



**RODRIGO DUTERTE
AND HIS CRASS LEGACY
OF MASS MURDER AND STATE TERROR**

**TERM END REPORT ON THE
HUMAN RIGHTS SITUATION IN THE PHILIPPINES**

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SITUATION IN THE PHILIPPINES

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KARAPATAN is an alliance of human rights organizations and programmes, human rights desks and committees of people's organizations, and individual advocates committed to the defense and promotion of people's rights and civil liberties. It monitors and documents cases of human rights violations, assists and defends victims and survivors, and conducts education, training, and campaigns.

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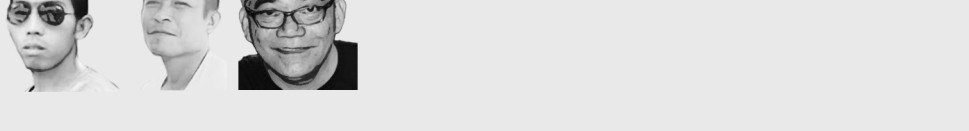
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VICTIMS OF EXTRAJUDICIAL KILLINGS
under the Duterte Regime

EJK VICTIMS WITHOUT PHOTOS

2016

Remar Mayantao
Rogen Suminao
Senon Nacaytuna
Hermi Alegre
Makenet Gayoran
Jerry Layola
Jimmy Manpinsahan Barosa
Jessybel Sanchez
Elmer Del Rosario
Eligio Barbado
Gaudencio Bagalay
Ramelito Libria Sr.
Jimmy Sotto

2017

Venie Malao Diamante
Matanem Lorendo Pocuan
Jerson Bito
Pipito Tiambong
Orlando Eslana
Roel Rico Satingasin
Lorendo Borres
Billamin Turabin Hasan
Nurmayda Abbi
Nurrudin Musaddul Muhlis
Pedro Pandagay
Virgilio Balungag
Arlene Agan Almonicar
Arman Tampus Almonicar
Cora Molde Lina
Elias Pureza
Bernardo Calan Ripdos
Constancio Petalco
Crisanta Petalco
Jerry Estoya Cuyos
Josef Rosales
Rodolfo Jr. Tagalog
Lolita Pepito
Reden Luna
Richlyn Luna
Federico Sanchez Plaza
Rodolfo Sagittarius Jr. Dagahuya
Idris Rascal
Jalal Rascal
Abol Khayr 'Dompipi' Amatonding
Ramos Malik
Abdullah Mamansag
Daniel Lasib
Alim Baser

Sohaib Batalo
Ana Marie Digaynon Aumada
Jessie Cabeza
Lito Casalla
Jaynudin Amiludin
Joseph Baning
Ande Latuan
Remond Tinoy Lino
Carolina Arado
Catalina Castro
Mario Castro
Arnel Borres
Melquisidic Dick" Laura"
Eddie Alyawan
Arthuro Galvez
Crisologo "Celso" Alambra
Thelma Albaño
Lomer Gerodias
Ruel Paldapan
Dalia Velasco Arrabis
Jezreel Mahumot Arrabis
Luardo Yac
Ayilan Lantoy
Reneboy Magayano
Grace Merilla
Wilfredo "Willy" Buenaobra Bronio
Rodrigo Timoteo
Rolando Moreno
Artemio Danyan
Mateng Bantal
Pato Celarbo
Rhudy Danyan
Samuel Angkoy
To Diamante
Victor Jr. Danyan
Pastor Lovelito Quiñones
Jennirose Erbetto Porras
Edwin Mencion Magallanes

2018

Aaron Notarte
James Flores
Aniceto Jr. Lopez
Lolito Rasa
Victorino Tesorio
Ricky Baguio Olado
Kenard Barrientos
Carmelina Amantillo
Consolacion Cadivida
Felimon Molero
Jesibel Aballe
Ronald Manlanat
Emelda Allarcus Sangquina
Fe Delos Santos
Liz Besiro Ocampo
Nazrullah Balao
Agudo Quillio
Ananias "Ogie" San Jose

Noli Colico
Orlando "Longlong" San Jose
Jerry Turga
Dande Lamubkan
Antonio Bonagua
Roberto Ramos
Ronnel Nares
Ariel Maquiran
Carlito Bacudan Sawad
Abu (no last name)
Buraad Salping
Dadting Kasan
Deng Malinok
Mohalidin Salping
Moner Kasan
Muhamidin Kasan
Orom Mantis
Tiyu Mantis
Lando Perdicos
Jose Unahan
Nestor Dagatan Sacote
Arnel Penaso
Juan Dodoy" Precioso"
Kent Montilla
Menyo Yandong
Rolly Panebio
Gilbert Dacay Plabial
Jean Bustamante Plabial
Haide Malalay Flores
Abduladzis Salindugay Hasim
Alpadal Diray
Basiluddin Hairani
Benajal Tula
Issah Hamsan
Maknun Sakirin
Makrub Diray
Mijar Hairan
Res Hangadon
Salvador Gracilla
Jaime Delos Santos
Jimmy Ambat
Victor Villafranca
Angelife Arsenal
Eglicerio Cambunga Villegas
Joemarie Ogahayon
Marcelina Danoso Dumaguitt
Morena Flores Mendoza
Paterno Baron
Rannel Hinoguin Bantigue
Rene Pahayahay Sr. Laurencio
Esteban Sr. Empong
Rommel Romon
Linus Cubol
Jesus Isugan
Constancio Languita
Jaime Revilla

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FOREWORD

So the people will know and remember.

This is a book that documents Rodrigo Duterte's government and how he revived a terror that was most treacherous to the safety and survival of its rights critics and of the poor majority of the people in the Philippines.

History will not absolve Duterte and his minions who have inflicted the horror of their malevolence on activists, rights defenders, journalists and other government critics.

KARAPATAN has been at the forefront in defending and protecting human rights in the Philippines, and the alliance and its human rights workers have been one of the most maligned victims of Rodrigo Duterte's malice and terror, red-tagged and hounded by his lapdogs of war. Karapatan's human rights defenders have been murdered, arrested, tortured, imprisoned, kidnapped and involuntarily disappeared.

We want justice not only for Karapatan's rights defenders but for all the victims of the Duterte regime. We want accountability for all the human rights violations of the Duterte regime.

The impunity must stop.

Jun Cubul
Reneboy Fat
Demetrio Jimmy” Fat”

2019

Remegio Marco Arquillos
Hermenegildo Domdom
Emel Tejero
Randel Gallego
Sergio Jr. Atay
Rowena Borabo Gavina
Emelda Torralba
Roberto Bobby” Castillo Mejia”
Sanito “Tating” Delubio
James Vinas
Jerome Pangadas
Franklin Alcano Lariosa
Mario Pañares
Melchor Pañares
Manolito Grapa Martin
Ano Enojo Rapada
Gonzalo Rosales
Apolinario “Baba Pining” Lebico
Wilmar Andag Calutan
Dennis España
Melvin Obiado Cabe
Felipe Dacal-dacal
Arnie Espenilla
Zando Alcovendas
Edwin Dematera
Alberto Gummallaui
Pizo Cabug
Liovigildo “Nonoy” Palma
William Talion
Lito Tabolong Itao
Prente Gutierrez
Joel Anino
Datu Mario Agsab
Arthur Cordevilla Bayawa
Romeo Arbole Alipan
Reden Eleuterio
Misba Masla
Leo Enardecido
Guillermo Casas
Alex Lacay
Jeffrey Bayot
Gilbert Sasi Domingo
Sammy Pohayon
Nedis Bacong
Angelito Marivao
Gabriel Caballes Dumayac
Christopher Abraham
Nathaniel Dodo Tagaylo
Wolfert Dalanon

2020

Emerito Rubio Pinza
Romy Dimacuha Candor
Arvie Alarcon Reyes

Jaime Tañada
Jeric Vuno
Jerry Palanca
Raymundo Tañada
Robert Villafuerte
Aslamiya Adam Tambak
Asnaida Adam Tambak
Edgar Minggoy
Marlon Bajar
Rolly Dela Cruz
Reken Remasog
Amer Pagalasan
Moadz Modjie
Noel Castrana
Ottoh Cyrie Alangan
Louie Tagapia
Benladin Kumawit Dimanalao
Budsal Lipusan
Esmael Pagayaon
Nasrudin Kalilangan
Romeo Balatamay Pioto
Saganding Sailon
Bernardo Guillen
Albert Orlina
Jerry Regala
Joey Asne
Judy Barruga
Ignacio Jr. Arevalo
Rodel Macana
Florenda Yap

2021

Michael Bagasala
Noel Jr. Tesalona Degamon
Antonio Arellano
Fredo Binangkil
Julito Solano
Christopher Buton
Cristina Estocado
Lowel Riza Mendoza
Wilfredo Arguelles Epago
Rustico Jr. Luna Tan
Ailyn Ekit Bulalacao
Randy Tapales
Sagloy Destajo
Jaymar Palero
Marlon Napire
Eighfel Dela Peña
Wilfredo Fuentes
July Malaca Bon
Vilma Baliguat Tawede

2022

Menandro Villanueva
Rosemarie Anitubo Galias
Richard Bua Mendoza



Mass mobilization held during the first State of the Nation Address of then President Rodrigo Duterte in 2016. (Photo from Bulatlat)

Rodrigo Duterte and His Crass Legacy of Mass Murder and State Terror

The Rodrigo Duterte regime ended in June 2022, in what seemed to be the longest six years in the recent history of the people's movement's advancement of human rights and justice in the Philippines.

Duterte had left an indelible legacy of impunity and a massive human rights crisis, half of his term under a pandemic which had worsened the people's suffering with the government's failed pandemic response. Issues of corruption were simply swept under the rug, as he tried to save himself and his allies from accountability.

As Duterte remains under fire with the investigation of the International Criminal Court (ICC) for the killings under the war on drugs, he keeps his alliance with the Marcoses, and still keeps closer his most rabid dogs in the military and the bureaucracy.

Duterte's political rehabilitation of the Marcos name and the restoration to power of the dictator Marcos's family as manifested by their political alliance and the team-up of Duterte's daughter with the dictator's son in Malacañang, are grim indicators that there will be no reprieve in the fascist terror unleashed under the Duterte regime. Moreover, Marcos Jr. has gathered the support of previous Presidents Estrada and Macapagal-Arroyo who have earned the people's rage for their fascist campaigns and corruption – an indication of his preference for shady associates. This Marcos Jr. presidency is indeed a continuation of the sordid legacy of his father, and a copycat of those before him.

Under a Ferdinand Marcos Jr.-Sara Duterte alliance, there is no justice and accountability for an exiting president that has left behind thousands of grieving widows, parents and children. The Marcos Jr.-Sara Duterte clique can never be expected to subvert the extensive policy of terror and repression that Rodrigo Duterte has implemented.

Therefore, the pursuit of justice and accountability and the defense of hard-earned rights reside with the people's struggle.

PART I: DUTERTE'S TERROR ECONOMY



Editorial Cartoon by Max Santiago

Dutertenomics: Anti-Poor, Anti-People, Pro-Elite, Pro-Imperialist

The semi-colonial and semi-feudal Philippine society drowned deeper in crisis under the Duterte regime. With no real developed industries in the country, and a backward state of agriculture, the poor majority suffered the state's disregard of their rights and abandonment of their welfare. Duterte and the neoliberals in his Cabinet – with the collusion of the legislative branch of government – steered the country towards increased dependence on international financial institutions and imperialist countries.

Policies and programs reduced public control on key industries and services, while big private companies raked in profits through dubious and onerous deals. Price controls and State responsibility in the provision of basic social services slimmed further, as privatization, deregulation and further liberalization of the economy under Duterte favored

big businesses and private corporations, many of which were owned or controlled by Duterte allies or cohorts who supported his tyrannical rule.

(Photo from Piston)



Tax Reform for Acceleration and Inclusion (TRAIN). In 2017, the Duterte regime implemented the Tax Reform for Acceleration and Inclusion (TRAIN), after this was railroaded in Congress upon the prodding of Duterte and the Department of Finance. The tax reform package sought to decrease taxes for businesses and corporations in an effort to make the Philippines more enticing for foreign investors.

Meanwhile, higher taxes were imposed on consumers by raising value-added and fuel excise taxes, automatically increasing the cost of commodities and services. According to IBON Foundation, the comprehensive tax reform made the poor even more vulnerable, with at least PhP 807 taken away from the poorest 60% of the population in the first year of the program's implementation. The rich, on the other hand, would enjoy lower personal, estate, and donor taxes.

TRAIN was anti-poor in its real essence – a tax “reform” that burdened the poor to fund government programs that would mostly benefit private firms and politicians who brokered the deals.

TRAIN had been primarily geared to funding more physical infrastructure, while domestic job generation and domestic production were comparable to sporadic drips from the faucet. The country's economy remained underdeveloped as this regime followed the trend of a debt-driven economy with no national industries.

TRAIN perfectly demonstrated how the domestic economy was a lackey of the US government and a copycat of its neoliberal model. TRAIN had been designed under the framework provided through recommendations of the Joint Foreign Chambers of Commerce (JFCC) which worked in coordination with the US Agency for International Development (USAID), the Millennium Challenge Corporation (MCC), and the International Monetary Fund-World Bank (IMF-WB).

“Build, Build, Build”. The Duterte administration also launched the “Build, Build, Build” program, packaged as the flagship policy of the Duterte government, though it was merely a continuation of previous administrations’ projects. It was claimed to be a make-or-break program that would boost the economy, as it aimed to finish an ambitious number of infrastructure projects in different parts of the country for the duration of Duterte’s term.

The Duterte administration left the fate of the rest of the projects with the Marcos Jr. administration, leaving the country, and the people, deep in debt.

However, by the end of Duterte’s term, the Department of Public Works and Highways (DPWH) reported that it had completed only 12 of 119 listed infrastructure flagship projects (IFPs), amounting to a total of PhP 70.65 billion. This accounted to 1.4% of the PhP 5.08 trillion cost of investments for all the 119 IFPs.

Two of the projects, the LRT 2 East Extension and the Metro Manila Skyway Stage 3, were started under the administration before Duterte. Some of the projects were also not public works such as the national ID system, while some projects were merely continued from previous administrations. The Duterte government also “updated” the list of projects a number of times, starting from 75 projects in 2017, obviously to increase the chances of completing a respectable number of projects before its term would end. Much remained to be done, with 51 projects going beyond 2023, while 28 others were listed still in the pipeline.

The Duterte administration left the fate of the rest of the projects with the Marcos Jr. administration, leaving the country, and the people, deep in debt. Duterte’s economic managers claimed that the success of the “Build, Build, Build” program lay in the increase of the infrastructure spending share of the Gross Domestic Product (GDP), from 3.9% at the beginning of the Duterte administration, to 5.1% towards the end of its term. With the increase in GDP spending for the “Build, Build, Build” program, Duterte’s administration wanted to project that the State was at the helm of infrastructure development.

However, according to Ibon Foundation, only 3.9% of the indicative amount for IFPs had come from the national budget, while more than half came from Official Development Assistance (ODA), mostly as loans, mainly coming from Japan and China. Moreover, 32% of the total cost came from 20 unsolicited public-private partnerships.

The Duterte administration relied heavily on private capital and unsolicited proposals, to speed up the completion of the projects. It doubled its gross borrowings from PhP 507 billion in 2016. From PhP 6 trillion when Duterte assumed the presidency, the national government's outstanding debt almost doubled to PhP 11.73 by the end of 2021.



(Photo from Ibon Foundation)

At present, the national debt is at a whopping PhP 13.42 trillion, with the Marcos Jr. administration adding PhP 627 billion in its first six months in office.

Duterte's "Build, Build, Build" program was not for the people, but for foreign investors – it was a temporary artificial boost in jobs production due to massive construction, but what people really needed was sustainable productive work that would address their basic needs and which could fuel real economic growth.

Ibon also underlined that the BBB program failed to deliver the administration's promises on job generation. Every year since 2017, the growth in construction employment was a lot smaller than in 2016. The projected job generation from 1.2 million annual average in 2017-2022 was a far cry from reality. The annual average job generation from sectors pre-pandemic for 2017-2019 only reached 313,000 – the lowest among all administrations post-Martial Law.

These policies of the Duterte government, which would now be carried on and continued under Marcos Jr., had left the people buried deeper in debt, burdened with more taxes, and mired in the unending struggle against poverty and crisis.

The Lack of Food. Duterte’s failure to fulfill people’s demands for land distribution and sustained support for local farmer-producers were reflective of the regime’s total neglect of agriculture. It further worsened the state of food insufficiency in the country and the situation of the already impoverished farmers and fisherfolk, the primary food producers of the economy.

Aside from the meager budget allocation for the agriculture sector, as well as the low budget allotted to implement land reform, the country relied heavily on food imports. The country became more dependent on the importation of products that could easily be produced in the country, if not for the government’s disregard of agriculture and local production. The country’s rice import dependency quadrupled, from 5% in 2016 when Duterte assumed the presidency, to 20.2% in 2019. Other imported agricultural products flooded the country, like garlic, potato, meat and fish.



(Photo from Rural Women’s Advocates)

The Rice Tariffication Law resulted in the loss of income of rice farmers, and the so-called support for farmers was not enough to make up for the larger losses due to high prices of farm inputs. The Duterte government fared worst in terms of the 328,000 yearly loss of agricultural jobs under its watch. Poverty rates were higher among farmers and fisherfolk and much higher than the national average.

Widespread unemployment. Filipino workers, both in the private and public sectors, and already exploited by meager wages and lack of benefits, faced greater challenges with the prevalence of contractualization. Wage increase under the Duterte regime ranked the least among presidents after the ouster of the Marcos dictatorship, with workers receiving a measly 9.4% cumulative increase in wages in the last 36 years. The calls for a nationwide across-the-board wage increase amid inflation, high prices, and the pandemic’s onslaught went unheeded.

Duterte's promise to end contractualization was a farce, as its government even legitimized contractualization by the Department of Labor and Employment's (DOLE) issuance of Department Order 174, which legalized its practice by furthering trilateral arrangements between employers, agencies, and employees -- with the workers always at the losing end.

By the end of the Duterte government, there were almost 11.1 million underemployed and unemployed workers. Duterte and his economic managers stuck with neoliberal globalization policies and programs which were proven detrimental to the country and its people but beneficial to foreign and national monopoly capitalists.

Workers also faced dangerous and perilous working conditions. Corporations, including those in the extractive industries, enjoyed the lack of accountability and the government's inaction and inutility in regulating and monitoring worker's safety in the workplace, in violation of people's basic economic rights.

It was also under Duterte that jeepney drivers faced the phaseout of the traditional jeepneys with the Department of Transportation's (DOTr) so-called jeepney modernization program. What the Duterte government called the "modernization" of public transport in the country was the DOTr's planned purchase of 250,000 jeeps priced at a hefty PhP 1 million each, and this would be a heavy burden on at least 300,000 drivers who eke out their living on a daily basis.

The jeepney modernization program triggered massive protests in the public transport sector. Jeepney drivers asserted that real modernization should be for the benefit of their sector, their families and the commuters. Alternately, they called for a rehabilitation program to make all jeepneys roadworthy through the use of government subsidies, instead of the plan for the absolute phaseout of all jeepneys.



Photo from No To PUV Phaseout Coalition

Aside from the jeepney phaseout, the pandemic further highlighted the sufferings of the impoverished jeepney drivers, when lockdowns halted public transport. Jeepney drivers resorted to begging for alms in the streets, as they demanded for assistance from the government.



Selling the Country’s Sovereignty. Duterte’s bravado of being a nationalist and a defender of the country’s sovereignty disappeared into thin air, as his economic policies were essentially elitist and subservient to foreign interests. The Duterte government desperately latched on to the United States and China at the expense of the country’s territory and sovereignty.

Enthusiastically shaking hands with China, and brushing off the latter’s continued encroachment into the West Philippine Sea, Duterte allowed the Philippines’s humiliation and voluntary subjugation as “necessary,” and permitted China to usurp the country’s islands for all the world to see. Transactions reportedly amounting to an estimated PhP 917 billion were signed under 23 projects with China, surreptitiously approved without transparency by Duterte.

The Philippine government would remain dependent on imperialist powers led by the US, chasing after defunct policies that were proven to bankrupt national economies, and trading off a huge chunk of the country’s patrimony and right to steer national policy. Kickback money was suspected to have been hidden behind contracts for mega-projects that bypassed necessary requirements, while communities were displaced due to these mega-constructions. Resisting community leaders were killed, silenced, bribed, or turned against each other.

The China-backed Kaliwa Dam project on Dumagat ancestral land highlighted how mega-projects supported by the government ended up with railroad requirements and fake consent from dubious leaders who misrepresent indigenous peoples communities.

