence, social

welfare. Its current spokesperson is an active military official, Lieutenant General Antonio Parlade.

The same generals play key roles in the pandemic-era ATC. The National Security Adviser is the Vice-Chair, with the secretaries of defence, interior and local government, information and communications technology joining the foreign affairs, finance, justice departments and the Anti-Money Laundering Council as its members.⁸

In the National Task Force who has been implementing state pandemic response, the Defence Secretary, the Interior Secretary, and the Presidential Peace Adviser have been the top officials.⁹ This is aside from a separate Joint Task Force COVID Shield which is enforcing lockdown rules, directly led by the police, the military, aside from the coast guard and the fire protection bureau.¹⁰

People's rights under fire

All this produced a situation where critics, especially the more organised groups, have been under heavy fire. The period saw cases of civilians arrested for posting critical posts in social media,¹¹ or cases of assault and killings. There were cases where relief workers were arrested (see “Closing Civic Spaces: Increasing attacks against development workers amid the pandemic” in this volume). There were killings of peace advocates, the jailing of Indigenous students and their teachers, violence against urban poor residents demanding aid,¹² and jailing of public transport drivers fighting for their livelihoods (see “Human rights attacks against unionised labour amid the pandemic”)

A previous agreement protecting the national state university from military intrusion was unilaterally

Republic of the Philippines
Congress of the Philippines
Metro Manila
Eighty Congress
First Regular Session

Begun and held in Metro Manila, on Monday, the twenty-second day of July, two thousand nineteen.

[REPUBLIC ACT NO. 11479]

AN ACT TO PREVENT, PROHIBIT AND PENALIZE
TERRORISM, THEREBY REPEALING REPUBLIC ACT
NO. 9372, OTHERWISE KNOWN AS THE "HUMAN
SECURITY ACT OF 2007"

*Be it enacted by the Senate and House of Representatives of the
Philippines in Congress assembled:*

SECTION 1. *Short Title.* - This Act shall henceforth be
known as "The Anti-Terrorism Act of 2020".

SEC. 2. *Declaration of Policy.* - It is declared a policy
of the State to protect life, liberty, and property from
terrorism, to condemn terrorism as inimical and dangerous to
the national security of the country and to the welfare of the
people, and to make terrorism a crime against the Filipino
people, against humanity, and against The Law of Nations.

abrogated. Civil society organisations (CSOs) and non-government organisations face greater challenges in a unilaterally-declared state screening of all incoming funding.¹³ This is aside from the ire reserved against CSOs questioning the administration's economic paradigms and repression.

People's organisations and CSOs face the challenge of "red-tagging." It is a long-running state practice: it involves accusing organisations of being fronts, or individuals as members or supporters, of the Communist

Party of the Philippines (CPP). This is done as “an open invitation for anyone to commit atrocities against the persons tagged.”¹⁴ It is intensifying under the administration as it works to officially designate the Maoist CPP and its NPA as “terrorist” groups under the ATA.

The repression against working people is exemplified in dedicated institutions for repression. In a country already among the worst for workers’ rights and unionised labour, the Philippine police and the Philippine Economic Zone Authority established the Joint Industrial Peace and Concerns Office (JIPCO). Unions and workers’ advocates were quick to cry foul against how the JIPCO is already targeting unions on pretexts of supposed Communist affiliations – which result to union-busting, laying-off and driving violence against key union leaders,¹⁵ and violating basic rights to association and collective bargaining in context of labour disputes.¹⁶ The police claims it is a “community relations program” to “harmonis[e] labor and capital relations”¹⁷ and for “globally competitive business environment[s].”¹⁸

Rural communities are also feeling the brunt of joint police-military operations against peasant and Indigenous communities in the countryside since the emergence of the NTF-ELCAC. Among the latest brutal incidents is the killing of 9 Indigenous Tumandok people who are resisting the Jalaur dam project. State rhetoric claims they were NPA rebels who fought back (see “A pandemic of state terror against Indigenous Peoples” and “Shoot Them Dead’: Peasant Killings Intensify in the Philippines”).

In the Cordillera region in northern Philippines, on the other hand, regional officials issued a resolution to hold “drug war style” operations against “left personalities.”¹⁹ This resolution, supported by more than 40 regional

officials, furthers systematises state violence against Indigenous People and activists.

In a broader sense, these pose as challenges to the prospects of people's substantive influence in economic and development processes that affect them. These bar the prospects for basic conditions for people's sovereignty and democracy in the country.

Security officials of the administration are largely unscathed from accountability, on the other hand. In the first place, critics decry the record of rights violations of security officials appointed in key positions.^{20 21} This is aside from cases of the top ranking Manila police official who broke their own lockdown protocols. In addition, prominent ringleaders of the NTF-ELCAC – with its spokesperson in Lieutenant General Antonio Parlade and Communications Undersecretary Lorraine Badoy – are explicitly shielded by the National Security Adviser Hermogenes Esperon Jr. (who is Vice-Chair of both the ELCAC and the ATC).²²

Elite capture, lack of domestic institutions for justice

Despite this, the government is proud to highlight supposed working institutions for accountability for rights violations.²³ The justice department even held a December 2020 Human Rights Summit on the theme “Peace is the work of Justice,” with the president slamming rights groups for being “‘preoccupied’ with the health and life of criminals.”²⁴

This Summit was criticised by national rights groups as a “farce” and a “charade” amid prevailing impunity.²⁵ The International Coalition for Human Rights in the Philippines called out “the duality of the State [which] smacks of hypocrisy and...comes off as an insult to

the thousands victimized” under the administration.²⁶ Representatives from the UN in the Summit highlighted the need for “governments that welcome peaceful advocacy and dissent.”²⁷ These statements all point to the reality of institutionalised impunity and barred prospects for accountability and justice, borne out of elite capture of major institutions.

The administration and its allies have been driving the three branches of government. A legislative “supermajority” allowed it to railroad the ATA, and possibly, as of writing, another attempt to change the Constitution to loosen limits on foreign ownership of land and economic sectors. The militarisation of executive agencies sealed a coherence of the ex-generals’ agenda in various task forces led by the same. Aside from domination of the administration’s appointees in the judiciary, certain courts that function as so-called “factories” of arrest and search warrants have gained the ire of lawyers’ and rights organisations.^{28 29}

Such a context severely constrains the work of institutions such as the national Commission on Human Rights (CHR) of the Philippines. For instance, the CHR was excluded from the hyped investigative body for “drug war” killings promised by the administration at the July 2020 UN HRC sessions.

The state’s initial reports of investigations moved without the rights commission, and with the first deadline for the report missed in November 2020. The state’s initial reports of investigations moved without the rights commission, civil society or the families of victims.³⁰ This contradicts the administration’s promise to the international community of a “transparent and inclusive” rights mechanism.³¹

And when the administration’s justice department spoke about preliminary findings of their internal investigation

at the UN HRC, they were forced to admit faults of certain state actors. However, they only argue that the killings were due to police “fail[ure] to follow standard protocols.”³² This seeming admission of state killings also tries to limit the prospects for justice by obscuring the direct accountability of national policy-makers and executives of the administration—including Duterte as chief executive.

Previously existing task forces on political extrajudicial killings, dating from the previous administration, are also slow and far from establishing decisive accountability. Of the 385 cases that this task force has handled, only 13 convictions has been reached compared to 127 court acquittals and dismissals by September 2020.³³ The low number of cases handled is also attributable to the need to establish that victims were killed with “deliberate intent” and with direct relation to their advocacy work.

More than 1,200 political killings occurred from 2001 to 2010 during the Arroyo administration, 333 in the Aquino administration from 2010 to 2016, and 328 from 2016 to 2020 so far under Duterte³⁴ – with such figures indicating the deep roots of impunity in the country.

International roles in enabling repression

The story of the administration’s seizure of the pandemic to erode basic rights could be placed in context of the international situation. It could be linked to the Philippines position with the two world powers today—the United States (US) and China—and neoliberal economic policy.

On the one hand, petitioners against the ATA have voiced their concern that criticising the Duterte administration’s lax policy on China’s militarisation and

posture in the West Philippine Sea could be construed as “terrorism” under the new law.³⁵ The ATA has also been discussed in parallel with similar repressive measures in Hong Kong.

On the other hand, cable messages from the US Embassy in the Philippines show US positions that the ATA “will bring the Philippines into closer alignment with international norms,” [enabling] “more effective terrorism prosecutions.”³⁶

It also shows the extent of US support, as the law is cited as part of US-Philippine security cooperation. That is, the new counter-terrorism law is described as part of the US Justice Department’s “multi-year effort to advise the Philippine government on amending its counterterrorism law,”³⁷ and “the [US] embassy’s growing portfolio of counterterrorism, law enforcement, and judicial sector programs to assist the Philippine government.”³⁸ The US Embassy cable messages also claim that “much of this criticism [against the ATA] [i]s ‘misplaced’”. It holds that the “the legislation itself was sound, and that concerns from human rights groups should prompt scrutiny of how the law is implemented.”³⁹

The ATA, according to the Philippines’ Anti-Money Laundering Council (AMLC), also ensures adoption of international commitments against so-called terrorist financing. Curtailing such finance, the AMLC says, is deemed important to reduce political risks and so ensure creditworthiness and a good investment climate⁴⁰—connecting the security priority with prevailing neoliberal prescriptions in deepening financial integration for capital. What the AMLC neglects is of course the key question of whether the erosion of rights in “terror-tagging” is worth the price for “good” climates for foreign capital.

Accountability, peace, social justice

In response, people's organisations and civil society in the Philippines expressed their voices in the course of the multiple crises in health, economy and rights.

For instance, a broad range of critics of the Anti-Terrorism Act, amounting now to 37 different opposing petitions at the country's highest courts, shows the extent and gravity of the concern about the draconian law and its implementing rules. Various actions and demonstrations overcame state restrictions that were imposed less due to health reasons but as pretexts for political repression.^{41 42} Such actions included demands to abolish the NTF-ELCAC, junk the ATA, to stop the killings, free the political prisoners, and for justice for the victims of the rights violations, and for the ultimate accountability of the administration.





Human rights attacks against unionised labour amid the pandemic

by **Ecumenical Institute for Labor Education & Research**

Parallel to the justice department's so-called Human Rights Summit, people's organisations from Mindanao in southern Philippines launched virtual International Solidarity Missions. It culminated in a Mindanao Human Rights Summit, to highlight the reality of the rights situation affecting sectors, from Indigenous Peoples to church people.

Internationally, with the insufficient UN HRC outcome of technical cooperation, people's organisations, civil society, rights groups and concerned individuals have launched an independent international investigation on the rights situation in the Philippines, called Investigate PH. It aims to further substantiate previous international findings on the dire rights situation with the peoples' voices while picking up from the clamour for an independent probe. The initiative's findings will be forwarded to the UN HRC, the UN Security Council, the UN General Assembly Special Session and the International Criminal Court.

Turning the claim that “peace is the work of justice” from government ruse into a reality for people’s rights requires holding state perpetrators to account. Accountability is a crucial step towards justice that is due to those killed in the course of the false “drug war,” the crackdown against activists and dissenters, and those whose rights were violated in the militarised lockdowns. It would also entail addressing impunity, the social and economic roots of armed conflict, and the lack of power for working people to shape governance and development.

The articles in this book will hopefully shed more light on how people’s organisations and rights defenders at the frontlines themselves are defending people’s rights and sovereignty—from workers, farmers, Indigenous People, women, LGBTQ+, families of “drug war” victims, even the media and development workers. In the end, the internal accountability of state actors to the people, the halting of rights violations, and prospects of long-term justice, democracy and development rely on steady pressure and the collective assertions of the people themselves.

Under the veil of curbing the pandemic, the Duterte administration unleashed its most brutal machinations in suppressing labour rights. The intensifying neoliberal attacks and state fascism made workers suffer record-high combined unemployment and underemployment, zero or close-to-zero wages, and the lack of social safety nets in this precarious situation – not just to salvage capital but even to take advantage of the crisis to maximise profits. To counter dissent against these machinations, the past few months saw extra-judicial killings, arrests, and demonisation of the labour movement coupled with lay-off policies aimed at weakening labour unions.

Killings, arrests in lieu of assistance

The last couple of years were marked with exacerbated attacks against union strikes and protests. In 2018, striking workers of condiment company NutriAsia were violently dispersed, followed by arrests and mass lay-off. In 2019, picketing workers of surfactant company PEPMACO were violently dispersed and arrested. In the same year, several trade unions in Coca-Cola companies were harassed by tagging them as subversives. Worse, harassment of unionised labour even extended to killing labour organisers including Dennis Sequena and Reynaldo Malaborbor.

The year 2020 was a continuation of relentless attacks on trade unionists and labour rights defenders. The militarised lockdowns in the guise of community quarantine during the pandemic provided the government and capitalists alike a pretext to railroad anti-labour policies and intensify harassment of workers and criminalisation of union activities.

At the onset of the pandemic, workers have emphasised the need for free and mass COVID-19 testing to curb the spread of the virus and mitigate serious social and economic impacts. However, this vital call fell on deaf ears and the government resorted to prolonged militarised lockdowns.

When the national government through the Inter-Agency Task Force on Emerging Infectious Diseases (IATF) imposed the lockdown in March, millions of workers, in



a blink of an eye, went jobless. By the end of April, unemployment rate peaked at 17.7% or 7.3 million Filipinos. This was more than three-fold than what was recorded the previous quarter at 2.4 million. Despite this grim situation, the first tranche of government assistance only came a month after the imposition of lockdown through the Bayanihan I, merely amounting to PhP 8,000 per family (approximately USD 166). Bayanihan I, short for Bayanihan to Heal as One Act, was the first pandemic response legislation of the Duterte administration. The law allotted around PhP 200 billion for assistance to 18 million families and other measures. The belated response to the pandemic on top of the neglect of the healthcare system halted economic activities in the major economic centers of the country and pushed millions of families further below the poverty line. These prompted expressions of dissent in the ranks of the working class that, as expected, irked the regime and big corporations as well as exposed their inutile handling of the pandemic.

May 1 recorded the biggest number of arrests in a single day and in the recent history of Labour Day celebration in the Philippines. A total of 76 workers and activists were arrested for participating in Labour Day protests launched in different parts of the country. The mass arrests included three (3) members of Liga ng Manggagawa in Valenzuela City together with Fidel Columbia, leader of Kilos Na Homeless on the basis of launching an online protest. Meanwhile, sixteen (16) workers of Coca-cola were presented by government forces as New People's Army (NPA) surrenderees. The fake surrendering was aimed at demonising unionised labour.

Development workers were also vilified. Ten members of the civic group Citizens Urgent Response to End COVID (CURE COVID) were arrested for holding a community kitchen in Marikina City. Another 18 relief volunteers

were arrested while conducting a relief operation in Brgy. Central, Quezon City. In Jaro, Iloilo City, 42 individuals were arrested when they conducted a caravan to grieve the brutal killing of activist Jory Porquia.

On June 2, six jeepney drivers from the public utility vehicle driver-operator group, Pagkakaisa ng mga Samahan ng Tsuper at Operator Nationwide (PISTON), were arrested. They were protesting the stringent ban on jeepneys and other public transport during the pandemic, sans safety nets and assistance from the government. Four of them were detained for six days and the other two, including 72-year old driver Elmer Cordero, were detained for one week. A few days after, two of them were confirmed to have contracted COVID-19 from jail.

On June 5, government forces dispersed a peaceful protest against what was then the Anti-Terrorism Bill (now a law) in Cebu. Seven individuals, including the veteran union leader Jaime Paglinawan of Kilusang Mayo Uno (KMU, Mayday Movement), were arrested. The basis of arrests was alleged violation to quarantine protocols.

On their way to State of the Nation Address (SONA) mobilisation, five members of PISTON and four of urban poor group Kalipunan ng Damayang Mahihirap (KADAMAY) were arrested. In total, 141 individuals from various groups were arrested while on their way to, during, or after protests (Umali, 2020).

On August 26, members of the military barged into the Alcohil Metals Inc. and forced the workers to tell them the name of the lawyer of Alcohil Workers Union-Alliance of Nationalist and Genuine Labor Organizations-Kilusang Mayo Uno (ANGLO-KMU). Previously, in June, military personnel visited the company and declared that the union president is an “NPA recruiter” and the union is a “communist front.”

The union members received death threats in October, again tagging their union as “communist front.”

On September 7, PISTON Vice-President Ramon Rescovilla was arrested on the false charge of homicide. The arrest came without prior subpoena from the prosecutor’s office, preliminary investigation, and the opportunity to submit counter-affidavit. Few hours prior, Bayan Camarines Sur Chairperson Nelsy Rodriguez was arrested.

In response to mass lay-offs in the meat supplier Robina Farms, on October 12, its workers protested at the National Conciliation and Mediation Board of the Department of Labor and Employment office in Manila. The protest was met with harassment from the police force. Prior to the protest, the police also attempted to prevent workers from the United Workers alliance to rally their call for the release of 13th month pay. Labour Secretary Silvestre Bello III had previously hinted to Trade Secretary Ramon Lopez that companies considered “distressed” due to the impact of COVID-19 could defer the release of the said pay. The release of a 13th month pay is considered mandatory under Presidential Decree No. 851, wherein employers from the private sector in the Philippines are required to pay their rank-and-file employees an amount equivalent to one-month of basic pay not later than December 24 every year.

On October 23, a tarpaulin tagging trade unionists as terrorists were hung at Terelay/Diezmo in Cabuyao, Laguna, near the Light Industry and Science Park I, a special economic zone or SEZ. On November 1, Florentino Viluya, chairperson of Worker’s Alliance in Region 3 (WAR-3) was red-tagged in Facebook as “dangerous, inciting rebellion, manipulative, and linked to terrorist”[sic].

On December 10, International Human Rights Day, six labour organisers and one journalist were arrested in Metro Manila on trumped-up charges. Dubbed the “Human Rights Day 7,” activists are firm that so-called evidence of firearms and explosives were “planted” by state forces to conduct police operations, which they note is a longtime practice against activists and even in the course of the “drug war.”

These were but a few cases of direct attack against the right of workers to organise and express dissent. The Duterte administration, amid the pandemic, has been wasting billions of pesos in funding bullets to liquidate union leaders, launch troll armies for an orchestrated vilification of organised dissent, intelligence operations to surveil workers, and other instruments to suppress the ever-growing labour movement.

Attacks on labor rights defenders under the Duterte administration's militarised lockdown

March 22

Harassment of Kadamay spokesperson Eufemia Domingo in Camarin, Caloocan

April 1

Twenty-one San Roque residents were forcibly arrested for protesting hunger and lack of adequate financial assistance for the urban poor

April 19

Illegal arrest of Tulong Anakpawis-Sagip Kanayunan relief drive volunteers and former Congressman Ariel Casilao in Norzagaray, Bulacan

April 27

PNP Intimidation of Rev. Fr. Gerry Jorge in connection with workers' mass filing for DOLE CAMP



April 30

Jory Porquia, Bayan Muna coordinator and former Migrante organiser was shot dead after being harassed by the police for conducting food aid activities for urban poor communities

May 1

Three members of Liga ng mga Manggagawa sa Valenzuela City and Kilos na Homeless leader Fidel Columna were illegally arrested after their online protest were monitored by the police

Ten volunteers of CURE-COVID, a citizens' alliance which included workers running a community kitchen and distributing food packs in their communities were illegally arrested and detained in Marikina City

In Jaro, Iloilo City, 42 were arrested when they conducted a caravan in protest of the brutal killing of activist Jory Porquia

Eighteen persons, including 4 volunteers of Tulong Kabataan—conducting relief operations while carrying placards with calls for livelihoods, rights and health—were illegally arrested in Quezon City and detained

May 7

Harassment of 3 Coca-Cola workers in Sta. Rosa, Laguna

May 28

Brutal killing of Kadamay leader Carlito Badiou

June 2

Illegal arrest and detention of PISTON 6 after protesting for government aid and calling for resumption of jeepney operations

June 5

Illegal arrest of trade unionist Jaime Paglinawan and 7 others in Cebu

he was on his way home. Prior to the illegal arrest, he has been harassed and red-tagged

September 10

Red-tagging of Lana Linaban of Gabriela Women's Party (GWP), which is very active in proposing pro-worker bills such as the National Minimum Wage and Security of Tenure bills

October 12

Police harassed Robina Farms workers who protested in front of the NCMB-DOLE office in Manila against the massive layoffs carried out by the company and the dismissal of union members.

