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IN DEFENSE OF PEOPLE'S RIGHTS

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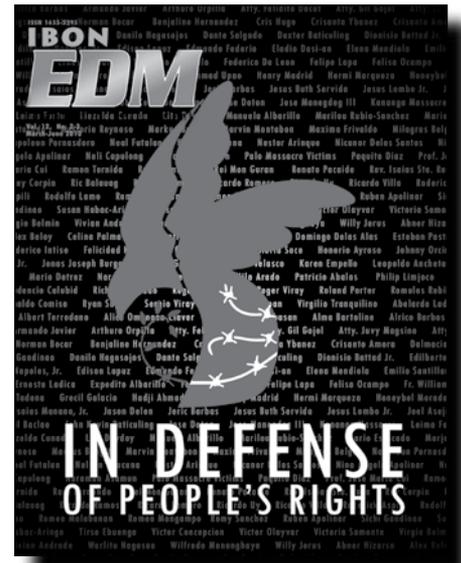
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Confronting a decrepit monster: People's rights under attack



AS THE WORLD'S economy continue to worsen, fascism and repression intensify against people's resistance. Photo credit: Arkibong Bayan

Three years since the declaration by international economic institutions such as the IMF and the OECD that global recession in 2008 has ended in 2010, the absence of recovery has befuddled economists. So-called “post-recession” recovery by industrialized countries like US, UK and Japan remains very weak, seemingly teetering on the brink of another recession despite billion-dollar bank bailouts and various efforts at pump priming to fund recovery.

Many Eurozone countries such as Greece and Spain continue to bear the brunt of depression, as their sovereign debts crises remain unsolved and now threaten to infect even major industrial powers like Italy. Meanwhile, the so-called rise of emerging economies is mere hype to cover up the sorry state of developed countries. It also feeds into the strategy of extracting superprofits from the developing countries through such means as financial speculation riding on the so-called emerging economies.

This crisis is akin to the Great Depression of the 1930's in its intensity, but has different dimensions. For example, the scale of neoliberal integration of trade and finance amplifies the crisis, which in turn reinforces the same kind of trade and finance. At the same time, the financial oligarchy uses its overweening power to create new speculative opportunities for financial and commodity market growth, while speculative profiteering worsens the effects of the crisis on the real economy.

I. Continuing factors for recession, threats of new bubble bursts

This protracted depression continues to affect the global capitalist economy.

Generally, the so-called economic recovery since 2011 remains sluggish and unclear. A growing number of countries have fallen back into double-dip recession, while US recovery has been feeble. There has been no recovery

in productive sectors such as manufacturing and other industries. The jobs that were lost from 2008 onwards have not been recovered, and unemployment remains severe—thus the term “jobless growth.”

A UN report in end-2012 had earlier presented dire economic forecasts about the risk of what it called “synchronized economic downturn” in 2013-14 across many developed and developing countries.¹ Six months later, this risk remains. Just this early July, the IMF acknowledged that global growth is “projected to remain subdued” at 3.1% in 2013, about the same as in 2012 and less than the 3.3% forecast in April 2013.

The Eurozone is now in its longest recession since the end of World War II, with economic activity across its 17 countries falling for the seventh quarter in a row from 4th quarter 2011 to 2nd quarter 2013. The economies of France, Spain, Italy and the Netherlands have generally shrunk. The growth in Germany, the region’s strongest economy, also shrunk year-on-year. While Eurozone officials expect some sort of uptick in the second half of 2013, other economists see no real growth drivers emerging.²

The U.S. economy appeared to fare better compared to Europe, but in fact its own recovery remains ephemeral because it relies on an unsustainable printing of dollars, at the rate of \$85 billion every month. The irony is that much of these excess reserves remain idle in private banks, turning into yet another form of financial speculation that some economists likened to a ticking time bomb. Outside of the US, other Central Banks have adopted similar “quantitative easing” remedies.⁴

The IMF has acknowledged that the so-called emerging economies, such as China and Brazil, which are also affected by the same protracted recession, are growing more slowly than previously projected. A recent ILO report also showed that the new recession conditions in Europe have been spilling over globally.⁵

New bubbles threatening to burst amid threats of default, bailouts

Indicators of recovery merely show the same old up-and-down economic and financial cycles in transitory periods of uptick. Economists are now warning of new bubbles threatening to burst. A global strategist

of Société Générale has called the post-2008 signs of recovery as “the bubble with no name (yet)”.

In the Eurozone, economists worry that the recent signs of recovery are mostly a bubble that will burst sooner or later. Citi Chief Economist Willem Buiter warned: “To us the key word about the post summer 2012 Euro Area asset boom is that most of it is a bubble, and one which will burst at a time of its own choosing, even though we concede that ample liquidity can often keep bubbles afloat for a long time.”

As of April 2013, 41 different countries have active debt arrangements with the IMF; some are outright bailouts.⁶ In the past, the IMF imposed its severe conditionalities only on poor countries. But increasingly nations such as Greece, Portugal, and Ireland are getting bailed out and agreeing to harsh austerity measures in exchange. Yet IMF money depends on five largest creditors: the U.S., Japan, Germany, France, and the U.K.—countries that are in deep debt themselves.

Thus, these bailouts may have gained some breathing space for selected businesses and banks that are deemed “too big to fail,” but they are unsustainable. Economies reel from one bailout crisis to the next as they fail to generate enough jobs and consumer demand. Meanwhile, austerity measures have hit the poorest sectors of the population in developed and developing countries alike.

Unemployment, loss of income

While the epicenter of the continuing global crisis in recent years has been in the most developed economies, its social impact has been truly global, as quantified in unemployment for example. In 2012, an accumulated total of 197 million people were without a job. Significantly, 3 out of 4 came from poor countries, with marked increases in East Asia, South Asia, and Sub-Saharan Africa. Globally, some 39 million dropped out of the labor market, while the global jobs gap since 2007 has risen to 67 million. These numbers are expected to rise in 2013-14.

The ILO 2013 report admits that fiscal austerity programs, leading to cutbacks in employment and wages, have a direct role in unemployment. Problems quickly multiply for people suffering from extended

spells of unemployment. Women and youth are particularly affected by the jobs crisis.

Among the advanced economies, joblessness has particularly worsened in Europe, with some countries hitting record highs in recent months. (Italy's unemployment rose to 12% in end-May 2013—the worst since 1977.) In the US, the latest Job Report is optimistic only because “new jobs” are being created, but not in sufficient numbers. Only 47% of the American civilian adult population is employed full-time. The unemployment rate remains because full-time jobs are giving way to part-time jobs.⁷

Growing unemployment, wage and benefit cutbacks, and loss of livelihood opportunities are all contributing to a generalized loss of income for big sections of the population in most countries. Despite claims by the IMF and World Bank that MDG 1 on reducing poverty (in terms of halving the number of people living on \$1.25 daily) has been achieved globally, the truth is that multidimensional poverty remains a severe global problem.

For example, in the most recent Multidimensional Poverty Index (MPI) released just this March 2013, the Oxford Poverty and Human Development Initiative (OPHI) reported that a total of 1.6 billion people continue to live in multidimensional poverty. This is more than 30% of the combined population of the 104 countries covered by the study. At the present rate, the report said, the best-performing countries may be able to halve their MPI “in less than 10 years and eradicate it within 20”—certainly a very slow rate that billions of people who are poor and hungry right now cannot live with.⁸

Food crisis, losses from natural calamities

In recent years, high and volatile food prices have become the “new normal,” despite lower demand and slight dips in cereal prices due to stagnant economies. This is mostly the result of financial speculation in agricultural commodities—as a series of UNCTAD papers and the UN Special Rapporteur on the Right to Food have officially asserted. The speculation has spilled over to farmland and irrigation water sources.⁹

In addition, losses from the more unpredictable natural calamities due to climate change are contributing to the price and supply volatility. For example, the US drought in 2012 (the worst in 50 years, and which has persisted in nearly 20% of the country up to this year) drove up maize prices to record levels, while heavy rains in Argentina and Russia affected wheat supply and prices. In October 2012, the UN warned that failing harvests in many countries “have eroded [world grain] reserves to their lowest level since 1974,” and that extreme weather events this year could trigger another major food crisis.¹⁰

II. New strategic approaches to address crisis

The US and other advanced economies have responded to the crisis in a two-stage way: First, they bailed out ailing banks, other financial institutions, and selected giant corporations considered “too big to fail”. And second, when the immense public deficits turned into huge sovereign debts, they imposed austerity measures to try to defuse the debt crisis.

However, rather than junk their precious neoliberal premises of pursuing relentless growth and self-correcting market mechanisms, these countries entertained only minor reforms—a mere slap on the hand of a few criminal speculators—to keep financial speculation within manageable bounds but to avoid real and strict regulation.

A growing popular clamor against neoliberal policies, periodically exploding into massive protests, have been met with deceptive and defensive propaganda if not outright attacks by police and intelligence agencies. Even proposals from mainstream economists for return to a modicum of economic regulation and protection remain unheeded. Instead, the US and its allies have been adopting new strategic approaches to cope with the multiple crises. Let's consider the most developed ones.

Buying into the new green

The Green economy is not a simple PR ploy by big business and rich states. Neither is it a simple response to the challenge for sustainability because of climate change. Rather, they push it as a two-in-one strategy: On one hand, they want to harness the role of innovation and high-tech to spur recovery of industry. On the other

hand, they want to tap a new source of exploitation funded through public-private investment, in the guise of climate change funding.

Strategic role of East Asia

As the protracted depression continues, the big Asian economies are taking on a more strategic role in being able to stimulate consumer spending, trade, foreign investments, and even speculative financial markets. These include China, South Korea, first-tier South East Asian countries that are better off economically, and to a certain degree India and Australia. Japan, despite its extended stagnation, still has substantial economic clout in the region.

This strategic role of East Asia is now clearly appreciated by the US-led Western powers despite their being hindered by deep involvements elsewhere (like in the Middle East) and by economic troubles. It is at the core of what is being hyped as the “Asian Century”—a catchword that is partly economic truth, partly investment hype, but in any case represents a geopolitical shift of focus. The “pivot to Asia” shows in the competing efforts of the US and EU, and Russia as well, to craft various bilateral and plurilateral pacts in the region. It is also reflected in heightened US-EU interest in regional structures of governance such as the APEC and East Asia Summit.

The TPPA as the new US “can opener”

Closely related to the strategic shift to East Asia is the Trans-Pacific Partnership Agreement (TPPA), a comprehensive trade deal being cooked up by the US and which involves Australia, Brunei, Chile, Canada, Malaysia, Mexico, New Zealand, Peru, Singapore, Vietnam, and even Japan. The deal is so shrouded in secrecy that even the US Congress remains in the dark, while representatives of US multinationals are “being consulted and made privy to the details of the agreement.”¹¹

If approved, the TPPA would empower multinationals to bypass national laws and courts and invoke its own supra-national courts (supervised by the World Bank and UN) to impose neoliberal policies and standards—even US laws—in a wide range of trade questions, including medicine, agriculture, intellectual copyright, and so on. The US hopes for the TPPA to gain

momentum until it becomes a *fait accompli* and pries open like a can opener all remaining trade restrictions by Asia-Pacific states.

Reconfiguring big-power “multilateralism” through the G20

With the 2008 economic collapse, the G7 big powers lost much credibility to dictate economic policy on the whole world, while giving no quarters to developing countries led by the G77 and China bloc. Increasing conflicts between the G7 bloc and the G77-China bloc have resulted in repeated deadlocks on critical global issues, including those being tackled in the UNFCCC-COP climate change talks and in the WTO Doha Round.

This intensifying dissent by developing countries within the UN and other multilateral bodies is often branded as the so-called “failure of multilateralism.” In this light, the formation of the G20 is yet another strategy to reconfigure big-power consensus. The idea is to bring the “emerging economies” (such as the BRICS and other large developing countries) into the G20 fold as extra décor in rebuilding the façade of international consensus around neoliberal globalization. This way, liberal and progressive initiatives such as proposals to reform the system of development finance are sidelined, while G7 (with G20) policies are defended.

New WTO approach in Bali

The Doha Development Round under the WTO was a deal breaker because of the implications of further liberalization under the new proposed provisions. The failure to conclude the Doha Round is symptomatic of the crisis—the intensity of protests and public opinion against it, the tenacity of developing-country positions, and the hardline US-EU demands and positions. Despite the efforts of the G7-G20 and the UN itself to sell the Doha Round, its demise has been finally accepted by the WTO.

In its stead, a new Ministerial is scheduled in December 2013, which will attempt to pick up the pieces of the different failed efforts to expand the WTO since the first Ministerial in Singapore in 1996. Many issues arising from Singapore through Cancun and Doha are being considered again for debate and possible negotiation. While grassroots movements persistently call for an

end to the WTO as one of the emblematic symbols of neoliberal globalization, here come the US and its allies redoubling their efforts to revive and re-gear the WTO for further expansion.

III. Rising factors for people's resistance, armed conflicts

Mass protests

By end-June 2013, a new wave of anger rose up and began “sweeping the cities of the world.” The Economist even compared the 2013 protests to the 1848 revolutions that swept Europe and to the 1968 and 1989 rebellions. Comparing the 2013 upsurge with the 2011 Occupy protests, which were high profile but did not mobilize millions, the magazine noted that this time “the protests are fed by deep discontent.”¹²

A distinctive trend in the first six months of 2013 is that the most dramatic mass upsurges have broken out in what are considered emerging economies, in addition to the Eurozone countries that have been battered by austerity programs and debt crises.

In Brazil, the massive demonstrations started as a mass protest against bus fares, but soon broadened (reaching more than 1 million people on June 20), addressing a much wider range of issues that reflected the Brazilian government's anti-people policies, including corruption, poor public services, high cost of living, and profligate spending such as on the World Cup sports event.¹³

In India, big protest actions have risen to the forefront in earlier years, fuelled by working-class strikes and middle-class frustrations with corruption, on top of a growing Maoist armed revolution in the countryside. At the end of 2012, big protests verging on riots in reaction to the gang rape of a young woman were actually addressing the lack of state protection of women and their rights.

Massive protests have also broken out in Egypt in response to the failure of the Morsi regime to respond to public demand for reforms in the face of the economic crisis. The protests have led to a military take-over of government. Elsewhere in the Middle East and North Africa, mass protests continue to simmer. Similar mass

protests are hounding governments in Turkey and Bulgaria, with specific issues sparking mass actions that rapidly grew into much wider protest movements.

In Europe, sustained mass resistance (including general workers' strikes) against tighter austerity measures and worsening unemployment continues to build up and are particularly intense in Greece, Spain, and Italy. Violent riots also occurred in Sweden in May 2013 and earlier in the U.K. in 2011, as the youth and other unemployed spontaneously sought varied channels of mass discontent.¹⁴

Armed conflicts

Amid multiple crises and mass discontent, global peace remained as elusive as ever. According to the 2013 Global Peace Index of the Institute for Economics and Peace, the peace situation has deteriorated in 110 out of 162 countries since 2008 due to political instability, internal armed conflicts, and boundary disputes.¹⁵

In the most severe cases, the US-led big powers are deeply involved—either through direct military intervention (as in Iraq, Afghanistan, Somalia, and recently in Mali), or through client states (as in the Israeli-Palestine conflict), or through proxy “rebel groups”, as is the case of the Free Syrian Army in Syria and an assortment of NATO-backed armed groups that overthrew the Qaddafi regime in Libya.