Displacement of indigenous peoples and the demolition of urban poor communities remained prevalent during the Duterte administra-



Aeta and Dumagat-Remontado tribes vow to continue resistance against Kaliwa dam project on Dumagat Day, 2019. (Photo from Southern Tagalog Exposure)

tion. In areas where there were so-called “development” projects, some under the “Build, Build, Build” program, indigenous peoples were left with no choice but to leave. In the cities’ urban poor areas, the poorest of the poor and the homeless faced eviction and the demolition of their homes. The Occupy Movement that flourished during the Duterte administration exposed the many problems of the government’s housing program, and stressed the need for mass housing for the poor and common Filipino.

As Filipinos faced landlessness, unemployment, miserable wages, demolition and displacement, the Duterte government’s meager spending on basic social services left the people scrambling for scraps. During the pandemic, when the country needed resources for health care and an efficient COVID-19 response, the Duterte government insisted on debt payments and massive infrastructure spending.

Still, the militarist campaigns implemented by Duterte through the Department of National Defense (DND), the AFP and the PNP were funded through large sums of money. The counter-insurgency campaigns continued to be used as the military’s money-making venture officially funded from its gargantuan budget every year. There was never any indication that the Duterte government would use the national budget to uplift the general condition of the Filipino people. Instead, there was pervasive corruption and their shameless dash to protect themselves from any accountability.

Duterte and his sycophants foisted a de facto martial rule that imposed a fascist and militarist regime to silence the people.

Photo from Anakbayan



Duterte's Terror laws

The formal signing into law on July 3, 2020 of Republic Act No. 11479, otherwise known as the Anti-Terrorism Act of 2020, was the culmination of the Duterte regime's objective of officializing State-sponsored terror.

The Anti-Terrorism Act was even more vicious than its predecessor, the Human Security Act. It had provisions on the arbitrary proscription and designation of individuals and organizations as terrorist; and the removal of human rights safeguards, such as penalties for erring security forces, among others.

When it was promulgated, there was a feared menace of more possible violations on the rights to freedom of expression, to association, and to uphold and defend people's rights. Provisions regarding warrantless arrests and detention were violative of due process rights and the Anti-Terrorism Act provided an environment for torture, cruel, inhuman or degrading treatment. These provisions compromised the basic human rights enshrined in the Philippine Constitution and in international human rights instruments. The Anti-Terrorism Act was used to undermine judicial independence, the separation of powers and the check-and-balance of good governance.

Despite widespread opposition to the law for its deadlier threats to civil liberties and the exercise of the people's right to dissent, the draconian and overbroad Anti-Terrorism Bill was railroaded by the rubber-stamp Congress.

State security forces and the militarists in Duterte's Cabinet made no attempts to disguise the true intent of the law, particularly with the

massive red-tagging rampage of the NTF-ELCAC. The immense powers given to the Anti-Terrorism Council (ATC), composed of military officials and militarist members of the Cabinet were a grave concern with known notorious human rights violators at the helm.

There were 37 petitions calling for its nullity, but the Supreme Court ruled that, except for a few provisions, the Anti-Terrorism Act was constitutional.



Progressive groups and sectors file petitions at the Supreme Court before the passage of the Anti-Terrorism Act

Human rights groups, people's organizations, law associations, and other civil society formations appealed for reconsideration of this decision, arguing in the main that to favor the legality of the said law would further have a horrifying effect on the people's exercise of their fundamental freedoms, silence dissent, and ultimately cost the lives and liberty of the people. The Anti-Terrorism Act legalized the long-running terror-tagging rhetoric that had been used to publicly vilify, harass, and incite State violence against human rights defenders and government critics.

The UN Office of the High Commissioner for Human Rights (OHCHR) released a report on the deteriorating human rights situation in the Philippines, as the OHCHR also expressed concern over the Anti-Terrorism Act and how it "dilutes human rights safeguards, broadens the definition of terrorism and expands the period of detention without warrant from three to 14 days, extendable by another 10 days."

Among the first victims of the Anti-Terrorism Act, as with the now-repealed Human Security Act, were Aeta indigenous people. **Japer Gurung** and **Junior "Urbano" Ramos** were arrested and detained by elements of the 7th IDPA on August 21, 2020 while they were fleeing their community because of intense military operations in the area. The military accused them of being members of the NPA who had shot dead a soldier in an alleged encounter in San Marcelino, Zambales. Gurung and Urbano, along with

Manuel Ramos, Sr., cousin of the former's in-law, were blindfolded, tied and beaten, and suffocated with cigarette smoke-filled plastic bags while they were interrogated by the military men. Their families had no contact with them throughout their six-day ordeal. Gurung also narrated how feces was forced into his mouth to make him admit that he had a gun.

On February 2, 2021, the first day of the oral arguments on the petitions against the Anti-Terrorism Act before the Supreme Court, Gurung and Ramos filed a petition for intervention in the oral arguments with the NUPL as their counsels. A week later, on the second day of the oral arguments, Solicitor General Jose Calida announced that Gurung and Ramos had withdrawn the petition and had dropped the NUPL as their counsels. This was after representatives of the National Commission on Indigenous Peoples talked to them without the knowledge of their counsels.

“Terrorism Financing” as a Tool for Repression. Republic Act No. 10168, or the Terrorism Financing Prevention and Suppression Act, was frequently used as a tool of political persecution and repression of those whose advocacies and work exposed the gaps in government services and the policies and programs that were detrimental to poor communities in the country.



(Photo from Rural Missionaries of the Philippines)

Increasingly, it was used specifically in the political persecution of humanitarian workers and human rights defenders from religious institutions, as in the case of the Rural Missionaries of the Philippines-Northern Mindanao (RMP-NMR) who were charged under this law.

The terrorist financing charges were reckless, false and baseless, since the RMP consistently passed independent checks and reviews by strict and reputable funding agencies, including the European Union.

Persecuting the Religious with Financial Terrorism. As of this writing, 16 individuals, including four nuns who are members of RMP, are facing non-bailable charges before an Iligan City court for alleged violation of Section 8 of Republic Act 10168, punishable with 40 years imprisonment and a fine ranging from PhP 500,000 to PhP 1,000,000.

Included in the charges are human rights lawyer Czarina Musni, missionary nuns and humanitarian workers of RMP-Northern Mindanao. The RMP also faces a civil forfeiture case filed by the Anti-Money Laundering Council (AMLC) at the Manila Regional Trial Court Branch 37, using the same law as grounds of the case.

The ongoing civil forfeiture and terrorism financing cases against RMP have resulted in the violation and arbitrary and unjust restriction of the rights of the RMP and the further deprivation of the impoverished and marginalized communities that the RMP serves.

The charges against RMP-NMR are obviously based on either unintelligible intelligence reports of the military and the NTF-ELCAC, and from fabricated and perjured testimonies of alleged witnesses. Such accusations are really malevolent. This malice against a religious group is countermanded just by seeing how the RMP-NMR does exemplary work in Northern Mindanao in delivering humanitarian support and their advocacy work for human rights.



Former RMP National coordinator Sr. Elenita Belardo. (Photo from RMP)

RMP-NMR has been doing its humanitarian work for numerous years, while those who are behind the lies against the institution in the NTF-ELCAC, have nothing to show regarding any welfare services for grassroots people. RMP-NMR was able to deliver food and medical aid to thousands of poor communities during the aftermath of typhoons Sendong, Pablo and Haiyan and among the evacuees in Marawi in 2017. It had numerous literacy and numeracy education initiatives as well as research on human rights issues and environmental concerns.

Since 2020, the National Task Force to End Local Communist Armed Conflict has been using this Terrorism Financing Prevention and Suppression Act against the national office of Rural Missionaries of the Philippines, United Church of Christ in the Philippines Bishop Hamuel Tequis and five others from UCCP Haran, Amihan Federation of Peasant Women, and five other non-government organizations (NGOs) in Mindanao. Bank accounts of these organizations have been frozen, and this has heavily affected their humanitarian and human rights work.



Sr. Emma Cupin, Sub-Regional coordinator, RMP-NMR. Photo by Karapatan

Red-tagging, terrorist branding and halting to court the real people’s heroes like the RMP nuns and development workers expose them to attacks and violations of their rights by State security forces. Their lives are also put in danger.

Prior to these forms of judicial harassment, these institutions and groups have been subjected to various online and off-line threats and harassment, including red-tagging. RMP’s Sr. Elenita Belardo and Sr. Emma Cupin faced charges of perjury from former National Security Adviser Hermonogenes Esperon. All these moves of government violate the human rights defenders’ rights to due process and their freedom of association.



Posters red-tagging individuals Neri Colmenares, Carlos Zarate, progressive groups Bagong Alyansang Makabayan, Bayan Muna, Kabataan Partylist, Gabriela, Defend Jobs Philippines among others.

The Anti-Development Frame of the Anti-Terrorism Act. In getting rid of government critics, particularly progressive groups, the Anti-Terror Council was perceived to be another vanguard of liberalization policies wherein foreign investors and businesses would be enticed to enter the country without any difficulties from troublesome detractors like activists. This was another facet of the Anti-Terrorism Act – that it was enacted at the expense of the people’s rights to their own environment and natural resources.

Peasant, environmental and indigenous peoples rights groups raised alarms that the Anti-Terrorism Act would only serve to intensify counter-insurgency and counter-terrorism military operations in environmentally protected areas, indigenous ancestral domain territories, as well as lowland farmlands – which they feared would result in more killings; illegal arrests; terrorist-labelling of environment defenders and indigenous activists; land-grabbing; and various other human rights violations. Military battle operations in the rural areas would result in massive environmental destruction – as soldiers aggressively secured these areas for the entry and plunder of foreign mining corporations, plantations, and so-called development projects.

Other sectoral groups like various trade unions decried the law as anti-worker, particularly with the government’s ongoing efforts to counter and purge “radical infiltration” of unions in export processing zones where violations of workers’ rights, specifically the right to organize, remain rampant. This left workers at the mercy of even more abuses to ensure the smooth flow of wealth extraction of foreign corporations through Filipino labor.

The passage of the Anti-Terrorism Act was a duplicitous but very clear maneuver to keep the country’s economy in a semi-colonial stranglehold.



PART II: DUTERTE'S REIGN OF TERROR

Mass Murders and the Sham Drug War

Since 2016, President Rodrigo Duterte had openly expressed his disdain for human rights in his crusade against criminality and the illegal drug trade in the Philippines. During the election campaign, he said that his administration would be “bloody,” as he would order the police to kill criminals, drug lords, and drug users.

At the same time that Duterte promised to eradicate criminality, corruption, and the illegal drug trade in the country within his first six months in office, the number of deaths rose by the day and multiplied during the night, not only during the first six months but in the next six years. What transpired was clearly a campaign of mass murder mainly against the poor.

In Duterte's six years, anti-drug operations came with different names: Oplan (Operational Plan) Double Barrel, Oplan Tokhang (knock and plead), Oplan Double Barrel Alpha, and Oplan Double Barrel Alpha Reloaded. Despite the many names, it remained the same brutal campaign of killing mostly the poor, a grim picture of slum areas raided by men in uniform and in plainclothes, followed by an endless parade of dead bodies in broad daylight and in the dark of night.

At first, some people praised Duterte for his seemingly fearless stance against those whom he said would destroy his country – until deaths came to more and more homes, slums, and communities. These praises were quickly dissipated and replaced by a climate of fear and terror not only for alleged drug users and dealers, but for the general population.

The Philippine Drug Enforcement Agency (PDEA) reported at least 6,252 deaths in anti-drug operations by May 31, 2022. Way before these figures were publicized, families of victims in the drug war, human rights organizations, including church organizations cried out that these numbers did not represent the actual figures on the ground.

Groups that monitored the war on drugs, including members of the media who covered *tokhang* operations and incidents almost every day, estimated the drug-related killings to be 25,000 to 27,000 during that period. Previous government reports, including the data released by the Office of the President in December 2017, cited 3,967 drug personalities who died in anti-drug operations from July 2016 to November 2017 and 16,355 homicide cases under investigation from July 2016 to September 2017.

Meanwhile, at least 122 children and minors were killed in this brutal and murderous campaign.



Police officers arrest Francisco Maneja Jr. after he pretended to be dead just after police claimed the event was a shootout during a drug sting along Roxas Boulevard, Manila dated Sept. 13, 2016. (Photo by Philippine Star)

The “Nanlaban” Narrative. Members of the Philippine National Police (PNP) and other law enforcement personnel repeatedly invoked the “*nanlaban*” (fought back) story line – that apprehended drug suspects were supposedly armed and had violently resisted arrest – to justify the killings as inevitable. Several police officers and law enforcement personnel were also involved in the fabrication of armed encounters and buy-bust operations, specifically the planting of evidence to cover up the killings of innocent civilians, and the forgery of death certificates to falsely declare that victims died of natural causes rather than gunshot wounds. All these displayed the systemic impunity and dehumanization that allowed the drug war to continue claiming lives.

In April 2022, the Commission on Human Rights (CHR) released the findings of their investigation, casting pressing questions on the “*nan-laban*” narrative, and concluded that “not only was there a question on sufficient provocation by the victims” but that eyewitness accounts “state discrepancies and inconsistencies in the official police narratives.” Apart from seeing that there was “use of excessive and disproportionate force” on those killed, the CHR also said that police officials repeatedly refused to provide records of police operations, hampering the investigation of drug-related killings. The CHR concluded that Duterte’s war on drugs “encouraged a culture of impunity.”

The vast majority of killings in the drug war had not been investigated. Only the case of 17-year-old **Kian Delos Santos** resulted in the conviction, though still being appealed, of three police officers, who were proven in court to have shot and killed him on the night of August 17, 2017 in a police operation in Caloocan City. The said police operatives who shot and killed Delos Santos claimed that the teenager fought back, leaving them with no choice but to fire back. The police further alleged to have recovered from Delos Santos a .45 caliber pistol and two (2) packets of a substance they claimed to be methamphetamine or shabu.



What Really Happened. Many of those killed were not tried and convicted by courts but were arbitrarily included in “drug lists” drawn up by police and government units. In the Communication and Complaint to the International Criminal Court by Rise Up for Life and for Rights, it was asserted that:

- Through his pronouncements and policies, President Duterte publicly vilified, ordered, incited, supported, and condoned these killings;
- Many of those killed were in the course of police “buy-bust operations” resulting in the deaths of the victims for allegedly resisting arrest;

- For cases involving unidentified vigilantes or undercover police as suspected perpetrators, victims were killed by at least two unidentified assassins usually wearing helmets, riding in tandem in a motorcycle, with the gunman astride at the back of the driver;
- The killings had been widespread and pervasive, occurring in all regions of the country, and had occurred often in public places, in broad daylight, and in front of witnesses, illustrating the brazenness of the perpetrators;
- There was lack of interest on the part of government in pursuing investigation and prosecution of these crimes and the perpetrators; and,
- President Duterte publicly avowed to pardon members of the State forces should they be tried and convicted.

Thousands of families, many of them nameless and faceless victims, and who had been denied the right to due process, and ultimately the right to life, had hoped to attain justice, where justice should be served. The condemnation in the Philippines of drug-related killings and the victims and their families' loud clamor amid injustice in the country, gained attention and support in the international community.



ICC Prosecutor Kharim Khan

The ICC on Duterte's Drug War. As the Duterte government's drug war continued to claim lives with impunity, calls for the International Criminal Court (ICC) to resume its formal investigation into the alleged crimes against humanity committed in the drug war became more urgent -- expressly amid Duterte's rabid refusal to cooperate with any independent investigation while deliberately maneuvering to halt any inquiry.

On March 14, 2018, Duterte announced the Philippine government's withdrawal as an ICC member-State by revoking the country's ratification of the Rome Statute, an international treaty that puts in place a mechanism tasked to address genocide, crimes against humanity, war crimes, and crimes of aggression, deemed as serious crimes of international concern.

Halfway through its term in June 2020, the Duterte administration announced the creation of an inter-agency panel led by the Department of Justice (DOJ). The panel then announced the review of 52 drug-related killings, followed by another announcement in March 2022 that it was set to endorse 250 cases to the National Bureau of Investigation, an attached agency of the DOJ.

This DOJ-led drug war review panel was what the Duterte government cited in its deferral request to the ICC on November 10, 2021. The ICC halted its investigation pending the results of this so-called internal investigation. However, aside from the absence of any concrete action to hold perpetrators accountable, the DOJ-led panel also fell short of indicting the killings as a State policy.

Declaring that the Philippine government failed to show that its investigations would lead to prosecuting the perpetrators and would then merit a deferral of an ICC investigation, the ICC Office of the Prosecutor formally requested judges of its pre-trial chamber to resume the investigation of the killings in Duterte's war on drugs on June 24, 2022.



(Photo edit by Rappler News in an article titled 'Under Marcos, can Duterte be held accountable for drug war killings?' posted on 4 February 2023)

The Ferdinand Marcos Jr. government echoed Duterte's refusal to cooperate with and allow the ICC to investigate the alleged crimes against humanity of the Duterte government. This position showed clear collusion with the Duterte clique to evade scrutiny. However, ICC Prosecutor Karim Khan would later state that the Philippine government's deferral request was "not warranted," and reiterated his office's request for an investigation on September 22, 2022.

On January 26, 2023, the ICC Pre-Trial Chamber I authorized its prosecutor to resume investigations, saying that it was “not satisfied that the Philippines is undertaking relevant investigations that would warrant a deferral of the Court’s investigations on the basis of the complementarity principle.”

This ICC statement came as a welcome development for aggrieved families and rights advocates, who had pursued their complaints at the ICC in the face of the moves of the Duterte and Marcos Jr. administrations to eschew the investigation.

Such shameless display of impunity by Marcos Jr. and Duterte only meant that holding Duterte and his State forces accountable for ordering, inciting, and enabling the brazen mass murder of mostly poor Filipinos, would be one among the many struggles for justice that should be pursued in the days and years to come.



(Photo from Rise Up for Life and for Rights)



Duterte's Whole-of-Nation Campaign of State Terror and the NTF-ELCAC

The people's call on the Duterte administration when it assumed office was basic, clear, and fundamental: a) pursue justice and accountability for victims of the previous regimes; b) resume peace talks and be instrumental in addressing the roots of the armed conflict; and c) uphold the rights of the people in all dimensions. These were clear-cut demands as the Filipino people had hoped that Duterte's campaign slogan of "change is coming" would be words put to action.

This "change is coming" slogan became the impetus for the demand on the Duterte government that perpetrators of rights violations under the previous regimes be held accountable, that peace talks be resumed, that political prisoners be released, and that immediate action be taken to address the basic problems of the Filipino masses amid unemployment, landlessness, and extreme poverty.

In his first days in office, Duterte moved to resume formal peace talks with the National Democratic Front of the Philippines (NDFP). There were also efforts to talk with the Moro Islamic Liberation Front.

It did not take long, however, for Duterte to completely show his blood-thirsty nature, and unleash his government's war on terror against the Filipino people. Simultaneous with its anti-drug campaign, the Duterte government continued the State policy of repression and campaigns that victimized Filipinos – civilians and activists, dissidents and critics.



(Left) Progressive groups clamor for the resumption of the peace talks between GRP and NDFP. (Center) Effigy by UGATLahi artists. (Right) Duterte and his generals Eduardo Año, Delfin Lorenzana, and Carlito Galvez.

Duterte's declaration of a unilateral ceasefire with the New People's Army in his first SONA in 2016 had eased the return of Lumad *bakwit* to their communities which indicated it was peacefully safe for them to return home.

However, the so-called unilateral ceasefire was immediately deemed empty and defective as military combat operations continued, particularly in Mindanao and other priority areas of the counter-insurgency campaign. Paramilitary groups also remained in communities, acting as force multipliers of the military. The counter-insurgency campaign was, as usual, targeted at the people, and in areas where there were active people's struggles for land and against destructive mining and land-grabbing; and in communities where residents were active in the defense of their rights.

Civilians continued to be targeted in the AFP's frenzied attempt to employ deception and a military solution in safeguarding the interests of large-scale mining and agricultural big business.

Duterte's words and incessant threats to "kill, kill, kill" became marching orders to all State forces. It was a wholesale campaign to wreak havoc on communities, implemented by his lapdogs in the armed forces and in the civilian bureaucracy, including the members of his Cabinet – the same persons who implemented bloody campaigns against activists, civilians, and in many communities.



The Terror of the Oplans. The so-called National Internal Security Plans (NISPs) were outright policies of repression that trampled on the people’s basic freedoms, rights and civil liberties. These counter-insurgency actions in the Philippines which were directly patterned after the United States counter-insurgency programs, closely followed the narrative of the US “war on terror.”



The US cannot evade accountability for the worsening human rights situation in the Philippines. It already has blood on its hands for having pushed and funded successive regimes in the Philippines, including the Duterte administration, to adopt increasingly vicious counter-insurgency policies resulting in stepped-up attacks against people’s rights and civil liberties.