Police banned the United Workers' demonstration calling for the 13th month pay of the workers. The unionists insisted in continuing the demonstration

October 15

Members of Alcohil Workers Union-ANGLO-KMU received death threats via text messages and through social media

October 23

Unionists in Southern Tagalog were red-tagged in a tarpaulin of the NTF-ELCAC hung at Terelay/Diezmo in Brgy. Pulo, Cabuyao, Laguna, near the LISP-1 special economic zone

November 1

Florentino "Pol" Viuya, Chairperson of Workers' Alliance in Region 3 (WAR-3), was red-tagged and maliciously accused in social media as "dangerous, inciting rebellion, manipulative, and linked to terrorists." Lean Porquia from the public information department of KMU was also red-tagged



Lay-offs to weaken unions

As organised expressions of dissent intensify, corporations find this opportune time to suppress unionised labour. Under the veil of the pandemic, the supposed need to cut costs, lay-off workers was weaponised to drain the membership of workers' unions.

In Robina Farms, 294 unionists were laid-off. The same company continuously hired new workers that are contract-based. Contract-based or contractual workers are not entitled to certain labour rights such as salary increase, social security benefits, and union rights.

In Jardin Schindler Elevator Corporation, around 130 workers were slashed from its manpower; eighty among them were union members.

Early retirement was the face of lay-offs in Supreme Steel. Around 50 workers who were also union members, retired prior to the compulsory retirement age of 65.

In Regan Industrial Sales, Inc., workers who were tagged as “high risk” to COVID-19 were offered with separation pays without even undergoing medical examination.

Banning jeepneys, railroading phaseout

In the National Capital Region (NCR) alone, there are about 150,000 drivers and 50,000 operators. At the onset of the lockdown, jeepneys – one of the main forms and most affordable of public transportation in the Philippines – were banned from the road as part of the measures set by the government in curbing the pandemic. In an instant, millions of commuters, drivers and their families, were forced to greater economic insecurity.

Rubbing salt in the wound, other informal jobs that rely on the operation of jeepneys were heavily hit. The

ban also led to closures of eateries, small stores, vehicle repair shops, and other businesses stationed in jeepney terminals. PISTON approximated that around 2.4 million individuals are directly and indirectly hit by the ban on public utility vehicles (PUVs). Most of them are living from hand to mouth.

Government assistance to PUV drivers only reached around 36,000 individuals. To make ends meet, many jeepney drivers resorted to begging in the streets as they were left with no other alternative. As many of them are life-long jeepney drivers, have no capital, and with the lean job market lean, begging became an inevitable recourse. To do otherwise will leave their families in hunger and unable to pay house rent and basic utilities. In an interview, PISTON president Mody Floranda said, “Before, we wave our hands to the passengers to invite them to ride the jeeps; now, we do so to beg for help.”

There were reports, according to PISTON, that some of their members were evicted from their rented houses because they were unable to pay. While ordinances were passed against forced evictions during the pandemic, it did not prevent the same to happen in many cases. The evictions forced jeepney drivers and their families to live inside their jeepneys. This housing insecurity and homelessness expose mothers and their children to even more vulnerabilities. PISTON president Mody Floranda described this deliberate neglect as “depriving drivers not just of their livelihoods but even their dignity.”

It was only in June that the government allowed few routes to open. Yet, as was feared but expected, the government declared that it would proceed with the phaseout of jeepneys amid the pandemic. This policy was apparent as jeepneys, among other PUVs, were put in the last priority of those would be allowed to resume operations. The priority was given to ‘modern’ jeepneys, UV Express, and taxis.

Since 2017, the incumbent administration has been pushing for the phaseout of jeepneys. Under the pretext of reducing pollution, the Department of Transportation issued the Omnibus Guidelines on the Planning and Identification of Public Road Transportation Services and Franchise Issuances or Department Order 2017-011 (Omnibus Franchising Guidelines) in the same year. The issuance concretised the phaseout of jeepneys targeting primarily those 15 years or older. Old jeepneys will be replaced with ‘modern’ ones and will be manufactured by foreign corporations such as Isuzu, Foton, Fuso, among others. According to Floranda, the ‘modern’ jeepneys will cost PhP 2-3 million per unit, an amount unaffordable for many, if not most, of operators-drivers.

PISTON views this program as part and parcel of the Duterte administration’s continued adherence to and implementation of neoliberal policies on the transport sector. The proposed jeepney modernisation was part of a larger Mega Manila Dream Plan that was first proposed in 2014 during the Aquino regime, with recommendations from the Japan International Cooperation Agency. In sum, the jeepney phaseout is another public-private partnership (PPP) carefully wrapped in neoliberal “green” agenda (EILER, 2017).

While the government was insistent with its phaseout policy, the move was met by serious contention by driver-operator organisations. As a result of the persistence of the transport workers, at present, there are about 35,000 jeepney units back on the road (San Juan, 2020). However, PISTON noted that it was still far from their demand of 100% ‘balik pasada’ or return to routes.

The pandemic has exposed how the government further perpetuated plunder of resources, militarisation, oppression of people’s collective rights and exploitation of the working class in pursuit of bigger profits for monopoly capitalists through privatised

and corporatised development of transportation infrastructure, public systems and social services.

The government's complicity with foreign capital and their local counterparts put millions of toiling Filipinos in greater inequality and deeper impoverishment. The Duterte administration in subservience to big corporations is intolerant of organised and legitimate dissent as proven by its record of wanton human rights violations. The situation calls for even stronger unity among various sectors to counter the attacks against our fundamental freedoms and reclaim our rights.

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'Shoot Them Dead': Peasant killings intensify in the Philippines

by **JC Mercado, People's Coalition on Food Sovereignty**

"Kung madula daya nga duta, kami nga tumandok, madula."
["When this land disappears, we, the natives, shall
disappear."]

-Evelita "Ka Mera" Giganto Gedoria, Tumandok leader

The Duterte government closed the year 2020 with yet another peasant massacre.

Nine Indigenous Peoples (IP) were massacred while seventeen were arrested on December 30 by police operations in Central Philippines. The joint forces of the Philippine National Police (PNP) and the Armed Forces of the Philippines (AFP) forcibly entered their homes at daybreak, dragged them outside, and shot them dead, according to relatives who witnessed the ordeal.

Roy Giganto and Mario Aguirre, both local village officials of Tapaz township in Panay Island, were both asleep when police forces barged through their doors and slaughtered them in front of their families.

According to "official" reports, the PNP Criminal Investigation and Detection Group and the Police Regional Office - Western Visayas launched the so-called Synchronized Enhanced Management of Police Operation (SEMPO) to serve warrants to the victims,

who reside in different Tumandok communities in the provinces of Capiz and Iloilo. The 28 search warrants in nine Indigenous Tumandok communities – the villages of Masaroy and Garangan in Calinog, Iloilo and the villages of Lahug, Tacayan, Roosevelt, Aglinab, Acuña and Nayawan in Tapaz, Capiz – were allegedly issued by different courts in Manila, implicating the victims of illegal possession of firearms and explosives.

Like clockwork, the police and military released statements alleging⁴³ the slain and arrested victims as supposed members of the armed revolutionary group NPA, and that those who were summarily executed “fought back” or nanlaban. Relatives and villagers, however, called out these lies. Locals attest that the victims were all unarmed and are, in fact, respected leaders and members of the Tumandok communities – some of them even holding public posts as mentioned above.

Among those slain is the head of the progressive IP organisation Tumandok nga Mangunguma nga Nagapangapin sa Duta kag Kinabuhi (TUMANDUK), which stands to protect Indigenous Peoples rights in the area. TUMANDUK is a well-respected organisation in the region, known to many as staunch defenders of the Jalaur River against the government-sponsored mega-dam projects in Tapaz and Capiz. Relatives and advocates believe that the massacre was done in relation to the recent developments of the project, with South Korean EXIM Bank and contractor Daewoo Engineering & Construction Co., Ltd. picking up the tab.

In fact, as late as November 2020, the killed TUMANDUK leaders of Barangay Lahug and Tacayan had reached out to the Commission of Human Rights to report the incessant harassment and threats their communities have been receiving from deployed soldiers and police forces.

Box 1: IP killed in the Tumandok Massacre

Eliseo Gayas, Jr. of Barangay Aglinab, a TUMANDUK Council Member

Mauro Diaz of Barangay Tacayan;

Arcelito Katipunan of Barangay Acuña;

Mario Aguirre of Barangay Lahug, a Barangay Council Member;

Roy Giganto of Barangay Lahug, a Barangay Council Member, former Barangay Captain, and the current TUMANDUK Chairperson;

Jomer Vidal of Barangay Daan Sur;

Dalson Catamin of Barangay Nayawan, a Barangay Captain;

Reynaldo Katipunan of Barangay Lahug, a Barangay Council Member

Arrested individuals

Marilyn Castor Chiva

Luisito Bautista, Chief Tanod of Barangay Garangan in Calinog, Iloilo;

Glen Legario

Wilsie Chiva, 60 years old;

Marivic Aguirre, former TUMANDUK chairperson and municipal government employee

Marilou Sumaria Catamin, 54 years old

Rolen Caro Catamin, 21 years old

Jucie Katipunan Caro, 44 years old

Eleutricia Calbo Caro, 62 years old

Rolando Caspillo, 56 years old

Aileen Catamin, former TUMANDUK Secretary General, former Tacayan Barangay Captain, and a current municipal government employee

At least 80 families from the affected Tumandok communities have since fled their homes and are now scattered in different evacuation centers. Surviving leaders of TUMANDUK believe that the massacre is a

direct result of their communities' resolve to stand their ground against a foreign-funded and government-funded project in defense of their ancestral lands. And they are not wrong.

What transpired in Panay is but the latest of the brutal attacks the Duterte administration has unleashed against farmers and Indigenous Peoples since he became president in 2016. According to the Kilusang Magbubukid ng Pilipinas (KMP) or the Peasant Movement of the Philippines, the Tumandok massacre brought the number of farmers and IPs killed under the Duterte administration to a total of 308. Across the country, progressive farmers believe that they are likely to meet their fate to a bullet than the COVID-19 pandemic.

But why?

“Shoot them dead”

From the Marawi Siege to the notorious “War on Drugs” that killed tens of thousands of Filipinos, the world has seen the ruthless and bellicose approach of the Duterte regime. Thus, it did not come to anyone's surprise that his administration took a militaristic approach to a public health crisis.

Police battalions were deployed in communities, implementing stringent and inconsistent policies meant to mitigate the spread of the coronavirus disease. Given “emergency powers” by his party-dominated Congress, Duterte set out to execute the longest and arguably the bloodiest lockdown in the world.

In just a month, at least 38,000 “quarantine violators” were arrested while some were killed on the spot.⁴⁴ International actors including the United Nations have condemned the ‘highly militarised’ lockdown in the country but to no avail. Urban poor activists and

residents who protested – demanding mass testing, wages, health services, and social support – were violently dispersed and arrested.

On April 1, 2020, in one of the president’s late-night press conferences, Duterte told the military and police to “shoot them dead” – referring to both the critics of the administration and ‘violators’ of the lockdown policies. The morning after, a farmer was killed in a military checkpoint in Agusan del Sur for ‘disobeying’ quarantine rules. He was not the first nor was he the last.

By the end of the month, Duterte threatened to declare ‘martial law’. While widespread protests both online and in the streets have pushed back this threat, troops and police continue to be deployed instead of healthcare workers in many urban poor communities. It was a de facto martial law in Metro Manila.

To those who reside outside the capital, however, this is nothing new.

MO 32 and Martial Law: A pattern of violence

The rural Philippines was already in the midst of its darkest period in history since the Marcos dictatorship when the pandemic hit the country. Incomes of farmers are at an all-time low as farmgate prices fell while rampant killings, massacres, and displacements en masse have punctuated the past four years of the Duterte administration.

Duterte’s militarist response to the coronavirus crisis in the city, as well as the heavy-handed lockdown at its heels, has been the ‘old normal’ in the countryside.

Following the excessively violent Siege of Marawi, the whole island of Mindanao was put into martial rule in 2017 through the Proclamation No. 216. Issued when Duterte was in Moscow, the said directive had a 60-day expiration. But it lasted for two and a half years – with

Mindanao still under a “state of emergency” to date by virtue of an earlier proclamation issued in 2016. In 2019 alone, at least 19 Indigenous People were extrajudicially killed in the island. More than 58,533 families⁴⁵ remain internally displaced, most of whom are Indigenous People and Moro nationals expelled from their homes by military operations.

On November 22, 2018, President Duterte issued a directive called Memorandum Order No. 32 (MO 32), which put the provinces of Negros, Eastern Visayas, and Bicol under de facto martial law. Under Memo 32, divisions of troops were deployed to “suppress lawless violence and acts of terror” in the said rural areas. But on-ground reports show that the peoples’ organisations and farming communities were often the targets of such “operations”.

In just a year of the memorandum’s implementation, human rights watchdog Karapatan reported that state forces summarily executed at least 46 and illegally imprisoned 62. More than half of these were from the island of Negros, including the massacres of the ‘Sagay 9’ sugar workers⁴⁶ and the ‘Negros 14’ farmers.⁴⁷ In fact, the police division and modus operandi that killed the ‘Negros 14’ in 2019 were the same employed in the recent Tumandok massacre.

Similar to what transpired in Panay, communities have called out a clear pattern of operations in rural extrajudicial killings: farmers defending their lands from landgrabbers are red-tagged, threatened, harassed, displaced, or worse, massacred under the guise of ‘counter-insurgency’.

Locked down and land-grabbed

The year 2019 marked huge mobilisations of farmers to the capital, demanding land reform and a stop to the

‘state-sponsored killings.’ So much so, that by January 2020, Duterte yet again promised that he will ‘speed up’ land reform.⁴⁸ But, like most of his seemingly progressive declarations, it cannot be further from the truth.

Despite the nationwide lockdown, land grabbing has not abated in the countryside. With progressive farmers under state attack, many companies previously held back by peasant resistance resumed displacing communities.

In Lupang Ramos, Dasmariñas City, more than 400 farmers faced increasing threats of eviction from the 372 hectares of land they are cultivating since October 2020. The government-owned corporations National Grid Corporation of the Philippines (NGCP) and the National Power Corporation (NAPOCOR) were set to demolish the farming community to give way to a private project. KMP reported that the threats came with military operations and continuous police harassments.

In Hacienda Yulo in Canlubang, Laguna, farmers and residents were fired at on January 6, 2020 by 30 armed men suspected to be landlord goons. The armed men broke the windows of farmer-resident Jojo De Leon while he was held at gunpoint. At least five more similar attacks happened previously amid the pandemic in the 7,100-hectare sugar estate against the farmers and farm workers. Attacks culminated in August 2020 when goons set fire to three houses in Sitio Buntog, destroying farm crops while telling residents to “cooperate” and self-demolish. Peasant organisation Samahan ng Magsasakang Nagkakaisa sa Sitio Buntog (SAMANA Buntog) noted that landgrabber San Cristobal Realty Corp, which is owned and operated by the Yulo family and the Ayala Corporation, hired these men. Just last January 24, the same guards burned down two more houses belonging to farmers – forcing them to flee the now fenced land.

The Tumandok massacre took place in the same vein. Persistent and continuous military operations preceded the December 2020 massacre, as evidenced by numerous statements of local farmer and IP organisations. Long opposed by the TUMANDUK and the IP communities in the area, the Jalaur River Multipurpose Project will span 10,700 of mostly ancestral lands, forest, and cultivated lands. The Philippine government just closed the deal for its Stage II construction last year.

The same is happening in the 3,100-hectare Araneta Estate in San Jose Del Monte, Bulacan; the 8,650 hectares of land in Hacienda Looc, Nasugbu, Batangas; the more than 11,000 hectares of land to be devoted for bio-ethanol production in San Mariano town, Isabela province; and the Dole Food Company-leased 35,000 hectares in South Cotabato – to name a few. Across the country, numerous farmer organisations face an uphill battle of defending their lands while surviving an onslaught of armed attacks from corporations and the state amid the pandemic.

The long, heavy-handed lockdown and militarised response to the pandemic paved the way for the continuation of accelerated land grabbing.

EO 70 and ATL: Funding and legalising farmer killings

At the end of 2019, President Duterte signed the Executive Order No. 70 (EO 70) which created an army-led ‘red-tagging’ machinery – the NTF-ELCAC. The said task force led continuous and escalating smear and vilification campaigns against activist and humanitarian CSOs, branding them as ‘fronts’ of the armed CPP-NPA, including peasant organisations.

But it was the fresh ‘emergency’ budgetary powers the Congress gave the Duterte administration amid

pandemic that turned NTF-ELCAC into a well-oiled harbinger of death to farmer communities. After Duterte's approval, the task force received at least PhP 36.439 billion in budget⁴⁹ for 2020 to 2021 despite opposition from lawmakers.

Government-funded posters and tarpaulins red-tagging and maligning peasant leaders pop up in land-conflict areas days or weeks before eviction, military operations, harassment, and killings. Farmers Zaldy Meraya and Bebe Tobino, for instance, were accused by the 20th Infantry Battalion of the Philippine Army (IBPA) months before they were slain in barangay Bagacay, Palapag, Northern Samar last June 20.

BOX 2: Tied to Land: Peasant Killings in 2020

On 17 January 2020, Jennifer Tonag, a leader of the peasant women organisation Amihan and the Northern Samar Small Farmers Association, was slain by suspected state agents in Catarman, Northern Samar after attending a seminar.

Emerito Pinza and Romy Candor were killed by suspected state agents in Kalayaan, Laguna and then buried under false names in Calamba. This was just two days after a new local army chief was installed in the Southern Luzon Command.

Farmers Emel Tejero and Randell Gallego were murdered by 36IB AFP, tagged as members of New People's Army in San Agustin, Surigao del Sur.

IP youth Jay-ar Mercado was slain by the military on January 25 at Bulalacao, Oriental Mindoro. Jay-ar was an organiser of Bigkis at Lakas ng mga Katutubo sa Timog Katagalugan (BALATIK). He was also buried under a false name.

Peasant advocate Marlon Maldos was gunned down by suspected state agents last March 17 in Barangay Dela Paz, Cortes, Bohol. The 25-year-old activist and choreographer of cultural org Bol-anong Artista nga may Diwang Dagohoy

(BANSIWAG) was often red-tagged before he was murdered.

Nora Apique, 66 years old, was shot dead in March 31 on her way home at Brgy. Patong, San Miguel, Surigao del Sur. She was a provincial leader of Kapunungan sa mga Mag-uuma sa Surigao del Sur.

Virgilio Vidal, Marcelo Vidal, July Julongbayan, Leovino Julongbayan, Doroteo Bautista and Roilan Tenorio were massacred by joint police and army forces in Bulan, Sorsogon on May 8.