IV. Increasing fascism and militarism

Rising trend of fascism and the “national security” state

The trend of fascism continues to rise worldwide, and its worst features are becoming more evident than ever even in the supposed bulwarks of Western democracy, namely the US and UK. With the recent NSA espionage exposés divulged by Edward Snowden, it is now evident more than ever that the US has become a national security state, closely followed by the U.K.

Alarming, various US legislation—the PATRIOT Act, the Protect America Act, the Military Commissions Act, and the FISA Amendments Act—have expanded the legally allowable state actions (on top of secret and illegal operations) that restrict basic civil liberties and human rights in the guise of counter-terrorism.

The US, which in the past prided itself as the global champion of human rights, has been showing more of its fangs within its homeland. Abuse of ordinary citizens by police, FBI, and Homeland Security operatives are on the rise, on top of increasing cases of violent dispersal of protest rallies. Racial discrimination, hate crimes, and abusive treatment of immigrants are as prevalent as ever. The notorious records of US federal prisons and increasingly privatized state prisons are already well known. The US is among the world's most heavily armed populations, with more than 100,000 people gunned down yearly. Yet increasing crime is made a reason to expand the forces and functions of the national security state. Even worse, the scale of secret US operations divulged by the whistle-blowers shows an immense potential for key machineries of state power to be centralized in the hands of a neo-conservative, fascist, and militarist clique.

The NSA spying scandal and previous similar exposés reveal not merely massive violations of US citizens' privacy rights, but other countries' national security as well as their citizens' rights. Surveillance increasingly serves as prelude to actual attacks on people and their rights—especially now that drone technology is employed in both surveillance and actual kill operations. The US has a fast-growing record of civilians killed in drone strikes—a new dimension of its launching interventionist wars, supporting fascist dictatorships, and serving as principal arms supplier in other countries.

A similar trend of rising fascism can also be seen in other developed countries, in emerging economies, as well as in developing countries especially those long ruled by old entrenched autocratic and oligarchic elites supported by the US and its allies.

Rising trend of militarism

There has always been a direct connection between economic downturns and the trend for increased militarism and military spending. Armed conflicts between countries, as well as large-scale domestic violence, have long tended to flare up in times of intense economic and social crises.

More to the point, a number of huge business conglomerates have direct interests in the growth of

defense-related industries. Thus, while the rest of the global economy is in the doldrums, military spending has continued to bloat up.

The whole world's military expenditures in 2012 are estimated to have reached \$1.756 trillion, corresponding to 2.5% of world GDP. A handful of military powers are spending the largest sums. In 2012, for example, the 15 countries with the highest military spending accounted for over 81% of the total. The US is responsible for 39% of the world total; China is a poor second at 9.5%; China, Russia, UK, and Japan combined (the next biggest spenders after US) spent only 21.6%.

The recent years have seen a scaling up of capabilities as well as operations in cyber warfare among the world's military powers, with the US and China engaging in a high-profile battle of psy-war and cyber espionage. The EU and other countries are trying to catch up, if only to strengthen their own defenses vs cyber-attacks. This concern has worsened recently, with the EU openly complaining that it was itself a target of NSA operations as revealed by Snowden.

The U.S. military pivot to East Asia

At present, the US remains as the foremost promoter of militarism. At the same time, the big-power shift of focus to East Asia (in economic terms) is backed by a US strategic military pivot with corresponding adjustments in political and diplomatic policy.

According to a top Chinese expert on Middle East affairs (as cited by Russia Today), there is a consensus among US think-thanks that the Asia pivot intends to protect present US dominance over the shipping lanes from the Indian Ocean to the South China Sea; to “defend the chokepoints” in case they are closed by hostile states; and to prevent other powers (presumably China, to some extent India or even Russia) from becoming a real threat to US dominance.

Despite the U.S. military's downsized budget, it is planning a long-term strategic transfer of forces to Asia-Pacific destinations from 2011 to 2020. These include air power (tactical aircraft, bombers); Army troops and Marines; the bulk of its naval assets; and high-tech weaponry.

This pivot also includes strengthening the US military presence based in Japan (especially its strategic missile force) and supporting Japan versus China in their dispute over the strategic Diaoyu islands. The US already has strategic joint operations with Australia, and is eyeing wider U.S. ship access to Vietnam's Cam Ranh Bay facilities.¹⁶

On the diplomatic front, Washington is also fast-tracking its strengthening of military ties with ASEAN countries, including former enemy Vietnam and former villain Myanmar. It is planning to host its first meeting with ASEAN defense ministers in Hawaii in 2014. It is also pushing for redefined VFAs or basing arrangements with countries such as the Philippines.

China's response

China's response so far has been to forcefully signal that it will oppose the US rebalancing act. It continues its own diplomatic crusade to neutralize ASEAN hostility against its South China Sea claims. At the same time, China appears to be giving a bigger weight to the Middle East as a strategic theater for economic, political, diplomatic, and military competition with the US. It has further stepped up its diplomatic campaign in all global regions, giving special attention to Africa and Latin America, on top of its efforts to lead the G77 bloc in UN processes and debates.

V. Conclusion

This year 2013 has unfolded as an unmistakable prelude to what a Chinese idiomatic phrase refers to as "living in interesting times." A protracted and worldwide economic crisis, repeatedly spiked by bursting financial bubbles, has continued to inflict increasing unemployment, loss of income, multidimensional poverty, resource grabs, and reduced capacity to cope with disasters—with the developing countries and poor and marginalized sectors as the worst-hit victims.

Unable to solve these that they themselves had created or aggravated, the US-led big powers are now shifting to other strategic approaches as shortcut remedies for their own malaise. They want business to go green;

they want key states to go G20; they want everyone to go TPPA if not WTO; they want to make East Asia their new backyard; and they want the whole globe under their boots, under their drones, and under their electronic eyes and ears.

Increasingly, countries and peoples especially of the global South, and grassroots movements especially among the poorest and marginalized sectors, see all these as the actions of a decrepit global monster that eventually has to go. People's rights are under attack. But from North to South, from East to West, more and more are yearning for system change and learning to fight back. ■

ENDNOTES

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Based on a draft paper prepared by **Antonio Tujan Jr.**, Director of IBON International, for the International Conference for Human Rights and Peace in the Philippines, July 19-21, 2013

The Philippines under Aquino: A dangerous place for women



AS THE AQUINO government pursue a policy direction that largely favors the interests of foreign and local big businesses, local women's groups contend that the Philippines has become even more dangerous for women. Photo credit: Pinoy Weekly

The recently released United Nations Report on the Global Thematic Consultation on Addressing Inequalities recognizes that gender-based violence, taking many forms, is a “major element of the massive and continuing failure of human rights.” As it is, various forms of discriminatory practices and biases remain prevalent in Philippine society today and Filipino women, especially those coming from the toiling masses continue to suffer from harassment or abuse on a daily basis.

According to Gabriela, a Philippine-based alliance of women's organizations, the Philippines has become even more dangerous for women, especially as the Aquino administration continues to pursue a policy direction that largely favors the interests of foreign and local big businesses at the expense of poor Filipinos whose rights are constantly violated.

In a statement released in commemoration of the International Women's Day last March 8, Gabriela criticized the Aquino administration for being the primary violator of women's rights, saying “the US-Aquino regime is responsible for the wretched situation of Filipino women, for the plunder and destruction of our economy and natural resources and the massive attack on women's economic and political rights and welfare. We deplore the poverty and the violence that we are being subjected to.”

Rape of sovereignty and patrimony

During the morning of March 8, Gabriela led more than a thousand women in a march to the US Embassy to condemn the rape of the country's sovereignty and patrimony by “US imperialism.”

They particularly demanded for the scrapping of the Visiting Forces Agreement and Mutual Defense Treaty. “Filipino women maintain that Aquino and Obama have agreed to maximize the MDT and VFA to turn our motherland into a virtual military base, prostitution den, and dumping ground for toxic wastes of the United States in violation of all our laws,” Gabriela Secretary-General Joms Salvador said.

The group also assailed the arrival of the USS Blue Ridge, the flagship vessel of the US 7th Fleet, which sailed in from Japan for a four-day visit with 1,100 officers and sailors.

“Women are leery of the sailors’ announced goodwill missions in communities and schools because these soldiers will most likely leave a trail of prostituted women and children. After leaving port, what secret missions in our waters will they be up to or what mishaps will they inflict this time?” said Salvador, citing the case of the USS Guardian, which docked in Subic Bay last January for refueling and “rest and recreation” activities, and eventually destroyed a large part of the Tubbataha Reef in Palawan.

Salvador slammed Aquino for not holding the US accountable for the destruction of the UNESCO-declared national heritage and chided the offer of the US to pay for the damaged corals. “Offering a measly compensation for the destruction of Tubbataha is not at all different from rapists offering payment to their victims to avoid their day in court,” Salvador explained.

The groups also criticized policies such as the Philippine Mining Act of 1995 which makes the country’s resources more vulnerable to foreign exploitation.

Citing so-called ‘development projects’ being implemented by the government and multinational companies, Kakay Tolentino, secretary general of Katribu Partylist said, these projects, far from providing sustainable livelihood opportunities to indigenous communities, actually result to death and destruction.

“Projects such as the Laiban Dam, Sta. Clara Dam, San Roque dam, mining in the Cordilleras, in Palawan and in Mindanao have displaced indigenous peoples from their ancestral lands and have violated their right

to self-determination. The Aquino administration, on the other hand, in spite of its so-called ‘righteous path’, has turned its back on the Filipino people and has sold Philippine lands for imperialist plunder,” Tolentino said in the protest action. She added that indigenous peoples have been killed protecting and fighting for their land.

“We have done everything to protect and defend our land. We renounce you Noynoy, for being the number one puppet of the imperialists!” Tolentino said.

Chairman of Gabriela and Gabriela Women’s Partylist Rep. Emmie De Jesus said the devastation on the lives of peoples in Mindanao caused by typhoon Pablo also revealed the plunder of the country’s natural resources. “The destruction that was brought about by massive mining and logging in Mindanao has made women and their children suffer from dire hunger,” De Jesus said adding that the organized retrieval of goods in the office of Department of Social Welfare and Development in Davao City was the result of appalling hunger experienced by the typhoon victims.

‘Aquino’s record in upholding women’s rights is condemnable’

“Under President Aquino, the Philippines continues to be a very dangerous place for women, men and children, who seek that their basic rights to life, food, shelter and land be recognized. Aquino’s record in upholding women’s rights is condemnable,” said Gabriela Women’s Party Rep. Luz Ilagan.

“Women’s and human rights violations continue with impunity under Aquino. The Aquino government is vicious as it is murderous in its attack against women’s and people’s rights,” said Ilagan, adding that there have been 18 women and four minors killed while there are 33 political prisoners languishing in jails under Aquino’s administration.

Cases of rape perpetrated by men in uniform such as the police, military or CAFGUs are also increasing. “These are men who supposedly protect the people. But they are the ones who violate women,” said Ilagan.

Data from the Center for Women’s Resources (CWR) shows that in 2012, there have been 12 documented cases of rape perpetrated by men from the ranks of the

Seven years of searching, fighting: Mothers of abducted UP students continue quest for justice

By Ronalyn V. Olea

Standing side by side at the foot of Chino Roces (formerly Mendiola) bridge, Mrs. Concepcion Empeño and Mrs. Erlinda Cadapan did not know each other seven years ago. Their paths crossed when they began searching for their daughters, Karen and Sherlyn.

Both women were not activists before their daughters were forcibly taken by soldiers last June 26, 2006. Mrs. Empeño is a principal of an elementary school in Masinloc, Zambales while Mrs. Cadapan said she was a simple mother looking after her children.

Their search has changed their very own lives. It helped them to understand the human rights situation in the country and the cause fought for by their daughters. They have become active members of Families of Desaparecidos for Justice.

Now senior citizens, the two mothers religiously attend court hearings. Mrs. Empeño travels all the way from Masinloc, Zambales and Mrs. Cadapan from Los Baños, Laguna.

“We have gone to the courts. We have followed the government’s slow judicial process and still, we have not found our daughters,” Mrs. Cadapan said during

the rally marking the International Day in Support of Victims of Torture.

After seven years, both mothers are holding on.

Mrs. Cadapan has this message for daughter Sherlyn: “Magpakatatag kayo. Kaming nagmamahal sa inyo, mga magulang, kapatid at mga kaibigan ay di titigil sa paghahanap sa inyo at sa hustisya na maparusahan ang may salarin.” (Be strong. We who love you – your parents, sibling and friends – will not stop searching for you, pursue justice and ensure that the perpetrators are punished).

Mrs. Empeño, meanwhile, vowed to celebrate Karen’s birthday on July 22 in the streets, coinciding with the President’s State of the Nation Address (SONA). “Sasama ako bilang simbolo ng pakikibaka. Yan ang alay ko sa iyong kaarawan. We love you so much . Pakatandaan mo yan,” Mrs. Empeño said. (I will attend the rally as a symbol of our struggle. It’s my gift to you. We love you so much, always remember that.)

“For the past six years, I have not missed one SONA rally,” Mrs. Empeño told Bulatlat.com.

The mothers, untiring as their love, would persevere. ■

This is an abridged version of an article that was originally published in Bulatlat.com, “Seven years of searching, fighting”, Bulatlat.com, June 26, 2013, HYPERLINK: <http://bulatlat.com/main/2013/06/26/seven-years-of-searching-fighting/#sthash.dgqfQUNi.dpuf>.

police, military or CAFGU, including the rape of two teenagers in Mankayan, Benguet in February 2012. Perpetrators of these crimes are rarely caught and punished.

Ilagan stressed that state brutality is the worst form of violence that women face, and decried the Aquino government’s deafening silence on the killings and other rights violations against women human rights defenders,

and his apathy towards the standing warrant of arrest for notorious General Jovito Palparan, the continuing disappearance of UP students Karen Empeño and Sherlyn Cadapan, the massacre of anti-mining activist Juvy Capion and her two sons in Tampakan, South Cotabato, the killing of Barug Katawhan leader Cristina Jose last March 4 and the violent dispersal and arrest of Gabriela protesters last March 7.

Economic, social rights in jeopardy

Women also slammed the World Bank's claim that the Philippines is now a rising tiger of Asia. "It is enraging to hear such claims when there are many more and an even increasing number of women and their children who still suffer from hunger," De Jesus said.

Nenita Gonzaga of Kilusang Mayo Uno said, "What rising tiger are they saying? Utilities such as electricity remain to be expensive; Aquino has even let these corporations extract more money from us by letting Meralco charge the people bill deposits, systems losses, among others. It is clear that under Aquino, they make profits out of supposed services to the people." Gonzaga also emphasized that the low wages of workers do not allow them to cope with the continuing price hikes of basic commodities.

The Center for Women's Resources also criticized the Aquino administration's conditional cash transfer program, otherwise known as Pantawid Pamilyang Pilipino Program (4Ps), as a "disempowering" measure that fails to address the structural roots of poverty, illiteracy and hunger.

A study done by the CWR reveals that while the program successfully reached out to indigent families, it remains a palliative—it did not create jobs or livelihood opportunities for its beneficiaries. A large majority or 59% of the study's respondents report to having no income at all. At best, the 4Ps program has given them money that is being used for the family's everyday needs. Most or 37.7% of the respondents said that they spent the money for food while 16% allotted the cash for health and only 10% for educational needs.

Eighty-one percent (81%) of the women respondents believe that the long-lasting solution to their impoverished condition is to have a stable job or

livelihood, free education for their children, and free medicines for indigents.