The various Oplans made no distinction between actual combatants in the underground armed resistance and activists in the open legal democratic movement. This non-distinction was used as an excuse to attack leaders and members of people’s organizations, progressive party-list groups, and vocal critics of the government. The civil-military component integrated into the NISPs implemented one-time social welfare assistance programs or piecemeal dole-outs, while psywar ops, extensive red-tagging and vilification of individuals and groups were simultaneously implemented.

The Oplans’ so-called community and social programs were essentially smokescreens to military

operations in areas designated as targets and “hotbeds of insurgency.” These programs included community and relief services, and small public works infrastructure buildings or roads, many of which were funded by the USAID. These Oplans resulted in record-high numbers of human rights violations: many more were killed, tortured, arrested and incarcerated as the state of unrest persisted in communities.

Duterte continued Benigno Aquino III’s Oplan Bayanihan in his first six months in office and implemented his own counter-insurgency campaign through his National Security Policy for 2017 to 2022. From 2017 to 2018, Duterte adopted Oplan Kapayapaan with a “whole-of-nation” approach copied from the United States Counter-insurgency Guide of 2009, the same document that was the framework of all other Philippine government military campaign strategies, including the Gloria Macapagal-Arroyo regime’s bloody Oplan Bantay Laya, predecessor of Duterte’s Oplan Kapayapaan.

Like Aquino’s Oplan Bayanihan, Duterte’s Oplan Kapayapaan sought to “win the peace” through a combination of combat operations, military intelligence, and the use of civilian agencies and entities in the guise of “peace and development pro-

Through its six years, the Duterte administration has used the US government’s security aid to the police and the military to beef up funds for its campaigns of State violence and repression such as the bloody and bogus drug war and its war against political dissenters.

In July 2018, the United States announced an additional \$26.5 million in US tax dollars to beef up support for the Philippine National Police (PNP). In 2017, at least \$193.5 million was given as military aid to the Philippine military and police, which did not include arms sales, and donated equipment of unreported worth. Another \$145.6 million was reportedly pledged for 2019.

According to media reports, the US Embassy said that the Philippines was “the largest recipient of military assistance from the US in the Indo-Pacific region, having received more than PhP 57 billion worth of planes, armored vehicles, small arms and other military equipment.”

The US government had provided \$330 million of military/security assistance to the Philippines, the 13th largest in the world over the last five years, and arms sales amounting to \$4.7 billion or 25th in the world in that period.

In October 2022, the US State Department reported that beginning in 2018, the US Department of Defense provided an additional \$237 million in security assistance. It also reported that the US had \$1.033 billion in active government-to-government sales cases with the Philippines under the Foreign Military Sales system. Included in the significant implemented sales were a C-130T transport aircraft; Scout,

Assault, and Light Support Boats; and AN/SPS-77 Sea Giraffe 3D Air Search Radars with related equipment, support, and training.

In the years 2019 and 2022, the DND also signed contracts to purchase 48 S70i Black Hawk combat utility helicopters worth \$865 million from PZL Mielic of Poland, a Lockheed Martin company.

From the years 2019 to 2021, the US also authorized the permanent export of almost \$171.3 million in defense articles to the Philippines via the Direct Commercial Sales (DCS) process. The top three articles in the said process included firearms, close assault weapons, and combat shotguns, worth \$56.1 million; launch vehicles, guided missiles, ballistic missiles, rockets, torpedoes, bombs, and mines, worth \$35.8 million; and gas turbine engines and associated equipment, worth \$25.3 million.



US-Philippines Balikatan Exercises. Wikipedia Commons

Under Duterte, joint military exercises between the US and Philippines continued. Before Duterte's term ended in June 2022, the 37th military exercise Balikatan was held at an annual event in which "US and Philippine military personnel jointly train in counter-terrorism, amphibious, urban, and aviation operations."

grams" to support its military objectives. While being primarily implemented by Duterte's Security Cluster (Department of National Defense, National Security Council, Armed Forces of the Philippines, and the National Intelligence Coordinating Agency), Oplan Kapayapaan also brought in other agencies in its deceptive "peace and development programs" or civil-military operations such as the Department of Interior and Local Government (DILG), Office of the Presidential Adviser on the Peace Process (OPAPP), Department of Social Welfare and Development (DSWD), Commission on Higher Education (CHED), Commission on Human Rights (CHR), National Commission on Indigenous Peoples (NCIP), Department of Transportation and Communication (DOTC), and Department of Justice (DOJ).

As with other counter-insurgency campaigns, Oplan Kapayapaan authorized the military occupation of communities and schools, and the tagging of progressive organizations and personages as "State enemies". Human rights violations by the military and police continued in suspected areas of the New People's Army, and wherever there was growing discontent and protest.

Duterte consolidated his military machinery into a war machine targeted at the people, and

violated previous agreements on peace and human rights. This was his demonic opening in the implementation of his all-out war against the Filipino people.

By the end of 2017, the Duterte regime's counter-insurgency campaigns had claimed the lives of 126 victims of political killings, 110 of them farmers.

The killing of farmers and indigenous peoples during the first year of the Duterte regime was a testament to the fact that despite the peace negotiations and ceasefire agreements, attacks targeted against the people and the killings would continue without letup as long as the counter-insurgency campaign of the State was in place.

Despite calls from various groups and members of the US House of Representatives to decrease military financing to the Philippines, the US government, instead, provided the financial means along with war materiel for the conduct of such murderous counter-insurgency programs.

This overwhelming support was countered by an amendment passed in July 2022 by the US House of Representatives to the National Defense Authorization Act (NDAA), which would suspend security assistance to the Philippine National Police (PNP) until the police ensured its compliance with basic human rights standards and accountability for violations committed by its personnel.

The said amendment under Section 58 of the NDAA, which was introduced by Pennsylvania 7th District Rep. Susan Wild, provided that no funding would be made available to the Department of State for assistance to the PNP, including equipment and training, until the Secretary of State certified that the PNP had “investigated and successfully prosecuted” its members “who have violated human rights,” and established protection of the rights of civil society activists “to operate without interference.”

Photo from SOS Network





Philippine Marines patrol the highways of Marawi city. (Photo from Davao Today)

Martial law in Mindanao. On May 23, 2017, Duterte signed Proclamation No. 126 declaring martial law in Mindanao, following a firefight between the AFP and the so-called Maute group, which the administration accused of allegedly supporting Islamic State (IS) militants.

The imposition of martial law in Mindanao was among the first indications of piecemeal dictatorship in the country. Defense chief Delfin Lorenzana contended that the unrest or persistence of rebellion in Zamboanga, Tawi-Tawi, and other areas across the island – including the presence of the NPA in Mindanao – were the bases for the martial law declaration in the whole of Mindanao.

The Duterte government kept the southern Philippines under military rule for almost two years. From 2017 to 2019, civilian authority was formally subordinated to military authority. The expansion of military powers reinforced the ability of State forces to perpetrate human rights violations with impunity.

Between May 23, 2017 and January 1, 2020, Karapatan documented at least 110 victims of extrajudicial killings in Mindanao, or an average of more than one victim killed every week. Most of the victims were indigenous people and members of local peasant organizations targeted for their local campaigns for genuine agrarian reform and against militarization.

Karapatan also documented 41 cases of torture, 162 victims of frustrated extrajudicial killings, 223 victims of illegal arrest and detention and 351,336 victims of indiscriminate gunfire and aerial bombings. At least 424,374 individuals were displaced due to the bombings in their communities.

Martial law in Mindanao was lifted on January 1, 2020, but the wanton policy of repression in the island continued. For more than two-and-a-half years, martial law resulted in gross violations of people's rights, with the military having the authority to bomb and harass communities, kill and arrest civilians particularly members of progressive groups, and commit human rights violations with impunity.

Martial law was used to suppress the voices of Moro and indigenous communities. Intensified military operations not only prevented Marawi residents from returning to their homes, but these operations led to the harassment of those who complained about the lack of a rehabilitation plan for the war-ravaged city. Years after the declaration of a government "victory", Marawi remained in ruins. Grotesquely, Duterte had the gall to blame Marawi residents for their city's destruction.

Meanwhile, mining companies and agri-business plantations were invited to encroach on ancestral lands in Mindanao. For Duterte, martial law was not only good for terror, it was also good for speeding up big business ventures at the expense of irreversible environmental degradation that enabled highly placed government officials to rake in kickbacks through bloated budgets. It was in this context that many of the victims of human rights violations in Mindanao were environmental and indigenous peoples rights defenders, including innocent civilians living in vulnerable areas targeted by bombings and other military operations.



IN PHOTOS: Kalikasan together with indigenous groups protest open-pit mining. Photo of Open-Pit Mine in Carrascal, Surigao del Sur by Mindanao Interfaith Institute for Lumad Studies

Militarist COVID Lockdowns and Duterte’s Criminal Negligence.

The onslaught of the COVID-19 pandemic in 2020 brought the entire world into what could only be described as a global crisis. Governments across continents scrambled to implement various draconian measures from travel bans and curfews to lockdowns in order to contain the spread of the disease. These measures took a huge toll on global and country economies, as well as on the protection of people’s basic rights and civil liberties.

Far from being the “great equalizer” that many claimed it was, the infectious and deadly virus was, in fact, an amplifier of inequality as laid bare by the systemic violations of people’s economic, social, and cultural rights across the world – from worsening poverty, eroded public health systems, the widespread lack of food security and mass hunger, rampant homelessness, lack of access to clean water and sanitation, inequality in the distribution of vaccines across nations, and a looming socio-economic recession that triggered massive global job losses.

In 2020, millions of Filipinos suffered the disastrous effects of the crisis that the COVID-19 pandemic had exacerbated – and it would worsen, as the year unraveled the Duterte government’s outright abandonment of the people’s welfare, its dependence on militarist policies and approaches to the medical crisis, and its barefaced exploitation of the pandemic to further its own profitable and fascist ends.



(Left) Jeepney drivers forced to beg for alms amid pandemic-induced hardships in the Philippines.

(Right) People kept in animal cages as human rights abuses escalate during the COVID-19 pandemic.

The pandemic brought out the worst of the Duterte regime. Not only did it fail to implement an effective and efficient pandemic response, it also exploited the pandemic to engage in widespread corruption, callously denying the majority of the people their much-needed medical aid and food assistance.

Amid the sharp increase of COVID-19 cases, the Duterte administration opted for a heavy-handed, militarist, and punitive approach that relied on lockdowns rather than heeding the calls for mass testing and other comprehensive and scientific measures.

Militarist and punitive lockdowns imposed to supposedly curb the COVID-19 pandemic allowed various incidents of police brutality and abuse against so-called quarantine violators — including mass arrests, cruel punishments, and inhumane detention in crowded cells that only increased the risk of contracting and spreading the virus.

Several human rights violations in the implementation of quarantine protocols were reported, including the detention of curfew violators in animal cages. More than 100,000 individuals had been accosted and arrested for violating Covid-19 regulations.

Emergency measures were weaponized to restrict mass actions and protests amid public discontent over the Duterte administration's corruption and continued criminal negligence of the people's rights and welfare. The Duterte administration's management of the pandemic situation in the country was politicized incompetence, while being a money-making activity for his sycophants and his so-called medical corps.

Oplan Kapanatagan and the NTF-ELCAC. Oplan Kapayapaan evolved into a more vicious and bloody campaign — Oplan Kapanatagan — which sanctioned cruelty with the creation of the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC).

Duterte upped the anti-communist rhetoric to justify his attacks and crackdown on dissent, and brazenly issued kill-kill-kill orders, akin to his actions in the drug war. On December 4, 2018, Duterte signed Executive Order No. 70 entitled “Institutionalizing the Whole-Of-Nation Approach in Attaining Inclusive and Sustainable Peace, Creating a National Task Force to End Local Communist Armed Conflict, and Directing the Adoption of a National Peace Framework”.

While Duterte's Oplan Kapatagan merely adopted the previous administrations' "whole-of-nation" approach, this was made more systematic, insidious and thoroughgoing with the institutionalization of NTF-ELCAC. Through its clusters, the NTF-ELCAC became the main machinery in a dangerous campaign of rabid red-tagging, vilification and harassment targeting activists, human rights defenders, environmentalists, peasant organizers, unionists, indigenous leaders, lawyers, and church workers by publicly vilifying them and their organizations as so-called "fronts" of "communist-terrorist" groups. Oplan Kapatagan fully unveiled Duterte's anti-people and militarist agenda, serving as a launching pad for all-out State terrorism, gross human rights violations, vicious crackdowns on all forms of dissent, and intensified fascist attacks on the people.

Using legal offensives for judicial harassment against activists and dissenters, the NTF-ELCAC's legal cluster had a direct hand in, and systematized the filing of, various trumped-up charges based on perjured testimonies and planted evidence. Judicial courts were weaponized as search warrant factories to accelerate mass raids of homes and offices, and arrests of activists. As of June 30, 2022, there would be 802 political prisoners in the Philippines, 591 of them arrested under the Duterte administration. Eighty-one of them were elderly, and 98 suffered from life-threatening and debilitating illnesses, further worsened by the dire conditions inside prison cells.

In its grand design of deception which claimed to address the roots of armed conflict, the NTF-ELCAC was created, designed, and structured for State violence and war against the people, as the Duterte regime further spiraled towards de facto martial law. It brazenly militarized the civilian bureaucracy and instituted a virtual military junta, using the "whole-of-nation" approach to "recalibrate" civilian agencies and to transform them into operational extensions of the military for counter-insurgency operations.

Oplan Kapatagan formally enlisted the police in the counter-insurgency program and consolidated both the AFP and PNP's efforts and operations in a joint campaign plan, with the employment of *tokhang*-style tactics such as penetrating barangay-level government units for intelligence and campaign operations against activists and suspected "communist terrorists" or sympathizers. The intensified militarization of far-flung barangays had also caused the relentless coercion of barangay officials and residents into signing and campaigning for local "persona non grata" resolutions against people's organizations.

The NTF-ELCAC further expanded this militarization drive by mobilizing the entire security sector, including the National Bureau of Investigation and the Philippine Coast Guard in the efforts of its “Peace, Law Enforcement and Development Support Cluster” to implement repressive executive issuances such as Memorandum Order No. 32, which placed Negros Island, Samar, and the Bicol region under a so-called “state of lawless violence” – wherein Negros suffered successive killings through the synchronized counter-insurgency operations of the police and the military.



(Photo by The Philippine Collegian)

Memorandum Order No. 32, SEMPO, and Oplan Sauron. Duterte issued Memorandum Order 32 on November 22, 2018 which reinforced the state of national emergency guidelines in Samar, Negros Occidental and Oriental, and Bicol, to allegedly “suppress lawless violence and acts of terror.” It mandated the deployment of more soldiers and police elements, and authorized intensified intelligence operations and investigation and prosecution of persons or groups involved in “acts of lawless violence.”

Attacks against human rights defenders and peasants worsened in areas targeted under Memorandum Order No. 32. A few months before the issuance of this Memorandum No. 32, Duterte had declared a deadline to “crush” rebel movements. The memorandum practically imposed martial law in the three regions as it provided a blanket justification to suppress the people’s movement against social injustices. Many of the killings documented in 2019 were concentrated in Bicol, the Negros region, and Eastern Visayas.

In Negros, particularly with the deployment of the 94th Infantry Battalion of the Philippine Army and the questionable implementation of the Synchronized Enhanced Managing of Police Operations (SEMPO) or **Oplan Sauron**, the said orders resulted in the killing of six individuals

in December 2018, and 14 more on March 30, 2019. The victims were members of open legal people's organizations who were tagged as members or as sympathizers of the NPA. This tagging was tantamount to a death sentence, a perfidious justification to attack members of people's organizations.



(Photo by Davao Today)

The 14 who were killed included nine farmers from Canlaon City: brothers **Ismael**, 53 and **Edgardo Avelino**, 59, of Sitio Carmen, Barangay Panubigan; **Melchor Pañares**, 67 and his son **Mario**, 46, of Sitio Tigbahi, Barangay Bayog; **Rogelio Recomono**, 52 and his son **Ricky**, 28, of Sitio Manggata, Barangay Masulog; **Gonzalo Rosales**, 47, of Barangay Pula; **Genes Palmares**, 54, of Barangay Aquino; and **Edgardo Avelino** who chaired HUKOM or Hugpong Kusog sa Mag-uuma sa Canlaon City, a local chapter of the national peasant group Kilusang Magbubukid ng Pilipinas (KMP).

In Sta. Catalina, habal-habal driver and peasant leader **Franklin Lariosa** and **Ano Enojo Rapada** were killed. In Manjuyod, four of those killed were **Valentin Acabal** of Brgy. Kandabong and **Sonny Palagtiw** of Brgy. Pansiao, both barangay captains in their villages; in Manjuyod, the fatalities were identified as farmers **Steve Arapoc** and **Manulito Martin**.

Aside from the killings, State security forces also illegally arrested around 12 other farmers, including **Nestor Kadusale**, 58, of Sitio Kambugtong, Barangay Bantolinao, also a local leader of the KMP in Manjuyod town.

Human rights violations in Samar and Bicol also spiked, in line with the implementation of Memorandum Order 32.

On April 25, 2019, **Apolinario Lebico**, barangay captain of Brgy. San Miguel, Las Navas, Samar, was shot dead by two assailants. The incident occurred just a few meters away from the 20th Infantry Battalion-Philippine Army (IBPA) military camp in Brgy. San Jorge, Las Navas. Lebico had long campaigned for the pullout of military troops in civilian communities in Samar. Prior to the incident, Lebico's grandson, **Armando Jay Raymunde**, was killed on April 17, after a drunk soldier reportedly threw a grenade towards the child while he was buying goods from a store.

On April 26, 2019, **Wilmar Calutan**, barangay captain of Brgy. Beri, Calbiga, Samar, was killed in his residence. According to witnesses' accounts, the perpetrators entered his home and shot Calutan, who sustained seven gunshot wounds. The assailants who were in plainclothes, immediately fled the scene, but many locals attested that they were soldiers under the 46th IBPA.

An Anakpawis party-list member was gunned down in Sorsogon, while two other individuals were wounded. On April 29, 2019, **Dennis España**, 27, was driving his passenger tricycle with two companions, **Lilia Monteo** and **Zoren Furio**. At around 2 p.m., a motorcycle-riding gunman shot and killed España, while his two companions were wounded and rushed to the hospital. The three were on the way to the wake of Furio's grandmother.

On June 15, 2019, Karapatan-Sorsogon staff **Ryan Hubilla** and **Nelly Bagasala** were gunned down at past 8:00 in the morning in Barangay Cabid-an, Sorsogon. They had been subjected to surveillance and tailed by suspected military and police operatives months before the killings.



Nelly Bagasala



Ryan Hubilla



The Violent Raids in Negros and Manila. On October 31, 2019, the offices of Bagong Alyansang Makabayan (BAYAN), Bayan Muna, Kilusang Mayo Uno, Karapatan, Gabriela, the National Federation of Sugar Workers (NFSW), and the Negros Island Health Integrated Program were simultaneously raided by police and military elements. This was synchronized with raids conducted at the residences and offices of local leaders in Bacolod City and in Manila. At least 57 individuals were arbitrarily arrested.

The raids were executed on the basis of search warrants issued by Executive Judge Cecilyn Burgos-Villavert of the Quezon City Regional Trial Court Branch 89. Prior to these raids, Judge Villavert was reported to be in a meeting with Philippine National Police-National Capital Region Police Office (NCRPO) acting regional director Brig. Gen Debold Sinas.

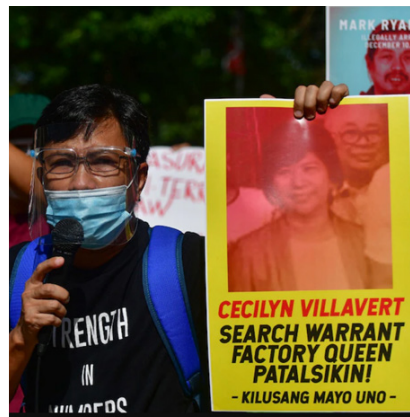


Photo by Mark Demayo, ABS-CBN News

The Negros raids which were done in cahoots with judges who used their positions to foment injustice, had flaunted how the law and the legal process were weaponized against those who were critical of government policies. Targeted organizations were incessantly red-tagged and the raids were the immediate repercussion of such malicious campaigns. These nefarious acts that masquerade as “legal” or “justified” exposed a corrupt justice system, influenced and marshalled by militarists, and instrumental in the perpetuation of injustice.

The mass arrests were a sinister effort using trumped-up charges to crack down on activists and legitimate people's organizations. The justice system was subverted with State military forces partnering with government officials through their "whole-of-nation approach," to silence dissent and subvert democratic space in the country via Executive Order 70.

The Duterte regime had become an undeclared dictatorship.