Farmers Zaldy Meraya and Bebe Tobino were slain by 20th IBPA in their hut at Bagacay, Palapag, Northern Samar on June 20. Their 2 kids were also injured. The two were also red-tagged months before they were killed.

Farmer activist Harold Tablazon was ambushed with then SK Chairman Glenn Bunda in Mayang, Tubungan, Iloilo by suspected state agents on June 20. Tablazon was an organiser of Federation of Iloilo Farmers Association and KMP.

Activist farmer Jose Jerry Catalogo was slain in Escalante City, Negros Occidental while feeding his carabao on June 23. Catalogo was an officer of the National Federation of Sugar Workers.

Farmer leaders of Organisasyon ng Magsasaka sa Albay (OMA) Elder Molina and Jose Arthur Clemente were shot dead by suspected state forces in San Isidro, Jovellar, Albay last June 24.

Long-time peasant advocate and peace consultant Randall Echanis was slain by suspected state forces in Quezon City, Manila on August 10. Echanis chaired the farmer-led political party Anakpawis Partylist.

Rico Jacaba, a member of KMP was gunned down in Sitio Arom, Brgy. Macagagay, Moises Padilla, Negros Occidental on November 5.



As if these are not enough, Duterte signed the Anti-Terrorism Law (ATL) or Republic Act No. 11479 in July 2020 despite widespread calls to scrap it even as a bill. Farmer organisations pointed out that the new law will legalise terrorist- and red-tagging, which are common practices in rural areas to justify state-perpetrated human rights violations especially extrajudicial killings. Since its passage, a total of 37 legal petitions including those from progressive IP and farmer groups were filed at the country's highest court, the Supreme Court, to challenge the ATL's constitutionality.

Two months later, the first publicly known charge under the draconian law arose. Military forces accused Japer Gurung and Junior Ramos, Indigenous Aetas fleeing their ancestral lands in Olongapo, Zambales province amid incessant bombings from the military, as members of the NPA and that they violated ATL provisions including on "causing intimidation to the general public, spreading a message of fear, and seriously undermining public safety". As peasant organisations have argued, the broad definition of 'terrorism' under ATL allowed red-tagging to become a 'legal tool' against farmers and IPs defending their land and rights.

This is best described by KMP chairperson Danilo Ramos in his speech for the International Human Rights Day in 2020:

"Red-tagging is a vicious cycle as it becomes a prelude to illegal arrests and trumped-up charges, to which, the arrests themselves are then further utilised to give credence to red-tagging."

"This roundabout of political persecution through planting of evidence - firearms, ammo, and grenades, and filing of fabricated non-bailable criminal charges, must stop. We demand the government to cease red-

tagging of legitimate peoples' organisations, civilians and individuals advocating social reforms."

"To us farmers, red-tagging is the equivalent of a death sentence. The perennial red-tagging and vilification against peasant leaders, farmers and land reform advocates often lead to constant harassment, illegal arrest and detention, and worse, extrajudicial killing".

Indeed, at the heart of the clamour to stop the killings of farmers and Indigenous Peoples is the ongoing battle to assert the right to land, food, and rights.

Hold the ground, fight back!

Despite the vicious and senseless attacks, farmer organisations continue to remain at the forefront of advancing the right of the peasants to land, of the nation to healthy and adequate food amid the lockdown. Just October last year, KMP and various farmer organisations convened the National People's Food Systems Summit – demanding radical change to the country's 'unequal' and 'unjust' food system. The groups urged the Duterte administration to do away with the current corporate-dominated, import-dependent, and anti-poor agricultural policies which brings mutual starvation among producers and consumers.

Furthermore, for a nation to produce enough and affordable food, according to the militant farmers, is the recognition of peasants' right to the land they till. KMP asserts that the peasant killings and Duterte's pro-business legislations like the Rice Tariffication Law⁵⁰ emboldened landgrabbers and monopoly traders to trample on the rights of farmers with impunity.

That's why the peasants' right to land, the nation's right to food, and land defenders' right to life go hand in hand for the farmers.



On ground, farmers in Hacienda Yulo, Lupang Ramos, and elsewhere continue to hold their ground, producing food, amid ongoing assaults from landlord and, at times, state forces. Cultivation-as-a-protest or *bungkalan* movements in uncultivated and abandoned lands continue in Negros, Northern Mindanao, and Panay, to name a few. Despite the legal, extrajudicial, and life-threatening obstacles in reclaiming land to the tillers, farmers in the Philippines continue to struggle and sow the seeds for a just and equal future.



A pandemic of state terror against Indigenous Peoples

by **Carlo Manalansan, International Indigenous Peoples Movement for Self-Determination and Liberation**



The Duterte administration's COVID-19 response has demonstrated full-scale state terrorism – overshadowing its incompetence in dealing with a health crisis. Instead of strengthening and mobilising the health sector, President Duterte confronted the pandemic in a decidedly militaristic fashion by widening police and military powers. Months of lockdown and quarantine have witnessed serious and alarming cases of rights abuses perpetrated by state forces and government's militarised bureaucracy. They used the veil of combatting COVID-19 to crush government critics and the larger people's movement.

State terrorism is nothing new to the Filipino people asserting their democratic rights. Indigenous Peoples (IP) who have a long history of struggle against colonisation and resource plunder have been targeted by various repressive policies. Even before the COVID-19 pandemic, IP who assert their right to self-determination have long been labelled as reds, rebels, and terrorists. Community leaders and IP human rights defenders (IPHRDs) are commonly tagged as enemies of the state.

Various IP organisations have been considered as fronts and supporters of the Communist Party of the Philippines (CPP) and the New People's Army (NPA). Indigenous communities are labelled as red areas or “rebel-infested” areas. In a country like the Philippines where a liberation movement is present, once you are tagged as a “terrorist” or a member of an underground armed revolutionary movement, you are de facto subject to threats of state violence.

The state's distinction between civilians and combatants is increasingly being blurred; everyone critical of government policies and programmes is considered as an enemy of the state. Likewise, being labelled as a terrorist and being filed with trumped-up charges paint a dangerous picture that IP and IPHRDs are criminals.⁵¹ These further worsen the historical discrimination against IP – whose state treatment as second-class citizens are worsened by terror-tagging.

These persistent attacks against the IP are the state's instruments to paralyse the IP movement in the Philippines, a weapon for counterinsurgency to undermine the legitimacy of the struggle of IP for land and self-determination.

Land defenders in peril

On April 2020, anti-mining activist Rolando Pulido was arrested when the people's barricade in Didipio, Nueva Vizcaya stopped the operations of Oceanagold Philippines Inc.. Gloria Tomalon, a Lumad activist and environment defender, was illegally detained on March 2020 because of her work against the entry of mining and energy companies in their ancestral lands in Surigao del Sur. The Dumagat of Sierra Madre who stood against the construction of the Kaliwa Dam project have been experiencing military harassment and intimidation.

The 2017 murder of Datu Victor Danyan was linked to his position against the coffee plantation in their ancestral land. In Capiz, Panay Island, two days before the end of the year 2020, joint military and police forces massacred nine and arrested 17 Tumandok with two IP youth still missing—they were against the construction of the Jalaur dam project.⁵²

Institutionalised repression against Indigenous Peoples

The Philippine government, under various regimes, has consistently launched counterinsurgency campaigns to systematically quell the growing IP movement against plunder and oppression. In recent history, former President Gloria Macapagal-Arroyo implemented Operation Plan (Oplan) Bantay Laya I and II which was responsible for the spate of extrajudicial killings (EJKs) on IP activists. The Arroyo regime accounted for 151 cases of EJKs against IPHRDs from year 2001 to 2010. This counterinsurgency program was later continued by former President Benigno Aquino III. After six months, Oplan Bantay Laya was repackaged as Oplan Bayanihan. In less than a year of its implementation, it took the lives of 13 IPHRDs.⁵³

Today, President Rodrigo Duterte launched a campaign against the IP movement that is more vicious than any of its predecessors' legacies of oppression. The Duterte regime's flagship counterinsurgency programme, Oplan Kapayapaan and later Kapanatagan, is undoubtedly a continuation of Oplan Bayanihan that brazenly targets IP.

The Oplan Kapayapaan and Kapanatagan integrate the “whole-of-nation” approach patterned after the “whole-of-society” strategy of the US counterinsurgency programme.⁵⁴ President Duterte's Executive Order 70 that created the NTF-ELCAC institutionalised the

‘whole of nation’ approach. The task force aims to mobilise government agencies, including the National Commission on Indigenous Peoples (NCIP), in its unending witch-hunt of activists and critical dissenters.

The collusion of different government agencies to destroy the IP movement can be seen in recent policy decisions. The Department of Education has ordered the closure of Lumad schools in Mindanao with rampant red-tagging of teachers, students, parents, and community leaders. To date, it has forcibly closed 178 Lumad schools affecting 5,579 students.⁵⁵

The Department of Foreign Affairs facilitated lobby activities in the United Nations (UN) that aimed at maligning people’s organisations and calling to defund these organisations in the Philippines. These activities included government-backed IP leaders who went to the UN who are members and relatives of known leaders of paramilitary groups⁵⁶ in Mindanao.

Moreover, government agencies directly under the Office of the President such as the Presidential Communications Operations Office and the National Intelligence Coordinating Agency have constantly tagged critical dissenters and activists as terrorists and members of the CPP-NPA. They also conjure fake “rebel returnees” in Aurora, Southern Tagalog, and Mindanao to discredit reports about the bloody human rights record of the Armed Forces of the Philippines.⁵⁷

Back in 2018, the Department of Justice petition sought and then failed to proscribe the CPP and NPA as terrorist organisations. In the same petition, long-time Indigenous rights activists such as Beverly Longid, Windel Bolinget, Joanna Cariño, and Jomorito Guaynon were included in the list of more than 600 names alleged to be members and officials of the CPP-NPA. Their names were eventually removed from the case as the court found the

accusations baseless. But there were individuals in the same proscription list who were killed, such as rights defender and health worker Zara Alvarez, and peace advocate Randy Echanis.

Today, in the Cordillera region in northern Philippines, the NTF-ELCAC has mobilised some local government units (LGUs) to malign people's organisations active in the campaigns against the China-backed Chico River Pump Irrigation Project, the mining project of Cordillera Exploration Co., Inc., and against heavy militarisation in the region. Mayor Gabino Ganggangan of the Municipality of Sadanga and chairman of the Municipal Peace and Order Council passed a resolution declaring the Cordillera Peoples Alliance (CPA) as *persona non grata*. Subsequently, they passed an ordinance that prevents the CPA from conducting any activity within the municipal jurisdiction and penalises participation and support to such. He also encouraged other LGUs to take a similar stand against the CPA and other progressive groups that he accused of being front organisations of the CPP-NPA.⁵⁸

Lumad communities in Mindanao continue to suffer from twin threats of COVID-19 and militarisation. They experience extreme difficulty in accessing food and other basic needs during the lockdown when there was no government support provided to them. Lumad bakwit (evacuees) who had sought refuge at the United Churches of the Philippines (UCCP) Haran Davao City, in particular, were told to return to their still militarised communities.⁵⁹

In mid-February 2021, a police raid against a Lumad bakwit school in a Cebu university arrested and detained 26 individuals—22 students, two teachers and two elders. Despite police claims that it was a “rescue” operation, seven individuals from the adult students and the teachers face trumped-up charges of kidnapping and

serious illegal detention.⁶⁰ Police pretexts for the raid, that the students were being taught “warfare training,” were disproved by social workers who talked with the students. They were just learning to read and write, the social workers asserted.⁶¹ Without permission of their parents, some of the detained students were later flown by the police back to Mindanao.⁶²

Military bombings and misinformation campaigns were reported in Diatagon, Lianga, Surigao del Sur on May 12, 2020. Community members noticed that a drone flew above the same area of Diatagon that lasted for five days. On the last day, May 16, a military chopper airdropped pamphlets wrapped in plastic telling the villagers to surrender and return to the fold of law so they will not be infected by COVID-19.⁶³

Further legalisation of attacks

The violence against the IP was further reinforced by the enactment of Republic Act No. 11479 or the Anti-Terrorism Act (ATA) of 2020 since July. In the prevailing climate of impunity, this law has utilised the repressive state apparatuses for an extensive clampdown on critical dissenters, IPHRDs, and the wider IP movement. Under the law’s vague definition of terrorism, the Duterte regime has the ultimate power to label, arrest, detain, and freeze the assets of not only of activists and progressive organisations but also ordinary government critics.

Japer Gurung and Junior Ramos, Ayta of Central Luzon, became the first known victims of ATA. Japer and Junior, together with other two Ayta, were arrested while evacuating their community in Lumibao, San Marcelino, Zambales⁶⁴ due to military bombings and other military operations. The 7th Infantry Division of the AFP filed a case against the two Ayta for supposedly violating Section 4, or participating in activities intended to cause death or serious physical harm.

Through the assistance of the National Union of Peoples' Lawyers (NUPL), they eventually filed a petition at the Supreme Court against the ATA. But with the intervention of state actors while the two Aytas were under detention, they supposedly withdrew their petition.⁶⁵ Rights groups also decry the hand of the state when the Aytas supposedly dropped the NUPL as legal counsel, and presented themselves at a briefing of the NTF-ELCAC.⁶⁶ The NUPL served the Indigenous People from September 2020 to February 2021.

The ATA intensified vilification, judicial harassment, and terrorist-tagging of IPHRDs like Betty Belen of Kalinga. On October 25, the Criminal Investigation and Detection Group (CIDG), the PNP, and the 503rd Infantry Brigade of the Philippine Army enforced a search warrant on her house and several other villagers in Uma, Lubuagan. She was arrested after the search team allegedly found three firearms in her house without her presence.⁶⁷

These cases only show how the government weaponised the law to twist narratives, plant evidence, and accuse government critics as terrorists. Undeniably, the passage of the Anti-Terrorism Act, on top of existing repressive policies and measures, is Duterte's desperate move against the growing defiance to his authoritarian rule.



Uncompromising struggle for land and self-determination

Understanding the Indigenous Peoples struggle for self-determination means grasping the central problem of land and its resources. Militarisation of Indigenous communities as well as criminalisation and terrorist labelling of IPHRDs and organisations are inextricably associated with the resistance of IP against extractive industries, energy, plantation, and other development aggression projects, and against discrimination and neglect.

Historically, IP have engaged in various forms of struggle – legal and armed – to defend their land and life from colonisers, corporations, and states. The legacies of IP martyrs such as Macliing Dulag and Nicanor delos Santos as well as living IP heroes like Bai Bibyaon Ligkayan Bigkay have proven time and again that the IP struggle is anchored on the full realisation of their right to self-determination. Likewise, a significant number of IP sons and daughters joined the revolutionary movement. The basis of conflict, however, does not lie in them being members of the armed resistance but in the circumstances that drove them to join these movements.

Despite Duterte's tyrannical rule, IP have not ceased to resist against the intrusion of destructive projects, deployment of military troops in their communities, and other forms of human rights violations.

As they confront these attacks, the IP enhance their capacities and solidify their collective resolve in defense of ancestral lands and for self-determination. Solidarity within and outside the country further strengthens their will to fight, win, and claim justice.

Failing COVID-19 response unmask state terror and criminal negligence

by **Health Alliance for Democracy**

The COVID-19 pandemic revealed the gaping weaknesses of the Philippine health care system that is commercialised and privatised, urban-centered and hospital-based. Many Filipinos have been struggling to attain even the most basic of health services. Filipinos still die of preventable and curable diseases.⁶⁸ Six out of ten deaths are not medically attended by a physician, public health officer, hospital authority or other medical personnel,⁶⁹ and household out-of-pocket expenses account for 53.9% of the total health expenditures.⁷⁰ The budget for public health care, specifically for programs on immunisation, prevention and control of infectious diseases, epidemiology and surveillance, have been slashed despite the polio and measles outbreak and dengue epidemic in recent years.

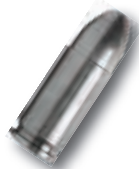
Amidst this backdrop of a historically ailing health system, the country's health system was ill-prepared and thus overwhelmed to combat the COVID-19 health crisis. Cases of COVID-19 continue to increase since the first case of local transmission was recorded in March 7, 2020. As of this writing (December 2020), the Philippines has 442,785 COVID-19 cases, nearly a third of which were reported in the last two months, with deaths at 8,670.

Downplaying the warnings, it took the Duterte government more than three months to act on the pandemic. The first alarm was raised when cases of COVID-19 made headlines in Wuhan, China in December 2019, but by early January 2020 a direct flight from Wuhan arrived to a tourist destination in the Visayas. Concerned groups were quick to call for a travel ban but President Duterte and Department of Health (DOH) Secretary Francisco Duque dismissed the suggestion, both saying “it is unfair for China and there will be political and diplomatic repercussions if a ban is imposed”.⁷¹ No action was taken, with President Duterte stupidly joking that he will “slap” this virus.⁷²

On January 30, 2020, the first case of COVID-19 was reported by the DOH – a Chinese couple from Wuhan, China went to San Lazaro Hospital in Manila and were tested positive of the disease. On February 1, 2020, the 44-year old Chinese man confined at the hospital died. It was the first death caused by COVID-19 outside of China. The DOH brushed this case aside, saying that this is not a cause for alarm without a case of local transmission. On March 7, 2020, the first case of COVID-19 local transmission was reported but Secretary Duque was quoted as saying:

“There is no transmission to speak of yet because we only have one. That’s why we are doing contact tracing so as to establish whether or not there are now cases or clustering of cases. But now, it’s premature to say there is local transmission”.⁷³

The President also said there is no cause for alarm as the government is supposedly prepared to deal with an outbreak in the country.⁷⁴



A militarist response to a public health emergency

The Philippine government formulated a National Action Plan for COVID-19 only on March 25, 2020. The government's response to the pandemic has the distinction of having the longest period of community lockdown. It also managed the public health crisis as a matter of public order and law enforcement, as shown by the dominance of retired military generals in the instituted Inter-agency Task Force for Emerging Infectious Diseases (IATF-EID). Another National Task Force (NTF), created to ensure the day-to-day implementation of the National Action Plan, has been headed by Department of National Defence Secretary Delfin Lorenzana and also mostly composed of retired military generals.

With COVID-19 cases rising from 1 to 187 and the death toll from 1 to 14,⁷⁵ the Duterte government declared an "Enhanced Community Quarantine" (ECQ) on March 17, 2020 for the whole of Luzon, until April 14, 2020, which was extended up to May 31, 2020.



Under ECQ, classes were suspended, mass public gatherings were banned, public transportation systems were stopped, business operations except for the essentials were closed, curfew was imposed, and police and military checkpoints were set up. People were ordered to just stay at home. Local government units in other parts of the country followed suit and declared their areas under community quarantine.

By mid-December 2020, most parts of the country are still under a General Community Quarantine (GCQ). There is “relative relaxation” under the GCQ, especially for business – full operations are allowed for essential production and services while non-essentials may operate on a limited capacity (from 50% to 100%). Schools remain closed and face-to-face learning is still not allowed. But the mobility of people is still restricted. The general population may only leave their homes to access basic necessities. Persons up to 20 years old and those who are 60 years old and above must stay at home. The minimum health standards of wearing a face mask and a face shield, hand-washing and sanitation, and physical distancing should be strictly observed.

On top of the ECQ, President Duterte signed the Bayanihan to Heal as One Act (Republic Act 11469) on March 25, 2020 that declared a state of national emergency to address to the COVID-19 Pandemic. The Bayanihan Act gave authority to the president for only a limited period, subject to restrictions in exercising powers necessary to carry out declared national policy.