"The program is a dole out—plain and simple. The families go through the motions of medical check-ups at the health center and get certifications from the school just to fulfill the requirements of the program, not so much because they believe that going for a check-up or getting education should be a regular family activity. Once the program is stopped, chances are beneficiaries would again stop visiting health centers and stop sending their children to school in order to help in providing income to the impoverished family," says Cham Perez, CWR senior researcher.

"Women are deprived of health services, basic utilities, livable salaries and gainful jobs and their rights are continuously being violated. "

Meanwhile, Dr. Genevieve Rivera, secretary general of Health Alliance for Democracy (HEAD) said that under Aquino, the number of poor women and children dying from common illnesses is likely to increase, given the government's thrust to privatize State hospitals.

"The old adage '*Bawal magkasakit*' (Falling ill is prohibited) is now becoming a reality. Aquino is abdicating his responsibility to provide affordable healthcare to the people as he let government hospitals be sold to private investors," Rivera said.

Women from different sectors denounced Aquino for neglecting women's rights. "Women are deprived of health services, basic utilities, livable salaries and gainful jobs and their rights are continuously being violated. These are forms of violence being inflicted on women that leave no physical mark," said Salvador.

"President Aquino's culpability in the worsening human rights situation in the Philippines is undeniable and we hold him responsible for the killings, tortures and arrests, as well as his government's denial of basic human rights to food, shelter and healthcare in the country," Ilagan concluded. ■

This article is drawn from the following features previously posted in *Bulatlat.com* and the Center for Women's Resources website: "Philippines under Aquino, 'dangerous place for women' - Gabriela", *Bulatlat.com*, March 9, 2013 (<http://bulatlat.com/main/2013/03/09/philippines-under-aquino-%E2%80%99dangerous-place-for-women%E2%80%99-%E2%80%93-gabriela/>) and "4Ps: Disempowering women", Center for Women's Resources (<http://cwrweb.org/node/348>).

Labor under siege:

Overview of trade union repression and struggle in the Philippines



MANNING the protest picket are Pentagon steel workers who have been protesting against inhumane working conditions and non-existent benefits in Apolonio Samson, Quezon City. Photo credit: Bulatlat.com

Marivic Aldezin, mother of three, turned 29 last June 23. But instead of celebrating with her family, she spent her birthday, like most other days, at the Pentagon Steel workers' picket line at Apolonio Samson village in Quezon City where her husband, a former factory worker at Pentagon, joined his colleagues in protest of the company's alleged lockout that left approximately 150 workers—including machine operators, maintenance staff, welders, carpenters, drivers and delivery men—jobless. Prior to their dismissal, Pentagon workers were already protesting against the low wages, inhumane working conditions and almost non-existent benefits provided by the factory. With her husband currently unemployed, Marivic fears for her family's future.

Marivic's plight is not uncommon, as attacks to worker's rights to job security and tenure worsened dramatically in Aquino's third year as President. During the first nine months of 2012 alone, there were 19,162 workers displaced in establishments reported to have retrenched workers or completely ceased operations due to economic reasons, while the annual average number of unemployed rose to 2.833 million the same year. Youth unemployment is also high at 15.4%, higher than 2011's 14% and more than twice the national average.

The Kilusang Mayo Uno (KMU), an alliance of Philippine trade unions espousing genuine, militant and nationalist unionism, considers these figures an apparent violation of workers' socioeconomic rights to employment, as well as a direct attack on the trade union movement itself, as decreasing numbers of workers ultimately result to a decline in trade union density.

The government's ongoing deregulation and flexibilization of the labor market has served to weaken the labor movement, as unions, especially progressive ones, have been reduced significantly. Workers who attempt to form unions to demand for better wages and working conditions are immediately repressed and retrenched. Meanwhile, Labor Sec. Rosalinda Baldoz signed Department Order 18-A Series of 2011, which effectively legalized contractual employment.

KMU also criticized Aquino for taking advantage of chronic unemployment to try to blackmail workers into accepting starvation wages, contractual employment, and violations of trade union rights.

It is still Martial Law

According to KMU, Aquino has also maintained regulations that make it more difficult for workers to organize, and has retained the Labor Secretary's power to assume jurisdiction over any labor dispute.

KMU Chairperson Elmer Labog said that the continuing enforcement of assumption of jurisdiction orders served to justify state violence in breaking up legitimate strikes. He noted that it was an assumption of jurisdiction order that served as a "license to kill" by state forces that resulted in the Hacienda Luisita massacre in 2004. Today, he said, the government is "still using violence to force us to swallow low wages."

Apart from the assumption of jurisdiction, the criminalization of labor disputes also remains rampant in the country, as simple labor disagreements often spawn several criminal cases filed against protesting workers, despite an existing Letter of Instruction prohibiting prosecutors from filing criminal cases in labor disputes without prior clearance from the Labor Secretary. Lacking in resources to face these criminal complaints, workers usually have no choice but to give in to the demands of the management.

"It's still Martial Law in the country as far as forming unions and holding strikes are concerned. The legal means for suppressing workers' rights to self-organization and to strike are still in place," Labog said.

'Wages meager as always'

Filipino workers have been shot and killed while demanding for just wages, but up to now, wages are even more meager, local labor leaders said.

Research reveals that while President Aquino gave a Php20 increase in wages in May and a Php10 increase in November in the NCR, the minimum wage of Php456 has been eroded by inflation and its real value is only Php363.64 compared to 2006 prices. Real wage in the NCR has been flattening out.

The minimum wage, the minimal increases notwithstanding, is far from what is needed by a family of six in the NCR to live decently. According to IBON estimates, a family of six in the NCR needed Php1,033 every day to have decent shelter, food, clothing, and a small amount of savings and money for leisure. But the Php456 minimum wage only comprises 44% of decent living costs, and a family would still need an additional Php577 to cover decent standards.

Instead of granting a truly substantial wage increase, however, President Aquino is implementing a wage system that removes government hand in implementing minimum wages and places the power on capitalists to determine how much workers are entitled to receive. The two-tier wage system mandates a floor wage which is lower than the already low minimum wages to be set by the regional wage boards and allows corporate management to determine the "productivity allowance" that workers may receive based on an "agreement" of the management and the employees.

The KMU criticized the two-tier wage system (2TWS) as an anti-worker and pro-capitalist measure meant to press down working people's wages.

"With the 2TWS, the Aquino government wants to do away with even the rhetoric of alleviating the situation of workers and providing a living wage. It wants to implement a system for fixing wages that clearly puts a priority on what capitalists are willing to pay their workers," said Labog.

"When rejecting calls for a significant wage hike, Aquino only thinks of wage levels in other countries, not workers' rights to a living wage. He wants Filipino workers' wages to be one of the lowest in the world, causing their living conditions to slide to some of the worst in the world," he added.

Exacerbating the poverty of workers are the increasing prices of basic goods and commodities such as food, electricity, power and transportation rates, while the impending privatization of state institutions such as the Philippine General Hospital are limiting working people's access to social services.

Unions hold porridge party for detained organizers

Last July 1, government employees and colleagues from the Confederation for Unity, Recognition and Advancement of Government Employees (COURAGE) held a 'lugawan' for Randy Vegas and Raul Camposano, collectively known as COURAGE 2, to call for their immediate and unconditional release.

"This lugawan is in solidarity with our two fellow organizers and union rights defenders. On July 3, it will be exactly seven months since they were arrested for crimes they did not commit," Ferdinand Gaité, national president of Courage, said.

Vegas and Camposano were arrested in Quezon City and in Cavite, respectively and were detained in Daet, Camarines Norte, about 342 kilometers away from Manila. The two are facing "trumped up" charges of murder, frustrated murder and theft for their alleged participation in a New People's Army ambush on April 25, 2013 in Labo, Camarines Norte. Colleagues and their families were also later on informed that both Vegas and Camposano are facing charges of murder and frustrated murder also in connection with another NPA encounter on April 29, 2013.

Government workers believe that these charges were filed to "disrupt their activities, sow terror among their peers and paralyze them to inaction."

Both were working closely with the workers' union of the Metro Manila Development Authority. Camposano, in fact, was last seen by fellow Courage

members when he joined employees of MMDA in their protest action on Dec. 3, 2012, where they managed to block the northbound lane of EDSA.

"Every single day of their detention is an injustice," Gaité said.

Last June 3, 2013, COURAGE filed a petition before the Supreme Court to help fast track the proceedings of the case.

During the lugawan, workers of the MMDA said they are continuing their fight that Vegas and Camposano helped them with. Their efforts, they said, would not be put in vain.

"If it wasn't for us, maybe they would not have been abducted," Benny Angeles, a worker of MMDA, said, "We attended the first hearing. There were 14 of us there and we held a picket protest."

Shortly after Vegas and Camposano's arrest, the MMDA suspended the leaders of the union Kapisanan para sa Kagalingan ng mga Kawani ng MMDA for 90 days. But, the Civil Service Commission ruled that their suspension was illegal and that they should be compensated for the days they did not go to work. Leaders returned to work last April 18.

Angeles said that since the MMDA administration is not listening to their demands, they are now conducting bus-to-bus campaigns to inform commuters what they are going through. ■

This is an abridged version of an article that was originally posted in [Bulatlat.com](http://bulatlat.com) last July 1, 2013, available at <http://bulatlat.com/main/2013/07/01/government-employees-hold-lugawan-for-imprisoned-colleagues/#sthash.QkQCbheZ.dpuf>.

All major rights violated

Apart from consistently rejecting workers' calls for a significant wage hike, the junking of contractual employment and a stop to trade union repression, the Aquino administration has launched an intensified attack on the labor movement by filing dubious cases against trade union leaders and organizers. Cases of illegal detention and enforced disappearances among trade unionists also continued unabated.

Most notable are the cases filed against union leaders Amelita Gamara and Roy Velez, who, without proof, were accused by the military as leaders of the New People's Army. Last December, two government employee organizers, Randy Vegas and Raul Camposano, were also abducted, tortured and subsequently jailed despite the lack of evidence in cases filed against them.

According to KARAPATAN Chairperson Marie Hilao-Enriquez, the killings, arbitrary arrests and various other human rights violations committed under the Aquino administration are primarily the result of the government's "anti-people economic policies."

"Rights violations are in the context of Aquino's anti-people economic policies like the Public-Private Partnership. The Aquino government offers the poor Filipino people's lives in a silver platter to private and foreign companies which, apart from enjoying tax

holidays, are raking in super profits by jacking up prices of basic commodities, transportation fare, medical and educational services," Enriquez said.

For KMU, the Aquino administration remains as the number one violator of workers' rights.

"the Aquino administration has launched an intensified attack on the labor movement by filing dubious cases against trade union leaders and organizers"

"Aquino has violated all the major rights of the country's workers, including the right to a living wage, to security of tenure, to self-organization and to strike—all guaranteed by the 1987 Constitution. He has been a loyal servant of big foreign and local capitalists who show no concern for workers' rights in their pursuit of bigger profits," Labog said.

A continuing struggle

Amidst the continuing attacks on the trade union movement, labor leaders vowed to continue the struggle for just wages and benefits, security of tenure and the right to organize, strike and collectively bargain.

According to KMU, Aquino's callous insensitivity towards the long-standing hunger and poverty being experienced by the country's workers only serves to ignite more protests against the anti-worker and pro-capitalist regime.

"We vow to launch bigger protests in the coming weeks and months in order to push forward our just demands for our wages, job security and trade union rights," KMU said. ■

This article was drawn from the following features previously published in the **Kilusang Mayo Uno website**, and **Bulatlat.com**: "Trade union repression worsened 8 years after Luisita massacre" (<http://bulatlat.com/main/2012/11/17/trade-union-repression-even-worsened-8-years-after-luisita-massacre-%E2%80%93progressive-labor/#sthash.B4a0CIXT.dpuf>), "We condemn the rabidly anti-worker and pro-capitalist Aquino regime!" (<http://www.kilusangmayouno.org/news/2013/05/we-condemn-rabidly-anti-worker-and-pro-capitalist-aquino-regime/>) and "Pentagon Steel workers fight for their right to their jobs" (<http://bulatlat.com/main/2013/06/23/pentagon-steel-workers-fight-for-their-right-to-their-jobs/#sthash.2WLHR7il.dpuf>).

The Philippine Cybercrime Law and its Impact on Human Rights



GAGGED. To illustrate the anticipated impact of the Cybercrime Law to freedom of speech online, a protester wears a gag covering the mouth. Photo Credit: Keith Bacongco via

On September 12, 2012, Republic Act No. 10175 or otherwise known as the Cybercrime Prevention Act of 2012 was enacted into law by President Aquino himself. The said statute includes a number of controversial provisions that could infringe the peoples right to freedom of expression and privacy.

Perhaps the most controversial part of the cybercrime prevention act is the inclusion of the online libel clause that can be construed as a direct attack on the peoples right to free speech. The implications of this clause can put anybody, computer-savvy or not, in trouble of getting into jail.

Aside from the section on libel, the new law has a provision that grants new powers to the Department of Justice (DOJ), which on its own and without a warrant, can easily take down any website it finds violating the law. It also authorizes police to collect computer data in real time without a court order or warrant.

The use of criminal defamation laws has a chilling effect on the speech of others, particularly those involved with similar issues. When citizens face prison time for complaining about official performance, corruption, or abusive business practices, other people take notice and are less likely to draw attention to such problems themselves, undermining effective governance and civil society.

Threats to free speech

Libel is a content-related criminal offense and is defined in article 353 of the Revised Penal Code (RPC) as the “public imputation and malicious imputation of a crime, or of a vice or defect, real or imaginary, or any act, omission, condition, status or circumstances tending to cause the dishonor, discredit, or contempt of a natural or juridical person, or to blacken the memory of one who is dead.”

Article 355 further states that libelous offense can be committed “by means of writing, printing, lithography, engraving, radio, phonograph, painting, theatrical exhibition, cinematographic exhibition, or any similar means.”

Prior to the enactment of the cybercrime legislature, it was unclear whether the phrase “or any similar means” included the computer and the Internet as eligible forms of communication that could qualify for a libel case or not. Nonetheless, the Philippine government saw it fit to legislate a new law that will clarify this truce and will cover the domain of internet media as a potential avenue for libelous content.

However, free-wheeling bloggers and social media users criticized the law and questioned its constitutionality as it is a clear violation of the people’s right to freedom of expression and privacy.

Cyber Martial Law

Fifteen petitions were filed against the law last year, hence forcing the high court to issue a 120-day Temporary Restraining Order (TRO) on the day of its implementation. The TRO lapsed on February 6 and is currently being grilled to amend various portions of the legislation.

Arguing that the anti-cybercrime legislation will curtail freedom of expression and is equivalent to “Cyber Martial Law,” critics have stepped up both online and offline actions for the junking of the law. Hackers also vandalized several government websites as a sign of protest against the Cybercrime Law.

Protesters say that the Cybercrime Prevention Act significantly raises the penalty for libel committed online and provides the government overwhelming and

Internet Freedom Law

A milestone in Philippine legislative history involved the crafting of a *Magna Carta for Philippine Internet Freedom* or otherwise known as the Internet Freedom draft bill through crowdsourcing. This is proposed by netizens as an alternative to the Anti-Cybercrime Law.

Youth legislator Raymond Palatino also filed an Internet Freedom Bill in the Lower House last October 2012. The bill was drafted through public consultations with Filipino netizens, IT experts, and legal pundits held at the UP College of Law last year.

Palatino filed House Bill No. 6613 in the Lower House in October last year with Bayan Muna Rep. Teddy Casino as co-author.