The arrested individuals included **John Milton Lozande**, Secretary General of the National Federation of Sugar Workers (NFSW); **Danny Tabura**, NFSW leader; **Albert dela Cerna**, Kilusang Magbubukid ng Pilipinas (KMP) organizer; **Noly Rosales**, KMU organizer; **Romulo Bitoon, Jr.**, Makabayan coordinator, Bayan Muna party-list leader and former political prisoner; **Mermalyn Bitoon**, wife of Romulo; **Mary Anne Krueger**, member of Paghimutad media group; **Proceso Quiatchon** of Karapatan-Negros, and other members affiliated with Teatro Obrero and Teatro Bungkal cultural groups. NFSW leaders **Imelda Sultan** and **Lindy Perocho** were arrested on November 1, 2019 in Escalante City, after police and military agents raided their office.



Police and military personnel raid provincial offices of progressive organizations in Negros Occidental, and arrest peasant leaders and human rights advocates on Oct. 31, 2019 (Photo: Glazyl Masculino)

Supposedly seized by the Criminal Investigation and Detection Group (CIDG) from those illegally arrested in the raids were assorted short caliber firearms, sub-machine guns, machine guns, live ammunition, hand grenades, bladed weapons, Kilusang Mayo Uno (KMU) flags, megaphones, microphones, and "voluminous subversive documents." However, these were all planted to justify the arrests and further discredit and malign the said organizations. Duterte's military referred to the raided offices as "safehouses," but everyone knew these offices had certified addresses and were often visited by people in the barangay and others who had official business with them.

Almost all of the arrested were released after the charges against them were dismissed due to lack of evidence. Only two of those arrested remained imprisoned on trumped-up charges of illegal possession of firearms and explosives.

The Duterte government through the NTF-ELCAC used these Negros raids and arrests as a laboratory in the perpetuation of human rights violations. These simultaneous raids in Negros were also linked to the arrest of activists in Manila.

On the day of the Negros raids, some 20 armed operatives of the CIDG and the Manila Police District (MPD) forcefully entered the home of activist couple **Cora Agovida** and **Michael Tan Bartolome** at around 5 a.m. of October 31, 2019. Agovida was then Gabriela Metro Manila's spokesperson while Bartolome is a member of Kadamay Metro Manila, an urban poor group. Operatives of the CIDG and the Metro Manila Police District (MPD) showed a search warrant issued by the same judge who issued the search warrants in Negros -- Judge Cecilyn Burgos-Villavert. Agovida and Bartolome were arrested in front of their two young children. According to the couple, the CIDG and MPD operatives planted two rifles and two grenades among their children's toys and clothes. After two years in jail, the trumped-up charges against Agovida and Bartolome were dismissed.

At around 1 a.m. of November 5, 2019, the BAYAN Manila office in Tondo, Manila was raided by police operatives. The raid which was executed by virtue of a search warrant signed by Judge Villavert resulted in the arbitrary arrest of three activists, namely, **Ram Carlo Bautista**, BAYAN Manila Campaign Director; **Alma Moran**, member of the Manila Workers Unity Secretariat; and **Reina Mae Nasino**, Kadamay Manila Coordinator. The three were granted bail in December 2022, as the court cited the prosecution's failure to prove that the evidence was strong in the trumped-up charges of illegal possession of firearms and explosives filed against them.

There were a total of 76 activists who were arbitrarily arrested and detained based on search warrants issued by Executive Judge Burgos-Villavert. Many were released from prison after they questioned the warrants in court.

(From left) Alma Moran, Reina Mae Nasino, Ram Bautista; Nimfa Lanzanas; Michael Bartolome and Cora Agovida





(From left) Dennise Velasco, Lady Ann Salem, and Rodrigo Esparago walk free after court dismisses trumped-up charges filed against them. (Photos from Kodao Productions and Manila Today)

HR Day 7 Raids and Arrests. On December 10, 2020, while various human rights groups and progressive formations were preparing for protest activities to mark International Human Rights Day in Metro Manila, police conducted raids throughout the capital which led to the illegal arrests of seven people who would be known collectively as “Human Rights Day 7”.

The Human Rights Day 7 are trade unionists **Dennise Velasco**, **Rodrigo Esparago**, **Romina Astudillo**, **Mark Ryan Cruz**, **Joel Demate** and **Jaymie Gregorio Jr.**, and journalist **Lady Ann Salem**, an editor of progressive online news outlet *Manila Today* and current communications officer of the International Association of Women in Radio and Television.

They faced trumped-up charges of illegal possession of firearms and explosives, and were falsely accused as members of a criminal gun-running syndicate before they were paraded by the NTF-ELCAC as arrested high-ranking leaders of the CPP’s Metro Manila Regional Party Committee. They were arrested by virtue of the search warrants issued by Burgos-Villavert.

However, Judge Monique Quisumbing-Ignacio of the Mandaluyong City Regional Trial Court Branch 209 dismissed the charges against Salem and Esparago on February 5, 2021, finding the search warrants void and the evidence inadmissible, thus effecting their release.

On March 7, a Quezon City court quashed the Villavert-issued search warrant against Velasco, thus paving the way for his release.

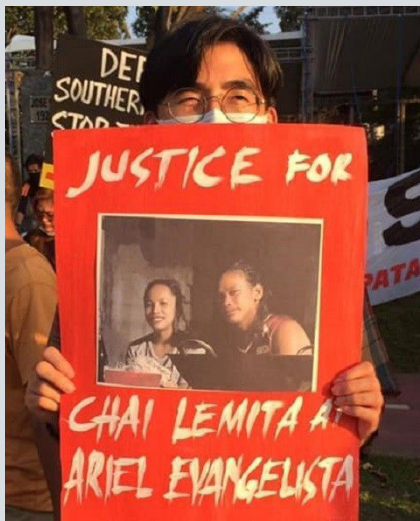
Meanwhile, Astudillo, Cruz, and Gregorio remain in jail as of the writing of this report.

The “Bloody Sunday” killings. In the wee hours of the morning of March 7, 2021, the police and military conducted simultaneous raids in different areas in the Southern Tagalog region. These operations resulted in the death of nine activists and the arrest of seven others.

The murders happened days after Duterte incited the military and police to kill as he red-tagged activists and human rights defenders. In a message to the NTF-ELCAC in Northern Mindanao, Duterte said, referring to the police and the military, “if they find themselves in an armed encounter with the communist rebels, kill them, make sure you really kill them, and finish them off if they are alive.”

The “Bloody Sunday” operations were similar to previous police and military operations in Panay and Negros islands that utilized spurious arrest warrants, public vilification, and the planting of evidence, which led to massacres and mass arrests of activists.

(Photo by The Philippine Star)



Killed in the “Bloody Sunday” raids were brothers **Abner** and **Edward Esto**, **Mark Lee Bacasno** and **Michael Dasigao** who were members of SIKKAD-K3, an organization in Kasiglahan Village, Barangay San Jose in Rodriguez town, Rizal province. Fisherfolk couple **Ana Mariz Lemita-Evangelista** and **Ariel Evangelista**, coordinators of UMALPAS KA, were killed in their hut in Sitio Hulo, Barangay Calayo, Nasugbu town in Batangas province. Farmers and cousins **Puroy** and **Randy dela Cruz** of the Dumagat tribe and advocates of indigenous peoples’ rights were killed

in Sitio Mina, Barangay Sta. Inez, Tanay town in Rizal province. **Emmanuel “Manny” Asuncion**, a labor and multisectoral leader of long standing in the Southern Tagalog region, was killed at the satellite office of the Workers’ Assistance Center located in Dasmariñas City in Cavite province.

The police further claimed that the victims were NPA members who were “hiding behind the facade of being activists.” PNP Spokesperson Brig. Gen. Ildebrandi Usana declared that the government was not running after the nine victims because of their membership in the NPA, but because of the crimes they had committed, such as “acts of violence, destruction of property, child trafficking, extortion, killings, illegal drugs, and maybe, even financial crimes.”



SIKKAD K3, the organization where four of the victims belonged, is an affiliate of Kadamay, which had been repeatedly red-tagged.

The killings went hand-in-hand with the arrest of the following activists on March 7 and simultaneously with the Bloody Sunday killings, namely **Ramir Corcolon**, **Arnedo Lagunias**, **Esteban Mendoza**, **Elizabeth Camoral**, **Nimfa Lanzanas**, **Eugene Eugenio** and **Joan Efren**. Corcolon was the secretary general of the Water System Employees Response (WATER), while Lagunias was the former leader of the trade union at the Honda Philippines manufacturing plant in Laguna. Both were served with search warrants issued in Laguna courts. Meanwhile, Mendoza was the vice-president of OLALIA-KMU, a trade union federation in Southern Tagalog. Elizabeth Camoral was a former trade union leader and BAYAN-Laguna spokesperson. Both were arrested with search warrants issued by Executive Judge Lorenzo Dela Rosa of the Manila Regional Trial Court Branch 4. Lanzanas was a 61-year-old paralegal of Karapatan assigned to provide services to political prisoners, and member of Kapatid-Southern Tagalog. Eugenio was a member of the Rizal chapter of COURAGE.

The Philippine government promised to conduct an investigation into the killings through the Task Force on Administrative Order 35.

On December 1, 2021, the task force recommended the filing of murder complaints against 17 policemen involved in the raid that led to the killing of Emmanuel Asuncion. But on January 12, 2023, the murder complaint filed against the 17 PNP personnel on the killing of trade union leader Asuncion was dismissed by the panel of Department of Justice prosecutors. Their resolution essentially colluded with the police's claims of presumption of regularity and wrongful allegations that Asuncion fought back – blatantly disregarding all facts, evidence, and the context of the case. The same police storylines of Duterte's drug war were used – the same “nanlaban” rationale that had resulted in thousands of extrajudicial killings, and had been the knee-jerk justification of authorities in the “Bloody Sunday” killings.

On January 14, 2022, the DOJ announced that the National Bureau of Investigation had filed a murder complaint against 17 officers and personnel of the PNP CIDG Regional Force Unit 4A for the military operation that killed the Evangelista couple in their seaside hut in Brgy. Calayo, Nasugbu, Batangas. These officers had served a search warrant for supposed illegal possession of firearms and explosives issued by Judge Zapanta. Another murder complaint was filed against police and military officers involved in the raid on the home of Melvin Dasigao, which caused his killing.

Two years after the “Bloody Sunday” killings, the perpetrators had yet to face court trial and judgment on the killings.

Photo by Bagong Alyansang Makabayan - Southern Tagalog





(Photo by The Philippine Star)

Duterte's Numbers of Killings and Massacres. In sum, from July 2016 to June 2022, there were a total of 442 documented victims of extrajudicial killings in line with the Duterte government's counter-insurgency campaigns. Two hundred twenty-two (222) of the victims were human rights defenders, with the rest coming from the ranks of peasants, indigenous and Moro peoples, workers, environmental defenders, lawyers, church people and the urban poor.

Most of the EJK victims had come from regions where, aside from counter-insurgency campaigns being conducted, specific policies such as Memorandum Order No. 32 and martial law had been imposed.

In Bicol, there were 64 victims of extrajudicial killings, including Karapatan paralegals **Ryan Hubilla** and **Nelly Bagasala**, and peasant members in Masbate and Albay. **In Negros**, aside from the killing of Karapatan human rights workers **Elisa Badayos**, **Zara Alvarez**, **Bernardino Patigas Jr.** and **Atty. Benjamin Ramos**, at least 70 others, mostly peasants and farmworkers were killed in police operations. Memorandum Order No. 32 covered both the Bicol region and Negros provinces. In Mindanao, where martial law was imposed for two years, Karapatan documented 193 victims of extrajudicial killings.

There had been 26 massacres documented during the six years of the Duterte regime. These massacres resulted in the deaths of 123 individuals, according to Karapatan: seven of the massacres occurred in Mindanao; nine in Luzon; and nine in the Visayas.

The massacres were documented in Sumilao, Bukidnon; Palayan, Nueva Ecija; Masbate City and Cawayan, Mobo and Mandaon towns, Masbate; San Nicolas, Pangasinan; Gubat and Bulan towns, Sorsogon; Lake Sebu and Polomolok towns, South Cotabato; Siaton, Negros Oriental; Bato and Ragay towns, Camarines Sur; Matalam, Cotabato; Antique;

Patikul, Sulu; Baguio City; Kabacan, North Cotabato; Baras, Rizal; Capiz; Sta. Rosa, Laguna; and New Bataan, Davao de Oro.

All these killings have yet to be genuinely and thoroughly investigated and the assailants brought to justice.

The Philippine government's version of the Philippine Human Rights Situationer in 2020 cited that the Task Force on Administrative Order 35 (TF AO35) had the mandate to resolve unsolved cases of political violence in the form of extrajudicial killings (EJKs), enforced disappearances (ED), torture, and other grave violations of the right to life, liberty and security of persons, and had handled 385 cases covering four administrations since 2001, with 270 cases of extrajudicial killings, 28 cases of enforced disappearance, 7 cases on International Humanitarian Law, and 80 cases of torture.

However, during the said period, Karapatan documented 1,953 extrajudicial killings, 252 enforced disappearances, and 1,570 victims of torture.

Karapatan cited that in the TF AO 35's nine years, it had only attained convictions in 13 cases, which was only about 3% of the 385 cases; that in at least 127 cases, perpetrators were cleared through acquittals and dismissals in court, or through dismissals by the Ombudsman, or through dismissals or provisional dismissals by the prosecution, and this comprised only 33% of the 385 cases handled by the TF on AO 35.

In other words, TF AO 35 had nothing much to show in terms of significant numbers of convictions for the perpetrators of State-sponsored killings.

TABLE 1

Violation of Civil & Political Rights

Under the Rodrigo Duterte Government

July 2016 to June 2022

Extrajudicial Killing	422
Frustrated Extrajudicial Killing	574
Enforced Disappearance	21
Torture	233
Rape	1
Illegal Arrest without Detention	2,957
Illegal Arrest and Detention	1,341
Illegal Search and Seizure	1,463
Physical Assault and Injury	645
Demolition	6,912
Violation of Domicile	1,977
Destruction of Property	8,072
Divestment of Property	1,086
Forced Evacuation	481,918
Threat/Harassment/Intimidation	2,890,623
Indiscriminate Firing	20,348
Bombing	378, 203
Forced / Fake Surrender	3,991
Forced Labor / Involuntary Servitude	145
Use of Civilians in Police and/or Military Operations as Guides and/or Shield	148
Use of Schools, Medical, Religious and Other Public Places for Military Purpose	47,587
Restriction or Violent Dispersal of Mass Actions, Public Assemblies and Gatherings	4,586

TABLE 2

Victims of Extrajudicial Killing & Enforced Disappearance

Under the Rodrigo Duterte Government

BY REGION (July 2016 to December 2022)

REGION	Extrajudicial Killing	Enforced Disappearance
Ilocos	5	
Cordillera Administrative Region	4	
Cagayan Valley	6	
Central Luzon	13	1
National Capital Region	2	2
Southern Tagalog	36	3
Bicol	64	
Western Visayas	54	1
Central Visayas	56	1
Eastern Visayas	9	1
Northern Mindanao	29	
Caraga	36	1
SoCSKSargen	41	4
Western Mindanao	1	
Southern Mindanao	63	1
ARMM	23	6
TOTAL	442	21
Female	66	4
Rights Defender	222	10

TABLE 3

Victims of Extrajudicial Killing & Enforced Disappearance

Under the Rodrigo Duterte Government

BY SECTOR (July 2016 to December 2022)

SECTOR	Extrajudicial Killing	Enforced Disappearance
Church	8	
Entrepreneur	9	
Environmentalist	16	
Fisherfolk	3	
Government Employee	43	1
Indigenous People	75	6
Peasant	336	15
Teacher	4	
Urban Poor	3	1
Lawyer	3	
Human Rights worker	19	1
Worker	19	1
Youth and Student	18	1
Cultural Worker	3	
Moro	47	3
Transport	17	
Health	5	
Minor	15	1

TABLE 4

Victims of Extrajudicial Killing & Enforced Disappearance

Under the Rodrigo Duterte Government

BY AFFILIATION (July 2016 to December 2022)

AFFILIATION	Extrajudicial Killing	Enforced Disappearance
Anakpawis	31	1
Balatik	2	
Bayan	3	
Bayan Muna	9	1
CPA	1	
Gabriela	1	
Kadamay	2	1
Kaluhhamin	8	2
Kalumbay	6	
Karapatan	15	
Kasalo	5	
Katribu	2	
KMP	103	3
KMU	9	
NDFP	17	1
NUPL	2	
Pamalakaya	3	
Pasaka	13	
PCPR	1	
RMP	1	
Others	16	



Photo by Jire Carreon/Rappler

Political Prisoners and Trumped-up Charges

With the thousands illegally or arbitrarily arrested, unjustly detained, and charged with trumped-up cases, Duterte became the number one jailer of political prisoners, and its regime the prime factory of trumped-up charges, since the downfall of the Marcos dictatorship.

On Duterte's first year, immediately there were 145 people arrested, many of them peasant and human rights defenders. This brought the total of jailed persons of that first year to 486 political prisoners. Outrightly arresting and incarcerating activists had set the trend of political repression in his years of presidency.

Throughout its term, the Duterte regime vigorously attacked human rights defenders, government critics and opposition, in a widespread campaign to silence protest and dissent. Aside from his open declaration to kill, kill, kill those who would go against the regime's policies, Duterte encouraged and enabled the impunity of state forces in their rampant and brutal attacks.

Like past regimes, the Duterte government rehashed absurd criminal charges against persons whom his government considered its enemies. It used know-how from the State's past counter-insurgency programs to perfect its own dark art of illegal arrests, polishing it through legal maneuvers, and taking advantage of a flawed justice system to ensure that political prisoners remained incarcerated.

Illegal or arbitrary arrests were legitimized by the filing of non-bailable criminal charges against activists, members and leaders of progressive organizations, including consultants of the National Democratic Front

of the Philippines involved in the peace process who would presumably be immune from suit or arrests under the mutually agreed GRP-NDFP Joint Agreement on Safety and Immunity Guarantees (JASIG).

Spaces for critical thinking and opposition to government policies shrunk under the Duterte regime, as the police and military, including the bureaucracy from the local to the national levels, became machineries for the criminalization of dissent, using the Anti-Terrorism Act and the NTF-ELCAC to legalize their acts of violence.



(Photo by Tudla Productions)

The number of political prisoners constantly rose each year under Duterte. In 2018, the Duterte regime put to jail 225 persons, mostly from peasant and indigenous communities. The year 2018 marked the conduct of mass arrests which involved the rounding up of groups, organizations, and entire communities. Arrests became more rampant and brazen in the issuance of memorandum orders that put entire provinces and regions under so-called “state[s] of lawlessness,” and which actually meant that the police and military elements who were supposed to implement the rule of law, were the ones who used the law to criminalize protest and dissent.

The formula of illegal arrests, leading to the rise of political prisoners, included invention of untruths and weaving tales, the use of planted evidence and perjured testimonies, completed with trumped-up, non-bailable cases. The trend of arbitrary arrests revealed that perpetrators most often preferred to use cases of illegal possession of firearms and explosives, precisely because it was the easiest to fabricate, and easiest to prepare for, aside from it being non-bailable. Many of these cases would be dismissed later on by the courts, for the failure of the arresting officials to provide enough tangible proof to keep the accused behind bars.

This vicious cycle of violations of the right to express and practice one's beliefs, movement, association, and the right to protest against anti-people policies of the government went on unceasingly during Duterte's six years.

The motive was clear: to halt the activities of persons in their community and organizational work by putting them behind bars, hence, wasting their time and productivity – a desperate tack to weaken the people's movement that was at the forefront of defending and fighting for people's rights.

In 2019, the number of political prisoners in the country rose to 604 persons in different prison facilities nationwide. The ordeal of incarceration was a torment for political prisoners who were already facing various forms of injustice.

Also, with the NTF-ELCAC in place, political prisoners were further confronted with forced dispersal or were deliberately transferred to congested jails with deplorable conditions and where various criminal offenders were imprisoned. The arrest and detention of more political prisoners until the end of Duterte's term highlighted the dire, life-threatening situation inside these jails, equally experienced by prisoners who were locked up due to common crimes.

Legal processes were subverted to become tools for political persecution against activists and dissenters. Sedition for political opponents, perjury for human rights defenders, and criminal charges for many other civil society leaders and activists – all these bared the vindictiveness of the Duterte regime.

There was no letup in illegal arrests and detention even when the country was suffering from a pandemic. Duterte further ramped up his campaign of militarization, and measures that should have been done to combat the spread of the pandemic were used and weaponized to stifle dissent and all forms of complaints about the lack of anti-COVID health care. Police and military elements would openly inflict violence on those who opposed atrocities during the pandemic, and legitimized repression as if rights were suspended – all this was being done in the guise of safeguarding the people amid a health emergency.