Locking down human rights: The Philippine brand of “community quarantine”

Quarantine, as a health measure, is practiced to contain the spread of disease by separating or restricting the movement of healthy individuals who may have

been exposed to an infectious disease to monitor the development of symptoms. Public health experts however cautioned against using restrictive measures in the employment of quarantine as a health measure.

On pretexts of a “quarantine as a necessary measure”, the Duterte government’s brand of community quarantine wantonly curtailed movement, repressed dissent and violated human rights. Very restrictive measures were enforced yet medical, economic and livelihood support and transparency in managing the pandemic were sorely lacking.

State forces lashed out the Bayanihan to Heal as One Act and the Community Quarantine guidelines as if it were a supreme law above the people’s constitutional, economic and political rights. Reminiscent of Duterte’s false “War on Drugs,” state forces and even local government units’ barangay officials were emboldened to shame and humiliate, arrest, use brute force, maul and kill those who are violating the Bayanihan Act and the ECQ guidelines.

Barangay watchmen beat up a fish vendor in Quezon City for allegedly violating the enhanced community quarantine.⁷⁶ Police arrested and detained members of people’s organisations and non-government organisations (NGOs) who are doing relief and community kitchens in communities affected by ECQ.⁷⁷ An army veteran suffering from mental health problems was killed by a policeman for allegedly violating quarantine rules. “Curfew violators” were detained inside a dog house, humiliating them and risking their health as physical distancing was not observed.

The PNP reported that authorities have apprehended, warned and penalised around 700,000 people since March for violating COVID-19 health standards on physical distancing and face masks. On December 7,

2020, police general Cesar Binag, commander of the Coronavirus task force enforcing “quarantine protocols,” announced that police and soldiers would patrol in public areas in Manila, the hotspot of COVID-19 cases, carrying 1 meter rattan sticks to measure distancing and to cane the hard-headed.⁷⁸

With the Duterte government’s long list of human rights violations from the gory War on Drugs, the non-stop attacks against critics and activists, the passage of the Anti- Terrorism Law amid the COVID-19 pandemic spells a more horrifying future for human rights and democracy, and further suffering for the Filipino people. The Anti-Terrorism Law provides another legal weapon to maliciously tag activists, critics and political dissenters and members of the opposition as so-called terrorists and communist fronts and thus military targets. It provides a pretext for even more political killings. Before they were brutally killed, Jory Porquia, Randal Echanis, Zara Alvarez and Dr. Mary Rose Sancelan were red-tagged and vilified.

Health workers not spared from attacks

Health workers and health organisations who are very active in advocacy and campaigns to assert the people’s right to health were not spared from attacks. The Alliance of Health Workers, the Health Alliance for Democracy, the Council for Health and Development, Filipino Nurses United and five more networks were targeted in a series of vilification and smear campaigns by top military officials, the NTF-ELCAC and dubious Facebook accounts.

The Health Alliance for Democracy and the Alliance of Health Workers were included in the “Know Your Enemy” video presentation of the AFP’s anti-insurgency campaign. National Security Adviser Hermogenes

Esperon Jr. listed a number of non-governmental organisations accused of fronting for the Communist Party of the Philippines which included the Alliance of Health Workers. A Facebook account, “Stop Communist in the health sector”[sic], started posting pictures and messages that maliciously listed a number of health organisations with the same claims. The page also posted photos of press conferences, rallies and a forum where faces of leaders and members were visibly shown.⁷⁹ Health activists including Dr. Jean Lindo were included in posters, unfoundedly tagging them as “human rights violators.”

Box 1. The killings of Zara Alvarez, Dr. Mary Rose and Edwin Sancelan

Zara Alvarez, a health activist and advocacy officer of the Negros Island Health Integrated Program for Community Development (NIHIPCD) was gunned down at around 8pm on August 17, 2020. She was active in building the capacity of communities in taking care of their own health as she trained community health workers and helped set up community-based health programs. Alvarez was included in the initial list of at least 600 names in the Department of Justice’s 2018 proscription case to declare them as members of the “terrorist” CPP-NPA. Her name along with many others were stricken off the list, but she continued experiencing threats and surveillance in her work. Alvarez sought protection from the Department of Justice but was denied.

Dr. Mary Rose Sancelan and her husband Edwin Sancelan were gunned down near their home in Barangay Poblacion, Guihulngan City, Negros Oriental on December 15, 2020. Dr. Sancelan is the City Health Officer and chairperson of the IATF-EID in Guihulngan City. She is the sole doctor for Guihulngan City’s 33 barangays. Dr. Sancelan was a victim of red-tagging since 2017 and was on top of the hit list of the armed anti-communist group Kawsa Guihulngan Batok Komunista (KAGUBAK) which falsely tagged her as “spokesperson” of the

New People's Army. In 2019, Dr. Sancelan made a public appeal on how she feared for her life, and how the red-tagging hindered her in continuing the immunisation program especially in the city's remote barangays.

Criminal negligence in protecting people's life and health

While people were “locked” inside their homes, important health interventions such as mass testing and contact tracing, isolation and quarantine were grossly lacking. Only few local government units were able to designate or build quarantine and isolation facilities. Protocols and guidelines on quarantine and isolation protocols, and their implementation, were not clear and oftentimes confusing. For the most part, the DOH and the IATF-EID allowed home quarantine and isolation for people who tested positive with mild symptoms and for potential COVID-19 cases, on the condition that they have a separate room and have basic sanitation in their homes. When cases of COVID-19 spiked in August 2020, the IATF issued Resolution 74, requiring facility-based isolation for asymptomatic and mild COVID-19 patients.

Realities reveal the big gap between the “haves” and “have nots”, between the rich and the poor, when it comes to quarantine, isolation and more so in seeking treatment. Those who “have” can easily have themselves tested. If they tested positive, they can opt to self-quarantine for mild symptoms because they have extra rooms and comfort rooms; without hesitation, they can go hospitals if the symptoms are severe.

But this is not case for the “have nots”. Metro Manila, the pandemic epicenter in the country, is home to many

urban poor communities. In these poor communities, families are packed in small shanties typically with 4 to six children and several extended family members. Physical distancing in these cramped homes is difficult, if not impossible. Water, hygiene and sanitation which is necessary in preventing spread of infection is also a serious problem. The poor do not have the means to get themselves tested, that even the cheapest reverse transcription-polymerase chain reaction (RT-PCR) test at PhP 4,000 (USD 83) already costs a fortune for them. If they experience symptoms of COVID-19, they will hesitate to seek treatment because they do not have the money and the resources to do so.

The government has been criminally neglecting its tasks of ensuring that the poor are tested for COVID-19, that they can be quarantined or isolated in readily available and well-equipped facilities, and that they can seek treatment in hospitals. The severity of the situation may be seen in the high number of COVID-19 fatalities who were not able to seek treatment and were pronounced dead on arrival. Data from the Department of Health as of October 5, 2020 reveal 3,279 (or 56 percent) of the 5,840 Filipinos who died of COVID-19 did not receive medical treatment at hospitals. The same data showed that 76 percent or 1,233 of the 1,629 critical COVID-19 cases were not admitted to hospitals at all.⁸⁰

Endangering the lives of health workers

Various health networks, organisations and eminent personalities in the medical field expressed disappointment and pointed out serious weaknesses and failures in COVID-19 measures. The Philippine Health Care Professionals against COVID-19, concerned about the health system being overwhelmed by the increasing number of cases, called on the government

for a two-week “time out” in August 2020 and asked for a recalibration of its approach to the pandemic. They expressed the anxiety and anguish of the overworked, burned-out health care workers who were toiling in poorly equipped wards, inadequately protected due to lack of supplies of even the most basic masks and personal protective equipment (PPE). They expressed the concerns of health workers in 12 to 36 hour shifts without the guarantee of regular positions, just compensation and hazard benefits, who are isolated from their families for days or weeks at a time, and in constant fear of contracting the deadly virus and transmitting it to their loved ones, co-workers, and patients.

Yet despite such risks and sacrifices, President Duterte, in his August 2, 2020 public address, lashed out on the health workers for making their pleas public instead of writing the government, and for demeaning the government and for supposedly “shouting revolution.” He added that nurses should go into the police instead if they want higher pay.

The lack of PPEs and the prolonged duty hours put health workers at great risk to COVID-19 infection. As of December 7, 2020, the Department of Health reported that the number of health workers who have contracted COVID-19 reached 12,868 positive cases. As per the DOH report, 12,601 health workers have recovered from the respiratory disease and 76 have died.

Judy Bonn Suerte, a health frontliner at the Jose R. Reyes Memorial Medical Center (JRRMMC) in Manila died of COVID-19 on July 31, 2020. Suerte was one of the 50 health workers at the JRRMMC who got infected with COVID-19. The JRRMMC Employees Union-Alliance of Health Workers blamed the anti-health worker protocols of the hospital management and the Department of

Health for the death of their fellow frontliner. Cristy Donguines, president of the JRRMMC Employees Union said that Suerte's life would have been saved if he had been immediately treated by the Jose Reyes Memorial Medical Center instead of being brought to another hospital where he died.

Tales of PPE woes were dramatic particularly during the early months of the pandemic. Most health workers have to buy their own gloves and masks, but even commercial supply has been depleted. They resorted to improvised PPEs to remain protected, using used laundry gloves for foot covers and grocery bags as makeshift head covers.⁸¹ Health workers had to appeal for support for PPEs, with the supply of gloves, shields, and PPEs mostly donated by individuals, private organisations and foundations.

The Department of Health consistently claims that the supply of PPEs is enough for health workers. However, laments and complaints from health workers regarding the lack of PPEs persist. Leaders and members of the Jose Reyes Memorial Medical Center slammed the DOH claim.⁸² The Alliance of Health Workers reported that health workers in some hospitals "recycle" their disposable PPEs by washing and "reusing" them for hospital duty.

Exploitative working conditions

Even before the pandemic, government hospitals are already understaffed. With the COVID-19, nurses are forced to extend duty hours because of the lack of manpower and the extra care and attention needed for many of the patients in critical condition.

Health workers especially in COVID-19 wards work 12 to 16 duty hours longer than the mandated eight

duty hours. The 14-day quarantine protocol for health workers assigned in COVID-wards was also shortened. In most hospitals, health workers were allowed only five to seven days quarantine period after duty while in some health workers do not have quarantine days. RT-PCR testing, part of the health protocols, is still not regularly conducted for health workers every 14 days. Testing only health workers who already exhibit COVID-19 symptoms have become the norm.

Health workers were promised PhP 500 (USD 10.40) COVID-19 hazard pay per day, as per the Bayanihan to Heal as One Act. In practice, this COVID-19 pay is just the same with, and not on top of the regular hazard pay, with health workers told they will just receive whichever is higher of the two. Not only was the hazard pay too little, its release was also so much delayed. It was later revealed in a Senate hearing that there are still 16,000 health workers who have not yet received their hazard pay.

Ma. Theresa Cruz, a nurse in Cainta Municipal Hospital who died of COVID-19 in July 2020, is a case in point. It was only after her death that the family received her hazard pay for March and April 2020, worth only PhP 7,000 (USD 146) while they were expecting PhP 30,000 (USD 624). The Philippine General Hospital (PGH) in Manila is also another case in point. After six months of waiting, hospital workers at the PGH held protest actions to demand the release of the much delayed hazard pay and special risk allowance for March to May 2020 for more than 4,000 hospital workers and employees.

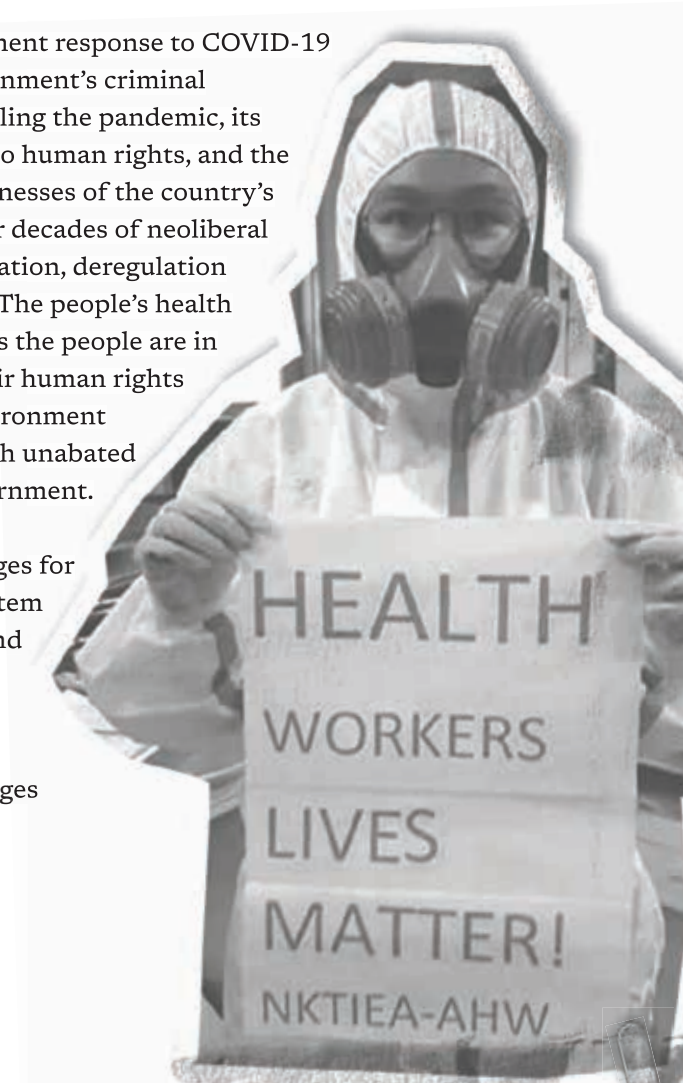
The DOH and the government also failed to provide for other important protection benefits such as transportation and accommodation for health workers especially at the height of the militarist enhanced

community quarantine which suspended mass transportation. Two health workers were arrested and fined PhP 5000 (USD 104) after being caught “back-riding” on a motorbike. This penalty is more than the daily wages that they get to receive for reporting to work. There is a lack of, if not very slow, response to the many reports of discrimination where health workers were splashed with bleach solution, evicted from homes or locked inside houses, insulted and harassed.⁸³

Pursue the people’s struggle for a fundamental change in the health system

The failed government response to COVID-19 unmasks the government’s criminal negligence in handling the pandemic, its wanton disregard to human rights, and the fundamental weaknesses of the country’s health system after decades of neoliberal policies of privatisation, deregulation and liberalisation. The people’s health is in peril as long as the people are in abject poverty, their human rights violated, their environment plundered, and with unabated corruption in government. There is a need for fundamental changes for the health care system to really flourish and be enjoyed by the people.

Fundamental changes



cannot be achieved without the people's actions. Political movements in the Philippines play important roles in pursuing the process of change. Health organisations and activists contribute to this process by addressing health issues and concerns, demanding accountability, waging the struggles as a sector and being one with the people's movement for a free, comprehensive health care in a tax-funded and integrated health care system.





No Justice, No Pride! Under Duterte, there is no pride for all of us

by **Bahaghari**

Pride is, and will always be, a protest.

Pride month is celebrated every June to honor the Stonewall Uprising of June 28, 1969, the riot that sparked LGBTQ+ resistance and movements all over the world. It is a moment in history when queer working class people of color, considered as the filth of the earth in white America, fought back against police brutality, against state repression.

Standing up for our rights—fighting back—is living out this militant essence of Pride, and the Filipino LGBTQ+ community is more than ready to pull back their sleeves and punch back against Duterte’s macho-fascist rule. Pride is a protest, and Pride means fighting back 24 hours a day, seven days a week, 365 days a year.

Four years under the Duterte regime has been four years of extrajudicial killings and impunity, with the state actively twisting words and narratives to bury its bloody, corrupt, and tyrannical rule. Duterte’s four years in power is four years of political killings, illegal

arrests, filing of trumped-up charges, raids, surveillance, militarisation, and rights abuses.

There is heightened militarisation in Bicol, Samar, and Negros with the enactment of MO 32, supposedly against “lawless violence,” and EO 70, which gave birth to the NTF-ELCAC. These have been nothing but mechanisms for the state to vilify human rights activists, farmers, unionists, and peasant advocates. LGBTQ+ activists are not spared.

Alvin Fortaliza, founder and Artistic Director of the Bol-anong Artista nga may Diwang Dagohoy Cultural Network and Provincial Coordinator of Anakpawis Partylist in Bohol, was arrested by SWAT and police forces last March 4, 2019 in Guindulman, Bohol while conducting campaign activities. He is accused of being part of the NPA and was falsely charged with two counts of murder. He is detained up to this day.

Alvin is a cultural worker, a dancer who has been teaching children of farmers in communities he is organising. He uses his talent in theater and dance to express the plight of poor farmers, to use art as a conduit in showing the people’s resistance. His work with Anakpawis, representing unions and farmers, made him a target of state forces.

In Sorsogon, Ryan Hubilla, Grade 12 student and volunteer of rights organisation Karapatan, as well as Nelly Bagasala were gunned down by motorcycle-riding men on June 15, 2019, a kilometer away from the City Police Office. Ryan was only 22-years old. He was supposed to testify on the petitions for the Writs of Amparo and Habeas Data filed by several human rights groups against state harassment and surveillance. He never made it to court.

Ryan was part of the team that escorted Atty. Bart Rayco, of the National Union of Peoples' Lawyers (NUPL) in Albay, in a visit to his clients who were political prisoners at Cabid-an, Sorsogon City. Military and police began surveillance on Ryan after that, and a few weeks later, he was killed. The implementation of MO 32 and EO 70 to “suppress lawless violence and acts of terror” have only intensified the red-tagging and harassment on activists, which will later led to extrajudicial killings and illegal arrests. More recently in October 2020, Verdy Pongasi, a teacher in a Lumad Indigenous school and a queer activist, was illegally arrested alongside 3 other organisers in Negros. Dubbed the Moises Padilla 4, they had been detained at the Moises Padilla police station—without any charges filed.

It comes as no surprise but is still deeply disappointing that Duterte would respond to a public health crisis with a militarist approach which has been ineffective in containing COVID-19. His hasty imposition of community quarantines, curfews, and checkpoints have done nothing but put citizens in danger of contracting the virus and experiencing human rights violations.

Duterte passed Republic Act 11469 or the “Bayanihan to Heal as One Act” on March 23, 2020, declaring a national health emergency amid the COVID-19 situation. Supposedly, it guaranteed a social amelioration package for the poorest households and the unemployed, and mobilised measures to prevent the overburdening of an already dying public healthcare system, among others. But on the ground, the most notable effect this law had was the implementation of penalties for violating quarantine policies. Local government officials had then taken liberty in imposing inhumane penalties on violators, ranging from torture to sexual harassment. Military and police had been deployed in checkpoints to immediately arrest those who “disobey” protocols.

On April 5, 2020, three LGBTQ+ people were ordered to kiss each other and perform lewd dances in front of a minor as form of punishment for violating the curfew imposed in Pandacaqui, Mexico, Pampanga. Pandacaqui barangay captain Christopher Bombing Punzalan recorded this live on social media.

One of the LGBTQ+ violators recounts, “Una po pinagagawa po sa amin na gayahin yung Tiktok kaso ‘di po namin nagawa dahil pinagtatawanan at nahihiya po kami. Sabi niya po kung gusto na po naming umuwi, mag-lips to lips po kami tapos n’ung hindi rin po namin nagawa, sabi po niya pauwin kami [kung] mag-push-ups kaming 20. Mga past 10 pm na po.” (They made us copy moves from Tiktok but we couldn’t do it because they were laughing at us and we were ashamed. He said if we wanted to go home, we would have to kiss. When we didn’t do it, he told us we had to do 20 push-ups. It was past 10pm.)