“If we analyze the Cybercrime Law, it is apparent that it restricts rather than protect netizens. Apart from repealing RA 10175, we intend to lay down the inalienable rights of Filipino Internet users through this bill,” Palatino said.

The declaration of policy of the draft bill entitled “Internet Freedom Act of 2012” states that “it is the policy of the state to uphold the people’s right to freedom of speech, of expression, and of the press through all types of media. The state recognizes Internet access as a human right and thereby promotes the access to the Internet and keeps the Internet free from censorship, while providing ample regulatory control.”

“Sharing information and communicating freely on the Internet is vital to the realization of other human rights,” Palatino said.

Last July, the United Nations Human Rights Council unanimously approved a resolution that added Internet access and online freedom of expression to the list of basic human rights. The Internet Freedom Act lays down several rights of netizens, including universal access to the Internet, right to privacy, and the right to quality access, among others. ■

E-VAW

Meanwhile, two women legislators of the women's party GABRIELA proposed amendments to the Anti-Violence Against Women and Children (VAWC) Law to include E-VAW or VAW using information and communications technology.

This is in response to those who justify the cybercrime law as necessary to protect the women and children against online prostitution, pornography, and other forms of violence in the internet.

“Kontra pa nga sa kababaihan ang Cybercrime Law na ginagamit ang maling depinisyon ng prostitusyon sa Revised Penal Code. Tinatrato nito ang prostituted women bilang mga kriminal, at hindi bilang mga biktima ng kahirapan at iba pang inhustisyang panlipunan (The Cybercrime Law is even against women by using a wrong definition of prostitution in the Revised Penal Code. This treats prostituted women as criminals and not as victims of poverty and other social injustices),” said GABRIELA Rep. Emmi de Jesus. ■

unchecked powers to clamp down government critics and conduct online surveillance, as in the case of a 62-year old mining activist who was arrested for a ‘libelous’ Facebook post last November 2012.

Online and Offline Protests

Various groups, including journalists, bloggers, lawyers and activists have cited violations of privacy and the freedom of expression among others.

Members of the #NotoCyberCrimeLaw coalition held a meeting at the College of Education, University of the Philippines in Diliman last January 10 and vowed to hold various forms of protest, both online and offline until the high court agrees to junk the law.

Most of the conveners of the coalition are petitioners to the case. Anthony Ian Cruz of the Bloggers and Netizens for Democracy declared a Black Friday campaign last

January that encouraged Facebook and Twitter users to turn their profile pictures to black.

Cruz deemed that the TRO issued by the SC in October was a victory of the Filipino people and called on netizens to unite once again to exert pressure on the Supreme Court.

“Let us show this government that we are not easily fooled and that we do not easily forget,” Cruz said in Filipino during the said meeting.

Youth leaders from Kabataan party list, Anakbayan and College Editors Guild of the Philippines (CEGP) also held a protest vigil last January 14. In an interview with bulatlat.com, National Artist for Literature Bienvenido Lumbera said “Filipinos must unite to assert our right to privacy.” Lumbera said the proponents of the law must get a clear indication that Filipinos are opposed to the Cybercrime Prevention Act of 2012.

Lumbera further called on fellow artists to fight for freedom of expression, adding that the Internet is one of the venues through which artists and writers get wider audience. He encouraged artists to be more creative in portraying the people's opposition to Cybercrime Law.

Meanwhile, Kabataan Representative Raymond Palatino told the members of the #NotoCybercrimeLaw that the Congress failed to tackle the bills seeking to amend RA 10175.

“There has been a missed opportunity to repeal the controversial provisions. The bills were not even subjected to a committee deliberation,” Palatino lamented. Palatino, also an active blogger, said Filipinos must enjoin netizens from all over the world to support the campaign of Filipinos against the Cybercrime Law.

Hampering Progress

Human Rights Watch called on the Philippine government to repeal its existing criminal libel law. However, the Aquino administration has shown little inclination to decriminalize libel altogether.

**The Philippine Cybercrime...
(continued on p. 27)**

The human rights situation of indigenous peoples in the Philippines

By Task Force Indigenous Peoples (TFIP)



LUMADS from Mindanao bring in front of the DENR images of Filipinos killed by state forces to pave way for large-scale mining operations.

Photo Credit: Bulatlat.com

The Philippines is rich in biodiversity and is a culturally diverse nation. Of its 76.5 million population (2000 census), about 14-17 million or 18 % of the population are indigenous peoples who belong to nearly 110 ethno-linguistic groups. The indigenous peoples are mainly concentrated in Northern Luzon (Cordillera Administrative Region, Cagayan Valley (Region 2), Central and Southern Luzon Bicol and Palawan areas, and in Mindanao and Visayas. Most of the indigenous peoples are located in Mindanao (61%) and in the Cordillera Autonomous Region (33 %).

Despite the existence of millions of indigenous peoples in the country, their rights remain unrecognized and their cultural and ancestral claims are left in vain. The non-recognition of indigenous people's rights to ancestral lands and self-determination remain dismal as cases of large-scale land acquisitions by big mining corporations and the blatant disregard of the people's civil and political rights persist to this day.

Having resisted Spanish, American and Japanese colonization, indigenous peoples of the Philippines have generally maintained their indigenous belief systems, worldviews and ways of life while the Filipino majority was assimilated into the socio-cultural, economic and political system instituted by the colonizers. Until now, many indigenous peoples still occupy their ancestral domains throughout the archipelago, observing customary laws and ways of life that are in varying degrees of persistence and disintegration.

Legally, the 1987 Constitution marked a departure from the state's historical attitude towards indigenous peoples - from attempting to integrate and assimilate them to one of 'recognition' of their rights, including ancestral domain rights and their traditional indigenous institutions and practices. Furthermore, it called for legislation providing for the applicability of their customary laws.¹ The Indigenous Peoples Rights Act (IPRA) was enacted in 1997 purportedly to give effect to this recognition.

Assault against IP leaders

Last October 18, 2012, a Blaan mother and her two children were massacred in the village of Datal-Ayang, Tampakan, South Cotabato. Juvy Capion, 27 years old and two months pregnant, her two children, Pop, 13, and John, 18, were killed by elements of the 27th infantry battalion of the Philippine Army (IBPA) in the alleged 'gunfight.' Her daughter Becky, 5, was wounded. The children sustained fatal gunshot wounds in the body and head. The soldiers dragged their bodies outside their hut, and left them exposed for eight hours before they allowed Capion's relatives to claim their bodies.

Juvy Capion was a leader of KALGAD, an organization of the Blaan indigenous peoples staunchly resisting the operations of Xstrata Copper-Sagittarius Mines, Incorporated (SMI). The Xstrata Copper-SMI acquired a Financial and Technical Assistance Agreement with the Philippine government and, is the biggest mining investor in the country. The Tampakan project would displace around 30,000 Blaan people.

The massacre of the Capion family raised the number of victims of extrajudicial killings among indigenous peoples (IPs) in the Philippines to 30 under the two and a half year old Aquino Administration.

The deaths of Juvy, Pop and John Capion mark an alarming trend in the increase and frequency of the killings among IPs. In 2010, when President Aquino assumed presidency, four IPs became victims of extrajudicial killings, 15 in 2011, and as to this writing, 11 victims since January 2011. ■

However, indigenous peoples remain as one of the poorest, underrepresented and marginalized sectors in the country. The human development indices for the Philippines are the lowest in those regions and provinces where there are dominant or large populations of indigenous peoples.²

There have been a growing number of forced evacuations of communities, and of torture, extrajudicial killings and other human rights violations committed against indigenous peoples. In this spate of violations, the Aquino government remains repugnant in upholding legally binding agreements that protect the rights of indigenous peoples in the country.

In the past thirty-five months under the administration of President Aquino, KAMP has documented 30 slays of indigenous peoples, which include five indigenous children, mostly of leaders and members of organizations resisting various development projects and businesses encroaching on the people's ancestral territories. State forces, state-sanctioned paramilitary units, and mercenaries perpetrated the killings.

Indigenous women experience additional levels of discrimination and marginalization. Their role in agricultural production is significant, but not fully appreciated. They take on additional responsibilities as managers of the home and as mothers in the family. They perform important tasks in health and education in the community, especially in the transmission of indigenous knowledge to the younger generation. However, they are often marginalized in political and social affairs in the community and lack opportunities for meaningful participation in wider activities.

The IPRA requires that the Government adopt measures to uphold Indigenous peoples' rights in the areas of economic, political and social rights. In practice these measures are not taken seriously. A 2003 study by the ILO and the NCIP found that only three government agencies had projects specifically targeted at indigenous peoples. A similar finding emerged from a 2007 study suggesting that of the 99 projects purportedly designated for indigenous peoples, conducted by various Government agencies, only 8% were in practice specifically targeted at indigenous peoples.³

Socio-political and economic conditions of Indigenous Peoples in the Philippines

Social services are in general under-funded in the Philippines as a result of inadequate budgetary provision. The 2008 budget shows that regions with highest concentrations of indigenous peoples get the least budgetary allocations from the national

IP-EJK under NOYNOY AQUINO (provinces/places of incident)

| Luzon | Visayas | Mindanao |
|--------------|----------------|---------------------|
| Cagayan | Capiz | Davao Oriental |
| Rizal | Aklan | Compostela Province |
| Palawan | | Davao del Sur |
| | | Bukidnon |
| | | Agusan del Sur |
| | | Zamboanga del Norte |
| | | Sultan Kudarat |
| | | South Cotabato |
| | | North Cotabato |
| | | Valencia City |
| | | Misamis Oriental |

KAMP consolidated data: As of June 2013

Killings and Harassment to IP advocates

| Killings | Province |
|--------------------------------------|-----------------|
| Fr. Fausto “Pops” Tentorio, PIME | North Cotabato |
| Bro. Wilhelm Geertman | Aurora |
| Harassment/Trumped-up charges | |
| Agnes Mesina | Cagayan Valley |

KAMP consolidated data: As of June 2013

government (CAR – 1.22%; CARAGA – 1.38%, Region IX – 1.58%). As a result of this, social service provision in indigenous territories is far below that of the rest of the country. As noted in the government report, “In a rapid field assessment conducted by the UNICEF-Philippines together with the National Commission for Indigenous Peoples (NCIP) on the situation of IP children, youth and women in 17 provinces nationwide, it was found out that basic services do not normally reach the IP communities since they lack representation in governance, specifically at the local legislative councils and other policymaking bodies where they can represent the needs, problems, and aspirations of IPs/ICCs. This right to equitable representation in governance has been neglected despite the provisions in the Local Government Code of 1991 and the Indigenous Peoples Rights Act (IPRA) of 1997 addressing this concern.”⁴

The grossly inadequate funding of the local government units (LGUs) in areas populated by indigenous peoples is compounded by the fact that many of these areas tend to be remote with low population densities which

require special measures to address the physical access and cultural appropriateness aspects of service delivery. There is also a lack of adequate interface with and respect for traditional institutions by LGUs. Illustrative of this is that while there is the requirement for Indigenous Peoples’ Ancestral Domain Sustainable Development and Protection Plans (IPADSDP) to be incorporated into local government plans, this is not happening at present.

Specific Problems to be Addressed

Indigenous peoples increasingly face immense threats that impinge on their food security, ancestral lands and cultural identity. The incursions of agricultural liberalization, development aggression and militarization into ancestral domains have exacerbated inequality, poverty and food insecurity among indigenous peoples. Such violations of indigenous peoples’ rights are manifested in the following problems:⁵

- Displacement of indigenous communities from their ancestral lands;

| IP-EJK under Noynoy Aquino (names) | | | |
|---|-------------------------|-----------------------|------------------------|
| 2010 | 2011 | 2012 | 2013 |
| Benita San Jose | Rodel Aug | Juvy Capion | Cristina Morales Jose |
| Demilita Lagro | Rabenio Sungit | John Capion | Dexter Condez |
| Edward Navarte | Tano Palacay | Jorge Capion | |
| | Dioquino Scuadro | DatuErning Mantugohan | |
| | Datu Arpe Belayong, | Gilbert Paborada | |
| | Solte San-ogan | Ronald Malley | |
| | Nicomedes dela Pena Jr. | Andy Datuwata | |
| | Nicomedes dela Pena Sr. | Genesis Ambason | |
| | Ruben Gatong | Jordan Manda | |
| | Itik Awisan | Totong Mabinsi | |
| | Bai Florita Caya | Rodilyn Aguirre | |
| | Rudy Dejos | Datu Jimmy Liguyon | |
| | Rudyrick Dejos | Abundio Mantugohan | |
| | Edgardo Mambokon | | |
| | Zaldy Calibay | | |
| | Julito Rosal | | |
| | Jimmy Arion | | |
| TOTAL: 3 | 17 | 12 | 2 |
| | | | GRAND TOTAL: 35 |

KAMP consolidated data: As of June 2013

- Depletion of biodiversity
- Erosion and extinction IKS and ISPIs that guide indigenous peoples in the sustainable management and use of their resources;
- Livelihood insecurity: chronic indebtedness due to usurious lending; seasonal migration to urban centers to engage in daily wage labor and even mendicancy; livelihood failures resulting to biodiversity loss; and as an extreme measure, permanent out-migration associated with livelihood failure and persistent armed conflict over their ancestral domain.

The former UN Special Rapporteur on the Fundamental Freedoms and Human Rights of Indigenous Peoples, Professor Rodolfo Stavenhagen, following his country visit to the Philippines, noted the impacts of externally imposed development activities such as logging, mining and plantations on indigenous communities had at times been ‘catastrophic’ as a result of environmental

damage and human rights violations.⁶ He explained that as a result ‘many communities resist being forced or pressured into development projects that destroy their traditional economy, community structures and cultural values, a process aptly described as “development aggression”’.⁷

A 2008 nationwide study involving the majority of the Certificate of Ancestral Domain Title (CADT) holders found that over 70% of the mining and logging operations on their lands were being conducted without their free and prior informed consent (FPIC). In those cases where an FPIC process had been conducted it was found that in the majority of communities ‘not all the proper procedures were undertaken to ensure a fair and unbiased outcome’.⁸

Moreover, military presence in indigenous territories with mining and logging operations and plantations is accompanied by complaints of violence, displacement, intimidation and even killings.

Different forms of Political Repression/Human Rights Violations

| Enforced Disappearance and Abduction | Frustrated Killings | Arrest and Detention | SLAPPS/Trumped Up Charges | Threat, Harassment, and Intimidation |
|---|---|--|--|---|
| James Moy Balao (enforced disappearance) Julia Manlus-ag (abduction) | Cirilo Mamintas Cuenca Gaudencio Edias Timuay Lucenio Manda | Eddie Cruz Romy Abaya Anelfa Gimelo (bailed) Ernesto Bubod (bailed) | Datu Jalandoni Campos Genasque Enriquez 36 MAPASU leaders and members in Surigao del Sur 100+ community members in Mankayan, Benguet 12 Kired leaders in Kasibu, Nueva Vizcaya | Jude Baggao William Bugatti Mildred Salang-ey Willy Luan Grayson Naogsan Muring and Norma Manangka Bai Bibyaon Ligkay Benny Pepino Norma Capuyan Cornelio Umbo Datu Pepit Agay Sitoy Manlus-ag + 4 children Tessie and Jimboy Ombo + 5 children Datu Ariston Liguyon Datu Danilo Mantuguhan Fermin Queron and other IP leaders and community members in Espanola Palawan |

KAMP consolidated data: As of June 2013

Erosion of agrobiodiversity is also a problem faced by indigenous peasant communities. Traditional varieties of root crops and other plants are disappearing, and this is attributed to the incursion of high-yielding varieties (HYV) and the massive deterioration of the natural resource base.