Instead of addressing the problems of the people amid the hunger and absence of livelihood during the pandemic, the lockdowns were primarily militarist, punitive, and often violent. The people were forced to

stay at home at all times, but the lack of food and financial aid for basic necessities during the pandemic left them with no choice but to go out and find ways to attend to their needs. To maintain “peace and order” during the pandemic, the State with its *“utak pulbura”* nature as seen and heard on Duterte’s nightly TV ramblings during the lockdowns, resorted to mass arrests of people who were out looking for food, ignoring the roadblocks and stay-at-home directives.



(Left) Congested prisons (Right) Women prisoners in Taguig City Jail Female Dorm. (Photo from Philippine Center for Investigative Journalism)

Prisons and other detention centers were already overcrowded in the wake of Duterte’s drug war campaign. This congestion of jails was not considered an issue to address, given the Duterte regime’s ulterior motive to stifle people’s rights, and keeping people locked up kept them restrained.

Urgent calls for the just and humanitarian release of political prisoners, specifically of the sick and elderly, remained unheeded. As activists, human rights defenders, and political dissenters were thrown into jail non-stop, there were a number of political prisoners who died behind bars due to various illnesses, including from COVID-19.

In 2021, political prisoners **Maximo Reduta**, **Jose “Joseph” Canlas**, **Jesus Alegre**, and **Antonio Molina** died in prison under the Duterte administration. All of them suffered from life-threatening illnesses worsened by the lack of prompt and adequate medical care inside jail.

By the end of 2021, there were a total of 700 political prisoners, 480 of them arrested under Duterte.

The death toll among the elderly and sick political prisoners, as well as the deaths of newborn babies of women political prisoners were the most cruel forms of suffering in Philippine prisons. Their deaths were the result of de facto death sentences, aggravated by the deliberate indifference and neglect of the State.



Reina Mae Nasino bids farewell to her daughter, Baby River, at her burial in Manila North Cemetery. (Photo from Bulatlat)

Women political prisoners suffered the inhumanity of being separated from their babies who were born in prison, and lost them in death due to the mercilessness of prison life. Four months after the death of **Reina Mae Nasino's Baby River** in 2020, **Baby Carlen**, the newborn daughter of political prisoner Nona Espinosa, died on February 14, 2021 due to a lung and blood infection after being hospitalized for a few days because of low hemoglobin count. Espinosa gave birth to Baby Carlen at the Negros Oriental Provincial Hospital in the first week of January 2021. They were separated three days later. Baby Carlen was born with a cleft palate and had breathing problems.

The Duterte regime ended with 802 political prisoners, 591 of them arrested in the six years of his murderous regime. As of this writing, 162 of them were women, 98 were sick, and 81 were elderly political prisoners.

TABLE 5

Political Prisoners*as of June 2022*

REGION of Detention	Total Number of Political Prisoners	Women	NDFP Consultants	Arrested Under Duterte
Cordillera	7	1	0	7
Ilocos	1	0	0	1
Cagayan Valley	20	6	0	19
Central Luzon	17	6	0	16
Southern Tagalog	68	12	1	51
National Capital Region	111	21	10	49
Bikol	51	10	0	37
Western Visayas	87	19	1	85
Central Visayas	53	12	0	52
Eastern Visayas	35	6	2	18
Western Mindanao Region	11	5	0	7
Northern Mindanao Region	108	22	2	97
Southern Mindanao Region	98	14	0	44
Socskargen	43	6	0	34
Caraga	92	22	1	74
TOTAL	802	162	17	591

Sick: 98**Elderly: 81****Arrested as Minor: 7**



Manipulated photo of NPA combatants posted by the Philippine Army's 9th Division.

Fake Surrenders. Through the duplicitous operations of NTF-ELCAC's Local Peace Engagement cluster and the Enhanced Comprehensive Local Integration Program (E-CLIP), "localized peace talks" became buzz words focused on disarming and forcing so-called NPA combatants to surrender. There was no mention of learning about the legitimate concerns and demands that lie at the root of armed conflict.

In many cases, the military staged surrenders, hiring fellow soldiers or policemen to act as rebel returnees, or forcing oblivious civilians to gather and be presented in self-styled ceremonies as "surrenderees". Pictures were tampered with or photoshopped for public consumption.

On December 26, 2019, the Philippine Army announced that 306 rebels had surrendered to the military. Alongside the announcement were photos of alleged rebels in Masbate which drew flak from the public due to netizens' discovery that the images were photoshopped. The 9th Infantry Division's Public Affairs Chief Major Ricky Aguilar admitted the slip-up, claiming that they failed to verify the images, and their intention was only to ensure the safety of the so-called surrenderees.

On May 1, 2020, sixteen workers of Coca-Cola were picked up after their shift to attend a "Labor Day Program". Instead, they were presented as rebel returnees in a press conference held by the PNP Regional Office 4A and the 202nd Infantry Brigade of the Philippine Army. Prior to this farcical incident, there were several instances of harassment experienced by the Coca-Cola workers that included the bullying of union leaders to do surrenders as pretend-members of the NPA, and accusing workers of being NPA rebels, then forcing them to sign E-CLIP surrender forms. The Coca-Cola management even brought workers to several military camps for anti-union seminars.

There were other reports of fake surrenders such as the surrender of 30 alleged former rebels in January 2021 in Taguig, and another fake surrender of 30 NPAs in Palawan in March 2021. However, after an investigation, it turned out that these individuals were not members of the CPP-NPA, but civilians with some of them belonging to indigenous communities. This fact was known when the barangay captain of these civilians complained to the media and expressed her disappointment over the incident.

On April 30, 2021, several news outlets reported the mass surrender of 224 alleged members of Bayan Muna and Kadamay in an Oath of Allegiance Ceremony, wherein the aforementioned organizations were red-tagged as Communist Terrorist Group fronts.

The staging of phony surrender ceremonies and government's dubious claim of rising numbers of NPA surrenderees raised questions on the use of funds for these activities by government agencies under the E-CLIP. These so-called surrenders were more often faked, and local authorities had even admitted the sham. Meanwhile, many people asked whose pockets were lined with the funds provided for the so-called immediate financial assistance to rebel returnees. Forced or fake surrenders of civilians were obvious venues for corruption by the police and by the military, like the high-ranking officials of Task Force Balik-Loob.

According to PNP reports, the number of rebel surrenderees increased from 405 in 2019 to 3,155 in 2020. In 2019, up to PhP 48.766 million of the DND's budget was allotted to the task force overseeing the implementation of E-CLIP.

These fake surrenders were one of many fraudulent schemes to cover up the funds larceny of Duterte's military. There was really no concern regarding the search for solutions on good governance and the armed conflict. The Duterte government heedlessly continued to commit all forms of human rights violations and "to kill, kill, kill" whoever it perceived as its critics, like activists, human rights defenders, and other civil society protesters.



Students and professors of University of the Philippines urge the resumption of the peace talks last February 2017 (Photo by Loi Manalansan, Bulatlat)

Killing Peace and Committing War Crimes

There was no change in the conduct of the AFP even when the NDFP had once again sat down with the Philippine government's (GRP) panel. There was no break in the complaints from people in the countryside regarding AFP violations of the CARHRIHL or the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law that was earlier signed by the GRP and the NDFP.

The CPP announced in February 2017 the withdrawal of its unilateral ceasefire declaration. All-out war was the response of Duterte and his defense secretary, Delfin Lorenzana; both had labeled the NPA as “terrorists no different from the Abu Sayyaf.”

But a widespread campaign to resume formal peace talks forced the GRP to sit down with the NDFP again for the fourth round of formal talks in April 2017. However, the scheduled fifth round of formal peace talks in May 2017 was canceled when Duterte and the militarists in his Cabinet again insisted on a bilateral ceasefire agreement, and demanded that the CPP withdraw its order to the NPA to intensify tactical offensives in Mindanao due to the NPA's response to Duterte's declaration of martial law and the suspension of the writ of habeas corpus on May 23, 2017.

Meanwhile, thorough preparations by both panels were done which included the formulated agreements on Agrarian Reform/Rural Development, National Industrialization/Economic Development in the draft

Comprehensive Agreement on Social and Economic Reforms (CASER); the release of political prisoners through a general amnesty; and a coordinated unilateral ceasefire. However, Duterte again sabotaged what was supposed to be a continuation of the fifth round on November 25-27, 2017.

On November 18, 2017, Duterte indicated that he no longer wanted to continue talks with the NDFP. Duterte's statements became more vociferous in the following days, leading to the threat of listing the NPA as a terrorist organization and ordering a crackdown on open legal democratic organizations. On November 22, 2017, the GRP Panel formally announced that its meetings with the NDFP had been cancelled.

The creation of the NTF-ELCAC was preceded by the collapse of the peace talks between the Duterte administration and the NDFP in 2017 and after Duterte's subsequent proclamation designating the CPP-NPA as "terrorist organizations."

It was November 23, 2017 when Duterte signed Proclamation No. 360 announcing the "termination" of peace talks with the NDFP. Duterte also announced his shoot-to-kill order against suspected NPA members and the arrest of 21 NDFP consultants, which were clear violations of the CARHRIHL and JASIG.

On the other hand, peace talks with the Moro Islamic Liberation Front (MILF) and Moro National Liberation Front (MNLF) remained in an uncertain state with Duterte and the GRP pushing for a Bangsamoro Basic Law (BBL). From the point of view of the Moro groups, the BBL was only an instrument to subjugate the Moro fighters under the AFP and PNP, with the GRP taking over the Moro people's territory, resources and funds, instead of respecting their right to self-determination.

Meanwhile, the GRP was in the process of finalizing talks with certain "rebel" groups like the CPLA and the RPMP-RPA-ABB that formalized their earlier integration with the AFP.

In December 2020, the Anti-Money Laundering Council or AMLC declared that it would start freezing "related accounts" of the CPP-NPA after the Anti-Terrorism Council's designation of the CPP-NPA as a terrorist organization under the Anti-Terrorism Act. In May 2021, at least 19 peace negotiators and consultants of the NDFP were maliciously designated as "terrorists."

Peace talks with the NDFP collapsed as soon as Duterte ordered his minions in the military to pursue all-out war in the communities. Subsequently, they committed atrocities and rights violations as the war went on. Efforts to resume peace negotiations to talk about much-needed reforms in the economy, politics and human rights, were quickly brought to a halt by the Duterte regime. The terror became more lethal when several NDF peace consultants were arrested or summarily killed, and several war crimes were committed as those documented in this report.

There has been no letup in violations of IHL committed by State forces in the Philippines, despite the fact that the Philippines is a party to several international instruments that recognize and regulate International Humanitarian Law (IHL), including the four Geneva Conventions of 1949 and their Additional Protocols of 1977, and in spite of the existence of national laws that incorporate IHL principles, such as Republic Act No. 9851 or the “Philippine Act on Crimes Against International Humanitarian Law, Genocide, and Other Crimes Against Humanity”.

IHL seeks to humanize armed conflict and protect those who are not, or are no longer participating in hostilities, such as civilians, prisoners of war, and the wounded. For instance, under IHL, parties to an armed conflict must distinguish between civilians and combatants and take all feasible precautions to avoid harming civilians. They must also ensure that persons who are no longer participating in hostilities are treated humanely, including prisoners of war and civilian detainees.

Violations of IHL by State forces have intensified with the escalation of the counter-insurgency war under the Duterte regime, specifically in so-called hotspots such as Mindanao, Negros island, and the Bicol region. In these areas, the State’s escalation of its decades-long war to crush the CPP has resulted in numerous human rights violations, including the displacement of civilians, extrajudicial killings and enforced disappearances.

The Philippine government has failed to respect IHL principles and has deliberately attacked civilians and civilian infrastructure, as well as suspected civilian sympathizers of the revolutionary movement, making no distinction between armed combatants and their unarmed civilian supporters.

These war crimes of indiscriminate aerial bombings; arbitrary shooting at schools and at communities; extrajudicial killings of NDFP peace consultants and hors de combat; torture; forced displacement of people

from their homes and livelihood; economic blockades; and the violent targeting and branding of civilians – these must all be exposed and opposed both in the country and in the international community, and the perpetrators held accountable.



Military airstrikes in Marawi City, 2017. (Photo by Romeo Ranoco, Reuters)

Attacks on Civilian Communities and Domestic Infrastructure. The Philippine military frequently resorted to aerial bombings, aerial strafing and shelling to “soften” an area prior to the entry of ground troops. Between May 2017 and April 2022, the AFP conducted 108 aerial bombings, 66 of them involving artillery shelling and 49 of them aerial strafing. Most of the aerial bombings were conducted as part of the military’s counter-insurgency operations against the New People’s Army (NPA). However, only about 20% of the bombs dropped during so-called surgical strikes against NPA camps actually hit their targets. The vast majority of the bombs actually hit civilian communities and farms, often causing civilian casualties and damage to civilian property. At least ten civilians had been reportedly killed in these indiscriminate bombing sorties by the AFP.

Marking the dangerous and indiscriminate nature of the AFP’s bombing campaigns, their bombs had, in some instances, hit military and police forward positions. Of the total number killed in AFP air strikes, 68 were soldiers who were inadvertently hit by “friendly bombs.” The most striking examples were the 21 soldiers killed in a four-day aerial strike in Palimbang town in Sultan Kudarat in 2020; another 20 soldiers killed in Kalamansig town in Sultan Kudarat in 2019; and a platoon of the PNP Regional Peace and Security Battalion that suffered 20 casualties in 2021.

Aerial bombings endanger the lives of civilians and result in widespread trauma apart from economic and social displacement.

One of the worst incidents of aerial bombing that hit civilians was the early morning bombing of a Moro community in Maguing, Lanao del Sur on March 1, 2022, where at least five civilians, including children, were killed. The bombing damaged the local mosque, as well as homes and farms.

Earlier, on January 29, 2022, at least five bombs were dropped between 1 and 2 a.m. on a community of small miners in Barangay Santa Clara, Gonzaga, Cagayan. The community, located on the river banks deep in the forest, was likely mistaken for an NPA camp through drone surveillance. More than 10,339 families (around 60,000 people) were forced to leave their homes during the AFP's aerial strikes and bombing operations in the area.

In other provinces, the highest number of evacuees forced to flee due to aerial bombings were recorded in Oriental Mindoro (3,000), Bukidnon (2,200), Maguindanao (1,600), Occidental Mindoro (1,200) and Davao de Oro (1,050).

Under the Duterte regime, the bombings peaked in 2021, with bombs being dropped in 36 out of 82 Philippine provinces. Bukidnon received the brunt of the bombing campaign, followed by Northern Samar and Davao del Norte. More than 60% of the bombing raids were carried out by the AFP in counter-insurgency operations in the various provinces of Mindanao.

(Photo from Bagong Alyansang Makabayan - Panay)



(Photo: Pau Villanueva, Save Our Schools Network)



Attacks Against Schools. Since 2016, the Duterte regime had attacked Lumad schools in the hinterlands of Mindanao in brazen violation of International Humanitarian Law. By September 30, 2017, thirty Lumad schools had closed and 1,300 students displaced due to incessant military operations. Soldiers used the schools for encampments, forcing their closure, displacing and endangering students and teachers. The military justified the attacks by falsely claiming that the Lumad schools were recruitment bases for NPA child soldiers.

In fact, their curricula are mainly patterned after those of standard schools but are focused on teaching scientific farming and steeped in cultivating Lumad culture and values.

A host of human rights and IHL violations had been documented by the Save our Schools (SOS) network on the Lumad schools from May 2017 to July 2019. According to SOS, there were 584 cases of attacks during this period ranging from school-related extrajudicial killings, sexual harassment, aerial bombings, forcible evacuation, fake and forced surrenders, threats and harassment, military encampment, physical assault, use of civilians as guides and human shields in military operations, and forcible closures. These rights violations affected 16,976 students, 1,376 teachers and 57,844 members of Parents-Teachers-Community Associations.

These violations had taken place despite the passage into law of the Special Protection of Children in Situations of Armed Conflict Act (RA 11188) in January 2019.

Another report from Save the Children Philippines stated that tens of thousands more children were displaced in Maguindanao, Surigao del Sur, Lanao del Norte and Lanao del Sur. It added that up to “1.8 million children continue to face threats of lingering conflict across Mindanao.”



Summary Killings of NDFP Peace Consultants and Hors de Combat. Human rights groups documented cases of extrajudicial killings of peace consultants of the National Democratic Front of the Philippines, captured CPP leaders and members, and NPA fighters.

A number of these NDFP personnel had been surreptitiously abducted and summarily killed in false encounters.

On October 29, 2021, elements of the 403rd Infantry Brigade captured NPA national spokesperson **Jorge Madlos** and his companion, NPA medic **Eighfel dela Peña**, along the Sayre Highway in Barangay Poblacion, Impasug-ong, Bukidnon. Madlos was reportedly suffering from a serious and chronic kidney ailment.

The day after Madlos's capture, the AFP announced that Madlos and Dela Peña had been killed in an armed encounter in Sitio Gabunan, Barangay Dumalaguing, 15 hours after their capture. To make their claims of an armed encounter sound credible, Sitio Gabunan was subjected to an hour-long aerial strike in the early morning of October 30. The civilians who drove the vehicle used by Madlos and Dela Peña were presumed captured by the military. As of this writing, they are still missing.

On February 14, 2020, military elements captured **Juanita Dore**, a retired and ailing CPP member. Her captors claimed that she died in a military encounter in Malabuan, Makilala, North Cotabato. Her body was riddled with bullets.

On December 19, 2021, NPA members **Floreta Ceballos** and **Wilfredo Fuentes** were captured but the AFP falsely claimed that they died in a gunbattle with government forces in San Pablo, Manapla, Negros Occidental. Ceballos' skull was crushed and she had multiple stab wounds to the chest and defensive wounds on her arms. Fuentes' body bore torture marks.

In Naga City, CPP Bicol leader **Alfredo Murillos** was recuperating from an eye ailment and hypertension when he was killed along with a woman civilian in 2017.

On January 30, 2019, NDFP consultant **Felix Randy Malayao** was killed in his sleep by suspected military agents while on an Isabela-bound bus that stopped over in Aritao, Nueva Vizcaya.

Ailing NDFP consultant **Julius Giron** and his companions **Arvie Reyes** and **Dr. Lourdes Tangco** were summarily executed in their sleep in a house in Hamada Subdivision, Baguio City at 3 a.m. of March 13, 2020.



NDFP Consultant Julius Giron

On August 10, 2020, KMP deputy secretary-general and NDFP consultant **Randall Echanis**, 72, was killed through multiple stab wounds to the back by suspected state agents at his rented house in Novaliches, Quezon City. He was recuperating from an undisclosed illness.

Retired CPP-Central Luzon cadres **Eugenia Magpantay** and **Agaton Topacio** were stabbed multiple times at 3 a.m. on November 25, 2020 at their rented house in Tanay, Rizal.

On May 28, 2021, NDFP-Visayas consultant **Reynaldo Bocala** and his civilian companion were killed in a house in Pavia, Iloilo. The police falsely claimed that Bocala resisted while being served a warrant for his arrest. On the same day, former NDFP consultant for the Visayas **Fr. Rustico Tan**, an octogenarian who had long retired to civilian life was killed in his house in Bantayan Island, Cebu.

On December 10, 2021, in a mockery of International Human Rights Day, CPP cadre **Alvin Luque**, who had numerous illnesses, and his civilian companion were killed in a house in San Agustin Sur, Tandang City.



Lumad volunteer teacher Chad Booc



Mario Caraig

On August 21, 2021, artist and NPA commander **Jhon Peñaranda** (popularly known as Ka Parts Bagani) was killed in Barangay Cannery, Polomolok, South Cotabato. On October 10, 2021, another NPA commander, **Dennis Rodinas** was killed in Sibugay, Cebu.

On December 25, 2021, NPA national commander **Menandro Villanueva** was captured in a firefight in Davao de Oro. On January 6, 2022, however, 10th ID chief Gen. Jesus Durante announced that Villanueva had been killed in an “encounter” 12 days after his arrest. Exposés made by a former paramour of Durante revealed that the general was also responsible for ordering the extrajudicial killings in February 2022 of five civilians – Lumad volunteer teacher **Chad Booc** and four others – in New Bataan, Davao de Oro.

On August 20, 2021, poet-writer turned NPA guerrilla **Kerima Tariman** was slightly wounded in a firefight in Barangay Kapitan Ramon, Silay City as reported by her companions, but the 79th IBPA later reported her killed in an armed encounter.

Military soldiers found wounded NPA fighter **Mario Caraig** in a house in Kalayaan, Laguna on August 8, 2020 and shot him to death. He had been recuperating at the house for four days. Three civilians who had helped the wounded guerrilla were then arrested.