Punzalan has apologized the following day to the people who were punished and has expressed that he respects the LGBT. “Siguro po dala po ng kapaguran ng araw-araw at gabi-gabi may nahuhuling pasaway na sumusuway sa utos ng katungkulan,” (Maybe that happened because of exhaustion from catching violators every night) he said. Bahaghari has called for an investigation, the removal of Punzalan from his position, and filing of formal complaints of torture against him, but none of these have been acted upon.

Bahaghari led the Mendiola Pride March on June 26, 2020. There were 35 protestors from Bahaghari, Metro Manila Pride, GABRIELA, Children’s Rehabilitation Center, and League of Filipino Students who marched from Recto Avenue to the Mendiola Peace Arch in Manila. We called for immediate and free mass testing,



jobs for the unemployed, continuous economic aid in the pandemic, the passage of the Sexual Orientation and Gender Identity Expression (SOGIE) Equality Bill which would uphold the rights of LGBTQ+ to have access to basic social services currently deprived to us even in a pandemic. We also called for justice for victims of human rights violations, and the scrapping of the Anti-Terrorism Law which was being railroaded as a bill then.

We strictly observed health protocols, with everyone present wearing face masks and face shields, observing physical distancing. Protests are always peaceful until the cops arrive.

We were about to start with our first speaker when the Manila police started lining up donning full battle gear. Our negotiator Andrew Zarate asked Officer Cabales, the ground command, for 10 minutes, but he was adamant that our protest was against the law, so when Andrew was about to tell us to disperse, he was manhandled by Officer Escano towards their shield formation, and he was joined by several other police officers. The officers soon started going after the others, even dragging our driver off his seat to take him to the Mendiola gate where Andrew was. They began boarding some of our members in a police mobile, completely ignoring physical distancing rules. They even mistakenly dragged one media personnel just because he was wearing a University of the Philippines (UP) jacket. UP is commonly perceived by authorities as a hotbed of rebels. They also hijacked our van to take our friends to the Manila Police District (MPD) Headquarters. Police officers went after one of our members, tackled them into the ground, and threatened: “Bakit ba ang lakas mong bakla ka! ‘Pag manlaban ka, papasabugin ko ‘yung ulo mo!” (Why is a gay person like you so strong! If you keep resisting, we’ll blow your brains out!)

During the whole arrest, these officers were not able to tell us what our violation was. Their camouflage uniform had name badges that were unreadable. They did not even recite our Miranda rights. In the MPD Headquarters, paralegals from Karapatan and Rainbow Rights went to our aid. And after 5 hours, we learned that we were charged with violation of Batas Pambansa 880 or the “Public Assembly Act,” and for Resistance and Disobedience under Article 151 of the Revised Penal Code in relation to Republic Act 11332 or “Law on Reporting of Communicable Diseases,” the same violations previously charged against 14 residents and 4 relief workers (dubbed the QC 18) and those who were arrested after us (such as the Cabuyao 11, or the 11 activists arrested in July 2020 for protesting the Anti-Terrorism Law).



In our five-day detention, we experienced different forms of harassment and psychological war tactics. When we were segregated into the female and male quarters, police officers questioned why Rey Valmores-Salinas, a trans woman, was staying with the females. We asserted that she is a woman, and it was a good thing that our paralegals mentioned the Safe Spaces Act which prompted the officers to drop their objections. We were crammed in one corner of the office, with no space left for physical distancing. Without the help of friends and allies who came to our aid, we would have spent our first night sleeping on the cold tiled floor.

The police would blast music all day, and there were days when we could smell cigarette smoke even if there were several “No Smoking” signs in the room. On our third night, one police officer who sat in a desk near us masturbated while gazing at us. We were starved of food a few times because they would hold the food sent to us at their guard house. One police officer on duty recounted a story about killing a prisoner whom he said was gay—an indirect death threat to sow fear. This had little effect on dampening our spirits, however. Outside, we knew the world was clamouring for justice.

On the night of June 30, we were finally released for further investigation, and seven days after, we filed countercharges against 32 Manila Police Officers, which includes violation of Batas Pambansa 880, unlawful arrest, maltreatment, and carnapping. Charges of qualified gender-based sexual harassment under the Safe Spaces Act have also been filed. We will not allow impunity to reign. We choose to fight back. As of this writing, our case is ongoing, and the trumped-up charges against us have yet to be dropped.

But the attacks against our community under the Duterte administration did not stop there. In fact, they had escalated into the national scale.

In September 2020, only a few months into our ordeal, Joseph Scott Pemberton withdrew his appeal for early release at the Supreme Court of the Philippines. Pemberton is a US marine who murdered our trans woman sister Jennifer Laude in 2014. He had admitted to killing Jennifer Laude in shock, supposedly after realising that Jennifer was transgender. In his own words, he declared he “may have killed a he/she”.

Pemberton had previously been convicted of homicide instead of murder, and was charged with 6 to 10 years in prison. The very day Pemberton was convicted in the Olongapo courts, he invoked the US-Philippines Visiting Forces Agreement, which led to him being detained in a special facility in Camp Aguinaldo that no one except American soldiers and select Philippine officials could enter.

The news of Pemberton’s withdrawal of his petition at the Supreme Court was bizarre to many, but Bahaghari forecasted what we knew was in place: Pemberton only withdrew his appeal in anticipation of an early release. Within days, President Duterte granted an absolute pardon for Pemberton.

As of writing, Pemberton had already been formally flown back to the United States, a killer at large, walking among other members of our community he could once again slaughter with impunity.

It is a harrowing thought, how our sister Jennifer Laude had been cruelly denied of justice, even after six years of struggle. Jennifer Laude was murdered over half a decade prior, and now, she had been slaughtered once again, this time as the latest casualty in President Duterte’s subservience to the United States of America. And yet more harrowing is the precedent that the entire cascade

of events has set: if a US soldier brutally murders a trans woman Filipina, he would be jailed for only up to 6 years, and in an exclusive facility.

This only means that until the material conditions that led to Jennifer's death persist—from the culture of discrimination we face as LGBTQ+, to the imperialist structures manifested by the Visiting Forces Agreement and the US military bases in the country—there will be more Jennifer Laudes to come. And in fact, all of us are Jennifer Laude, all of us have crosshairs on our heads.

But so too, will we all be Ryan Hubillas, Alvin Fortalizas, and Verdy Pongasis. So too, shall all of us be militant activists in more Pride Marches to come. So too, shall we forge onwards until we collectively shatter our chains—and our closets.

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Mourning and Resistance – Women’s lot under Duterte

by **Agatha Canape**

In Duterte’s macho-fascist dreamland, Filipino women are in a state of mourning. The drug war ravaged families of the urban poor leaving widowed teen mothers struggling to raise their children with scant opportunities for employment or education.⁸⁴ Migrant working mothers return to the country at the wake of their sons grappling with a gaping, unnameable loss.⁸⁵ The thousands of killings have made us familiar with the countenance of their grief - weeping, clutching or hunched over their dead husband or children, condemned because of poverty. Victims of the government’s whole-of-nation approach to anti-communist insurgency share similar horrifying experiences of brutality and carnage by the police and military, reinforced by the culture of impunity fostered by the government. The government even rewards the most inhumane and cruel of their lot as seen in the promotion of Debold Sinas, mastermind of 2018 and 2019 Negros peasant massacres, as chief of the Philippine National Police. This year’s COVID-19 pandemic and Anti-Terrorism Act has brought the Duterte regime to new heights of state terrorism.

The misogynist state snatched March from women, sabotaging their preparations for the month, as it implemented the first pandemic-related lockdown of key cities. Just a few days after the multi-sectoral women's strike on the International Working Women's Day on March 8, the military and police, indistinguishable from each other by their similar combat uniforms, took over the streets. The state's militarist response to the pandemic resulted in the arrest and detention of thousands, with the OHCHR describing it in April as one of countries with worse pandemic-related human rights abuses. The heightened presence of the military and police in the cities made women vulnerable to sexual abuses. Women were sexually harassed at checkpoints by state forces, or worse they were raped in detention. The continuing rise in the number of people infected with the disease proved that militarism was an inutile response to the pandemic as was reiterated by people's organisations and civil society demanding for health-based responses since the beginning of the outbreak. The economic repercussions of lockdowns also take an inordinate toll on working women in informal and service sectors and peasant women in the agricultural sector.⁸⁶ While the disruption of transportation hindered women from seeking critical health services.

Heightened militarism during the pandemic was the state's rehearsal for the Anti-Terrorism Act. Several activists were killed drug war-style by assailants who miraculously evaded multiple police checkpoints. Displaced working peoples who mobilised to demand for the promised government aid, and people's organisations and civil society delivering relief were violently dispersed and even detained. In rural communities, state forces flagrantly toted their guns on peasant women asserting their right to land such as in Hacienda Yulo in Laguna province.⁸⁷ Here, we recount stories of women who shared the heavy lot in Duterte's state terrorism.

Zara

After the government exhausted the pandemic as grounds for its militarist objectives and finally lifted the lockdown in most cities in June, it gave up its posturing of leadership and abandoned efforts to manage the health crisis. Its nonchalance toward public health is epitomised in the killing of community health worker Zara Alvarez on August 17, 2020 in Bacolod City, Negros island at 8 in the evening, hotbed of last year’s peasant killings.^{88 89} She was killed on the same day Randall “Randy” Echanis, 72-year-old peasant rights advocate and peace consultant on the negotiations between the Philippine government and the armed liberation movement in the country. Zara was part of the Negros Island Health Integrated Program and the Council for Health and Development (CHD), and was doing relief work and organising a community health program when she was killed.⁹⁰

Zara’s rights advocacy was extensive. She documented killings and rights abuses against farmers and peasant leaders and advocates during the height of Oplan Sauron, a joint police and military anti-insurgency campaign in Negros led by chief police Debold Sinas, in 2018 and in 2019. She co-founded alternative media outfit Paghimutad with journalist Anne Krueger to contribute to the media coverage of the peasant situation in the island. She also helped political prisoners, from delivering their basic needs, doing paralegal work, and comforting their families.⁹¹ She intimately knew their struggle as a fellow former political prisoner in 2012 to 2014.⁹²

Zara experienced harassment and received death threats because of her vigorous work for rights and democracy deemed threatening by an elite-ruled state.



Posters that “red-tagged” her and other activists based in Negros were plastered all over the province.⁹³ She was among more than 600 personalities - including peace consultants, activists, detained political prisoners, women’s rights advocates, former and present United Nations officials⁹⁴ - wrongfully and maliciously tagged as “terrorists” in a proscription case filed by the Philippine justice department.⁹⁵ While Zara was not fazed by these state attacks, she took them seriously and resorted to legal measures in place to protect people like her, as she knew their possible fatal repercussions.⁹⁶⁹⁷ The Philippine court rejected her request for a protection order, and her cold-blooded killing in the middle of a city by still unidentified assailants testifies to the country’s dysfunctional justice system.



Ina

A young woman political prisoner's cuffed hands clasping a white flower, a parting gift to her three-month-old baby daughter, catches the world's eye.^{98,99} The young woman is Reina "Ina" Mae Nasino, a 23-year-old community organiser who helped the urban poor fight for housing rights and access to basic social services such as water and electricity before she was illegally arrested on trumped-up charges of illegal possession of firearms in November 2019 together with two union leaders.¹⁰⁰ She was among dozens consecutively arrested by the police in a crackdown against activists in Manila and Bicol province, north of the Philippines, in late 2019. The police made all arrests using dubitable search warrants issued solely by Judge Cecilyn Burgos Villavert who is based in Quezon City, Manila.

Ina was pregnant when she was arrested and she was forced to carry to term in prison despite petitions filed by her mother, Marites Asis, and lawyers to release her on humanitarian grounds together with other political prisoners vulnerable to COVID-19. Ina gave birth to her baby daughter River on July 1, 2020. In her photos released after giving birth, she joyously beamed while cradling baby River. But the state begrudged to spare Ina and baby River a moment of joy, and immediately moved them back to prison despite their critical health requiring medical attention, and separated them after a few weeks. Baby River's health rapidly deteriorated after being separated from her mother. Early in October baby River was rushed to the intensive care unit of the Philippine General Hospital due to pneumonia.¹⁰¹ Public clamour and petitions filed before the Manila Regional Trial Court Branch 37 to release Ina and allow her to care for her ailing infant were unheeded.¹⁰² Three-month-old baby River succumbed to sickness on October 9.¹⁰³ At her

daughter's funeral, Ina wore an uncomfortable hazmat suit, was handcuffed and heavily guarded by armed state forces in the measly six-hour visits she was allowed for two days.¹⁰⁴

The state's treatment of Ina and baby River violates international humanitarian standards on the treatment of political prisoners and the special rights of nursing mothers.¹⁰⁵ Their crushing predicament is also in stark contrast to the state's treatment of convicted criminals such as former presidents Gloria Macapagal Arroyo and Joseph Estrada, Sen. Ramon "Bong" Revilla, and the supposedly real state enemy, US Marine Lance Corporal Joseph Scott Pemberton who murdered Filipino trans woman Jennifer Laude in 2014.¹⁰⁶ But while the state gave no quarter to Ina even in her mourning, the US Marine murderer was granted pardon and released in September 2020.¹⁰⁷



Manang Betty

Beauty pageants flourish under dictatorships. In the early morning of October 25, 2020, Indigenous woman leader Beatrice “Betty” Belen was illegally arrested in her hometown in the Kalinga province of the Cordillera region in northern Philippines.¹⁰⁸ On the same day, Miss Universe Philippines 2020 commenced in a different part of the Cordillera. Despite the great strides of progressive women’s groups in the country, the macho-fascist state insists on reinforcing feudal-patriarchal culture by rewarding women’s beauty, while suppressing their critical and proactive participation in society.

The combined forces of CIDG, the police and military served a total of 13 search warrants¹⁰⁹ that authorised them to ransack several households in Manang Betty’s hometown including her own.¹¹⁰ The irregular search recovered three firearms from Manang Betty’s household, which became the basis for her detention.^{111 112}

Manang Betty is a community leader who championed IP rights to land and self-determination. In 2012, she led a barricade against the US-based energy corporation Chevron’s geothermal project in Kalinga.

Manang Betty received an award recognising her efforts as an environmental defender in 2018.¹¹³ She also advocated for women’s rights as a member of the Advisory Council of the nationalist women’s group Innabuyog-Gabriela.¹¹⁴



Before she was arrested, Manang Betty's organising work in her community made her a target of harassment, threats, "red-tagging," and vilification by state forces, including troops of the 501st Infantry Brigade that encamped in her community in 2015.^{114 116 117}

The state cannot completely cover up its destruction of Indigenous People's ancestral lands for corporate and elite interests with edification and beautification. Its desperate attack against Manang Betty only strengthens the conviction of the IP's struggle for their inherent rights to land and self-determination against a state that would not uphold them. It is through her and others' collective show of resistance that the trumped-up charges were dropped by February 2021.

Eufemia and Jevilyn

Manobo Indigenous women Eufemia Cullamat and her 22-year-old daughter Jevilyn Cullamat treaded two different paths in the struggle for social change.

Eufemia Cullamat is an Indigenous leader and lawmaker. As an Indigenous woman, she led the Lumad and Manobo communities in their fight back against the militarisation of their communities for mining and logging interests.^{118 119} She carried her advocacy for peasant and Indigenous People's rights to land and economic sovereignty in congress as a representative of progressive party-list Bayan Muna (People First).

Eufemia's daughter, Jevilyn Cullamat, 22, is a medic of the New People's Army, killed by the Philippine Army's 3rd Special Forces Battalion, in an encounter, in Surigao del Sur province, Mindanao, southern Philippines on November 28, 2020. Conflict and armed resistance remains part of Philippine reality because of a historical

agrarian problem characterised by land monopoly of corporations and local elites, and dispossession of the majority of the country's small farmers, including Indigenous Peoples. The Philippine army desecrated Jevilyn as they took a photograph with her lifeless body displayed as a "war trophy" violating the 1998 Comprehensive Agreement on Respect for Human Rights and International Law signed both by the Philippine government and the political arm of the armed liberation movement in the country.¹²⁰

In official statements, Eufemia honored her daughter's death, recognising her choice to join the armed resistance as rooted in historical and social conditions, amid the spate of "red-tagging" against the Bayan Muna party-list.





Amanda

The arrest of activist Amanda Echanis and her newborn baby, shows that the state has no remorse for the predicament of Ina and baby River and the killing of her father, peasant and peace advocate Randall Echanis. She was arrested in the early morning of December 2 by combined forces of the 77th Infantry Battalion of the Philippine Army, the Philippine National Police, and the Criminal Investigation and Detection Group in Cagayan province on similar trumped-up charges of illegal possession of firearms against most women activists.¹²¹

She was an organiser advocating for peasant rights in Cagayan when she was arrested. In Manila, she organised the urban poor in their fight for decent housing and livelihood. Amanda was also a writer and cultural worker who created and published works based on the lives and struggles of marginalised women, such as urban poor leader Carmen “Nanay Mameng” Deunida.

Amanda, a new and nursing mother, photographed carrying her newborn swaddled in multiple layers while surrounded by men in full combat attire during her arrest, is also baselessly accused as a guerrilla fighter in the New People's Army.

Shattering fascist dreams

The stories of Zara, Ina and baby River, Manang Betty, Eufemia and Jevilyn Cullamat, and Amanda offer a glimpse of the situation of the majority of marginalised women - the Indigenous and peasant women in militarised and underdeveloped rural areas, and the precarious working women in the cities - all starved of social justice. The state terrorises women activists because they are wary of the vision of a good life rooted in collective well-being that they share with fellow marginalised women. They fear the power of Zara, Ina, Manang Betty, Eufemia and Jevilyn, and Amanda multiplied in all communities where there are marginalised women, collectively dreaming, cooking, sewing, cultivating, building, occupying, picketing, striking, and asserting. They killed Zara and Jevilyn, they locked up Ina, Manang Betty and Amanda, but they cannot smother their spirit of resistance.

Their stories continue. A campaign was launched to demand justice for Zara's killing. Rep. Eufemia Cullamat seeks the help of the Philippine Commission on Human Rights to probe her daughter Jevilyn's death. Families, progressive lawyer groups and rights advocates work tirelessly to free Ina, Manang Betty and Amanda. Ina's mother Marites Asis filed a case against the Bureau of Jail Management and Penology, Philippine National Police, Manila City Jail, and all complicit in baby River's death. We are all responsible for protecting and upholding the rights and welfare of women. It is high time to gather in numbers and strength to end state terror and shatter Duterte's macho-fascist dreams.



Closing Civic Spaces: Increasing attacks against development workers amid the pandemic

by **Maria Jennifer Haygood-Guste, Council for People's Development and Governance**

The year 2020 was the fifth year into the United Nations' (UN) 2030 Agenda for “people, planet and prosperity.” The first five years of the implementation of the UN's 17 sustainable development goals (SDGs) to achieve the 2030 Agenda are crucial to see how governments respond to the goals. Are they taking steps to achieve them? How can responses be improved to increase momentum? The onset of COVID-19 in 2020 has also tested governments' commitments to the SDGs.

Unsurprisingly, though still disappointingly, the first five years of SDG implementation show generally slow progress on too many fronts.