Meanwhile, livelihood insecurity is worsened by chronic indebtedness due to usurious lending; seasonal migration to urban centers to engage in daily wage labor and even mendicancy; livelihood failures resulting to biodiversity loss; and as an extreme measure, permanent out-migration associated with livelihood failure and persistent armed conflict over their ancestral domain.

Moreover, climate change has further exposed the vulnerability of indigenous peoples. It poses grave threats to indigenous peoples rights to food, land and livelihood as manifested during the height of various disasters that recently plagued the country. Extreme weather conditions like typhoons and storm surges cause massive floods and landslides that lead to severe hardship. When calamities like typhoons, floods and droughts strike, they are burdened with keeping the family safe and sound. Conditions are even worse when they are forced to move to evacuation centers during natural and man-made disasters. Indigenous women play an important role on ensuring food security in the

Mass Evacuation of IP Communities under Aquino

| Date of Incident | Area of Incident | Tribe/IP Group | # of affected individuals/ families |
|-----------------------------|--|--------------------|---|
| October 2, 2012 | Sitio Slide, Dao, San Fernando, Bukidnon | Higaonon | A Total of twenty one (29) families; consisting 137 individuals to wit: 49 were adults/ 82 were children, including 4 individuals not married whose parents were still in the community/ Note: Sitoy Manlus-ag wife and four children were abducted/in the custody of Alde Salusad |
| September 19, 2012 | Sitio Malungon, Barangay Calagangan, San Fernando, Bukidnon | Higaonon | |
| September 14, 2012 | Sitio Kiranggol, Barangay Dao, San Fernando, Bukidnon | Higaonon | |
| March 6, 2012-present | Sitio Zapanta Valley to Barangay Bangayan, Kitcharao, Agusan del Norte | Mamanwa | 125 lumad and peasant families with 429 individuals |
| February 28, 2012 - present | Brgy Ferlda, Alegria to Ombong, Alegria, Surigao del Norte | Mamanwa | 76 families with 276 individuals/ 52 families are Lumad-Mamanwas |
| November 2-present, 2011 | Zapanta Valley, Agusan del Norte | Mamanwa | 45 families = 150 individuals) (+73 families/peasant = 224 individuals) |
| October 29-November 5, 2011 | Liang and San Agustin, Surigao del Sur | Manobo | 804 individuals |
| September 1-10, 2011 | Asili and Zapanta, Kitcharao, Agusan del Norte | Mamanwa | 46 families (+ 60 families/peasant) |
| May 25-June 2011 | Zapanta Valley, Kitcharao, Agusan del Norte | Mamanwa + Settlers | 381 individuals |
| June 26, 2011 | Magkahunao and Upper Janipaan in Brgy. Buhisan, San Agustin, Surigao del Sur to Brgy Buhisan and San Agustin Municipal Gym | Manobo | 77 families |
| | Mahaba, Marihatag Municipal Gym, Surigao del Sur | Manobo | 141 families = 553 individuals |
| March 31, 2011 | Brgy. San Isidro, Marihatag, Surigao del Sur | Manobo | 110 families with about 600 men, women and children |
| October 2010 | Matalam, North Cotabato | Manobo | Approx 600 families (3,500 individuals) |
| August 26-2010 | Brgy. Mahaba, Marihatag, Surigao del Sur | Manobo | 1098 individuals |
| June 2010 | Kitcharao and Jabonga, Agusan del Norte | Mamanwa | 75 |

KAMP consolidated data: As of June 2013

family and community and should thus be central to any effort addressing food security.

The food security of indigenous peoples depends on the protection of their valuable knowledge systems and the ancestral land on which they thrive and persist. It is not only satisfied when food is available, adequate, accessible and acceptable to indigenous peoples, but rather when they have access to and control over their land and resources. Ultimately, it is satisfied when their right to their land and self-determination are asserted and defended. ■

ENDNOTES

¹1987 Constitution of the Philippines Article XIV, Section 17

²Human Development Report 2004: 29. It is difficult to accurately estimate this in the Philippines owing to the absence of disaggregated data.

³Initial Assessment of the Extent and Impact of the Implementation of IPRA, 2007, The Legal Assistance Centre for Indigenous Peoples (PANLIPI) p63

⁴NCIP Organizational Performance Indicator Framework National Commission on Indigenous Peoples p13

⁵EED Philippine Partners' Task Force for Indigenous Peoples Rights (EEDTFIP). Our Harvest in Peril: A Sourcebook on Indigenous Peoples' Food Security. EEDTFIP. Baguio City (2004).

⁶Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous Peoples Rodolfo Stavenhagen 21 January 2003 E/CN.4/2003/90 para 31

⁷Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous Peoples Rodolfo Stavenhagen 21 January 2003 E/CN.4/2003/90 para 30

⁸Philippine Asset Reform Report Card PhilDHRRA May 2008 In Partnership with Koalisyon ng mga Katutubong Samahan ng Pilipinas (KASAPI). The survey addressed some 108 communities

This is a simplified version of the Indigenous Peoples Situationer prepared by **Task Force of Indigenous Peoples Rights (TFIP)**.

The Philippine Cybercrime... (continued from p. 20)

Despite the recognition that those who abuse their right to free expression should be answerable for injury incurred through libelous statements against innocent people, criminalizing online libel as enough grounds to jail violators for a length of time is just too much. The passage of the Cybercrime Law is also evident of the government's disinterest in ratifying the International Convention of Civil and Political Rights (ICCPR) and following Article 3 Section 4 of the 1987 Constitution stating that "no law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress or grievance."

The emergence of new technologies such as the Internet provides us new spaces to interact with people all over the world. It empowers the marginalized by giving them space to express their political, public and even private views all of which can potentially affect individuals, communities, and other countries. It is to our disappointment that the Philippine government, instead of supporting the development of the Internet as a medium of free speech, chooses instead to adopt our 80-year-old libel laws onto the Cybercrime Law. If anything, this move will only hamper the country's progress in terms of empowering the people by giving them their right to freedom of expression. ■

This piece was drawn from the following articles originally published in globalvoicesonline.org websites on 21 January 2013 (<http://globalvoicesonline.org/2013/01/21/philippines-anti-cybercrime-law-denounced-as-cyber-martial-law/>), [hrw.org](http://www.hrw.org) on 28 September 2012 (<http://www.hrw.org/news/2012/09/28/philippines-new-cybercrime-law-will-harm-free-speech>) and [Bulatlat.com](http://bulatlat.com) on 12 January 2013 (<http://bulatlat.com/main/2013/01/12/online-offline-protests-vs-cybercrime-law-resume/>).

No hope for the urban poor?

By Janess Ann Ellao



HOME. A makeshift structure of wooden planks, tarpaulin and other materials serve as a home for many Filipino urban poor. These homes are the target of government-sponsored demolition, without assurance of a decent relocation for many that will be rendered homeless.

Photo Credit: Pinoy Weekly

After the fire that razed their homes in Tondo, Manila, all the 41-year-old Neng Palconit was concerned about was finding a safe place for their family. She applied right away for the relocation site, which she realized later on, was the biggest and worst decision she ever made.

“We lost our jobs when we moved to the relocation site after the fire burned down our homes. Shortly after that, we again lost whatever was left to us in a flood during the monsoon rain last year,” Palconit told *Bulatlat.com*.

Palconit never joined protest actions before. But when officials of the National Housing Authority (NHA) told them to go back to their flooded homes after the monsoon rains in August 2012, the residents refused. They held several protest actions, which included a rally in front of the NHA’s office in Quezon City. This made her realize the importance of collective action when pushing and fighting for one’s rights.

The residents won and they were allowed to stay in the homes they occupied. These are located relatively in front of the village, which were not affected by the flood. Palconit considers their victory as beneficial to other urban poor communities about to be demolished because the NHA would have to build new houses.

So on March 23, she and other residents from the Kasiglahan Village relocation site in Rizal, joined a bigger protest—dubbed as the People’s Calvary. They marched from one government office to another, demanding for the scrapping of anti-poor policies that are, Palconit said, legalizing the violation of their basic rights.

For Palconit and other urban poor families, relying solely on laws and policies, which the government claims would benefit them, means waiting in vain. Even the Magna Carta for the Poor, which was not passed into law when Aquino vetoed it, would not put a dent on the widespread, debilitating poverty that many Filipinos are going through.

Relentless demolition and dire conditions in relocation sites

Residents of Payatas in Quezon City assert that their living conditions are in fact worsening under the Aquino administration, despite the government's claims about an improving economy.

"We were wondering why they (the local government) would want to set up a housing program there when we are poor and we would not be able to afford it." Charlie Gumabao, 49, a resident of Payatas, told Bulatlat.com in Filipino.

Gumabao, among hundreds of families residing in Area B, Payatas, Quezon City was told that their homes will be demolished to give way to an extension of the school building. The local government has offered to initiate a housing program, dubbed as "Bistekville – 5" that will accommodate relocated and displaced families from urban poor slums. However, Gumabao said that many urban poor residents do not qualify for these housing programs.

"Most of the residents do not have stable jobs. Plus, one needs to be a member of PAG-IBIG to avail of the houses," he said.

Gumabao considers himself lucky compared to his neighbors who mostly earn by scavenging garbage at the Payatas landfill. As a truck driver, he earns about \$4.5 a day, a far cry from the minimum wage here in Metro Manila.

Naturally, he said, residents are opposing the demolition of their homes. "This is where we grew up and eventually had our own family. We already have our own house, no matter how humble it may look like for some people. If (the local government) is sincere in helping us, what we yearn for are stable jobs."

Those who cannot avail of the project, Gumabao said, were told that they would need to transfer to a relocation site in Rodriguez, Rizal. However, Palconit, a resident of Kasiglahan Village, a big relocation site in Rodriguez, said their lives became all the more difficult when they moved there.

Palconit said nothing is left from the daily salary amounting to \$10.65, which her husband earns as a security guard. Most of it, she added, would go to his fare from going to and from his workplace. Today, they have to stretch a weekly budget of \$22.5 to cover their food and send their children to school.

She also decried the high electricity and water rates that New San Juan Builders, a private real estate company working with the National Housing Authority on the relocation site, is charging them. On February, she was among the residents who held a protest action in front of New San Juan Builders office in Quezon City when it cut off their electricity supply.

"Please be more open-minded and look into the conditions of the people on the ground. Don't just stay in your air-conditioned offices," Palconit urged public officials.

In Cabuyao, Laguna, urban poor dwellers relocated in the area are experiencing the same set of problems. On March 29, Good Friday, residents of Southville 1, another relocation site of the National Housing Authority, held their own "Calvary protest."

"Aquino is implementing various policies that aim to repress the likes of Christ, who strive for a better life for the people. Among the problems that the urban poor from Southern Tagalog are facing is the lack of jobs and homes," Andrew Arante, secretary general of KADAMAY – Southern Tagalog, said.

About 30,000 families are living in Southville, one of the seven big relocation sites found in the region. They also suffer the same problems, such as little or no access to education, healthcare and other social services. Many families also lost their livelihood when they moved to the relocation site.

Magna Carta for the poor

Last March 25, Aquino vetoed the proposed Magna Carta for the Poor. He said in a report that the government has no funds to implement the provisions of the law.

"In other words, I can choose to be popular. I can sign this law and look good to the public. But we know that

the government cannot meet its provisions,” Aquino told reporters in an event in Pasay City.

The Magna Carta for the Poor mandates various government agencies to address and provide homes, food, jobs, education and health services for poor Filipino people.

His decision to veto the law was criticized by its principal author, Cebu Rep. Rachel Marguerite del Mar, who told the Philippine Daily Inquirer that the law would have “been a strong signal that the government is seriously addressing concerns of those who have less in life, not the posturing or rhetoric but with a specific law.”

According to KADAMAY, Aquino’s refusal to implement the proposed law “only reveals the priorities of the Aquino administration”.

“Even if passed, the Magna Carta of the Poor will be futile for as long as the Aquino administration pursues its anti-poor programs based on policies dictated by neoliberal globalization such as privatization, deregulation and liberalization,” Gloria Arellano, national president of the Kalipunan ng Damayang Mahihirap (KADAMAY), said.

Arellano said if the government is admitting that it has no sufficient funds to spend for housing programs, “why are they pursuing the massive demolition of homes of more than half a million informal settler families in Metro Manila?”

She added that the urban poor do not need the housing budget stated in the Magna Carta for the Poor, which was pegged at \$57.5 million. Instead, this money could be allocated to provide the poor with employment and livelihood opportunities—things that remain elusive under the Aquino administration.

Case in point is the National Park Development Committee of the Department of Tourism’s ongoing demolition of vendor’s stalls at Rizal Park, which will affect around 200+ vendors in the area.

Health also being privatized

The People’s Calvary protest last March 23 began with a program at the Philippine Orthopedic Center, one of

the 26 government hospitals set to be privatized under President Aquino. March was the deadline of the filing of application for bidders in the upcoming modernization of the Philippine Orthopedic Center.

“It is expected that the bidding process of the POC will continue in the coming days,” KADAMAY said, adding that the privatization of other hospitals will follow after the Philippine Orthopedic Center.

“Thousands of poor patients will die now that the government is turning its back on the people by denying them of health services,” KADAMAY added.

“The biggest calvary that Filipinos are facing is the imperialist control of the United States in the country,” Clemente Bautista of Kalikasan People’s Network for Environment said, as protesters reached the US embassy along Roxas Boulevard in Manila.

Bautista said the US aims to plunder the country’s natural resources. “But Filipinos will not allow this to happen. They will fight,” he said, citing the tribal war that indigenous peoples are waging against mining companies and the armed struggle being carried out by the New People’s Army, the armed wing of the Communist Party of the Philippines.

“The continuing privatization through Aquino’s PPP (public private partnership) and other pro-foreign policies such as deregulation and liberalization is proof that the poor living conditions that 32 million urban poor Filipinos are experiencing will intensify,” KADAMAY said in its statement.

Eradication of poverty impossible under Aquino

Eradication of poverty is among the Millennium Development Goals, which should be achieved by 2015. Yet, according to urban poor group KADAMAY, the eradication of extreme poverty is impossible under the Aquino administration.

“Even with the lies that the Aquino administration is spreading in the mainstream media, such as the straight path and the economic growth, it cannot hide the poor

No hope... (continued on p. 38)

Marking 25 years of CARP: The demand for free land distribution and the “death” of CARPer



FARMERS in Guiguinto, Bulacan harvest the lands they have long been waiting to reclaim. Photo credit: Leon B. Dista via Flickr

On its twenty-fifth year of implementation, the Comprehensive Agrarian Reform Program Extension with Reforms (CARPer) was met with criticism from both farmers and rural farmworkers who have long been waiting for a genuine land distribution program. The regional farmer group Alayansa ng mga Magbubukid sa Gitnang Luzon (AMGL Farmer’s Alliance in Central Luzon), with its provincial organizations and Anakpawis Partylist Gitnang Luzon demanded the “death” of the Republic Act 9700 or CARPer as it serves as an excuse for capitalists and large-scale landowners to deny farmers their legitimate rights to land.

“Should we still expound on why we are calling [to] repeal CARPer? It is pretty obvious that farmers in the region are yet to secure the lands they are cultivating for many decades,” Joseph Canlas, AMGL chairperson said as he vowed to dismantle CARPer and the antiquated issue on land monopoly during a protest rally last June 9.

Anakpawis Partylist and other progressive organizations from the Makabayan coalition are also planning to block another extension scheme of CARPer as it is set to end next year after a five-year extension program approved by Congress in 2008.