(Photo from Bulatlat)

Abductions, Massacre and Illegal Arrests of NPA Guerrillas of Hors de Combat

On December 26, 2020, the bodies of retired CPP cadres **Antonio Cabanatan**, 74 and **Florenda Yap**, 65 were found in a house in Botong, Oton, Iloilo bearing multiple stab wounds. Cabanatan also had bruises on his neck, indicating he was strangled. Witnesses reported seeing a van entering and leaving the house in Oton on the night of December 25. The couple were last seen leaving their residence in Metro Manila in October that year and had been missing for three months.

On March 27, 2022, Southern Mindanao NPA commander **Ezequiel Daguman**'s body was surfaced as an alleged casualty in an armed encounter between the AFP and the NPA in Maragusan, Davao del Oro. In fact, Daguman had been abducted on March 7 while traveling through New Corella, Davao del Norte and was held incommunicado by his captors for almost three weeks.

NDFP consultant **Pedro Codaste** and his companion **Ka Sandro** were arrested in a house in Cagayan de Oro City on January 19, 2022. The military claimed that he was killed six days later in a clash in Impasug-ong, Bukidnon.

On the night of August 15, 2018, seven unarmed members of a propaganda and cultural committee under the National Democratic Front in Panay who were in the area to write and conduct research on the regional socio-economic situation, were massacred in their sleep by combined elements of the 301st Ibde, 61st IB and the PNP in Barangay Atabay, San Jose, Antique. The day after, the police falsely claimed that the seven figured in a gunbattle with government forces.

On July 28, 2017, NPA fighters **Andres Hubilla** and **Miguel Hamor** were drinking coffee with farmer **Arnel Borres** and fisherfolk **Dick Laura** when they were sprayed with bullets by 31st IB soldiers in Sitio Namur, Purok Trece Martires, Casiguran, Sorsogon. The police claimed that they found Hubilla who was was left-handed, dead with an unloaded gun in his right hand.

On September 30, 2021, another group of hors de combat--**Marilyn Badayos**, **Rudy Carbajosa**, **Ronilo Desabille** and **Rufino Bocaval**-- were massacred in San Pablo, Manapla, Negros Occidental.

On the morning of April 6, 2022, four NPA fighters who had decided not to fight to avoid endangering civilians in the crossfire were captured by elements of the 1st Special Forces Battalion in Talakag, Bukidnon. They were **Carlicio Sumalinog**, **Jovilito Pontillas**, **Garry Juliana** and **Jelly Sugnot**. They were first taken elsewhere aboard two vehicles, but were later brought back in the afternoon to their place of arrest, and killed. The military falsely claimed that they died in a clash with army soldiers at 6 p.m. of April 6.

Meanwhile, on November 25, 2019, ailing and elderly **Jaime Padilla**, spokesperson of the NPA in Southern Tagalog, was arrested while seeking medical attention at the Cardinal Santos Medical Center, and is now jailed in Mindoro.

Jaime Padilla (Photo from Panay News)



Abduction, Illegal Arrest, Imprisonment, and Torture of NDFP Consultants. The Philippine government continues to keep in prison the peace consultants of the NDFP with various false charges of possession of firearms and explosives.



From left: Ernesto Lorenzo, Vicente Ladlad, Loida Magpatoc, Renante Gamara, Adelberto Silva, Rey Casambre, Cleofe Lagtapon, Frank Fernandez

The following NDFP personnel have been arbitrarily arrested under the Duterte regime:

- On February 12, 2017, BAYAN Metro Manila campaign officer and NDFP consultant **Ferdinand Castillo** was arrested in Caloocan City on trumped-up charges of illegal possession of firearms and explosives. Charges against him were dismissed, and a provisional dismissal on another charge was also granted, paving the way for his release five years after.
- Trade union leader and NDFP consultant **Adelberto Silva** and four others were arrested in Sta. Cruz, Laguna on October 16, 2018. The group alleged that guns and explosives were planted in their vehicle which ensued in a non-bailable charge against them.
- NDFP peace consultant **Vicente Ladlad** and his two elderly companions were arbitrarily arrested in Quezon City on November 8, 2018, based on spurious and false charges of illegal possession of firearms and explosives.
- A month after Ladlad's arrest, on December 7, 2018, peace consultant and advocate **Rey Casambre** and his wife were arrested in Bacoor, Cavite on similar circumstances – the planting of firearms and explosives in his car. His wife was later released, but Rey remained in prison.
- On March 21, 2019, trade union leader and NDFP consultant **Renante Gamara** and a priest were arrested in Imus, Cavite on similar charges. The priest was later released, while Gamara faces numerous other trumped-up charges.

- 71-year-old NDFP peace consultant **Frank Fernandez**, his 66-year-old wife **Cleofe Lagtapon** and an ailing woman companion were arrested on March 25, 2019, in Laguna on yet again another slew of illegal possession of firearms and explosives charges.
- On August 27, 2019, NDFP consultant and women's rights advocate **Esterlita Suaybaguio** was arrested in Cubao, Quezon City on trumped-up charges of illegal possession of firearms and explosives.
- NDFP peace consultant **Loida Magpatoc** was arrested, while recuperating from COVID, on September 16, 2021 in Quezon, Bukidnon.
- 70-year-old peace consultant **Esteban Manuel** was arrested on February 16, 2022 in Villareal, Samar.
- On March 8, 2022, soldiers arrested NDFP peace consultant **Edwin Alcid**, who had been suffering from numerous illnesses, in Catubig, Northern Samar.
- On April 11, 2022, peace consultants **Ernesto Lorenzo** and **Maria Fe Serrano** were arrested in Parañaque City.

Meanwhile, NDFP peace consultants Eduardo Sarmiento and Leopoldo Caloza, both elderly and with many illnesses, were wrongly convicted and remain incarcerated at the New Bilibid Prison in Muntinlupa.

Released NDFP consultants who joined the formal opening of peace talks between the Duterte administration and the National Democratic Front of the Philippines (NDF) last 2016. (Photo by Ben Nabong, Rapppler)





Journalists and activists stage a protest in defense of press freedom in Quezon City on Jan 19, 2018. (Photo by Jes Aznar)

Duterte's Marcosian Assault on Press Freedom

Duterte authorized and boosted the erosion of the country's fragile democratic institutions that further narrowed civic spaces, as he used brazen efforts to repress political dissent. Journalists faced reprisals as they drew Duterte's ire over their critical coverage of the drug war. Duterte's vociferous vilification of the media incited the worst attacks on press freedom in the country since the fascist Marcos dictatorship.

The downfall of the Marcos dictatorship in the 1986 People Power uprising precipitated a nominal return of press freedom in the country after years of blanket censorship and repression. However, justice had never really been served for what happened to journalists and media workers during that period. Impunity prevailed.

Stimulated by this ether of impunity, the Duterte administration revived the worst forms of Marcosian repression and assault on press freedom.

Censorship and vengeful reprisal. In 2018, online news site *Rappler* began to face an outpour of politically motivated cases and legal actions: from the Securities and Exchange Commission's (SEC) revocation of *Rappler's* certificate of incorporation; from the Bureau of Internal Revenue's (BIR) tax evasion charges against *Rappler* Holdings; and the retroactive cyber-libel charges against *Rappler* CEO Maria Ressa and former reporter Reynaldo Santos Jr. They were convicted in June 2020 – sending the chilling message that journalists who exposed the misdeeds of those in power were extremely vulnerable to the reprisal methods of Duterte's government.

Amid the onslaught of the COVID-19 pandemic, broadcasting network ABS-CBN was shut down on May 5, 2020 after the National Telecommunications Commission (NTC) issued a cease-and-desist order against the broadcasting network. A month after, in what would perhaps be the biggest blow to press freedom in the Philippines, the House of Representatives in deference to Duterte's wishes, denied ABS-CBN's franchise renewal, ruthlessly putting thousands of media workers out of their jobs in the face of mass hunger and a looming socio-economic crisis.



Employees and supporters light candles at the gate of the the ABS-CBN compound last May 2020.

Duterte and his lapdogs like Solicitor General Jose Calida, together with the NTF-ELCAC and the police and military, then proceeded to tag everyone who spoke against ABS-CBN's shutdown as "communist sympathizers." The victims ranged from activists to lawmakers, journalists, even celebrities and prominent personalities.

Amid the pandemic lockdowns, attacks on alternative media organizations included the seizure of thousands of print copies of award-winning independent paper *Pinoy Weekly*, saying that these were "subversive documents."

Websites of alternative media outlets were also targeted by cyberattacks, specifically during the run-up to the 2022 national elections. Sweden-based media foundation Qurium reported a spate of cyberattacks throughout May 2021 against the websites of *Bulatlat* and *AlterMidya*, and even that of *Karapatan*. These cyberattacks were traced to the computer networks of the Department of Science and Technology (DOST) and the Philippine Army. Qurium's report was verified by no less than the Computer Emergency Response Team of the Department of Information and Communications Technology (DICT).

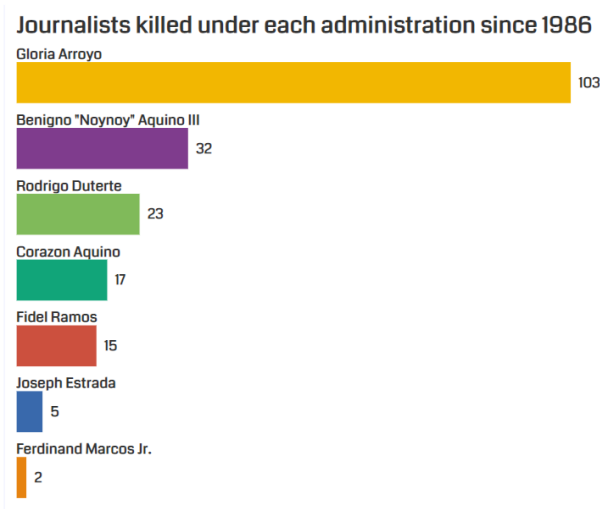
Meanwhile, with the onset of the 2022 elections, Distributed Denial of Service (DDoS) attacks targeted the websites of mainstream media outlets such as *Rappler*, ABS-CBN News, CNN Philippines, and *Vera Files*, with their websites becoming intermittently inaccessible for certain periods.

The broad and vague provision criminalizing the dissemination of “false information” in the Bayanihan to Heal As One Act allowed the law to be further weaponized to target and threaten individuals publishing critical posts in social media that drew attention to the government’s incompetence and inadequate response to the pandemic.

Killing journalists and media workers. Twenty-three journalists were killed under the Duterte administration, according to the National Union of Journalists of the Philippines.

Reporters without Borders (Reporters sans Frontieres or RSF), an international non-government organization defending Freedom of Information of all peoples around the world, ranked the Philippines 147th out of 180 countries in its World Press Freedom Index in May 2022, marking the Philippines as one of the deadliest countries for journalists. Such ranking was posted amid the incessant persecution and killings of members of the press and media outlets critical of the Duterte administration.

RSF cited Duterte’s continued attacks on the media, including “the grotesque judicial harassment campaign” against *Rappler* and its CEO Maria Ressa, and the government-backed shutdown of the country’s largest broadcaster ABS-CBN. On top of this, Reporters without Borders also cited the online harassment and red-tagging of journalists and perceived enemies of the Duterte administration.



Source: National Union of Journalists in the Philippines
(Photo from Rappler)



Duterte's Attacks Against Rival Political Opposition

While the Duterte regime merged all its allies comprising past presidents with vicious records of rights violations, as well as presidential appointees composed of militarists and political sycophants, it then demonized its rivals in the opposition.



Fascists past and present gather during former President Joseph Estrada's 80th birthday.

The Wall of Cronies. In 2018, Duterte resuscitated his clique composed of the most rancid-smelling names in the arena of politics – Arroyo and the Marcoses, to name a few. The Duterte regime was brutal to the poor, the powerless, and those critical to its policies, but was benevolent to corrupt and murderous criminals who committed extensive crimes against the Filipino people.

Gloria Macapagal-Arroyo, despite her criminal record of presidential plunder, corruption, and brutal counter-insurgency campaigns resulting in thousands killed and disappeared, was brought back to power as Speaker of the House of Representatives, being able to be elected back to power after Duterte granted her a presidential pardon at the beginning of his term. Pork insertions in the national budget were granted to politicians in clear alliance with Arroyo, as one of the architects of the pork barrel.



As early as 2016, the Duterte and Marcos families had already formed an alliance, which Duterte publicly displayed by allowing a hero's burial of the dictator Marcos at the Libingan ng mga Bayani.

Imelda Marcos, who was convicted of graft by the Sandiganbayan in November 2018, smoothly evaded jail, invoking her age and capitalizing on her alliance with Duterte. Imelda was allowed to post bail of PhP 300,000, the size of which was a tiny speck in her vile family's stolen billions.

Added to the list of plunderers pardoned by Duterte was Ramon Revilla Jr., who was acquitted of plunder by the Sandiganbayan in December 2018, but was ordered to return the PhP 124.5 million from the pork barrel scam channeled to his accounts.

These repulsive politicians were living proof that court decisions were easily rendered irrelevant so long as Duterte's blessing of impunity was upon them.

Public funds and resources were blatantly used to fund the electoral campaign of the Duterte regime's favored few. Duterte's special assistant, Christopher "Bong" Go, was able to clinch a senatorial seat, yet continued to enjoy spending people's funds as a seated official and as Duterte's personal gofer.

In stark contrast to this atmosphere of servile flattery, the Duterte regime's vindictiveness hounded the opposition no end. Duterte was relentless in his persecution of those he deemed as critical of his presidency.



Former Supreme Court Justice Sereno at protest action condemning the quo warranto petition against her. (Photo by Rappler)

The Other Side. The removal of Supreme Court Chief Justice Maria Lourdes Sereno was perhaps one of the strongest indications of how far Duterte's muscle-flexing malice would go. Duterte's camp had labored tirelessly from instigating impeachment to quo warranto proceedings to have Sereno ousted from her position. By May 2018, they succeeded in filling the highest court of the land with Duterte's allies. This ushered in dangerous and far-reaching implications, like how fast the Court would

easily ratify and declare as constitutional even the most controversial and repressive of laws and policies.

Sereno was replaced by Teresita de Castro, who was later replaced by Lucas Bersamin in November 2018. Both De Castro and Bersamin's records showed their penchant for riding Duterte's bandwagon. Their loyalty was cemented with the smooth passage of another martial law extension in Mindanao, despite the lack of grounds as required by the Constitution.

Other known members of the opposition also became targets of Duterte's malevolence. On July 11, 2018, four progressive legislators charged with a trumped-up murder case under the Arroyo regime suddenly found themselves with a warrant of arrest. Resurrected by the Regional Trial Court (RTC) Branch 40 in Palayan City were the 2008 murder charges against former head Commissioner of the National Anti-Poverty Commission (NAPC) and former Gabriela Women's Party representative Liza Maza, former Bayan Muna representatives Satur Ocampo and Teddy Casiño, and former Anakpawis representative and Department of Agrarian Reform (DAR) Secretary Rafael Mariano. However, the ill intent of reviving a 10-year-old case to politically persecute the opposition did not come into fruition as the fabricated case was subsequently dismissed in August 2018.

On February 24, 2017, former Sen. Leila de Lima, also a former Justice secretary and CHR chairperson was arrested by authorities over the drug charges filed against her by the Department of Justice before a Muntin-

lupa court. Since then, the senator, considered as one of the fiercest critics of Duterte, had been arbitrarily detained in Camp Crame.

Former Senator Lelita de Lima at Muntinlupa Regional Trial Court, 2019.



De Lima's incarceration would be a stark example of the Duterte government's vindictiveness and reprisals against critics and political opponents, including those who initiated probes into Duterte's alleged involvement in extrajudicial killings in Davao City when he was mayor, and those committed in line with the Duterte government's drug war. The charges against de Lima were hatched by those who wanted to silence her pursuit of justice for victims of extrajudicial killings.

The charges and public vilification against de Lima were reprisals for her persistent efforts to investigate the Duterte administration's sham and bloody drug war which had murdered thousands. No concrete piece of evidence was ever found of de Lima's supposed involvement in the proliferation of illegal drugs. People knew that false testimonies against her were concocted by those in power.

This became more evident as witnesses against de Lima, like Kerwin Espinosa, recanted his allegations against her. One of the three trumped-up charges against Senator de Lima had already been dismissed for lack of evidence -- and although Espinosa was neither a respondent nor a witness in these cases, his recantation had put into question the credibility of the witnesses and their so-called testimonies in the remaining cases against her, particularly after he bared that he was "coerced, pressured, intimidated and seriously threatened by the police" to fabricate his testimony.

Later on, former Bureau of Corrections officer-in-charge Rafael Ragos, who also stood as a witness in one of the cases against de Lima, likewise retracted his testimony.

Rights groups who have deplored de Lima's unjust detention have called for an independent investigation into the alleged threats of former Justice Secretary and current National Police Commission head Vitaliano Aguirre against Ragos, and also Aguirre's role in the filing of these malicious charges against de Lima.



Former Vice President Leni Robredo was not spared from being consistently attacked by the Duterte clique, as one of the recognized leaders of the political opposition.

In 2019, Robredo faced charges of rebellion and sedition, along with other members of the political opposition, notables of the Catholic church and human rights lawyers. They were accused of conspiring to oust Duterte through what was claimed as an operation code-named Project Sodoma, which involved producing and releasing the so-called “narcologist” videos.

The conspiracy to commit sedition charge was dismissed in 2020, which Robredo’s camp called “a definitive condemnation of the fabricated accusations and trumped-up charges” against her.

Later, in 2019, Robredo was appointed by Duterte as co-chairperson of the Inter-Agency Committee on Anti-Illegal Drugs (ICAD). In her short stint with the committee, she released a report which showed how the Duterte administration’s brutal and anti-poor drug war was a “massive failure.”

Her report merely affirmed what human rights groups had already reported based on work with grassroots communities – that the State policy of mass murder against the poor failed and had been ineffective in curbing the proliferation of illegal drugs and in resolving the root causes of such in the country – at the expense of millions of pesos in government funds and resources, and of thousands of lives.

Robredo further recommended the abandonment of this policy “that places premium on use of law enforcement methods that resulted in killings” in favor of a policy that “promotes and ensures accountability

and transparency” and that the “government must reciprocate by implementing data-driven policies that not only focus on street-level enforcement, but on a holistic approach of ‘prevention, detention, prosecution, rehabilitation, and reintegration’ that upholds people’s rights and basic human dignity”.

Robredo was given the position at the ICAD after she criticized the drug war for its failure and brutality. After she left the committee, the sham drug war remained a brutal failure.

Different government agencies and officials dismissed the report as baseless or a mere political attack, claiming that Robredo failed to show data and details of how and where the drug war had gone wrong. They not only deprived Robredo of vital information and opportunity to perform her mandate, but they also schemed to have her removed from the ICAD.

When she ran for the presidency in 2022, Robredo was also absurdly and consistently red-tagged by the Duterte regime, through the NTF-ELCAC. For days during the election campaign, the NTF-ELCAC repeatedly linked Robredo to the Communist Party of the Philippines, for example, in posters displayed in provinces where she would go for her campaign sorties.

The red-tagging against the political opposition had shown the whole spectrum and pattern of attacks led by the NTF-ELCAC. The Duterte government was threatened by the growing number of people denouncing the rabid red-tagging rampage of the NTF-ELCAC and Duterte’s bloody record of human rights violations, war crimes, and fascist attacks against the people.



Karapatan Secretary General Cristina Palabay and National Council member Edita Burgos in a panel with human rights defenders during a press conference on the submission to UN High Commissioner for Human Rights Michelle Bachelet in December 2019.

PART III. INTERNATIONAL REPORTS AND SOLIDARITY EFFORTS

People to People: Social Movements and Civil Society Actions

Even before Duterte came into view to flaunt his power, Philippine-based organizations and solidarity groups in various countries relentlessly exposed the perilous human rights situation in the country through various community and international platforms. There was always an outpouring of support and solidarity from various global and national social movements, civil society organizations, and concerned individuals for the people's movement and victims of human rights violations in the Philippines.

Reports on human rights violations including extrajudicial killings, torture, illegal or arbitrary arrests and imprisonment, threats and other forms of harassment were reported to international non-governmental organizations, to the UN, and in various international media.

In the last six years, however, President Duterte governed with more cruelty, with more callousness and with more malice. Duterte's obnoxious demeanor shaped a militaristic regime that was most treacherous and vulgar.

Since 2016, there was an upsurge and intensification of solidarity from all fronts in reaction to Duterte's terror.

International fact-finding and solidarity missions were conducted by various organizations such as the International Coalition for Human Rights in the Philippines (ICHRP), World Organisation Against Torture (OMCT), International Federation of Human Rights (FIDH), European Members of Parliament, and FORUM-ASIA, among others. Even as human rights advocates from other countries such as missionary Sr. Patricia Fox, lawyer Gil Boehringer and trade union rights advocate Otto de Vries faced deportation proceedings, and others like American-Chinese activist Brandon Lee, faced attempts on their lives – they did not relent in speaking out on the atrocities of the Duterte regime.