Civil society organisations (CSOs) actively monitoring SDG implementation point to profit-biased neoliberal development policies remaining dominant globally. This is despite how the COVID-19 pandemic exposed the

failings of such policies which, for instance, privatised health systems in many countries and made pandemic response more difficult. Public and private hospitals alike were overwhelmed and unprepared for the surge in COVID-19 patients.

The economic effects of the pandemic were also magnified by countries being intertwined in a globalised economic system. The speed and impact of borders closing and disrupting mobility, businesses and production were unprecedented. The overall effect is to push back whatever minimal gains were achieved for the SDGs since 2015.¹²²

The pandemic caught many countries unprepared although others were more ready for it. These include countries like Cuba, Taiwan, Vietnam, and South Korea, to name a few, that invest in their health systems and in medical research and technology as well as encouraged volunteerism from civil society in responding to the crisis.

The COVID-19 pandemic's health and economic impacts affect poor and marginalised people the most. This demands a unified humanitarian response that is people-centered, compassionate, encompassing, and scientific.

In the Philippines, civil society has been quick to respond. Networks of organisations, businesses and individuals wasted no time organising manpower and mobilising resources to respond to the pandemic. The greatest importance was given to immediately helping communities, front-liners and first responders.

This assistance gained extra importance with how the pandemic's impact was aggravated by how the government over-relied on a long and highly militarised

lockdown to contain the spread of the Coronavirus. The president used the country's armed forces to enforce nationwide community quarantines and police the Filipino people who were virtually treated as the enemy to be controlled rather than force multipliers to help contain the pandemic.

One of the largest and most important formations to emerge is the Citizen's Urgent Response to End COVID (CURE-COVID) Network. Its services ranged from producing personal protective equipment and running community kitchens to supporting frontline health workers to advocating for more rational COVID-19 response policies. Networks of health organisations, consumer groups, community organisations, workers, think tanks, private businesses, church groups and many others gave suggestions to improve the government's pandemic response.

At the beginning of the pandemic, Philippine President Rodrigo Duterte initially acknowledged civic efforts and recommendations. He invoked "bayanihan", or collective action to battle the pandemic, and even declared a unilateral ceasefire with the New People's Army (NPA).¹²³ The government's legislated program to respond to the pandemic was also called "Bayanihan to Heal as One" Act or the Bayanihan Act.

Discouraging collective action, volunteerism

But this seeming inclusiveness did not last long, and the administration quickly changed its tone to discriminate against civil society groups vocal in their criticism of the government's neoliberal policies and militaristic pandemic response. The Bayanihan Act turned out to be far from being people-centered and contained provisions curtailing democratic rights. It stifled free speech and

discouraged volunteerism. The law had provisions closing civic spaces and creating conditions for violating civil, political, social, and economic rights. Before long, the country's pandemic response was rightly seen as one of the world's harshest and most militaristic.¹²⁴

The president was instrumental in setting the tone for the harsh and militaristic response. In weekly national broadcasts, he said state security forces should handle lockdown violators by "shooting them dead". He also said that Leftist and activist civil society groups have no place in governance.¹²

Box 1. Who are development workers?¹²⁶

Development workers and activists both act to change situations of injustice and inequality, according to Dr. Judy Taguiwalo, a longtime development worker and a former secretary of the Philippines' Department of Social Welfare and Development (DSWD). They address poverty at the immediate level to provide relief to people and communities, such as assistance during disasters. At the strategic level, they address the roots of poverty by presenting historical and systemic causes and the alternatives to bring about genuine and sustainable development.

Activists usually do consciousness raising, organising and mobilisation while development workers are usually involved in building and supporting development projects at the grassroots level. One can be an activist but not a development worker at the same time. Yet one can be both a development worker and an activist.

According to Dr. Taguiwalo, development workers have varied roles. They can be technical experts in fields such as infrastructure, irrigation, water and sanitation, public health, food distribution and assessment, judicial reform, research, and skills training. They can also perform administrative work such as preparing expense reports, invoicing and paperwork,

including coordinating and preparing activities like field visits and workshops.

They link with community groups to facilitate a range of activities meeting peoples' needs; develop peoples' capacities to share knowledge and resources effectively; set up new services, among others. Development workers working with grassroots organisations and communities have a deep sense of solidarity with the poor and a strong commitment to supporting their efforts to improve their situation. This is especially exemplified by development workers in the Philippines.

Dr. Taguiwalo puts emphasis on solidarity and commitment. This is to underline the fact that, unlike international development agencies or even those in the Philippines working with them, development workers working with the grassroots organisations and communities receive average salaries or only enough allowances to live simply. This is so that development project funds most of all go to services for the communities.

Pres. Duterte's COVID-19 crisis response further closed the little democratic space in the country. Development workers – civil society groups and activists alike – have been inhibited from their development work and delivering humanitarian response.

The government even used the lockdown as an excuse to arrest and detain development workers on relief missions – even going as far as calling some as enemies of the state.¹²⁷

Attacks on development workers

The pandemic's impact is of such unprecedented scale and severity that civil society expected the response to be correspondingly large and unified. Yet the administration chose to foster disunity rather than encourage volunteerism and bayanihan.

The National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) is at the forefront of stoking divisiveness. The task force's red-tagging and vilification of activists, development NGOs and relief workers in the mass media, social media, and social work circles has been relentless even during the pandemic.

The broad sweep of its targets includes community schools that Lumad (Indigenous People in Mindanao) set up with the help of partner NGOs, indigenous communities opposing destructive large-scale mining operations and large dams, farmers' groups against rice import liberalisation, and many others.¹²⁸

The task force is being used to close civic and democratic spaces which is directly contrary to SDG 16 on promoting peaceful and inclusive societies and building accountable and inclusive institutions.

It worsens authoritarian tendencies in the country and tilts the short- and long-term political balance away from human rights and democratic governance and towards Rule by Law. Preventing civil society from asserting and claiming rights seriously sets back the cause of development.

Box 2. The NTF-ELCAC and development workers

The NTF-ELCAC was created in December 2018 through Executive Order No. 70. It is ostensibly aimed at ending the more than 50 year-long armed conflict with the Communist Party of the Philippines-New People's Army (CPP-NPA) which the administration has declared as "terrorists".

The creation of the NTF-ELCAC has resulted in more human rights violations including more open and blatant attacks on civil society. Attacks on activists and civil society, including development workers delivering humanitarian assistance

to communities, have increased where they are accused of supporting terrorism or being “legal fronts” of the CPP-NPA. Killings of activists are carried out with impunity. In 2019, the Philippines was already declared the world’s deadliest country for land and environmental defenders with at least 30 recorded murders of environmental defenders.¹²⁹

The task force’s attacks on civil society goes against the principle of collective action in pushing for genuinely transformational change. It is being used with other recent mechanisms such as the Anti-Terrorism Act of 2020 to stifle dissent and to put down all protest, focusing on the most determined, most vocal, and most organised groups in the country’s long history of people’s struggles.¹³⁰

Red-tagging wrongly portrays activists and development workers as threats to national security. Activism and its contribution to Philippine civil liberties is belittled. Well-established and internationally-respected civil society groups with long track records are being discredited most of all for their critical stance on government policies.

This includes such long-standing organisations as the Center for Environmental Concerns (CEC), Kalikasan People’s Network for the Environment (KPNE), Citizen’s Disaster Response Center (CDRC), IBON Foundation, Cordillera People’s Alliance (CPA), Rural Missionaries of the Philippines (RMP), Karapatan Alliance for the Advancement of People’s Rights (Karapatan), Oxfam Philippines, and others. People’s organisations with wide grassroots constituencies are also targeted including Gabriela, Kilusang Magbubukid ng Pilipinas, Pamalakaya Pilipinas, Kilusang Mayo Uno, church institutions, and many others. For decades now, these and many other groups have worked to develop communities and influence policy making to more rigorously uphold the people’s welfare.¹³¹

Among current and former government officials the taskforce vilifies is former National Anti-Poverty Commission (NAPC) Secretary Liza L. Maza.¹³² Liza Maza is currently CPDG’s Spokesperson as well as President of WE Govern.

Cases of harassment, threats, arrests, detention on trumped-up charges, even killings and disappearances of activists continued even upon the onset of COVID-19. Activists and development workers actively struggling for their rights have continued to be arrested or killed.

Filipinos saw unprecedented sufferings in 2020 with deteriorating physical and mental health, unprecedented joblessness, and drastically worsening poverty and hunger. Yet amid this, police and military forces arrested development workers – often on false charges and with planted evidence – merely giving aid to communities that lacked government economic and food aid.

This started when police arrested seven relief volunteers in Norzagaray, Bulacan a month into the nationwide lockdown on April 19, 2020 (see Box 3). In the months that followed, there were many more police arrests of community kitchen volunteers, jeepney drivers, teachers, and others which were justified as enforcing quarantine protocols.

Box 3. The case of the Norzagaray 7

Six volunteers of Sagip Kanayunan-Tulong – Karl Mae San Juan, Tobi Ajoc Estrada, Eriberto Laurinaria Pena Jr., Raymar A. Guaves, Roberto Cuadra Medel, and Marlon Lester Gueta – and former Anakpawis Partylist Representative Ariel “Ka Ayik” Casilao were arrested on April 19, 2020. This was the first case of harassment against development workers on humanitarian relief mission since the start of the militarist lockdown.

They were accosted and, despite having the requisite government “food pass” for relief operations, prevented from giving out relief packs to urban poor, farmers, and fisherfolk in Norzagaray, Bulacan. They were interrogated in the absence of a lawyer and subjected to psychological torture in their four days in detention.¹³³

Dubbed as the “Norzagaray 7,” they eventually posted bail on several cases charged against them: supposed violations of Section 9 (d) of R.A. 11332 (Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act), violation of Presidential Proclamation 992 Series of 2020, and Inciting to Sedition under the Revised Penal Code. Former Anakpawis Partylist Representative Casilao, who came to the aid of the six volunteers, was charged with same violations and also for Usurpation of Authority.

The Office of the Provincial Prosecutor issued a resolution finding probable cause for violation of R.A. 11332. This was eventually dismissed by the Municipal Trial Court of Norzagaray, Bulacan on May 13, 2020 on the basis of insufficient evidence. The hearings on the other cases charged against the Norzagaray 7 are still ongoing.

The uncertainty of the outcome of the cases and the long litigation process bear down on the work of the unjustly accused volunteer relief workers, consuming time, resources and attention which could have been used to prepare relief goods for communities.¹³⁴

On December 2, 2020, police and military men arrested Amihan–National Federation of Peasant Women in the Philippines staff Amanda Echanis, who was then administering the distribution of relief goods in Baggao, Cagayan. Peasant leader Isabelo Adviento was also a target of arrest, but he was then busy distributing relief goods in Amulung town in Cagayan province.¹³⁵ Their homes were raided without a valid search warrant and police reportedly planted explosives, firearms, and ammunitions. Amanda was then arrested for illegal possession of firearms and explosives.

Beyond being arrested, activists and development workers are also at risk of being killed or disappeared. Brutal murders started soon after the nationwide lockdown was implemented in mid-March 2020. The

victims include: cultural youth volunteer Marlon Maldos, 25, in Bohol province (March 17, 2020); barangay health worker and woman peasant leader Nora Apique, 66, in Surigao del Sur (March 31, 2020); long-time activist and relief volunteer Jory Porquia, 50, in Iloilo City (April 30, 2020); secretary-general of urban poor group Kadamay Carlito “Ka Karlets” Badion, 52, in Ormoc City, Leyte province (May 30, 2020); and human rights and health worker Zara Alvarez, 39, in Bacolod, Negros Occidental (August 17, 2020).

Even those directly working with the government are not spared. Dr. Mary Rose Sancelan – the lone doctor and head of the Inter-Agency Task Force (IATF) on emerging infectious diseases in Guihulngan City, Negros Oriental – and her husband were killed while on their way home on December 15, 2020. Her husband, Edwin Sancelan, worked at the local government of Guihulngan City. Common among all the victims is that they were all conspicuously red-tagged and vilified, including some for many years already.



The NTF-ELCAC persisted in red-tagging development workers doing relief and humanitarian work in the aftermath of strong typhoons in the closing months of 2020. For instance, in Cagayan Valley, the task force accused the farmers organisations Danggayán Dagiti Mannalon ti Cagayan Valley (DAGAMI), Timpuyog Dagiti Mannalon ti Quirino (TIMIQ), Alyansa Dagiti Mannalon iti Cagayan (Kagimungan), Unyon ng Manggagawa sa Agrikultura (UMA) and Amihan-National Federation of Peasant Women – as “recruiters of NPAs”.¹³⁶ The military also blocked the distribution of relief goods in Hacienda Sta. Isabel Norte and Ilagan City of Isabela province, and in Amulung and Allacapan of Cagayan province.

These and many other development organisations and workers take up human rights issues, promote social justice, and advocate for ecological sustainability. These all support the sustainable development vision that the government claims to uphold in its current national development plan for 2017-2022.

Yet instead of bringing them into a process of genuinely inclusive peace and development, the government through the NTF-ELCAC is even marginalising communities and groups further. Their targets are also clearly groups critical of anti-people neoliberal policies behind persistent poverty, inequality and underdevelopment in the country and the exploitation of the country’s resources for narrow corporate gain.¹³⁷

Anti-Terrorism Act of 2020

The Philippine government has been justly criticised for its slow, ineffective and militarist response to the pandemic. It has however clearly not relented on pushing mechanisms to further curtail civic spaces and liberties such as with the Anti-Terrorism Act (ATA) of 2020.

The ATA 2020 is anti-development in expanding the government's legal arsenal for attacking those it arbitrarily deems as opposed to it, including activists and development workers. Among its adverse effects is to inhibit development and humanitarian work much needed by communities unreached by government or those with long-running gaps in livelihoods and basic social services such as health, education, and sanitation.

The ATA 2020 is a clear attack on civic, democratic and civil society space. As of this writing, it is contested by a record 37 petitioners at the Supreme Court for violating Constitutional provisions ensuring the rights and welfare of Filipinos, including their socio-economic, civil, and political rights. Among others, the law gives the government vast powers to freeze assets and arrest anyone it unilaterally deems as terrorists or supporters of terrorism. Development workers such as from the Council for People's Development and Governance (CPDG) are among the petitioners asking the law to be deemed unconstitutional.

On September 18, 2020, CPDG filed a petition for certiorari and prohibition at the Supreme Court, seeking a temporary restraining order on the oppressive law.¹³⁸ According to CPDG, the law and its implementation will further legitimise the red-tagging of activists, development workers and other civil society groups that the government arbitrarily deems as terrorists or terrorist supporters. CPDG argues that the law endangers the work and lives of development workers, and will deprive underserved communities of their economic, social, cultural, and environmental rights. On a larger scale, it undermines the people's right to peaceful assembly, to air grievances, and seek redress from the government.

Box 4. Recent mechanisms constricting civic spaces

As the lawyers for the 37 petitions make their case against the Anti-Terrorism Act of 2020 in the oral arguments at the Supreme Court, the Duterte administration established more mechanisms that further constrict spaces for democratic participation in development and governance.

In February 2021, the administration's foreign affairs department released a memorandum to all foreign government donors unilaterally stating that all incoming funding to non-government organisations shall be screened and approved by the government.¹³⁹ Meanwhile, the Department of Interior and Local Government declared that it is requiring CSOs who wish to contribute to COVID-19 response operations to first secure a "clearance" from the PNP.¹⁴⁰

Such policies establish new layers of bureaucratic barriers for development and humanitarian workers' independent initiatives. It threatens to further constrict the already limited spaces for their work and discourage peoples' volunteerism. In the context of the ongoing vilification of activists and development workers, these policies could further stifle the legitimate voices of dissent. In the end, these are to the detriment of the communities served by these organisations.

Pushing back and fighting back for genuine development

Philippine civil society is ever vigilant in ensuring the rights and welfare of the marginalised poor. The most assertive and organised CSOs, NGOs and POs carry on with their work and refuse to cower in fear despite steady and systematic state repression. Civil society pushes back against all efforts to clamp down on dissent, close democratic spaces, and bar effective participation in governance and development processes.

CPDG's efforts are just among many in civil society to push back and fight back the government's attacks against the people. "Philippine civil society," according to CPDG spokesperson Liza Maza, "will not allow the achievements from decades of empowering communities, organising marginalised sectors, and building democracy to be lost. The government seeks to close democratic processes and civic spaces and subjugate the people."

"CPDG and the other petitioners [against the Anti-Terrorism Act]," Maza adds, "are just a few among all those who believe in human rights and sustainable development and who will resist and overcome this worsening authoritarianism."

Meanwhile, CPDG members continue to perform their development work. They are among the most vocal in advocating for social and economic policies that benefit the majority of people instead of narrow elitist and corporate interests. They help communities in their struggles against destructive large-scale mining, large dams, and coastal reclamation, while promoting agro-ecology and other sustainable production practices.

CPDG also continues to engage the government in policy-making through dialogues and contributions to studies in support of policy reforms. Its members actively monitor the government's implementation of the SDGs and participate in local and international fora on sustainable development. It monitors the government's implementation of the United Nation's resolution of October 7, 2020 to improve the Philippine human rights situation.

And amid growing authoritarianism, among their most important functions is the most basic – persistently

claiming civic spaces for inclusive and meaningful participation of civil society organisations to promote human rights, fundamental freedoms, and sustainable development.



Truth-tellers Under Siege: Worsening media repression under the Duterte administration

by **Janess Ann J. Ellao, Ronalyn V. Olea and Anne Marxe D. Umil, Bulatlat**

In December 2019, a Philippine court has rendered a historic decision that convicted a political clan and their cohorts guilty of the infamous Ampatuan massacre,¹⁴¹ the single deadliest attack against journalists. This has made the Philippines as the “biggest mover” and has put it in the top five deadliest countries for journalists,¹⁴² per the Committee to Protect Journalists.

On the ground, however, the situation remains very much terrible, with over 19 journalists killed and scores more harassed and subjected to trumped-up charges under the Duterte administration.

The raging pandemic has made it even worse. If at all, Murray Hiebert,¹⁴³ a Southeast Asia expert at the Center for Strategic and International Studies in Washington, said that controlling the local transmission of the dreaded virus is the “perfect cover” for an authoritarian ruler’s “draconian levers to rein in their opponents and critics.”

The Philippine media, both those belonging to the dominant and alternative media tradition, has made its COVID-19 coverage a priority. The uncertainties and deluge of unverified information have posed challenges for journalists both here and abroad on the truthfulness of their reports. Still, journalists have continued to provide the public with information they need to make sense of what is happening, and in striking down the widespread disinformation later referred to as “massive infodemic.”

This has changed many aspects of a Filipino journalist’s work, from the protective gear to wear and minimum health standards to observe, and even the process of news gathering. Conducting interviews and covering of press briefings have primarily moved to the digital space, with Zoom, Jitsi, and Google Meet as among the commonly used teleconferencing applications. Social media platforms have become even more a tool for news gathering.

It, too, has altered how we do journalism – from news gathering to how our intended audiences consume them, to name a few. Media institutions have scrambled to set up home-working systems and embraced multiple online communication platforms in an effort to “create a parallel and secure virtual office world.”

But in the middle of a pandemic, the Philippine government had other priorities in mind. President Rodrigo Duterte, four months into the lockdown, signed into law the controversial Anti-Terrorism Act of 2020, which is currently one of the most challenged laws before the Supreme Court.

The law and its many contentious provisions have been widely criticised for curtailing press freedom and the freedom of expression. It has granted authorities the power to detain activists and journalists, and to allege

them at the very least of committing terrorism as the law so vaguely defined.