AMGL further adds that President Aquino only affirmed his loyalty to the landlord class after seeking help from the Department of Agrarian Reform (DAR) to defraud farmworkers of Hacienda Luisita thus protecting the interests of the Cojuangco-Aquino family. Moreover, HL farmers reiterate that so long as their lands remain undistributed, justice will remain denied and their fight for genuine land reform will continue for years on end.

“Aquino is desperate in preserving his family’s control over Hacienda Luisita. His programs and policies are... displacing poor farmers, converting productive agricultural lands and selling them to big foreign and local capitalists,” Canlas said.

Death of CARPer

Despite government claims that CARPer has been instrumental in distributing agricultural lands to farmers and farmworkers nationwide, agricultural groups continue to assert the need for a land reform program that will keep up to its promise of comprehensive and genuine land distribution and will put an end to decades of land monopoly.

AMGL posits that the whole country has witnessed the inability of CARP throughout its 25 years of existence, to deliver Aquino's promises of land distribution. Farmers were also critical of section 31 of CARP that allows the implementation of stock distribution option (SDO) as an alternative to genuine land reform.

Contrary to government reports, farmers in Nueva Ecija are still facing threats of displacement, cancelation of certificate of land ownership awards (CLOA) certificate of land transfer (CLT) and emancipation patents (EP). Productive agricultural lands in Nueva Ecija are also being converted into biofuel plantations and shifting from staple food production to aggressive futures trading.

AMGL adds that CARPer is as useless as its CARP predecessor to farmers in the regions of Tarlac adjacent to Hacienda Luisita, Casiguran town, the central part of Aurora province, in many towns of Pampanga, Bulacan and Bataan, in the mining-stricken municipalities of Zambales as well as in the former Camp Gregg Military Reservation and Mangabul lake in Bayambang, Pangasinan all of which remain landless or displaced from their rightful properties.

CARP also covers five barangays or about 13,000 hectares of land in Casiguran, Aurora most of which is being threatened by the Aurora Pacific Economic Zone and Freeport (APECO) project initiated by the Angaras, another landlord family. Farmers and fisherfolks in the region are being displaced by the construction projects of APECO.

On another note, 3,100 hectares of agricultural land in Fort Magsaysay Military Reservation (FMRR) remain controlled by military forces despite orders from then president Corazon Aquino to cover the land under CARP regulations. In Guimba, investors and speculators are conniving with local agrarian reform officials in order to grab CARP-covered regions thus displacing hundreds of farmers from their homes.

Rampant land conversions

Aside from the shift towards the targeted increase in biofuel production, government projects such as the Metro-Luzon Urban Beltway (MLUB), a component of the Central Luzon Regional Development Plan (CLRDP) plans to construct the Central Luzon Expressway (CLEx) and the North Luzon East Expressway (NLEx East) that will pierce through sizeable portions of productive farms in many rural areas of the country's rice cradle.

"Nueva Ecija is the rice granary of the region and of the country, but the Aquino government is pushing with projects that are destroying the productive rice lands," reported Canlas to the mass of protesters last June 9. "Aquino is not only displacing farmers, but putting the whole country in grave risk by destroying our food security," he added.

AMGL further notes that the 30.7-kilometer phase 1 of the CLEx project is already displacing farmers in Zaragosa, Aliaga towns and Cabanatuan City. AMGL estimates that the CLEx project would convert about 332 hectares of the province's rich agricultural lands. The group also stated that landlords and real estate developers, to give way for upcoming government infrastructure development projects, are now displacing farmers near the NLEx Bocaue interchange and in Tungkong Mangga, San Jose Del Monte.

In Pampanga, farmers denounce CARP as a useless platform similar to the Land Use Conversion (LUC) programs that has long been ejecting farmers from their lands. The Aguman Dareng Maglalautang Capampangan

"the whole country has witnessed the inability of CARP throughout its 25 years of existence, to deliver Aquino's promises of land distribution"

(AMGL Pampanga) noted that many subdivisions have been constructed in Metro Angeles that remain uninhabited until now. The group further stressed that many subdivisions developed from farmlands are now usual sites of flooding.

In the case of the city of San Fernando, agricultural lands in the area have decreased from 6,367 hectares (94% of the city's land area in 1970) to 3,657 hectares or 54% of total land area in 2003. City officials estimate that by the end of 2013, the total area of agricultural lands will further decrease to 40% or up to 2,700 hectares.

Canlas reported that farmers in Clark, Pampanga are also being displaced in lieu of the Clark Development Corporation construction as well as the settlement of big real estate companies like Ayala Land that will start on their real estate development in the region.

Bulacan farmers are no excuse to rampant land grabbing and land use conversion schemes as they too are in danger of displacement because of the government's plan to convert the province into a large-scale special economic zone. The conversion is expected to further stimulate the country's economic performance pursuant to the Shenzhen economic model. Shenzhen is a major city in China's south Guangdong province that sparked major contributions to China's economic growth.

"The Manila Bay reclamation project and the Pampanga Delta Development Project are major threats to farmers and fisherfolk in Bulacan and Pampanga provinces. It is clear that CARP is toothless against these government programs," Canlas said.

Onward to genuine agrarian reform

According to Canlas, CARP can never be considered as a genuine reform program. Instead, he insists that CARP is "an instrument of landlords to keep control over vast lands" and reified the farmers' demand for immediate and free land distribution as well as the enactment of

House Bill 374 or the Genuine Agrarian Reform Bill (GARB).

Farmer groups throughout the nation continue to appeal to different sectors in the region for support and active involvement on the issue.

"Genuine land reform is not just our issue. It is a social issue where we are all affected. We should learn from history that 'development' is unattainable without genuine land reform. If there is no genuine land reform, farmers remain in poverty and countryside development is impossible. If the farmers are not emancipated, agriculture's support to the local industry [becomes] constrained thus, national development remains a fantasy," Canlas added.

The junking of CARPer and the legislation of a new and genuine land reform program are among the main demands of the ongoing "Lakbayan ng Magasaka para sa Libreng Pamamahagi ng Lupa ng Hacienda Luisita" (March of Farmers for the Free Land Distribution of Hacienda Luisita). Every year, more than 300 farmers and land reform advocates trek the 119-kilometer distance from Tarlac to Manila to demand the immediate, unconditional and free distribution of Hacienda Luisita lands.

On April 24 last year, the Supreme Court ordered with finality the distribution of Hacienda Luisita to farmworker-beneficiaries.

According to Anakpawis Partylist Representative Rafael V. Mariano "the Hacienda Luisita land dispute is an issue of social justice that represents the far broader problem of landlessness and land grabbing in the country. Aquino worsened these problems by perpetuating CARPer and other anti-farmer policies like massive land conversion and unbridled mining that continue to displace peasants from their lands." ■

This piece is an abridged version of the AMGL article originally published in the **AMGL website** on 05 June 2013 (<http://amgl-kmp.weebly.com/2/post/2013/06/marking-25-years-of-carp-farmer-groups-demand-free-land-distribution-and-death-of-carper.html>) and **Anakpawis Partylist** news piece originally published 26 April 2013 (<http://www.anakpawis.net/?p=740>).

Justice still elusive for victims 40 years after Martial Law



Photo credit: Bulatlat.com

Standing on the foot of Chino Roces (formerly Mendiola) bridge, Ruben Veluz, 67, asked in Filipino: “Is this the kind of treatment accorded to those who are considered heroes?”

More than 40 years ago, Veluz, then a student activist at the Lyceum of the Philippines, frequented Mendiola for protest actions against the Vietnam War and against what they considered as the ills of Philippine society — imperialism, bureaucrat capitalism and feudalism. He was arrested thrice during Martial Law. His two younger brothers, also activists, were likewise incarcerated and heavily tortured.

On June 20, Veluz joined some 50 fellow martial law activists in a protest action demanding the implementation of the Human Rights Victims Reparation and Recognition Act of 2013. Most of them are now senior citizens but in their youth, they fought the Marcos dictatorship.

Marie Hilao-Enriquez, chairwoman of SELDA, an organization of former political prisoners, said, “Aquino scored ‘pogi points’ when he signed the law. Now is the time to implement it.”

In 1995, after the Federal Court of Hawaii found Marcos guilty of human rights abuses, it awarded \$2 billion compensatory damages for 9,539 victims of martial who filed the historic class suit against the late dictator. A law is required to mandate the government to allot a portion of the funds to be sequestered from the Marcos family for the victims because the Comprehensive Agrarian Reform Law provides that all sequestered assets from the Marcos family would be utilized for implementing land reform.

Aquino finally signed Republic Act No. 10368 on February 25, 2013, in commemoration of the 27th anniversary of the EDSA I uprising that toppled the Marcos dictatorship. The law, the first of its kind in the world, provides \$246 million in compensation for those who were persecuted by the dictatorship of Ferdinand E. Marcos. The law also includes the families of desaparecidos from September 21, 1974 up to February 25, 1986

Under the law, the President shall appoint nine members to the Victims' Claims Board. The Claims Board will then draft the implementing rules and regulations of the law.

As early as March 12, SELDA, the group that initiated the class suit against Marcos, submitted its list of nominees for the Claims Board. Up until today, the group said it has not received any word from Malacañang.

"Elections have already been finished and still the President sits on the law without appointing anybody to form the Claims Board," Enriquez said.

In a letter sent to President Benigno Aquino III, SELDA called on Aquino to implement the law.

"Victims all over the country who are interested in being recognized as martial law victims are already asking when and if the government is really sincere in its

Bittersweet homecoming

By Ronalyn V. Olea

Carol Ojeda-Kimbrough's homecoming was not ordinary.

Last June 10, 2013, Carol led students of the University of South California (USC) School of Social Work to the Bantayog ng mga Bayani, a memorial for Filipino heroes who fought the Marcos dictatorship. On the black granite Wall of Remembrance is a list of names, including Rolando Federis.

Despite having spent decades in the United States, Carol's memories flowed like a river.

In 1971, Carol was a student at the University of the Philippines (UP) in Diliman; she was a member of the Samahan ng Progresibong Kabataan Molabe.

"I went to two radical schools, the PCC Laboratory School and then UP," Carol told Bulatlat.com in an interview. When martial law was declared, she left college and eventually became a fulltime organizer of Kabataang Makabayan in Project 4, Quezon City.

A month after the declaration of martial law, she received word that a protest action would be staged in Sta. Cruz Church in Manila. "I rode a JD bus from Cubao. Inside the bus, I saw other young men and women, all dressed up. I noticed one young man who appeared confident

but not arrogant. I surmised he was an activist. He was handsome," Carol said.

Months later, when Carol decided to join the underground movement in the city, she again met the young man at the bus. His name was Rolando Federis or Lando. "Eventually, I stayed at our UG [underground] house. It was there that our love for each other developed."

In 1974, she became pregnant and decided to go home. Months later, Carol noticed military surveillance on her. Thinking about her daughter and their safety, Carol accepted her mother's offer to go to the U.S. in 1975.

Carol and Lando exchanged letters but in October 1976, the letters stopped coming. She wrote to one of their comrades. She was told that Lando was last seen in Tutuban, Manila with two women comrades on the way to Bicol but failed to reach their destination. Comrades assured Carol that they would try to locate Lando.

Carol waited. In January 1977, Jun wrote again. "He said that what we feared happened – Lando and two other comrades were arrested by state agents. He said they had no information on their exact whereabouts, and whether the three were still alive." ■

Throughout the years that followed, Carol maintained contact with Lando's sisters in the Philippines. "So that it would not be painful, I made myself believe that Lando just had amnesia, that he is alive," Carol said.

It was only in 1986 when Carol learned about what happened to Lando. After the fall of Marcos, she went back to the Philippines and looked for Adora Faye "Dong" De Vera, one of the two women who accompanied Lando on that trip.

Based on Dong's testimony, which she later divulged before the Hawaii court, the three activists were arrested in Quezon and tortured in a safehouse. "They were ordered to sit on blocks of ice naked. Dong said Lando was forced to masturbate in front of them." Carol said.

"One day, Flora and Lando were taken out of the safehouse. Later that night, a military officer told Dong in Filipino, 'Your friends have not escaped but you could no longer see them.' Still on chains, Dong heard soldiers talking that night. One soldier said in Filipino, 'The woman appeared so brave so I burned her.'

"Dong was made a sex slave for nine months. When she was set free, the soldiers warned her not to talk about her experiences or else she would suffer the fate of her comrades," Carol said. "Dong's testimony was a big help to the case."

On April 7, 1986, former political prisoners led by Samahan ng Ex-Detainees Laban sa Detensyon at Aresto (SELDA) filed a class suit against Marcos before the Federal District Court of Pennsylvania. The case was eventually remanded to the Federal District Court of Honolulu in Hawaii. De Vera was one of the ten original plaintiffs to the case.

Sometime in 2011, Carol received a letter from the Bantayog ng mga Bayani Foundation, asking her about the case of Lando. She wrote the narrative and that year, Lando's name, was etched in the Wall of Remembrance. Carol went to the Philippines to attend the ceremony. "It was the first time that I cried. Only then was I able to accept Lando's death," she said.

On the same year, Carol received \$1,000 compensation from the \$10-million settlement agreement by Marcos crony Jose Campos.

"It was insulting," Carol said. "Is this the price of my husband's life, of other Filipinos who died fighting the dictatorship?"

To give meaning to the measly amount, Carol said she deposited it and she would replenish the fund from time to time. "I am still thinking of what to do with it but definitely, it would be for human rights," she said.

On this particular homecoming, Carol deemed it important for American students and the public in general to know about the atrocities of Marcos.

"Bantayog [ng mga Bayani] was our jumping-off point. It is important for the students to learn that martial law set into motion the continuous human rights violations today," Carol said. "The wholesale violation of human rights is a Marcos legacy, including violations to rights to a living, to jobs, to decent housing."

For two weeks, the USC School of Social Work students visited slum areas in Vitas, Tondo and learned about human rights and human trafficking. "What they saw are the continuing legacy of martial law," Carol said.

After the program, Carol chose to stay for a week to interview fellow martial law activists. "We need to document more stories," Carol said. "If you look at the articles about martial law, many of them were about popular people. Stories such as Lando's are not widely known."

"The Marcoses are still powerful. They can buy media time. They buy people's votes. We need to counter lies about martial law. The lessons are very rich because the conditions in the country have not changed," Carol said. "The gap between the rich and the poor has become even wider." ■

This is an abridged version of an article originally posted last June 21, 2013 in **Bulatlat.com** entitled "Bittersweet homecoming", (<http://bulatlat.com/main/2013/06/21/bittersweet-homecoming/#sthash.TJFd00yr.dpuf>).

declaration to recognize martial law victims,” Enriquez said.

SELDA also expressed fears that the long delay in the formation of the Claims Board might result in the exclusion of SELDA nominees.

The law provides for the requirements of the members of the Claims Board as: (1) must be of known probity, competence and integrity; (2) must have a deep and thorough understanding and knowledge of human rights and involvement in efforts against human rights violations committed during the regime of former President Ferdinand E. Marcos; and, (3) must have a clear and adequate understanding and commitment to human rights protection, promotion and advocacy.

Nominated by SELDA are Enriquez, Bonifacio Ilagan, Dr. Edelina de la Paz, lawyers Dominador Lagare, Marcos Risonar and Kit Enriquez. SELDA also expressed support for the nomination of Prof. Judy Taguiwalo and former GWP Partylist Rep. Liza Maza, by Tanggol Bayi, an organization of women human rights defenders.