Scores of people's organizations, NGOs and sympathetic individuals expressed support for human rights defenders, including human rights workers of Karapatan and indigenous peoples leaders, who were maliciously listed in the 2018 case filed by the Justice Department that proscribed the CPP and NPA as terrorist organizations.

It was also in 2018, when Rise Up for Life and for Rights, an organization of families of drug war victims and faith-based groups, filed a complaint with the International Criminal Court on the crimes against humanity of Duterte and his associates. Together with their legal counsels from the National Union of People's Lawyers (NUPL), the victims submitted their representations and views as part of the victim representation of the International Criminal Court process in August 2021, ahead of the decision of the Pre-Trial Chamber, amid the consistent refusal of the Duterte government to cooperate with the ICC investigation.

An International People's Tribunal (IPT) was convened in 2018 in Belgium which issued a guilty verdict on Duterte and US President Trump for cases of civil, political, economic, social, and cultural rights violations committed by the US-Duterte regime.

These efforts to expose and oppose Duterte's crimes continued and became even more pronounced in succeeding years, despite the obnoxious diplomatic offensives of Duterte's minions in the NTF-ELCAC, who went on a red-tagging rampage of not only Philippine-based people's organizations, but also targeted international NGOs and humanitarian institutions providing support for underprivileged communities in the country.

The pandemic did not deter various forms of expression of dissent and solidarity by the international community. In 2020, more than 300 international and national people's organizations, NGOs, and networks called on the Duterte regime to stop the killings in the Philippines, and for the United Nations Human Rights Council (UNHRC) to conduct an independent investigation into the situation. InvestigatePH was an initiative by ICHRP wherein commissioners of eminent backgrounds heard testimonies and insights from experts, and formulated a report which was submitted to various international bodies.

Earlier, in 2017, the Philippine Universal Periodic Review (UPR) Watch provided numerous alternative reports to the UN Universal Periodic Review of the Philippines, while many States at the UN Human Rights Council provided strong recommendations calling for an end to extra-judicial killings, enforced disappearances, torture and other forms of human rights violations.

Due to persistent campaigns, the following countries expressed support for the calls for justice for EJK victims, for the plight of rights defenders and journalists, and various other casualties of the Duterte government and its vindictive crusade against its critics: Armenia, Argentina, Australia, Austria, Azerbaijan, Belgium, Canada, Chile, Croatia, Czech Republic, Costa Rica, Estonia, Finland, France, Germany, Ghana, Greece, Iceland, Italy, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Mexico, Montenegro, The Netherlands, Norway, Peru, Portugal, Romania, Sierra Leone, Slovenia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, and Vanuatu.

The demand for justice and accountability would reverberate and continue towards the end of Duterte's term.

(Photo from Monthly Review Online)



The United Nations and the International Criminal Court

UN Proceedings. All throughout the term of the Duterte government, several UN Special Procedures and independent experts repeatedly voiced out concerns on extrajudicial killings in the drug war and numerous attacks against Filipino human rights defenders, like those expressed by Special Rapporteur on Extrajudicial, Summary or Arbitrary Killings Agnes Callamard, Special Rapporteurs on the Situation of Human Rights Defenders Michel Forst and Mary Lawlor and UN Special Rapporteur on the Rights of Indigenous Peoples Victoria Tauli-Corpuz, among many others. The High Commissioner for Human Rights Michelle Bachelet, and the Assistant Secretary General for Human Rights Ilze Brands Kehris had spoken out as well.

A year into the Duterte presidency, UN Special Rapporteur Agnes Callamard, in an unofficial visit to the Philippines, condemned Duterte’s war on drugs and highlighted the risks of the government’s use of violence in response to the illegal drug trade. This earned the ire of Duterte, wherein he blurted out expletives against the UN expert, and dared her to debate with him, saying that the UN was interfering in his drug war campaign in the country.

Bachelet’s report was a damning indictment of the Duterte government’s brutal and bloody human rights violations and attacks on the people.

UN Special Rapporteur Mary Lawlor stated in her March 2021 report to the UN Human Rights Council that “smears” including red-tagging was a context-specific death threat in the Philippines and she had recommended that legislation protecting defenders against these acts be enacted.

In July 2019, the UN Human Rights Council during its 41st session adopted the resolution sponsored by Iceland, which asked member-states to take concrete steps regarding the promotion and protection of human rights in the Philippines. The resolution mandated UN High Commissioner Michelle Bachelet to draft and submit a comprehensive report on the human rights situation in the Philippines in its June 2020 44th session. Bachelet’s report was a damning indictment of the Duterte government’s brutal and bloody human rights violations and attacks on the people. She added that “persistent impunity for human rights violations is stark, and practical obstacles to accessing justice within the country are almost insurmountable.”

Given the failure of domestic mechanisms to ensure accountability thus far, Bachelet stressed the need for independent, impartial, credible investigations into all allegations of serious violations of human rights and International Humanitarian Law.

Despite this, the UN Human Rights Council stopped short of conducting an independent investigation into the human rights crisis in the Philippines in lieu of technical cooperation and capacity-building for domestic measures that had failed time and time again in obtaining accountability and justice for victims of human rights violations. Translated into the UN Joint Programme, this step was seen as direly insufficient in addressing pressing justice issues in the crisis, and was in danger of being used to parry efforts of international accountability mechanisms.

Ravina Shamdasani, spokesperson of the UN Office of the High Commissioner for Human Rights issued a statement in 2021 about being “appalled by the apparently arbitrary killing” of nine activists during the Bloody Sunday raids in the Southern Tagalog region. The European Union Delegation to the Philippines also reminded the government of its “commitment” to “ensure accountability for human rights violations and abuses, in accordance with due process under national courts of law and in full compliance with its international human rights obligations.”

The engagement at the UN Human Rights Council to press for independent investigations continued with the alternative reports of human rights and civil society organizations in the 2022 Universal Periodic Review and the Human Rights Committee 5th Periodic Review on the Philippines.

Protesters hold placards bearing images of victims of extrajudicial killings on Human Rights Day 2017. (Photo by Ezra Acayan)





ICC Investigations. The ICC through the Office of the Prosecutor had been observing and monitoring the situation in the Philippines since October 2016, which had earned the ire of Duterte who had publicly threatened them. Concerned individuals, families of victims and human rights groups had started submitting communications in 2017, and by February 8, 2018, the ICC Office of the Prosecutor announced the initiation of a preliminary examination to determine whether there was sufficient evidence to establish that the case would fall under the ICC’s jurisdiction.

Duterte announced and formally submitted the Philippines’ withdrawal from the ICC in March 2018, which would only take effect a year after the date of receipt of notification. On March 17, 2019, the Philippines officially ceased to be a member-state of the ICC.

On June 14, 2021, then-ICC prosecutor Fatou Bensouda applied for authorization with the Pre-Trial Chamber to open an investigation into the drug war killings from 2011 to 2016. Bensouda said “extrajudicial killings, perpetrated across the Philippines, appear to have been committed pursuant to an official State policy of the Philippine government.”

On September 15, 2021, the ICC’s pre-trial chamber approved the investigation into the killings in Duterte’s drug war between 2011 and 2016. In the decision, ICC judges concluded that “there is a reasonable basis for the Prosecutor to proceed with an investigation, in the sense that the crime against humanity of murder appears to have been committed.” The chamber also observed that “it is also apparent” that the killings took place “pursuant or in furtherance of a state policy.”

In November 2021, however, the Prosecutor temporarily suspended the investigation, after the Philippine government formally requested a halt to the investigation, asking the Prosecutor to defer the probe and recognize “working domestic mechanisms.”

In June 2022, after the presidential elections in the Philippines, the Prosecutor filed a request to resume the investigation, saying information reaching his office “does not demonstrate that concrete and progressive steps have been taken or are being taken by the competent national authorities,” and that the government failed to show that any individual had been probed “for ordering, planning, or instigating” the killings.

The probes conducted by both international bodies, as well as efforts on the international front to hold accountable perpetrators of human rights violations in the Philippines bore out the fact that domestic redress mechanisms had failed to render justice to the victims and their families.

Government officials claiming that the justice system was working in the country could not even credibly substantiate their statements. The lack of accountability by State forces for human rights violations had been noted by numerous States during the November 2022 Universal Periodic Review and by independent rights experts during the UN Human Rights Committee review in October 2022.

Actions of US Legislators

Aside from the reintroduction of House Resolution No. 3884 or the Philippine Human Rights Act, to suspend military aid to the Philippines due to human rights violations perpetrated by State forces, American legislators, principally 24 representatives from the US Congress led by Pennsylvania’s 7th District Rep. Susan Wild, urged US State Secretary Antony Blinken and Treasury Secretary Janet Yellen on January 24, 2022, to impose targeted sanctions using the US Global Magnitsky Act on five individual Philippine government officials alleged to be responsible for human rights violations during the Duterte administration. The US legislators sent the letter to US executive officials citing reports from human rights groups on “widespread harassment, arbitrary imprisonment, torture, and assassination of journalists, dissidents, opposition leaders, members of the clergy, and labor organizers and leaders.”

The legislators’ letter came after several lobby and mass movement actions calling on the US government to stop military and police aid to the Philippines, pointing out how American taxpayers’ money was being used by State actors in the commission of extrajudicial killings and other human rights violations in the Philippines. Aside from proposed leg-

islative amendments related to police financing in the Philippines, the Philippine Human Rights Act sponsored by Rep. Wild was filed, seeking to suspend or restrict security assistance to the Philippine National Police and the Armed Forces of the Philippines due to massive and persistent reports of human rights violations.

Illustration by Jacqueline Sorsing



These actions demonstrated the American public's concern on the human rights crisis in the Philippines and helped bring to the fore the need to look into the acts and policies implemented by the Duterte administration that resulted in extrajudicial killings, arbitrary or illegal arrests and detention, enforced disappearances and other grave human rights violations.

European Parliament Resolutions

Since 2016, the European Parliament has issued four (4) resolutions on the Philippines that highlighted the human rights violations in the war on drugs, as well as in counter-insurgency and counter-terrorism campaigns.

The European Parliament expressed its strongest concerns on the thousands of killings committed under Duterte's war on drugs and called for an immediate and independent investigation thereon. While it understood the need to address the issues of drug dependency in the Philippines, the European Parliament urged the government of the Philippines to respect the basic human rights of the Filipino people and in so doing, put an end to the current wave of extrajudicial executions. The European Parliament's resolution stated that it continued to support the International Criminal Court in the conduct of investigations on this matter, and called on the Philippine government to cooperate with the Court and reconsider its previous decision withdrawing from the Rome Statute.

In February 2022, a resolution by the European Parliament noted the practice of "red-tagging" which continued to result in killings, threats,

warrantless arrests, and harassment against human rights defenders, environmental defenders, trade unionists, and journalists who sought to expose the human rights violations committed by the Philippine Government, and called for the abolition of the NTF-ELCAC which implemented this deadly practice.

Moreover, the European Parliament acknowledged that the enactment of the Anti-Terrorism Act of 2020 institutionalized “red-tagging” and thus, the Parliament called for the reconsideration of the said law in order to bring it in line with international standards on countering terrorism. The European Parliament further included a reminder that the exercise of civil and political rights would never be an act of terrorism.

The Parliament even went as far as to state that the Philippines might be temporarily withdrawn from its Generalized Scheme of Preferences (GSP)++ a preferential trade mechanism), should the Philippines fail or refuse to comply with its obligations under international human rights law and treaties as compliance, thereto, was a pre-requisite to a State’s inclusion in the said scheme.



European Union resolution on human rights situation in the Philippines.

In light of the May 2022 National Elections, the European Parliament also warned of increasing instances of smear, hate and disinformation campaigns and the rise of “troll armies” in Philippine cyberspace and called on the Philippine government to “step up their efforts to ensure fair and free elections and a non-toxic environment for on- and offline campaigning”, as it “regret(ted) that the Philippine Government ha(d) not invited the EU to conduct an independent observation mission” on the upcoming elections.

The European Parliament further called on its member-States and its representatives in the Philippines to continue to “prioritise support to civil society and to use all available instruments to increase their support for human rights and environmental defenders’ work.”

Continuing vigilance. Still, there is a need for the UN Human Rights Council to maintain and assert its mandate to investigate human rights violation cases in the Philippines, and conduct deeper probes into the Philippine human rights situation through the UN Human Rights Committee and the Universal Periodic Review. It is of utmost importance not only to the victims, but for the greater populace, to be given a voice in the most severe attempts to silence calls for justice and accountability, in a seemingly democratic setting as the Philippines. Impunity must end.

(Photo by Basilio Sepe, Benar News)





Photo taken during a mobilization hours before Duterte's last State of the Nation Address dated 2021.

IV. THE PEOPLE ARE THE MAKERS OF HISTORY

During this period of Duterte's reign of terror, many Filipinos had stood up to government's terroristic suppression of people's rights. The people asserted their rights to freedom and justice, and they marched in defiance of the systematic attacks on their persons, their families and their communities.

The Mobilization of Sectors, Alliances and Networks. The basic sectors of Filipino society registered their voices against the intensifying and systematic attacks against people's civil, political, economic, social, and cultural rights perpetrated by the government, with their protests taking various forms.

Trade unions asserted the rights of workers to be protected from exploitation by greedy corporate employers. Strikes in different parts of the country were carried out by workers from companies such as Nutri-Asia, CocaCola, Jollibee, PLDT Inc., and Sumifru Philippines. The urban poor led the "Occupy Movement" campaign for the right to housing, first in Bulacan and also in other cities and provinces. Jeepney drivers conducted transport strikes against the jeepney phaseout, and the rising prices of fuel and other commodities.

Farmers held the *Lakbayan ng mga Magsasaka* (Peasant March) to demand genuine agrarian reform at a time when there was scarcity of rice and rice importation schemes were resorted to, bankrupting local growers. Fisherfolk united to oppose the conversion of their fishing areas into reclamation projects and oppose the government's misuse of



On March 8, 2017 urban poor groups mostly led by Kadamay occupied a total of 5,208 idle housing units in five relocation sites in Pandi, Bulacan. (Photo from Bulatlat)

the country's exclusive economic zone (EEZ) to take away the fishing grounds of the small fisherfolk for big business and reclamation. Indigenous peoples communities all over the country continued to assert their rights to their lifeways and their ancestral domain, and the protection of the country's natural resources from the exploitation of the military and big business.

Solidarity groups, alliances, and support networks were formed and these amplified demands for justice, for accountability, in defense of human rights and against systemic impunity, against Duterte's tyranny and the return of the Marcoses:

- * Tindeg Ranao (Rise Up Ranao) formed by evacuees and survivors of the Marawi siege to demand accountability and expose violations in Marawi
- * Rise Up for Life and for Rights for families of victims of killings and other victims of Duterte's war on drugs
- * End Impunity Alliance
- * Movement Against Tyranny
- * Sandugo Alliance of Moro and Indigenous Peoples
- * #CourageON: No Lockdown on Rights
- * Campaign Against the Return of the Marcoses and Martial Law (CARMMA)

The Movement to “Stop the Killings.” Mass actions and protests were held in various parts of the country to condemn the killings and atrocious acts of the military and the police. The call to stop the killings galvanized numerous personages, sectoral groups, and civil society organizations within and outside the country against the extrajudicial killings in the Philippines.

Human rights organizations and advocates all over the world shouted out the call #StopTheKillingsPH in an online solidarity campaign, and conducted rallies with a message of defiance.



(Left) Families of victims of extrajudicial killings honor their slain kin in potted plants bearing their names
(Right) Part of a photo-series in honor of slain rights defenders. (Photos by Karapatan)

“They tried to bury us but they did not know we are seeds.”

Over 300 organizations and individuals, including religious leaders, artists and cultural workers, women’s rights organizations, youth activists, civil libertarians, lawyers, peace advocates, as well as environmental, land, and indigenous rights defenders signed a unity statement demanding an end to all the bloody campaigns and policies that accelerated the extrajudicial and arbitrary killings.

Protest actions condemning extrajudicial killings in relation to the drug war and counter-insurgency campaigns, red-tagging, and illegal and arbitrary arrests peaked during the yearly protest actions against the anniversary of Marcos Sr.’s 1972 martial law declaration on September 21 and in celebration of International Human Rights Day on December 10.



(Photo by Carlo Manalansan, Bulatlat)

The Thunder of Protest Mobilizations. In 2016, when Duterte approved the transfer of Marcos Sr.'s remains to the Libingan ng mga Bayani for a hero's burial, there was wide condemnation and rage from the general public. The #BlackFriday protests erupted as Filipinos continued to demonstrate their unwavering opposition to the revision of history, and the whitewashing of the Marcos dictatorship's corruption, plunder, and bloody human rights violations. National unity and rage were witnessed in the nationwide indignation rallies in the protest centers of Vigan, General Santos, Manila, Cebu and Davao.

Duterte's decision exposed his malevolent betrayal of those who voted for him and uncovered the true nature of his perverse and cruel presidency.

The sounds of protest and defiance against Duterte grew louder and louder. Massive rallies and other mass assemblies, even in the years amid the pandemic, were boldly sustained under Duterte's de facto martial law.

For six years during his yearly State of the Nation Address (SONA), the people's marches highlighted their unity in denouncing the Duterte government's false promises, and the inutile response to people's demands, particularly during the pandemic. Furthermore, the SONA rallies condemned the deluge of human rights violations and transgressions of civil liberties, and slammed Duterte's mendicancy to Chinese and US interests.

A broad united front was carried out which amplified the calls for justice and accountability exemplified as the United People's SONA, during Duterte's 3rd SONA in July 2018.

The #SONAgKAISA protests in 2020 displayed an unprecedented unity across social movements, faith-based formations, and political blocs and lines in opposing the Anti-Terrorism Act, in condemning the shutdown of ABS-CBN, in calling for a comprehensive response to address the COVID-19 pandemic, and in resisting the Duterte government's increasingly desperate and undisguised machinations for tyranny.

Widespread condemnation was expressed against the shutdown of ABS-CBN, and this shutdown issue was the loudest call in defense of press freedom, both on the streets and online. Thousands supported the network's employees who would lose their jobs. Protests were held outside the ABS-CBN compound in Quezon City and in major cities nationwide.

The lockdowns of the COVID-19 pandemic along with tactics to scare people with mass arrests did not deter thousands from participating in street protest actions throughout the country.

Massive outrage translated into protests against the railroaded passage of the Anti-Terrorism Act in 2020. In defiance of the government's scare tactics under the guise of enforcing quarantine measures, people broke the imposed silence of the streets that the pandemic lockdowns inflicted on the populace.

Despite the militarist lockdowns and threats of arrests on those who would participate in street actions, a "Grand Mañanita" Anti-Terror bill protest was held on June 12, 2020 in UP Diliman, mocking the government's double standards in dealing with "quarantine violators" among police and other government officials, and ordinary folk.

Lesbians, gays, bisexuals, transgenders, and queers led by Bahaghari held a protest action at the Mendiola bridge in Manila to commemorate Pride and to raise the voices of the LGBTQ+ community against the terror bill.

Various civil society organizations, journalists and freedom-of-expression advocates, environmental activists, Moro and Muslim representatives, lawyers, faith-based formations, and local and international human rights groups were joined by ordinary internet users who made and distributed online infographics, petition campaigns, and email lobbying efforts to congressmen. Celebrities, beauty queens, and online influencers lent their platforms urging and linking their fans and followers to various human rights organizations so they could learn about the anti-terrorism law and the dangers it posed to human rights and civ-

il liberties. The hashtag #JunkTerrorBill shot up to Twitter's top trends and earned hundreds and thousands of tweets in a massive display of online rage and dissent.

Upon the passage of the law, indignation protests were conducted at the UP Diliman campus and in different provinces by various groups. Petitions were immediately filed before the Supreme Court, led by many progressive partylist representatives, rights advocates, and other individuals and groups, including the Movement Against Disinformation. Up to 37 petitions were filed against the Anti-Terrorism Act, making it the most highly contested law in Philippine history. Karapatan joined other progressive formations and human rights groups in filing the 11th petition against the law.

The Echoes of Engagement. There were also some legal victories for a number of victims of rights violations, and these were won under the most hostile conditions.



Karapatan filed a complaint in 2020 before the Office of the Ombudsman against National Security Adviser Hermogenes Esperon, Lt. Gen. Antonio Parlade, Undersecretary Lorraine Badoy, and Deputy Administrator Margaux Uson over war crimes violating the Philippine Act on Crimes Against International Humanitarian Law, Genocide and Other Crimes Against Humanity as well as the Anti-Graft and Corrupt Practices Act for their red-tagging campaign against Karapatan and other human rights defenders. Administrative charges against government officials engaging in red-tagging were also filed by Ibon Foundation, Bayan Muna Representative Carlos Zarate, Kabataan Representative Sarah Elago, the National Union of Peoples' Lawyers, and Altermidya.