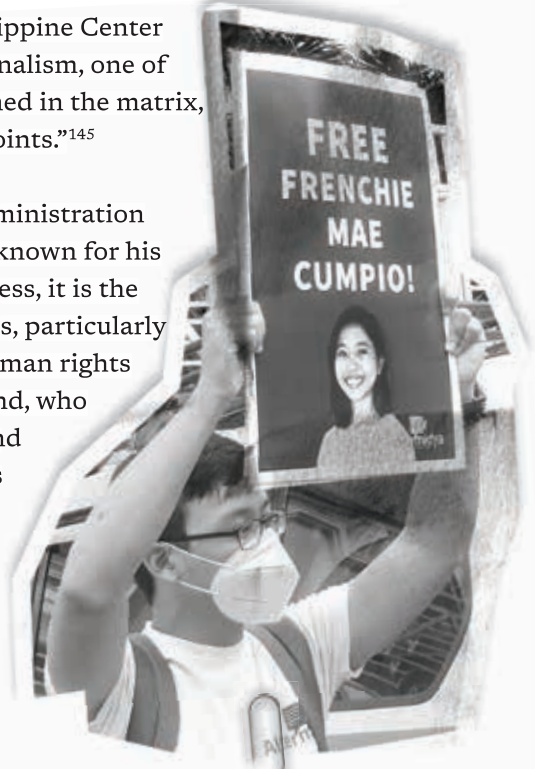
On top of the threats posed by the pandemic and the terror law, the state of the Philippine media is currently at its worst since the Marcos dictatorship. Journalists have found themselves at the receiving end of hate speech, particularly on various social media platforms, as they are tagged as paid, “presstitutes”, communists, and worse, vilified as terrorists.

Discrediting the Media

Since the Duterte administration was ushered into power, journalists have been vilified as “fake news,” “spies,” “prostitutes,”¹⁴⁴ said Yvonne Chua of the University of the Philippines.

Several media outfits and journalists have been named as part of the infamous “matrix” that supposedly sought the ousting of President Duterte. This has been dismissed by the Philippine Center for Investigative Journalism, one of the media outfits named in the matrix, as “wrong on many points.”¹⁴⁵

While the Duterte administration has been infamously known for his attacks against the press, it is the community journalists, particularly those covering the human rights situation on the ground, who are at the receiving end of more vicious forms of intimidation and harassment.



Vilification and red-tagging campaigns usually precede graver forms of abuses against journalists, advocates, and human rights defenders. Such tactic attempts to discredit the work of the media, with the end goal of controlling public opinion.

Apart from the posters that are put up on the streets, red-tagging is also prevalent online, with government-backed Facebook Pages that spread Internet memes on the supposed link of progressive groups and alternative news websites to the armed struggle. Local and international human rights groups and organisations have long pointed out that red-tagging is usually a prelude to graver human rights abuses such as arrests, filing of false charges, and even enforced disappearances and killings.

Vilification against journalists and media outfits, both in the dominant and alternative tradition, sends a chilling effect and hampers their duty of searching for truth. Several community journalists have been turned down by interviewees who are afraid of reprisals from state forces, or have been kept from official government briefings.¹⁴⁶

Some of those red-tagged have been compelled to leave their communities as a matter of safety precaution. This has directly impaired the capacity of these media outfits in reporting stories from the ground.

In Eastern Visayas, community journalist Frenchie Mae Cumpio was arrested on February 7, 2020 and jailed over charges of illegal possession of firearms and explosives. She was labelled as a high-ranking officer of the Communist Party of the Philippines. A fact-finding mission revealed that the firearms and explosives were planted. As of this writing, Cumpio remains in jail in Tacloban City.

Box 1: The cases of journalists Frenchie Mae Cumpio, Lady Ann Salem

Frenchie Mae Cumpio is the executive director of online media outfit and regular anchor of *Lingganay han Kamatuoran* aired at Aksyon Radyo Tacloban. On February 7, 2020, joint elements of the police and military raided Eastern Vista's office in Tacloban City and arrested Cumpio and four development workers and rights defenders.

The Philippine Army's 8th Infantry Division claimed that Cumpio is a high-ranking officer of the CPP. She was charged with illegal possession of firearms and explosives.

A fact-finding mission revealed that the firearms and explosives used as evidence were planted by the raiding team. Several local and international media watchdogs have called for the release of Cumpio. She remains in detention in Tacloban City. In 2019, Cumpio reported she had been tailed by suspected state agents as she consistently reported about the human rights abuses in Eastern Visayas region.

Lady Ann Salem, editor at *Manila Today* and communications officer at the International Association of Women in Radio and Television, was arrested on the morning of International Human Rights Day, December 10. Part of what came to be known as the "HR Day 7," her arrest is part of a wave of operations conducted by the CIDG and the PNP against unionists in Manila on pretexts of a crackdown on supposed criminal gangs.

She was denied the right to call lawyers during the arrest, and was later charged with illegal possession of firearms and of explosives. Her arrest garnered calls for release from international and national media organisations. By early February 2021, the charges against her were ruled dismissed by courts after inconsistencies in the testimonies of authorities and inadmissible evidence.

Digital attacks

In December 2018, progressive online news became inaccessible to its readers. Through digital rights activists both here and abroad, Bulatlat later learned that their website, along with several other alternative news, was subjected to one of the biggest Distributed Denial of Service (DDoS) attacks ever recorded in the world.

DDoS refers to the malicious and deliberate attempt to shut down a website by overwhelming it with a flood of internet traffic.¹⁴⁷

Attackers had the plan carefully laid out, as it initially kept their requests at a low ratio to avoid flood detection. One of its worst attacks was on January 29, 2019 where they flooded the website with three million packets per second for 60 minutes. In simple language, nearly half a year of traffic has been reduced to a mere second.¹⁴⁸

As a result, the website had become inaccessible to its readers.

The Baguio-based Northern Dispatch was also subjected to DDoS attacks, amid its reporting on the government response to the pandemic, while at the same time showcasing the relief operations and other services of people's organisations for the poor and vulnerable sectors. Prior to the DDoS, Northern Dispatch and its writers and editors have long been subjected to red-tagging.

Online news Bulatlat has noted in its Digital Security Policy and Guidelines for Filipino Journalists (2020) how internet trolls swamp the comments sections of stories on human rights violations, press freedom, and the controversial terror law to peddle disinformation

and false narratives. The Philippine government's involvement on these Pages have been proven when Facebook itself took down several for its inauthentic coordinated behaviour.

Physical attacks, trumped-up cases

These online attacks have also translated to physical harm, in an attempt to muzzle the Philippine press from reporting the real situation on the ground.

Since 1986, when democracy has been purportedly restored, nearly 200 journalists have been killed. Of these, only four have led to a conviction, which, the NUJP said,¹⁴⁹ is worse than the United Nations' pronouncement that only one of 10 media killings over the past decade has led to conviction.

The Philippines has its own share of heightened media repression amid the pandemic. Even the United Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression¹⁵⁰ said that "people have suffered because some governments would rather protect themselves from criticism than allow people to share information, learn about the outbreak, know what officials are or are not doing to protect them."

During the pandemic, the Philippine government has ordered the shutting down of one of the country's media giants ABS-CBN. A local court also rendered a guilty verdict against Rappler's chief Maria Ressa and their former researcher Reynaldo Santos Jr. for cyberlibel charges. Apart from the two, at least a dozen more journalists have been charged with cyberlibel, mostly by politicians, according to the NUJP.

Other charges have also been filed against news outfits covering the absence of social protection provided to those affected by the pandemic. Community radio Radyo Natin Guimba was charged for allegedly violating lockdown restrictions,¹⁵¹ following their consistent reporting on the slow distribution of aid in Guimba town, in Nueva Ecija, Central Luzon.

In several instances during the lockdown, policemen confiscated copies of alternative magazine Pinoy Weekly. A regional police officer claimed that Pinoy Weekly contained “subversive material,” justifying the confiscation as “a matter of national security.”

But the worst form of censorship is when journalists themselves are being killed.

The most recent incident is the case of Ronnie Villamor, who was shot dead by the Philippine military¹⁵² in an alleged encounter on November 14, 2020. Four days earlier, another was also shot dead. For both counts, as in most media killings in the country, no proper, thorough, and independent probe has ever been conducted.

Meanwhile, the community press is bearing the brunt of the government’s attempt at stifling the media. The alternative press has been subjected to increased red-tagging - among the most recent was the inclusion of AlterMidya and its member media outfits in the list of supposed fronts of the revolutionary movement in a Senate hearing on December 1, 2020.

AlterMidya, a network of all alternative news agencies in the Philippines, deplored the red-tagging, saying that it is an irresponsible practice, “which is in stark contrast to our ethical commitment of truthful and careful reporting as journalists.”

Fighting back

Despite the attacks, the Philippine media continues to be robust in its truth telling.

Many journalists in the corporate media remain critical in their reporting while alternative media practitioners continue to provide reports that are often neglected or underreported in the dominant media.

Filipino journalists are also taking all the necessary steps to ensure their safety. Training sessions on physical and digital safety have been conducted by several press freedom advocacy organisations.

Media outfits also exhausted legal remedies as part of the campaign to defend press freedom. In 2019, Bulatlat, Altermidya, Kodaio Productions and Pinoy Weekly won the civil case filed against IT companies over the cyber-attacks.

Alternative media outfits also filed complaints before the Commission on Human Rights against state security forces and public officials who red-tagged them.

ABS-CBN supporters initiated the Pirma Kapamilya, a people's initiative to bring the network back on air.

Hope lies in the continuous assertion of the right to free press and free expression. These rights are not exclusive to journalists and media workers but are inherent rights of all citizens. Amid the pandemic and the rising tyranny, the Filipino people all the more need truthful information which they can use in their decision-making.

Time and again, the media's role is to serve as a watchdog of wrongdoings especially by those in power. During

periods of crisis in the Philippine history, such role proved vital in the fight against anti-people governance and repression.

Bulatlat as well as other members of the alternative media will continue its journalism for the people. The struggles of the marginalised and the oppressed have not ended, and our work of amplifying their voices is all the more needed in this time of tyranny.



Behind bars, in the time of Duterte

by **Meg Yarcia**

As of December 10, 2020, there are 665 political prisoners in the Philippines. Six hundred and sixty-five men and women, someone else's mother, father, wife, husband, sister, brother, daughter, son, or dear friend, stand behind bars, in the time of Duterte.

None of them were released during the holidays, or over the past few months, while the threat of COVID-19 hung over every Filipino's head, but more so in cramped cells with poor ventilation, and little to no access to protective gear and sanitation. Every day, 665 families look at the empty spot on their table, and they are filled with grief and worry.

Who is a political prisoner?

Families of political prisoners have every reason to feel uneasy. At this moment in Philippine history, their prospects for just treatment are dim, the situation compounded by the many deep flaws of the country's justice system, and the challenges posed by the pandemic.

The charges themselves are beside the point. Being a political prisoner, according to the Parliamentary Assembly of the Council of Europe, means being held for purely political motives, under politically motivated conditions and proceedings.

The charges are beside the point, but they matter. Often, the detainee would be reported as being in possession of firearms, and explosives, too, if the goal is to prevent them from being able to post bail. This was how it was for National Democratic Front (NDF) consultant Vic Ladlad, 68, a chronic asthmatic with a severe heart condition, but who was strong enough to be lugging an AK47, an M16, handguns, and grenades, the cops said.

Like him, journalist Lady Ann Salem and six union organisers Romina Astudillo, Mark Ryan Cruz, Joel Demate, Jaymie Gregorio, Rodrigo Esparago, and Dennise Velasco, all arrested on no less than the International Human Rights Day in 2020, face charges of illegal possession of firearms and explosives. They are accused of gun-running in the metropolis, at a time of rabid terror-tagging among activists.

Irregular operations, false charges

Police conduct betrays the largely political nature of these arrests, which often targeted human rights advocates, progressive lawyers, doctors, or journalists, and organisers of farmers, workers, Indigenous People, and the urban poor, among other communities.

Lately, the police had been known to barge into homes at the ungodly hour of three in the morning, with an unnecessarily large contingent and a zeal they did not otherwise have for regular operations. Two rounds of 'searches' would be conducted: in the first, the people



would be asked to drop to the floor while evidence was being planted, and in the second, village officials would be asked to witness a formal search, which would by now yield weapons and other incriminating paraphernalia.

The police and military no longer concerned themselves with plausible storylines, too: it could be as ridiculous as then 69-year-old Rafael Baylosis, also an NDF Consultant, hiding a pistol in a bag of rice, Maoj Maga having a gun tucked in his waist while playing basketball in his neighborhood, or Amanda Echanis, daughter of slain peasant activist Randall Echanis and a new mother nursing her infant, being around an assault rifle and hand grenades.

Adelberto Silva, 71, was arrested in Sta. Cruz, but faces 15 murder charges in Leyte from 1985. Rey Casambre, then 67, was arrested based on warrants issued in Davao Oriental. Back in 2018 they were still joining the peace talks with the Philippine government, presenting NDF's proposed socioeconomic reforms. The pursuit of justice for whatever crime they were supposed to have committed was clearly not the end goal. In their case, the arrests happened upon the collapse of the peace talks between the government and the NDF.

Undue exceptions

Everyone is supposedly deemed innocent before proven guilty according to our laws, but the system seems to work as if it's the other way around. Like any other prisoner, political detainees have to go through the slow and pointless cycles of judiciary procedures: hearings and filings that frequently get rescheduled. And for political prisoners, the law enforcers make undue exceptions – anything to make it harder for their lawyers, it seems.

Arrested activists may very well be held incommunicado, and not even know what cases they face. Renante de Leon and Ruben Estocado, organisers of coconut farmers in Atimonan, Quezon had no access to a lawyer or their families, for 11 days.

Amanda Echanis was not even shown a copy of the search warrant. For fellow University of the Philippines student Myles Albasin, in jail for three years now, trial has yet to begin.

As Cristina Palabay of rights group Karapatan explains, “As human rights defenders and dissenters are arrested, plunderers and murderers remain unpunished and are even released from prison.”

In jail amid a pandemic

As coronavirus spread throughout the country following the government’s zero containment strategy and botched response, political prisoners suffered twice the lockdown. They were already in jail, but got even more isolated as COVID protocols were put in place. Most jail visits have been suspended, and in certain cases, like that of young activist Reina Mae Nasino, the pandemic was used as a pretext for withholding access to her baby River Emmanuelle, who died shortly after not having received her care during illness. The same COVID protocols were weaponised to justify the jail personnel’s ruthless handling of her funeral, which drew public outrage.

Today, COVID continues to pose threat on all political prisoners throughout the country, but especially the elderly, the young mothers, and pregnant women. KAPATID, a support group for families and friends of political prisoners, also lamented how arbitrary rules “place prisoners and their families in needless pain.”

“The Bureau of Corrections, specifically the New Bilibid Prisons, should lift the restrictions on the delivery of food and essential items for all prisoners, including political prisoners, as the arbitrary bans make families needlessly suffer the brunt of muddled regulations while prisoners inside the country’s highly congested prisons aren’t any safe from COVID-19, especially in the absence of transparent reporting and regular testing of prisoners,” spokesperson Fides Lim said.

Hope and resolve, still

In the face of injustice heaped upon the country’s political detainees, many things continue to inspire hope. Support pours in from different communities in the Philippines and all over the world, that understood why it is important to fight for their freedom.

“They are an important part of the struggle for national freedom and democracy because they embody the aspirations for real change. Political prisoners represent a section of the populace who refuse to be silenced because they love their country too much to be silent,” Lim explained.

KAPATID, along with SELDA or the Samahan ng Mga Ex-Detainees Laban sa Detensyon at Aresto, had been receiving donations for their kin, such as food, medicines, and hygiene kits, among other needs. Statements of support, denunciation of the political persecution, and petitions for the release of political prisoners abound, and supporters have gathered in many protest actions, COVID notwithstanding.

More importantly, the prisoners themselves embodied strong resolve to continue their fight. The actions of three young women detainees after going through

countless inanities were quite telling. Lady Ann Salem raised her fist and said “*Tuloy lang, laban lang,*” [Just keep going, just keep fighting]. Reina Nasino told her daughter in the coffin, “*Lalaya ako nang mas matatag. Panandalian yung pagdadalamhati natin. Babangon tayo.*” [I will come out of the cell stronger. Our despair is but temporary. We will rise again.]

Meanwhile, Amanda Echanis recalled her father’s words: “*Maaari nilang ipiit ang aking katawan ngunit hindi ang aking diwang palaban.*” [They can imprison my body, but not my fighting spirit].





Between the virus and the bullet: The rising drug war death toll during the pandemic lockdown

by **Ivan Enrile**

Tess' wakes up before sunrise to ready her late husband Mario's pedicab and search for casual fares around Pandacan, Manila.

"Madalang ang mga pasahero lalo't walang klase", she says. [There are few customers because classes are still closed.]

Customers are hard to come by as the nation's capital is still under general community quarantine. Most days she earns PhP 200 to 300 or USD 5 to 6, barely enough to sustain their family's daily needs. Tess has been the sole provider for her three children since her husband Mario was taken from their one-room shack in the slum of Pandacan on the night of August 13, 2020 by two anonymous gunmen and shot in the back of the head, execution style. Mario, an alleged drug user whose name was on the authorities' "drug watchlist", had been on the receiving end of numerous death threats since 2016.

According to official government data, as of September 30, 2020, at least 5,980 people have been killed in legitimate anti-drug operations (Philippine Drug

* Real names changed per request of the interviewee.

Enforcement Agency, 2020) in which the police routinely claimed that “the victims fought back”. The figure could be as high as 30,000 (Frontline Defenders, 2019) as government data does not include victims like Mario who were killed by vigilante squads that many human rights organisations believe are in cahoots with the police and local officials.

Trapped

Manila’s lockdown enforced because of COVID-19 remains the longest-running in the world (Yee, 2020) and has been extended until January 31, 2021 by President Rodrigo Duterte (Punzalan, 2020). Since March 16, 2020, the government, through the police, has been imposing varying levels of quarantines and lockdowns to control movements. People aged less than 20 or above 60 years old are not allowed outside their homes, except for serious medical reasons.

Despite enhanced police presence and strict curfew rules, killings have tripled during the community lockdown. Analysing the numbers posted from the government’s #RealNumbersPH Facebook page, 325 people were killed in anti-drug operations between March 31 (Real Numbers PH Year 3: Towards a Drug-Cleared Philippines—From July 1, 2016 to March 31, 2020, 2020) and September 31, 2020 (Real Numbers PH Year 4: Towards a drug-cleared Philippines—From July 1, 2016 to November 30, 2020, 2020). Before the COVID-19 crisis, the police killed 103 people between December 2019 to March 2020 (Philippine Drug Enforcement Agency, 2020).

The families of victims feel trapped between the virus and the drug war.

“Nagkukulong kami sa loob ng bahay para umiwas sa virus, pero parang mas mamamatay pa kami sa loob



mismo ng aming tahanan sa kamay ng mga pulis,” says Tess. [We stay at home to avoid the virus, but it seems we are more likely to die inside our very own home in the hands of the police.]

Among most affected by the government’s “war on drugs” are the families left by the victims: women and children who are suddenly left without their main providers. Mothers grappling from the trauma of the violent death of their partners further contend with the problem of seeking livelihood under the condition of a raging pandemic, spiraling economy, and gross government neglect.

“Hindi ko na nagawang magluksa dahil ang una kong inisip ay kung paano ko itataguyod ang mga anak ko ngayon, lalo na at matumal ang mga pasahero at mataas ang mga bilihin.” [I had no time to grieve as I had to think how to provide for my children, especially now that income is hard to come by and prices continue to rise.]