“SELDA has been the organization that consistently and for the longest time has carried on the struggle for recognizing the martial law victims’ heroism and sacrifices to fight for the nation’s democracy and human rights which serve as inspiration to the youth. SELDA is the organization of the majority of the victims and has organized and rallied the victims to take part in making the human rights violators accountable for their crimes. Majority of the victims recognize SELDA as the one carrying on their interests and therefore majority of them are known by SELDA. It also has a nationwide network so that it can reach the victims more than any other organization, anywhere in the country,” the letter stated.

For her part, Nitz Gonzaga of Kilusang Mayo Uno (KMU), who was also imprisoned during martial law said in Filipino, “This fight is not only for the elderly. This is for the future of our nation.”

Meanwhile, Enriquez stressed that recognizing the contributions of those who fought martial law is more important than any amount of compensation.

‘More than the monetary compensation, the bill represents the only formal, written document that acknowledges that martial law violated the human rights of Filipinos and that there were courageous people who fought the dictatorship,’ Enriquez said.

Prime time for impunity

Meanwhile, activists from the 1970’s and the 1980’s joined the march not only to press for the immediate formation of the Claims Board but also to protest the seemingly continuing legacy of the dictatorship.

The activists expressed outrage over the Aquino administration’s dismal performance in upholding human rights, citing the President’s failure to stop extrajudicial killings and other forms of human rights violations.

The human rights group Karapatan has documented a total of 631 cases of human rights violations under Aquino. From July 2010 to April 30, 2013 alone, there have been 142 cases of extrajudicial killings, 164 cases of frustrated killing, 16 cases of enforced disappearance, 293 cases of persons arrested and detained and 16 cases of children killed, with ages ranging from four to 15.

“As predicted, the Noynoy Aquino government on its third year, went on a rampage against its own people, attacking communities and individuals who stand in the way of private, local and foreign big business which, Aquino, like Marcos and the series of “democratic” governments after the dictator, serves best,” said Marie Hilao-Enriquez, chairperson of Karapatan.

Last month, the New York-based Human Rights Watch has reminded the Aquino government of the need to prosecute the masterminds in the murder of environmental activist and journalist Gerry Ortega in 2011.

HRW’s 2013 World Report also noted how the Philippine government has “adopted landmark human rights legislation in 2012, but failed to make significant progress in holding the security forces accountable for serious abuses.”

“The overall human rights situation in the Philippines improved in 2012 with fewer extrajudicial killings and

the passage of historic laws promoting rights,” said Brad Adams, Asia director at Human Rights Watch. “But the government has failed to address impunity for the most serious abuses. On prosecuting rights abusers, it needs to walk the walk, not just talk the talk.”

Karapatan characterized Aquino’s three years as “prime time for impunity.”

Aquino, Karapatan said, is similar to his predecessor, Gloria Macapagal-Arroyo where perpetrators are given promotions instead of punishment, citing the recent promotion of Gen. Eduardo Año, Lt. Gen. Jorge Segovia, Brig. Gen. Aurelio B. Baladad—all of whom have pending cases for rights violations.

Enriquez also expressed outrage over the Aquino government’s inaction on the murders of Italian priest Pops Tentorio, Dutch development worker Willem Geertman, environmentalist Gerry Ortega and the victims of the Ampatuan Massacre.

Dark Legacy

Meanwhile, well-known journalist and former political prisoner Luis V. Teodoro also criticized what he calls the dark legacy of Martial Law—the culture of impunity.

In a column entitled “Dark Legacy”, Teodoro discussed how impunity—exemption from punishment—has

emboldened the police and the military, despite EDSA and the restoration of the Bill of Rights, to continue in their accustomed paths of violating human rights, to the point that ordinary citizens are no longer surprised when the perpetrators literally get away with murder.

According to Teodoro, only the dismantling of the culture of impunity by punishing the police and military thugs who killed and tortured then, and their present-day successors who today are the leading violators of human rights, can begin the process of finally putting a stop to the atrocities of the martial law period that continue to this day.

“It is all very well to compensate the victims of martial law abuses. But what would really mean something is putting a stop to the violations of human rights that have become, in many communities and even in the heart of Metro Manila itself (Jonas Burgos was abducted in Quezon City), so common in this land of tears,” Teodoro concluded. ■

This article was based on the following sources, previously published in **Bulatlat.com** and **News Desk Asia**: “Martial law victims demand formation of Claims Board”, *Bulatlat.com*, June 21, 2013, (<http://bulatlat.com/main/2013/06/21/martial-law-victims-demand-formation-of-claims-board/#sthash.cBdYHs9X.dpuf>), “Dark Legacy”, *Bulatlat.com*, (<http://bulatlat.com/main/2013/02/08/dark-legacy/#sthash.iH3j0hXN.dpuf>), and “631 human rights violations committed under President Aquino”, *News Desk Asia*, June 30, 2013 (<http://newsdesk.asia/631-human-rights-violations-committed-under-president-aquino/>).

No hope... (continued from p. 30)

living conditions that many Filipinos are going through,” KADAMAY said in a statement.

The Philippines ranked 114th out of the 187 member-countries of the United Nations based on the Human Development Index, a 2013 United Nations Development Program report read. KADAMAY President Gloria Arellano said that it is impossible to “reduce extreme poverty because the Aquino administration is not doing anything to address it.”

“In fact, Aquino is continuing anti-poor policies such as privatization of public services for the interest of foreign and local businessmen while showing lack of interest in generating jobs and implementing genuine agrarian reform,” Arellano said.

This, she added, has made many Filipinos vulnerable to both natural and man-made disasters. These include the flooding in many provinces of Mindanao and the widespread demolition of homes in urban areas to give way to foreign-owned businesses. ■

This is a slightly edited version of an article published by **Bulatlat.com** (April 7, 2013): <http://bulatlat.com/main/2013/04/07/no-hope-for-the-urban-poor/>. *Bulatlat.com* is an alternative news agency that seeks to reflect the people’s views and stand on issues that affect their lives and their future.

Child rights violations under Aquino government increasing

By Anne Marxze D. Umil



CHILD'S PLAY. A child stares forlornly as he scavenges in the ruins of a demolished urban poor community in Quezon City, Philippines.

Photo Credit: Pinoy Weekly

In the morning of July 15, 2012, cousins Kimkim, 12 and Junjun, 13 (not their real names), residents of Magpet, North Cotabato, were supposed to go back home when about 50 soldiers saw them. They were called by the soldiers and ordered to give directions towards the camp of the New People's Army. If they refused to cooperate, the soldiers threatened to tie them up to a tree or kill them.

"It was about 11:00 in the morning when we came across the soldiers. We were afraid so we did what they told us to do even if we knew nothing about the camp of the NPAs," Junjun narrated in Visayan. Kimkim turned pale and started crying because of fear.

According to Numeira Morales, Regional Program Director of Children's Rehabilitation Center (CRC) in Cotabato, the children were told by their aunt to charge her cellphone in the house of another aunt in nearby Sitio Tinagasan, since their own sitio, Sitio Buay-buay, has no electricity.

"The kids were on their way back to Sitio Buay-buay when the soldiers saw them. Before they left Sitio Tinagasan, they were told not to pass through the place where rubber trees are planted and take a shortcut instead because the soldiers might see them," Morales told Bulatlat.com. Unfortunately the soldiers still chanced upon them.

For about four hours, from 11 AM until 3 PM, Kimkim and Junjun were forced to accompany the soldiers. Junjun said that while they were walking, the soldiers' kept their firearms pointed at the children. "We were so hungry and thirsty; the soldiers didn't even give us food. When I saw a bamboo field, I whispered to Kimkim that I would tell the soldiers that that is where the camp of the NPA is so that they would let us go and we could go home," Junjun

told Bulatlat.com. When he told the soldiers, they were sent home.

“To use children as guides in military operations is a clear violation of the children’s right to be protected,” said Morales. She said this places children’s lives at risk in the event of an encounter between the NPA and the AFP.

Kimkim and Junjun are just two of the many child victims of human rights violations in the country.

October has been declared as National Children’s Month, pursuant to Presidential Proclamation No. 267 issued on September 30, 1993 by then president Fidel V. Ramos. The declaration mandates the State to promote and protect the physical, moral, spiritual, intellectual, and social well being of children. Yet, data from CRC reveals that many children are currently subjected to different forms of human rights violations – some are even killed.

As of Oct. 22, 2012, CRC has recorded 14 children killed from 2011 to 2012. There were also 18 cases of frustrated killings, four cases of rape and sexual assault, and 12 children were branded as child soldiers.

In response to the increasing numbers of rights violations committed against children, child rights advocates organized a conference entitled “Protecting our children, defending our future; strengthening people’s response for children’s rights and welfare,” last October 2, 2012.

During the conference, Melissa San Miguel, executive director of Salinlahi Alliance for Children’s Concerns announced the murder of 14-year old John Cali Lagrimas, who was killed by State forces during a demolition in Tarlac City. “It is enraging that a child, a minor in this case, was killed on Children’s Month,” San Miguel said.

When the death of Lagrimas was announced, a friend of his, Jojie Martinez, 10 could not help but cry. Martinez was supposed to share his experience in the hands of the military in their community in Hacienda Luisita during the said conference, but was unable to do so because of his anguish over his friend’s death.

More children go hungry, forced to work due to poverty

In an ideal world, children are protected from harm, and are able to enjoy basic social services such as education and health services. In an ideal world, children are not supposed to die from hunger; they should have a roof over their heads and are living in a safe and secure environment; they do not have to work to augment their families’ meager incomes. Unfortunately, none of these happen in the real world.

During the conference, child rights organizations from all over the country recounted various stories of violations of children’s rights, ranging from their right to be protected, to the deprivation of social services, such as education and healthcare, among others.

San Miguel said Filipino children continue to suffer under the administration of President Benigno S. Aquino III. “Our children continue to suffer from the President’s continuing subservience to neoliberal policies as embodied in his different programs and policies.”

According to San Miguel, neoliberal policies of deregulation, liberalization and privatization of government services have devastating effects on children. “Privatized social services make access to fundamental rights such as education, health, and housing unattainable, while deregulation makes prices of commodities beyond the reach of their parents.”

This reflects in the data of the National Nutrition Survey in 2011, which shows an estimated 20.2 percent of children with ages from zero to five years old and 32.1 percent of children with ages six to 10 are underweight due to poverty. “Families find it impossible to apportion their small income to sustain their children’s survival,” San Miguel added.

She said the 3.8 million families who suffer from hunger is a reflection of the Aquino government’s neglect of its duties and responsibilities to improve the lives of the 94 million Filipino people.

Child rights advocates also identified the negative impacts of labor flexibilization and unemployment on children. According to them, children’s futures are

rendered uncertain as their parents become victims of massive layoffs and unemployment brought about by unfair competition between local businesses and foreign corporations under the trade liberalization policy.

Lack of jobs results in forced child labor in the countryside and even in the urban areas. According to the 2010 data from the Bureau of Labor and Employment Statistics, there are 1.9 million child workers. On the other hand,

the National Statistics Office 2011 survey shows that there are some 5.5 million child workers between ages of five and 17, of whom 3 million work in hazardous environments.

In Negros, known as the “Sugar bowl of the Philippines,” there are many child laborers. Child advocate Jhon Milton Lozande revealed that more than 1.5 million families in Negros are farm workers.

Rights group challenge UN to include AFP in shame list

by Macky Macaspac

Child rights advocates challenged the United Nations to look into the Armed Forces of the Philippines (AFP) as perpetrator of human rights violations, in reaction to the latest UN report entitled “Grave violations committed against children in 22 situations of concern” released last June 12.

In the report, the UN raised concerns over the use of children in armed conflict situations. The report said that Philippine military has been involved in recruiting children in their operations.

The UN cited a verified report of two boys, aged 12 and 13 years, who were forced to serve as guides to locate an NPA camp in North Cotabato Province by the 57th Infantry Battalion of Philippine Army last July of 2012. The UN also observed that military continues to present children in the media and label them as members of armed groups, as well as the military’s continued use of schools for military purposes, disrupting classes.

But the Children’s Rehabilitation Center (CRC), an institution catering to children victims of human rights violations and a member of the Country Task Force on Monitoring and Reporting of the UN, is dissatisfied with the report and the concerns raised by the UN.

“Are the persistence of the AFP’s children’s rights violations and its effects on hundreds of children in the country not enough to include them in the UN’s list

of shame?” said Jacqueline Ruiz, executive director of CRC in a statement.

The group said that violations committed by the military have reached an alarming point. In 2012 alone, the group documented and verified 12 cases of killing, four (4) children used as guides in military operations, 10 children arrested, detained and tagged as members of the New People’s Army (NPA) and hundreds affected by the continuing attacks and encampment of military in schools.

On the other hand, military and government officials said that it is not their policy to use children in military operations.

“As a matter of policy, the AFP does not use children as guides during military operations so as not to endanger them,” said AFP Spokesperson Lt. Col. Ramon Zagala, in media reports. For its part, Malacanang said that they will conduct probe into the allegation as stated in the UN report.

“The Aquino government has no further response but to ‘look into allegations’ and recite their policy of non-employment of children in their military operations while destroying lives of the victims, and perpetrators remained unpunished and continued violations of children’s rights tell a different story,” said Ruiz, in reaction to Malacanang’s response to the report. ■

This is an abridged version of an article that was earlier posted in Bulatlat.com last June 21, 2013 available at <http://pinoyweekly.org/new/2013/06/rights-group-challenges-un-to-include-afp-in-shame-list/#sthash.GDc09cZi.dpuf>.

“Farming involves the whole family. Children of peasants also become farm workers in the sugar plantations because what they earn is still not enough for the family,” Lozande recounted, adding that farm workers are only earning P700 (\$17) to P1000 (\$24) per week.

According to Lozande, dire poverty forces children to quit school and work to help their parents to make both ends meet. “In fact, many farm workers started working in the sugar plantation since they were still minors and up to know they are still there,” he added.

When children of poor families do not work, they are found on the streets trying to survive through committing crimes against property or stealing. San Miguel said the government’s failure to address the deplorable situation of children – extreme poverty, hunger and lack of educational opportunities – makes them more vulnerable to involvement in crime and violence.

Yet, instead of addressing poverty, the government’s response to the increasing number of delinquent children is by lowering the age of discernment. Lawmakers now are proposing to amend Republic Act 9344, otherwise known as the Juvenile Justice and Welfare Act of 2006, to lower the age of criminal liability.

“Numerous cases involving minors like the “Batang Hamog”, akyat-bahay and other illegal activities have been hyped by the media but lowering the minimum age of criminal responsibility from 15 to 12 years old will not solve the problem,” San Miguel said.

Children can speak for themselves too

“Gat Jose Rizal once said, “The youth is the hope of the nation,” therefore, children should be given a voice in policies that would affect their future. We are the hope of the nation, thus, it is only right that we are fighting for a nation where justice exists, and our rights are respected and protected; for a nation that will serve for our interest,” said Kaira Caboron, 14, a member of the Salinlahi Children’s Collective.

Kaira said they too have the right to speak about how they feel and they should be heard. “We are proud that at such an early age, we are aware of our rights and we can and will fight for it.”

The Salinlahi Children’s Collective (Salinlahi CC) is a cultural group composed of children from different communities. These collectives hone the talents of children with the help of their facilitators from Salinlahi. They discuss the situation of children and the country for them to understand their parents’ situation. Members also help in the formation of collectives in other areas.

“Through these discussions, children understand why they suffer from poverty; or why there are children in the streets; why there are children who are not in school, and are working,” said Nemia Villaflor of Samakana-Bagong Silangan chapter. Some members of CC are children of mothers who are members of Samakana.

Villaflor said it is important to organize children and let them know that they can contribute to changing the nation. “In CC, children are taught to be patriotic, pro-people, and scientific. This will help them appreciate the country’s resources and how they can use it for their own needs. They are also taught about their rights because if they know their rights, they will fight for it through collective action,” Villaflor said. She added that when children speak, people listen.

“We will inherit this nation, it is only right that we fight for it. If in the past, only adults talked about our rights and our protection, now we can contribute to the discussion. We hope that many more nationalist adults will help us protect and fight for our rights,” Kaira said.

“As child rights advocates, we should go beyond providing services. We too, can oppose and speak out against policies that further violate children’s rights. If we are not going to do our part to protect children’s rights, then I think we should ask ourselves if we are really child rights advocates,” San Miguel said. ■

This article, reprinted here with slight editing, was originally posted in [Bulatlat.com](http://bulatlat.com) last October 20, 2012 (<http://bulatlat.com/main/2012/10/30/child-rights-violations-under-aquino-government-increasing/2/#sthash.QNHBdztC.dpuf>).

SILENCED:

Extrajudicial Killings in the Philippines

The Aquino administration has failed to keep its commitment to hold those responsible for extrajudicial killings to account. Since 2001, alleged members of State security forces have killed hundreds of activists, journalists, environmentalists, and clergymen.

Despite strong evidence that military personnel have been involved, investigations have stalled. No one was convicted for political killings in 2012. The government has attempted to hold some high-profile suspects accountable. Retired Maj. Gen. Jovito Palparan, who is facing kidnapping and illegal detention charges for the 2006 abduction of activists Sherlyn Cadapan and Karen Empeno, went into hiding after the government announced plans in December 2011 to arrest him. Joel Reyes, a former governor of Palawan province and the alleged mastermind in the January 2011 killing of journalist and environmentalist Gerry Ortega, managed to leave the country.

While the government claims that it has managed to reduce the number of “private armies” controlled by politicians, it has resisted calls for dismantling government-backed paramilitary forces.

Several extrajudicial killings have recently been attributed to members of the Citizen Armed Force Geographical Units (CAFGU), which the military controls and supervises, as well as the Special CAFGU Active Auxiliary, which the army trains but companies hire to protect their operations. In October 2011, Aquino authorized paramilitary forces to protect mining investments.

Aquino had at this writing still not fulfilled his promise during the 2010 election campaign to revoke Executive Order 546, which local officials cite to justify the

provision of arms to their personal forces. Among those who benefited from this order is the Ampatuan political clan in Maguindanao, whose senior members are accused of the November 23, 2009 massacre of 58 supporters of a political opponent and media workers in Maguindanao province. The trial continued in 2012. Although authorities have identified 197 suspects in the massacre, only 99 have been arrested (one of them died in jail and the court dropped charges against another). Of the accused, only 78 have been indicted. Four of the 98 suspects still at large are soldiers; the rest are members of the Ampatuan militia. Some witnesses have been killed, while families of the victims reported being harassed and threatened in 2012.

Activists vocal in opposing mining and energy operations that they say threaten the environment and will displace tribal communities from their land continued to face attack in 2012. Many mining investments in the Philippines are in areas with large indigenous populations or controlled by tribal groups. In one case, Margarito J. Cabal, 47, organizer of a group opposing a hydroelectric dam in Bukidnon province, was gunned down on May 9. At this writing, no one had been arrested for the killing in October 2011 of Italian priest Father Tentorio in North Cotabato province, reportedly carried out by the Bagani (“tribal warriors”) paramilitary group under military control. Tentorio was a longtime advocate of tribal rights and opposed mining in the area.

Furthermore, the killings of Italian priest Fr. Fausto Tentorio, Dutch missionary Wilhelmus JJ Lutz Geertman, Gerry Ortega and Leonard Co on top of the killings of over 90 other Filipino citizens involved in socio-political issues remind us of the bleak situation of human rights in the country. ■

This is an abridged version of the 2013 **Human Rights Watch** report on the human rights situation in the Philippines <http://www.hrw.org/world-report/2013/country-chapters/philippines>



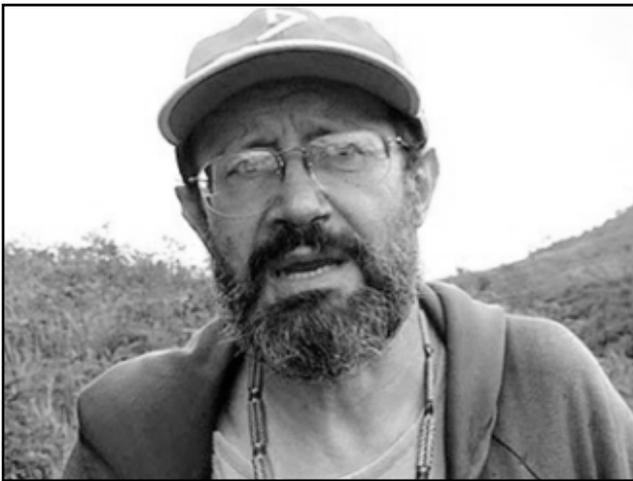
Wilhelmus JJ Lutz Geertman is a Dutch NGO/community organizer that was shot last July 3 in Angeles City, Pampanga. Geertman died in the emergency room of the nearby Sacred Heart Medical Center at 1:20 PM.

Geertman is the Executive Director of disaster relief NGO Alay Bayan, Inc. and has resided in the Philippines for the past 46 years. He spoke fluent Filipino and has worked among poor farmers in rural communities. He is a known anti-mining advocate. He has worked on various relief missions, particularly last year in Nueva Ecija and Aurora in the aftermath of typhoon Pedring. Alay Bayan facilitated the relief mission of the Bayanihan Alay sa Sambayanan (BALSA) led by Bayan and allied groups. Willem also

attended the 4th International Assembly of the International League of Peoples Struggle in Rizal in July 2011.

Geertman is the second European NGO/community worker killed under the Aquino regime, after the death of Fr. Pops Tentorio in Mindanao. His death comes a month after the Philippine government appeared before the United Nations Universal Periodic Review in Geneva where it was grilled by EU states on the elimination of extrajudicial killings, torture and enforced disappearances in the Philippines. ■

Source: www.chrp.org.uk



Father Fausto "Pops" Tentorio was a 59-year-old Italian priest who was gunned down in Arakan, North Cotabato last October 17, 2011 within the Mother of Perpetual Help parish church compound at around 7:30 a.m.

Fr. Pops Tentorio is an Italian missionary that came to the Philippines in 1978. He first arrived in Ayala (Archdiocese of Zamboanga) where he worked for two years and during which he acclimatized himself to the Filipino culture. He came to the Dicese of Kdapawan in 1980 and was stationed as mission administrator in the parish of Columbio, province of Sultan Kudarat. There he had his first taste of what it takes to be a missionary in a tri-people setting of Christians, Muslims, and indigenous peoples.

According to the Pontifical Institute for Foreign Missions (PIME-Pontificio Istituto Missione Estere) Philippines, there were two other Italian church workers (under the same congregation) murdered before Tentorio—Father Tullio Favali and Father Salvatore Carzedda. ■

Source: PIME



Gerardo Valeriano Ortega, DVM is a veterinarian, a politician, a journalist, an environmental activist and a highly respected community organizer in Palawan. “Ka Gerry” or “Doc Gerry” just finished a broadcasting stint in Palawan station dwAR-FM after a lone gunman shot him in the back of the head on January 24, 2011.

Unlike most of the murders of journalists, human rights and political activists, where the perpetrators are not known, Ortega’s murder is one of the few instances in which the shooter was jailed (but was soon granted bail). In most cases, even if the identity of the gunmen is known, they could not be prosecuted because of the lack of witnesses. Witnesses are too frightened to testify in most

investigations conducted by the authorities.

There were two versions as to the motive of Ortega’s murder during the early stage of the police investigation. First, the gunman had killed him as a result of robbery gone wrong. However, there was no evidence to show the use of force and resistance on Ortega’s part that would have provoked the shooter. Secondly, that the murder was a result of Ortega’s advocacies for the protection of the environment. It is highly speculated that Ortega’s anti-mining activities triggered his assassination in order to silence him. ■

Source: Human Rights Asia



Leonard Co was a Filipino scientist specializing in ethnobotany and plant taxonomy. He was killed on November 15 during a field research in Leyte in what the military described as a “crossfire” between the 19th Infantry Battalion of the Philippine Army and the New People’s Army (NPA).

A survivor who witnessed the shooting and barrio residents in the vicinity have since disputed the army’s claim, saying there were no NPAs in the area, and no one was shooting back at the soldiers.

Co is a distinguished and perhaps the finest botanist in the country. He produced a historic manual on Philippine

medicinal plants back in 1977 that turned out to be one of the most useful documents used by community health workers in the countryside. ■

Source: Pinoy Weekly

‘Deadline: The Reign of Impunity’ Stirs Up Audience on Media Killings

By Ronalyn V. Olea

MANILA – The film *Deadline: The Reign of Impunity* is brutal as it is truthful and brave.

It is the first film to depict media killings in the country. The figures are a cause for alarm: 144 journalists murdered since 1986 with 104 killed under the Gloria Macapagal-Arroyo administration. Four more were gunned down under the new administration of President Benigno S. Aquino III.

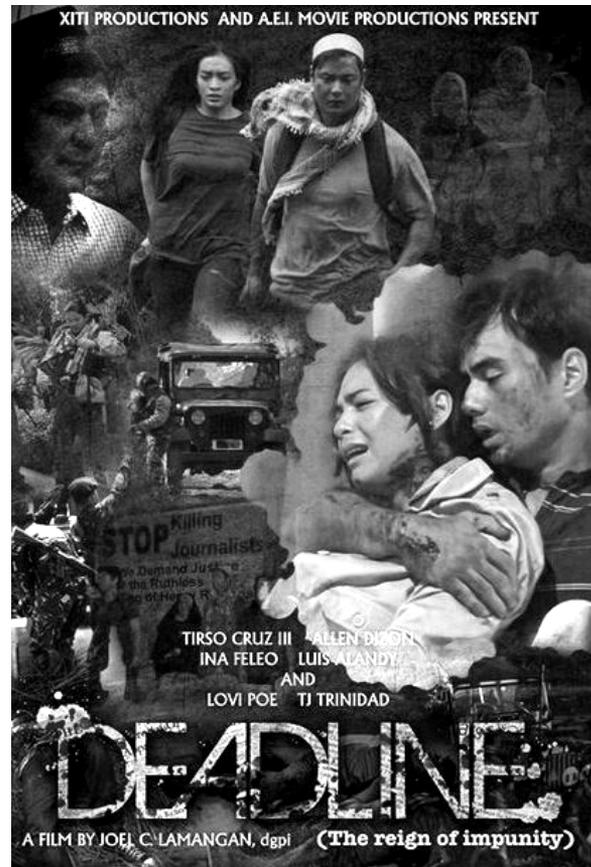
Scriptwriter Bonifacio Ilagan openly admits that the film is loosely inspired by the Ampatuan Massacre on November 23, 2009 that claimed the lives of 58 individuals, including 32 journalists.

This is a dramatic presentation of what happened during the past regime,” Director Joel Lamangan said during the press preview. Ilagan added, “Killings are becoming more common. We have been desensitized to the point that we do not care. We hope that the film will awaken the people,”

Lamangan narrated the difficulty that they had in compiling information for the film, saying that they had to approach many individuals and groups for help, many of whom turned them down. “They were afraid, the producers and artists. [Eventually], I was able to get a team who are not afraid of the truth. Because of them, the film came into being.”

The film was produced by Xiti and AEI Productions. The cast includes Tirso Cruz III, Allen Dizon, TJ Trinidad, Lovi Poe, Luis Alandy and Ina Feleo.

In his speech, Butch delos Reyes, executive producer of Xiti Productions, said media killings reveal the reign of impunity that culminated in the massacre. Delos Reyes said they made the film “because we, storytellers, do not want bad people to win.”



Artists share the same objectives. Cruz, who plays an abusive governor in a fictional Mindanao province, said that the film “is of the times.” He said that because of the Ampatuan massacre, “the Philippines has been put in the world map as one of the most dangerous places for journalists.”

“Hopefully, the movie will show what should and what should not happen,” Cruz told Bulatlat.com.

In an interview, Dizon said: “I hope the movie will serve as an eye-opener to all Filipinos.” Dizon admitted that before the films *Dukot* and *Sigwa*, also directed by Lamangan and written by Ilagan, he was unmindful of what is happening in society. “I learned about the human rights situation in the country,” he said, referring to *Dukot*, a film about enforced disappearances.

Alandy said it was his first time to learn about media killings. Feleo, meanwhile, said doing the film made her admire and respect journalists. “They sacrifice a lot for their work,” she said.

The movie is replete with heart-pounding scenes and the actors all gave justice to their roles.

Veteran actor Cruz said he was challenged, and learned how to speak the local language. Feleo said she had to be reminded by Lamangan regarding the proper portrayal of her role as a passionate journalist.

Many of the scenes in the film actually happened, albeit with different names and places. Alandy plays the role of journalist ordered killed by a powerful politician in Mindanao who is closely linked to the president. Meanwhile, Poe plays Alandy’s girlfriend who seeks for

justice after his death, and whose quest result to another episode of violence.

Edith Tiamzon, widow of UNTV’s Daniel Tiamzon, one of the victims of the Ampatuan massacre, said she could not help but see the Ampatuans in Cruz’s role. “I realized even more how influential they are,” she told Bulatlat.com after the press preview.

Tiamzon said seeing the picture of her husband in one of the scenes made her feel what she felt then when she heard the news of his death. She commended Lamangan for doing the film.

“There are films that tell the truth, that shock the audience with stark realities. Films should be instruments for change,” Lamangan said. ■

This is a slightly edited version of an article published by **Bulatlat.com** (April 9, 2011): <http://bulatlat.com/main/2011/04/09/deadline-the-reign-of-impunity-to-stir-up-audience-on-media-killings/>. Bulatlat.com is an alternative news agency that seeks to reflect the people’s views and stand on issues that affect their lives and their future.



March - June 2013

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Violations of Civil and Political Rights under the Aquino Government

Government (July 2010 to April 2013)



| No. of Victims | Violation |
|-----------------------|--|
| 142 | Extrajudicial Killing |
| 16 | Enforced Disappearance |
| 76 | Torture |
| 3* | Rape |
| 164 | Frustrated Extrajudicial Killing |
| 247 | Illegal Arrest without Detention |
| 293 | Illegal Arrest and Detention |
| 214 | Illegal Search and Seizure |
| 208 | Physical Assault and Injury |
| 8,856 | Demolition |
| 397 | Violation of Domicile |
| 7,724 | Destruction of Property |
| 282 | Divestment of Property |
| 30,678 | Forced Evacuation |
| 31,417** | Threat/Harrasment/Intimidation |
| 7,012 | Indiscriminate Firing |
| 54 | Forced/Fake Surrender |
| 172 | Forced Labor/Involuntary Servitude |
| 297 | Use of Civilians in Police and/or Military Operations as Guides and/or Shield |
| 27,029 | Use of Schools, Medical, Religious and Other Public Places for Military Purpose |
| 2,781 | Restriction or Violent Dispersal of Mass Actions, Public Assemblies and Gatherings |

*All victims are minors

**Mostly communities in militarized areas

Source: Karapatan.org