No accountability

“Sa lugar namin, tatlo ang kaso ng Tokhang, pero ni isa wala pang napapanagot,” Tess reveals. [There have been three cases of drug-related killings in our community but none has been held accountable yet.]

The same is true for most drug-linked killings throughout the country. The police do not criminally investigate deaths from anti-drug operations because of “presumption of regularity” (Talabong, 2018). Majority of drug-related vigilante killings or around 70 percent have not been filed in court and no suspect identified (Gavilan, Buan, & Talabong, 2019). Since 2016, only one case – the killing of 17-year-old Kian de los Santos – has led to a conviction in 2018 (Human Rights Watch, 2021).

In June 2020, the Department of Justice created an inter-agency panel to reinvestigate the more than 5,000 deaths

in anti-drug operations. Human rights organisations and think-tanks assail the review panel's credibility, independence, and transparency. The Commission on Human Rights (CHR) still has no access to case folders of deaths from anti-drug operations (Buan, 2020). Agencies responsible for the killings such as the PNP play a prominent role in the said review panel, while the CHR has been kept out of the loop. Critics feel that the move was a mere effort at saving face amid growing international concern over the deteriorating human rights situation in the country.

In its 45th session, the UN Human Rights Council (UN HRC) adopted the resolution calling for a technical cooperation between the government and UN bodies to support the domestic efforts on human rights. Civil society and peoples' organisations, however, have expressed disappointment over the resolution for neglecting to provide more meaningful solutions to address the culture of impunity in the country (Joint statement of NGOs at the 45th session of the United Nations Human Rights Council, 2020).

According to human rights organisation Ecumenical Voice for Human Rights in the Philippines (EcuVoice), prosecution of perpetrators and actions against abusive policies and not mere technical cooperation and capacity building remain the "crucial indicators in addressing the strong and persistent demands for justice and accountability" (Gavilan, 2020).

"It is a tricky assuagement to appease the cries for justice of the victim. But we maintain that the domestic remedies in the Philippines are by and large ineffective, protracted, ponderous, skewed and even frustrating to the victims," said Edre Olalia, president of the National Union of Peoples' Lawyers.

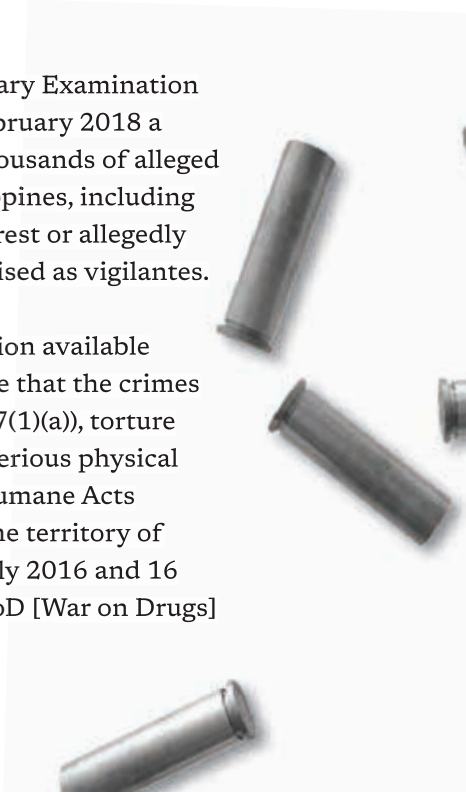
No justice under Duterte

Amid government attacks and repression, human rights organisations and alliances in the Philippines work hard to bring hope to families of the victims of drug war. For the past four years, every December, Rise Up for Life and Rights, a church-based campaign alliance against drug-related extrajudicial killings and other human rights violations, has been organising fellowship and gift-giving activities among the families of victims of the drug war. The gathering is an occasion for the families to celebrate the holidays, remember their loved ones, affirm their resolve to demand justice, and draw strength from each other.

The December 2020 gathering of victims' families was made special with an announcement from the International Criminal Court's (ICC) Office of Prosecutor that it has found "reasonable basis" to believe that President Duterte's 4-year-old anti-narcotics drive spawned crimes against humanity.

According to the Report on Preliminary Examination Activities 2020, the ICC began in February 2018 a preliminary probe into the slay of thousands of alleged drug users and peddlers in the Philippines, including those killed for allegedly resisting arrest or allegedly gunned down by law enforcers disguised as vigilantes.

"The Office is satisfied that information available provides a reasonable basis to believe that the crimes against humanity of murder (article 7(1)(a)), torture (article 7(1)(f)) and the infliction of serious physical injury and mental harm as other inhumane Acts (article 7(1)(k)) were committed on the territory of the Philippines between at least 1 July 2016 and 16 March 2019, in connection to the WoD [War on Drugs]



campaign launched throughout the country,” Prosecutor Fatou Bensouda said in the report released on December 15.

The office anticipates reaching a decision on whether to seek authorisation to open an investigation into the situation in the Philippines in the first half of 2021.

To this end, Rise Up for Life and Rights supports the initiatives to gather evidence on suspected crimes against humanity related to President Duterte’s “war on drugs” and to lobby the United Nations and other international bodies to hold him accountable. Evidence gathered will be submitted to the ICC so President Duterte and other officials involved in alleged extrajudicial killings can be prosecuted.

“We continue to place hope in the International Criminal Court to deliver justice for the many persons who have been victims of human rights violations and relief to their families who continue to herald the urgency to stop the killings in the Philippines,” according to Rise Up for Life and Rights in a statement.

Meanwhile, Tess confronts yet another battle as the country’s poor brace for a new wave of economic crisis. *“Ang ikinakatakot ko naman ngayon ay ang mamatay ang pamilya ko sa gutom lalo’t halos wala naman akong pasada at nagtataasan ang mga bilihin.”*

“Para kaming nasa walang katapusang giyera.”

[Now I fear for my family dying from hunger especially now that customers are hard to come by and prices of commodities continue to soar.]

[It’s like living in an endless war.]

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Appendices

Rise Up Families dismayed by latest resolution of UN HRC

8 October 2020

Rise Up families and advocates, including parents, spouses, children and other relatives of those who have been victims of Pres. Duterte regime's brutal killing and human rights violations expressed dismay with the UN HRC resolution made yesterday.

"In the report by United Nations High Commissioner Michelle Bachelet, there is a clear condemnation of violations of human rights here in the Philippines. These abuses are felt by and continue to be felt by most Filipinos, especially the poor. However, strong action was not reflected in the UN HRC resolution yesterday," said Llore Benedicto from Rise Up, who two sons were viciously slain by the police under Duterte's so-called 'War on Drugs.'

"To be frank, we lack trust in the government, and its agencies (for example the Inter-Agency Task Force under the DOJ Investigating Team), because they have been implicated in such human rights violations," she added. Rise Up assailed the Philippine government that if they had any aim to solve killings and other human rights violations, they would have acted earlier.

"In the four years that the current administration has been in office, they are only beginning to act now. This is because they are receiving widespread criticisms and pressure from the international community," said Llore Benedicto.

Determined to hold Pres. Duterte's regime accountable for its human rights abuses and violations, Rise Up has been engaging the United Nations as part of the efforts of the Ecumenical Voice for Human Rights and Peace in the Philippines.

"In March, this year, I joined a team of churches and advocates that attended the UN HRC sessions in Geneva. I shared not only my testimony, but also the accounts of many mothers, children, siblings. We hoped they would help with our dire situation. The killings and harassments continue to ravage and sow fear in local communities throughout the country," said Llore Benedicto.

"This latest resolution and session of the UN HRC is a disappointment. We still need and hope to have an independent investigation, so that the truth about the killings of our loved ones will come out. One way ahead is to go to different countries, so our stories will be heard. We need help from the international community to stop the killings," added Llore Benedicto.

Thanking church advocates, various organisations, human rights defenders and lawyers that have been with them, the families of the victims of Pres. Duterte's killings vowed not stop fighting and persevering to achieve justice, despite their fears and threats to their lives.

"We call on the International Criminal Court and the United Nations and other international formations and bodies to help us exposing the truth so that the killings will end, so that no more families will experience the unbearable sadness and hardships that we have," said Llore Benedicto.

#

On the adoption of UN HRC Resolution on technical cooperation and capacity- building for human rights in PH

Statement by Ecumenical Voice for Human Rights and Peace in the Philippines

7 October 2020

The Ecumenical Voice for Human Rights and Peace in the Philippines and its partner organisations acknowledge the adoption of the United Nations Human Rights Council (UN HRC) resolution on technical cooperation and capacity-building for the promotion and protection of human rights in the Philippines. The resolution, despite its shortcomings, remains as among the indications of the international community's acknowledgement of and persisting scrutiny on the human rights crisis in the Philippines under the administration of President Rodrigo Duterte. It is likewise proof that the Duterte administration, despite its posturing and rhetoric, caved in to domestic and international pressure for justice and accountability.

The resolution comes after the damning report of UN High Commissioner for Human Rights Michelle Bachelet on the persistent and widespread killings and human rights violations in the Philippines, the numerous statements of UN Special Procedures expressing concern on the situation, the European Parliament resolution calling on the European Commission to initiate the temporary withdrawal of trade perks of the Philippines in the light of the serious rights violations, and the proposed measure at the US Congress to end military and police aid to the Philippine government.

However, the said UN HRC Resolution stops short in providing more meaningful actions to address and impact on the worsening human rights situation in the Philippines as recommended by the Office of the High Commissioner

for Human Rights (OHCHR). We believe that programs for technical cooperation and capacity building would NOT decisively curb the worsening human rights situation in the country. Victims and their families, human rights activists and defenders, and communities affected by these violations believe that prosecution and punishment of perpetrators of human rights violations, especially those committed by the highest officials in government, and thoroughgoing and immediate review, amendment, changes and/or repeal of policies instituted in law and practice by the Philippine government are among the crucial indicators in addressing the strong and persistent demands for justice and accountability.

With this government's track record of brazen disregard for basic human rights and civil liberties, with its officials' relentless efforts to vilify human rights defenders and active campaign to silence critics amid UN HRC resolution 41/2 and Ms. Bachelet's report, we have serious reservations that the supposed technical assistance and capacity-building programs will stop the human rights violations. We even fear that the government may abuse such programs and use these as smokescreen to conceal their apathy and disregard toward the victims or to commit reprisals against activists and human rights defenders engaging in the process.

We reiterate our call for a thorough and comprehensive investigation through independent and transparent accountability mechanisms, removed from the clutches of those who have been perpetrating and emboldening the commission of human rights violations. To leave the investigation in the hands of the same government which has continuously shown disregard of our rights would result in a mockery. Time and time again, human rights defenders have pointed out the failures in investigating and prosecuting human rights violations through domestic mechanisms.

EcuVoice will continue to engage the United Nations Human Rights Council, the Office of the High Commissioner for Human Rights, Special Procedures, Treaty Bodies as well as other international accountability platforms by intergovernmental, government and non-governmental organisations to pursue justice for the victims of the State's abandonment and disrespect of human rights and civil liberties in the Philippines. #

Philippine CSOs denounce human rights violations and closing civic space amid COVID-19

By Council for People's Development and Governance

At the 7th Asia Pacific Forum on Sustainable Development, held virtually on May 20, 2020, the Council for People's Development and Governance (CPDG) delivered the following statement concerning the dire state of civil-political rights in the Philippines and its implications for development. The CPDG is a broad network of Philippine civil society organisations and people's organisations engaged in the work of democratising development and governance for people's needs. As a network of IBON International, its work is valuable for our framework and advocacy for Rights-based and People-Powered Democracy, and for our particular priorities on supporting Philippine struggles.

The Council for People's Development and Governance (CPDG) is deeply concerned that the COVID-19 crisis will hinder action for and delivery of the 2030 Agenda in the Philippines and the rest of Asia and the Pacific.

The 2030 Agenda is significant in bringing together governments and development actors to cooperate on the common goal of eradicating poverty and inequality and for an ecologically sustainable and socially just global economy.

The sustainable development goals (SDGs) are an important mechanism for unifying development actors at the national, regional and global level. Governments, civil society, private sector, and international development actors actively engage and dialogue. Critically, civil society organisations (CSOs) enable citizens to hold governments, businesses and even international financial institutions accountable for their actions affecting the SDGs.

Civil society participation

Civil society recognizes the value of voluntary national reviews (VNRs) for regularly monitoring SDGs implementation. When these are truly inclusive, transparent and democratic, VNRs can clarify the conditions of poor and vulnerable groups and be opportunities to propose alternative development frameworks and policies for achieving the 2030 Agenda. Well-grounded CSOs enable meaningful citizen participation in development planning, monitoring and implementation. There will be meaningful progress and sustainable development not just if the people's voices are heard but also if their aspirations, conditions and well-being are given priority in policymaking.

CPDG participates in these processes. We take note of how the United Nations (UN) High Level Political Forum (HLPF) acknowledged how the Philippines has incorporated the SDGs in the Philippine Development Plan (PDP) 2017-2022. We also note government efforts to institute mechanisms for improving SDGs implementation – various monitoring and evaluation mechanisms, its SDG website, citizen-generated data, localization of SDGs implementation through local government units, and the Stakeholder Chamber for the newly-created Sub-Committee on SDGs.

Nonetheless, we are still concerned that the space for civil society participation is still limited in these. The VNR

consultations, for instance, did involve CSOs but mainly as passive or token participants. The final outcome documents were essentially unchanged as if the drafts presented for comment were unimpeachable from the start.

We are especially concerned of apparently official government efforts to close civic space especially for groups and individuals perceived as overly critical. However, such critical voices among civil society are among the most important checks on government actions. This situation has only gotten worse during the COVID-19 pandemic and particularly under the restrictive conditions of a protracted military lockdown.

Civil society repression

The Philippine government institutionalized cracking down on activists and critical CSOs when it created the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) in 2018. This was also made part of the updated PDP 2017-2022, further muddling decision-making and prioritization according to actual development needs.

The task force has resulted in a dramatic increase in human rights violations. On the pretext of “counter-terrorism,” it increased attacks on activists and civil society which have grown in scale and scope. These span vilification, harassment, arrests on fabricated charges, and physical attacks including mounting killings.

And yet the government, in its 2019 VNR on the SDGs, brazenly reported the NTF-ELCAC as one of its best practices for SDG No. 16 on promoting just, peaceful and inclusive societies. Along with other repressive measures, the government has come down hard on collective action pushing for genuinely transformational change.

The COVID-19 crisis has accelerated the closing of what little democratic space is left in the country. The military lockdown since the middle of March is the largest population control measure in the country's history. Pres. Rodrigo Duterte set the tone from the beginning with a nationally broadcasted order to state security forces to handle lockdown violators by "shooting them dead".

The Philippines is ranked as having among the militarist and authoritarian responses to the COVID-19 crisis with 152,000 accosted for "quarantine violations" including 38,000 reportedly arrested. Pres. Duterte himself stokes the repressive atmosphere by, for instance, openly encouraging the commission of war crimes and offering up to Php 2 million for every suspected New People's Army (NPA) leader killed.

Overnight, civil society groups have been prevented from functioning normally. The government has also used the lockdown as a further excuse to arrest and detain civil society groups on humanitarian relief missions deemed "enemies of the state." The president, in one of his weekly addresses to the nation, even explicitly said that activist civil society groups have no place in governance.

The militarised situation is making arrests and detention of civil society members even easier. Just on May 10, military and police raided homes of the peasant group Samahan ng mga Magsasaka sa Coral ni Lopez (SAMACOLO) in Batangas province and arrested members and leaders after planting guns, ammunition and explosives.¹ This follows the arrest of 65 relief volunteers, factory workers and activists on May 1, Labour Day in separate incidents in the National Capital Region (NCR), Iloilo province, and Rizal province. The 11 full-time Coca-Cola factory workers arrested were even absurdly presented as supposedly surrendering members of the NPA.

Killings purportedly by state security forces continue. This includes the murders in separate incidents of activist and relief volunteer Jory Porquia in Iloilo City, cultural youth volunteer Marlon Maldos in Bohol province, barangay health worker and woman peasant leader Nora Apique in Surigao del Sur, and peasant leader John Farochilin in Iloilo province.

The government is exploiting the COVID-19 crisis to accelerate the closing of civil society space. Lockdowns cannot go on indefinitely and the government has already proposed measures hindering ‘membership-based activities’, large gatherings and mass actions – all vital civil society activities – on the pretext of being unsafe. Yet, on the contrary, we hold that such activities are if anything more essential than ever because of heightened government regulation of social and political life towards containing the spread of the Coronavirus. Civil society activities should not be restricted especially if sufficient precautionary measures are taken.

Unprecedented unmet social and economic rights

The draconian military lockdown has resulted in tens of millions of Filipinos suffering the biggest and quickest collapse in jobs and incomes in the country's history. Emergency relief for over 18 million affected poor and low-income households is however slow and, for most recipients, the income support is not even half the official poverty line. The relief also involved long waiting in congested areas and under stifling summer heat and humidity. The government has already said that cash transfers will already be phased out.

Meanwhile, the labour department has issued an advisory to enable employers to cut wages for their workers. This is while the finance department is proposing the biggest and most rapid cut in corporate income taxes in

the country's history by the end of the year, drastically cutting government revenues just when funds are needed for COVID-19 response. The country's biggest stimulus package is also being drawn up but with a bias for foreign firms and corporate giants over social protection, expanding the health system, and supporting small enterprises.

The lockdown was ostensibly meant to 'flatten the curve' to buy time to strengthen the capacity of the health system. Yet, after two-and-a-half months, which made it the longest COVID-19 lockdown in the world, public health measures are still inadequate.

Testing and contact tracing capacity targets are still unmet and, apparently, meant to be disproportionately borne by the private sector rather than a public sector responsibility. To date, isolation and quarantine facilities can only handle less than 6,000 cases. The health system has not been expanded and COVID-19-dedicated beds, intensive care units, and ventilators have been mainly carved out of the existing system rather than added. These have even been at the expense of non-COVID-19 cases. Government precautions for resuming daily social and economic life in public spaces and work places are also inadequate.

As it is, the country already has among the highest fatality rates in Southeast Asia. Too many Filipinos are getting sick, lacking critical care, and dying. This can only get worse with the expected surge in cases once the lockdown is relaxed.

Towards socially just and sustainable economy

The COVID-19 crisis is adding untold misery to long-standing problems of Philippine underdevelopment. We reiterate our concern that the government's overly market-oriented and profit-biased neoliberal development

framework results in persistent poverty, hunger and inequality. These have made the people even more vulnerable to unexpected shocks such as the current pandemic.

CPDG joins the rest of civil society in the country in demanding that the Philippine government be held accountable for unremitting poverty and increasing human rights violations in the country. In particular, we join voices calling the government out for its negligent COVID-19 response and opportunistically using the crisis to strengthen its authoritarian rule.

We also take this opportunity to raise the alarm of drastically closing civic space in the country. This can only lead to greater erosion of social, economic and cultural rights and worse attacks on civil and political liberties. CSOs should also be considered essential partners in development especially at these times of great human suffering. We call on the APFSD to provide mechanisms to hold governments accountable for their actions especially at this time of pandemic.

The Philippines and the rest of the world are in the middle of the worst economic and public health crisis in generations. This is a time for united action and not for marginalization. There is also an opportunity to steer our economies onto a new path of development leaving behind decades of outmoded neoliberal policies of liberalization, privatization, and deregulation.

The APFSD's theme of "Accelerating action for and delivery of the 2030 Agenda in Asia and the Pacific and in the global economy" is possible but only with a human rights-based approach under a democratic and people-centered governance. #

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