The House of Representatives Committee on Human Rights approved in November 2021 the proposed Human Rights Defenders Protection Act, or House Bill No. 10576, despite the opposition of the NTF- ELCAC.

Due to the vigilance and persistent determination of human rights defenders, there were two convictions of human rights criminals.

Retired Army Maj. General Jovito Palparan Jr. (“the Butcher”) was convicted and sentenced to *reclusion perpetua* in 2018 for the kidnapping and serious illegal detention of disappeared University of the Philippines students Karen Empeño and Sherlyn Cadapan. While serving his sentence at the New Bilibid Prisons, the Court of Appeals affirmed his conviction in 2022.

The masterminds and perpetrators of the Ampatuan massacre were convicted in 2019. Those convicted of murder were sentenced to *reclusion perpetua*. Brothers Datu Andal Jr., Zaldy Ampatuan, and Anwar Sr. were among those convicted of murder by Judge Jocelyn Solis Reyes. Of the 99 individuals charged with the massacre on November 23, 2009, twenty-eight, aside from the Ampatuans, were convicted of murder. The case involved the killing of 58 individuals, including 32 journalists.

Activists and rights advocates belonging to various organizations and networks endured and resisted the malicious red-tagging, and asserted that to fight for rights and to protest against a tyrannical regime is the duty of every Filipino in defense of justice, freedom and democracy.



Tarpaulin in front of the offices of Karapatan, Bagong Alyansang Makabayan, National Union of Peoples’ Lawyers, & Kodao Productions. “We are human rights defenders! There are no terrorists, guns or bombs here!”

In defiance of threats of raids, NGOs and civil society leaders opened their offices to the Commission on Human Rights for inspection. Some posted creative giant streamers in their offices stating that “*Hoy, walang baril o granada dito!*” (Hey, there are no guns or explosives here!). This followed the NTF-ELCAC’s threat to raid the offices of targeted organizations and charge mass leaders.

Lawyers, priests, rights advocates, and journalists engaged local government units in seeking protection and immediate action over the red-tagging of activists, and pushed for the declaration of a “red-tag free” city.

The campaign against red-tagging encouraged the Commission on Human Rights to conduct a special public inquiry on the attacks against human rights defenders. In Cordillera, the CHR regional office released resolutions reaffirming the basic rights of individuals and groups against the red-tagging from the police in the region and the NTF-ELCAC against activists, journalists, indigenous leaders, and human rights defenders. The CHR also recommended that the police and the military desist from engaging in red-tagging.

Critical public opinion on the incessant red-tagging against almost all critics of the Duterte administration reached the Senate and prompted the filing of Senate Bill No. 2121 by Sen. Franklin Drilon in 2021 that sought to define and penalize red-tagging.

Karapatan together with victims of human rights violations and red-tagging submitted a letter before the Supreme Court in May 2021 in response to its call for urgent steps and actions to protect human rights defenders and their lawyers from threats, arrests, and killings.

Karapatan’s human rights work in the Philippines had also been recognized around the world. In 2021, US-based Human Rights First presented Karapatan with the William D. Zabel Human Rights Award which is given annually to activists in the frontlines of the struggle for human rights. The same year, Karapatan secretary-general Cristina Palabay was among the 15 laureates of the Franco-German Prize for Human Rights and Rule of Law, awarded by the governments of France and Germany to “[recognize] the efforts of all those who work tirelessly every day to advance the causes of human rights and the rule of law.”



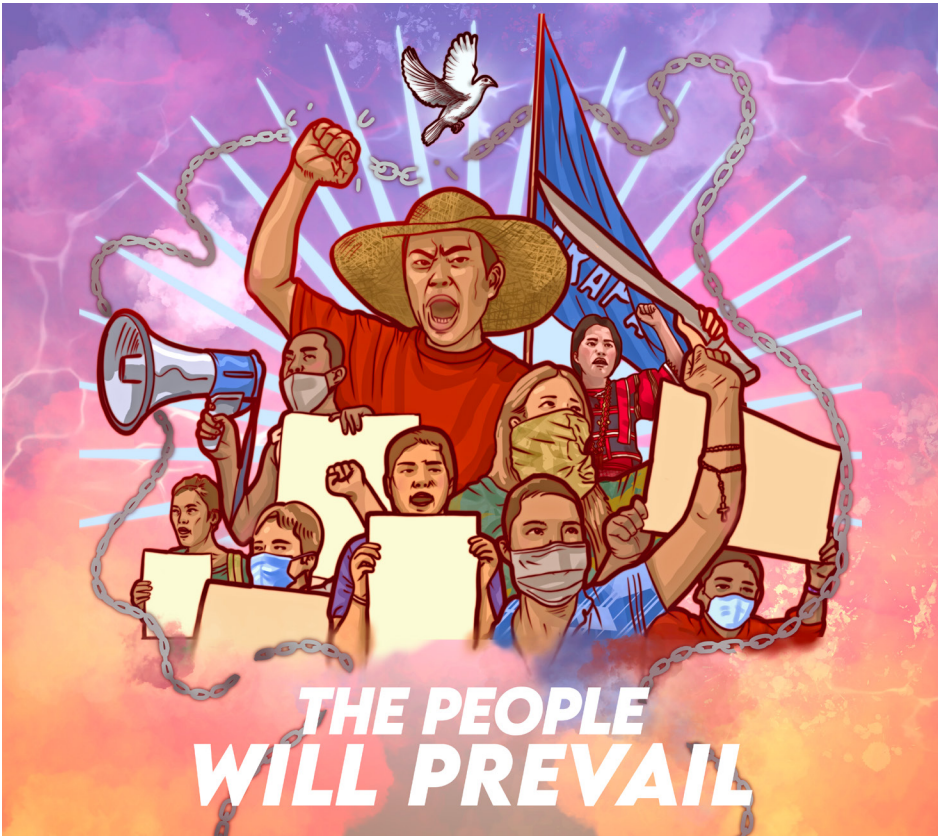


(Photo from The Defiant.net)

KAPATID’s Vigilance for Political Prisoners. Relatives and friends of political prisoners through its organizational grouping KAPATID actively exposed the dire conditions in jails and sounded the alarm on unlawful and inhuman restrictions against political prisoners.

Meanwhile, a number of political prisoners walked free, as trumped-up charges against them were dismissed, including those whose arrests were based on the search warrants issued by Judge Cecilyn Burgos-Villavert, that resulted in a number of activists and rights defenders killed and arrested in the course of police and military raids.

The following political prisoners were released: alternative media practitioner Lady Ann Salem and trade unionists Rodrigo Esparago and Dennise Velasco; indigenous women human rights defender Beatrice “Betty” Belen; NDFP peace negotiations panel staff members Alexander and Winona Birondo; NDFP peace consultant Esterlita Suaybaguio; women’s rights activist Cora Agovida and urban poor organizer Michael Bartolome; National Federation of Sugar Workers secretary general John Milton Lozande; sari-sari store owner Lamberto Asinas; ACT-Caraga secretary general Rosanilla “Lai” Consad; CPA chairperson Windel Bolinget; Tumandok indigenous peoples Eleutera Caro, Jucie Caro, Rollen Catamin, Marilou Catamin, and Marivic Aguirre; UCCP Pastor Dan Balucio; Jovenes Anakbayan spokesperson Ma. Jesusa Sta. Rosa; Karapatan human rights worker Teresita Naul; and peasant leaders Norberto Murillo, Dario Tomada and Oscar Belleza; and Karapatan Southern Tagalog para-legal Nimfa Lanzanas.



Artwork by Mervin Fabro Pimentel

The Filipino people remain in deep poverty and crisis, oppressed by the local ruling classes, and by the State that is subservient to foreign dictates. With the continuing legacy of impunity under the Marcos Jr.-Duterte administration, the people will remain vigilant and steadfast in upholding their rights.

For the Filipino people who have displayed insurmountable courage and strong resolve amid crisis, fascism and repression, these challenging times have also become an opportunity to stand together and defend people's rights.

The struggle continues.

The people, and the people alone, are the motive force in the making of world history.

AN UNBROKEN CHAIN OF FASCIST BRUTALITY

2022 REPORT ON THE HUMAN RIGHTS
SITUATION IN THE PHILIPPINES



AN UNBROKEN CHAIN OF FASCIST BRUTALITY

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Prior to President Ferdinand Marcos Jr.'s first State of the Nation Address at the House of Representatives, protesters take to the streets of Commonwealth Avenue in Quezon City. (Photo by Carlos Manalansan, Bulatlat)

An Unbroken Chain of Fascist Brutality

Ferdinand Marcos Jr. and his running mate, Rodrigo Duterte's daughter Sara Duterte rose to power through elections widely seen as fraudulent.

From the beginning, the Marcos Jr.-Duterte tandem had been considered as a partnership forged in hell. The Dutertes' role in rehabilitating the sordid Marcos name was reinforced when Rodrigo Duterte allowed a hero's burial for the elder Marcos. In exchange, Marcos Jr. pledged to block efforts to hold Rodrigo Duterte accountable for his crimes, specifically in his bloody war on drugs, once he came to power. As an added quid pro quo, Sara Duterte agreed to wait for her turn to be president and accepted a lesser role in the new regime.

When the dictator's son ran for president in 2022, he harped on false claims that the martial law era comprised the "golden years" of Philippine history. This, despite the documented fact and which the whole world knew, that martial law saw the Marcoses and their cronies amass riches by plundering public coffers while political dissent was brutally suppressed through mass arrests, extrajudicial killings, torture and disappearances.

By portraying the Marcos Sr. regime as a period of prosperity and progress, the dictator’s son tried to sanitize the human rights violations and corruption that characterized his father’s rule. This attempted revisionism, which undermined the struggle of the Filipino people for democracy and human rights, would be a portent of what was to come under Marcos Jr.’s presidency: the perpetuation of a culture of impunity that would sweep crimes under the rug and allow human rights abuses to continue.

It, therefore, came as no surprise that when the bloody reins of reactionary power were transferred from Rodrigo Duterte to Ferdinand Marcos Jr. in mid-2022, there was to be no justice and accountability forthcoming for the human rights violations committed during the Duterte administration, more so of the rights violations under Marcos Sr.

Grave attacks on human rights and people’s rights would go on unabated under Marcos Jr. who allowed his government to be driven by the same repressive policies on the drug war and counter-insurgency programs, fueling the treacherous climate of impunity that started during Marcos Sr.’s martial law and further enflamed by the Duterte presidency.

Extrajudicial killings, enforced disappearances, torture, illegal arrests and detention, threats, harassment and rampant red-tagging — the hallmarks of the regime of his predecessor Rodrigo Duterte — would be carried on under Marcos Jr.’s watch.



10 rallyists are injured as cops disperse protest of Marcos proclamation on May 27, 2022 at the Commission on Human Rights Grounds (Photo from GMA Network and Inquirer)

Marcos Jr. follows the same counter-insurgency model as Duterte and their other predecessors. The model utilizes the so-called “whole-of-nation approach” which entails harnessing the entire government machinery and its resources to red-tag dissidents and other government critics, vilify and separate them from the mass of people in order to justify the perpetration of human rights violations against them.

To do this, the State relies on the National Task Force to End Communist Armed Conflict (NTF-ELCAC) which is embedded in all levels of government, profiling confirmed and suspected members of progressive groups, red-tagging them, demonizing their organizations, pressuring members to disaffiliate themselves, and discouraging or intimidating others from joining. The NTF-ELCAC's vilification campaign consists of a dangerous combination of lies, misinformation and disinformation.

Once the NTF-ELCAC's targets are branded as "terrorists," "communists," "NPA guerrillas" and the like, they are practically set up for the kill or for arrest on trumped-up charges. The Anti-Terrorism Act erodes legal protections against unjust and arbitrary detention as it allows the police and military to hold a terror suspect without a judicial warrant for 14 days which can be extended by 10 more days, and for the suspect to be placed under surveillance for 60 days, which can also be extended by up to 30 days by the police or military.

The NTF-ELCAC was also at the forefront of sinister efforts to harass and intimidate unionists and sabotage their union struggles for better working conditions and for higher wages.

In a recent development that aptly illustrated the sinister synergy operating among the various government entities under the "whole-of-nation approach," Apayao governor Elias Bulut Jr. issued a provincial executive order on September 30, 2022 offering reward monies of PhP 100,000 for anyone who "captures, arrests or kills in a legitimate military operation a member of the Communist Terrorist Group (CTG)." The governor upped the bounty to PhP 1,000,000 if the person arrested, captured or killed is a "high-ranking CTG personality."

The order obviously gave the go-signal for anyone to arbitrarily attack and kill political activists who had been repeatedly threatened and red-tagged, and be paid handsomely for it. It was hardly a coincidence when on October 25, 2022, Lorraine Badoy and the other talking heads of NTF-ELCAC recited the names of members and community leaders of the Cordillera Peoples Alliance (CPA) as "mga pangalan ng CPP-NPA" on their program that airs over the SMNI network.

The NTF-ELCAC was also at the forefront of sinister efforts to harass and intimidate unionists and sabotage their union struggles for better working conditions and for higher wages.

Despite Ferdinand Marcos Jr.’s “charm offensive,” including frequent overseas trips, and his initial attempts to somehow distance himself from his father and even Duterte’s sordid reputations, his actual policy choices and the persons he has appointed to his government indicate that his regime is essentially cut from the same cloth, mainly when it comes to the counter-insurgency and drug wars.

Injustice and the climate of impunity clearly predominate, and the Marcos Jr. administration perpetuates these injustices by continuing Duterte’s draconian policies. There have been no reversals of police memoranda on the drug war, nor is Marcos Jr. backing down on the existence and operations of the NTF-ELCAC. The Marcos Jr. administration, likewise, stubbornly refuses to budge on its position of non-cooperation with the International Criminal Court’s (ICC) efforts to investigate the drug killings under Duterte, falsely claiming that the country’s judicial system is willing to and is capable of investigating, prosecuting and punishing the perpetrators, including high-ranking officials.



(Left) Clarita Carlos (Right); Eduardo Año replaces Carlos as Security Adviser. (Photo from The Manila Times)

Barely seven months into his presidency, Marcos Jr.’s first National Security Adviser Clarita Carlos, an academic, was replaced by an out-and-out fascist – Eduardo Año, an ex-military general who, as Duterte’s interior secretary was instrumental in converting the entire local government bureaucracy into a vast informer network under the “whole-of-nation approach”. Under Gloria Arroyo and Benigno Aquino III, Año was responsible for a host of involuntary disappearances, extrajudicial killings and illegal arrests of suspected dissidents.

The fascist and militarist direction of Marcos Jr.’s government was made clearer with his appointment of Carlito Galvez as defense secretary and police general Romeo Caramat Jr. as CIDG director.

Galvez, as former presidential peace adviser under Duterte had been known for having pushed localized peace talks and fake surrenders as his dubious version of the peace process, which had nothing to do with addressing the roots of armed conflict. As anti-COVID czar, he enforced a

militarist approach of strict, widespread and long-term lockdowns that suppressed people's rights and further crippled the economy.

Caramat, on the other hand, was Bulacan police chief during the single biggest slaughter of suspected drug personalities during the Duterte regime — the so-called one time-big time drug bust in the province in August 2017 that resulted in the killing of 32 drug suspects and the arrest of 102 others in a span of 24 hours.

Marcos Jr. likewise appointed Camilo Cascolan, a former police chief, as health undersecretary, a move obviously meant to more closely police a government agency where employees had protested the non-payment of benefits to health workers, the inefficient and ineffective delivery of services and guidance to the people amid the pandemic, and the white-washing of corruption issues within the agency, among others.

Marcos has also cozied up to the US government, reinforcing ties of political and economic puppetry to his father's former master. With Marcos Jr.'s reaffirmation of unequal pacts like the Mutual Defense Treaty and the Enhanced Defense Cooperation Agreement (EDCA) which allows the US to set up quasi-bases within AFP facilities, his regime has been rewarded with an additional \$100 million in military aid that will surely ramp up local counter-insurgency campaigns and fuel more human rights violations.



Progressive groups protest EDCA during US Defense Secretary Lloyd Austin's visit. (Photo by Altermidya)

But perhaps one of the most striking markers of unimpeded impunity from Marcos Sr. to Marcos Jr. was the arrest on August 24, 2022 of **Adora Faye de Vera**. A victim of unjust detention, torture and rape under martial law, De Vera's husband Manuel Manaoag was also involuntarily disappeared in 1990. Her arrest under Marcos Jr. on trumped-up charges of rebellion, murder and frustrated murder presented the absurdity that

she, who should be demanding justice from the perpetrators of all the crimes against her and her family, would now herself be unjustly detained again, and branded a terrorist and a criminal. De Vera's situation of being a victim twice over of two Marcoses, was unequivocal proof that impunity and injustice persisted over the decades.

HUMAN RIGHTS VIOLATIONS DURING MARCOS JR.'S FIRST SIX MONTHS



Protesters convey their dismay with the fraudulent 2022 Presidential election results at Comelec on May 10, 2022. (Photo from Eloisa Lopez, Reuters)

Extrajudicial killings

From July to December 2022, there had been a total of 17 victims of extrajudicial killings in Marcos Jr.'s insurgency campaign.

As if to send a signal to its perceived enemies, the Marcos Jr. regime marked its first month in office with blood in its hands: there were eight (8) cases of extrajudicial killings perpetrated by state agents.

In Occidental Mindoro. On July 15, **Dante Yumanaw**, a local leader of the Mangyan-Batangan indigenous group was killed by a stray bullet fired by elements of the 76th IBPA in Sitio Tayabong, Barangay Ligaya, Sablayan, Occidental Mindoro during an encounter with the NPA. Yumanaw was in the company of some 400 Tao-Buid families who had evacuated their community from the area for fear of being caught in the crossfire.

This single incident bred multiple human rights violations. Yumanao was but one of **3,005 victims** of indiscriminate firing by the AFP in the first six months of Marcos Jr.'s rule. The **Tao-Buid families** were, likewise, among the 9,159 victims of forced evacuation in the same period due to the military's counter-insurgency operations.



Gabriela representative Arlene Brosas seeks probe on death of 9 year old Kyllene Casao

In Batangas. On July 18, the regime had more blood on its hands with the killing of 9-year-old **Kyllene Casao** in Barangay Guinhawa, Taysan, Batangas. Troopers of the 59th IBPA who chanced upon her, her father and her 14-year-old brother near the village school immediately trained their guns at them. Kyllene ran and was shot in the head by the soldiers. The military had since been terrorizing the villagers with their menacing presence.

In Negros Oriental. On July 20, troopers from the 62nd IBPA killed 54-year-old farmer **Pompeo Landisa** in Sitio Catuptop, Barangay Trinidad, Guihulngan, Negros Oriental. Landisa was resting with four other farmers in a hut when the soldiers sprayed the house with gunfire, instantly killing him. The soldiers falsely claimed that Landisa was killed in an encounter.

In Batangas. On July 26, **Maximino Digno**, a 50-year-old farmer with mental health problems was killed by elements of the 59th IBPA in Sitio Carachucha, Barangay Cahil, Calaca, Batangas while he was harvesting coconut. The 59th IBPA boasted that day in its official Facebook account that it had killed an NPA member in an encounter.

Groups mark the 40th day since Maximino Digno's death. (Photo by BAYAN- Southern Tagalog)





(Photo from Rappler)

In Negros Oriental. On July 26, Marcos troopers would perpetrate the worst human rights violation in the first six months of their commander-in-chief's regime. Massacred in the early morning of that day were **Christina Jacolbe**, a daycare school teacher who was five months pregnant, her 16-year-old daughter, Grade 11 student **Everlee Kee Jacolbe** and **Roldan Montero**, a family friend. Elements from the 62nd IBPA rained bullets at the Jacolbe residence in Barangay Budlasan, Canlaon City, Negros Oriental, killing Christina and Roldan Montero on the spot and wounding Everlee. Christina's husband Ernie was able to escape the attack.

Four hours after the shooting, relatives living nearby heard Everlee crying in pain and begging for mercy. But they were threatened by the soldiers and prevented from helping her. They later saw the bodies of the three victims being carried to a waiting military truck.

The military also looted the house of the victims and carted away cash amounting to PhP 43,000, a chainsaw, and two android cell-phones. The soldiers later claimed that the victims were NPA guerrillas killed in an encounter.

In Negros Oriental. On July 30, elements of the 11th Infantry Battalion (IBPA) and the 705th Maneuver Company of the Philippine Army augmented by troops from the Philippine National Police (PNP), mercilessly killed 51-year-old **Crisanto Lagardilla**, a farmer from Sitio Halway, Barangay Nazbinlod, Sta. Catalina, Negros Oriental. Lagardilla was helping a fellow farmer make copra when soldiers and policemen forced him out of his house and shot him, hitting him in the leg. His pleas to spare his life went unheeded. The troopers finished him off and planted weapons to make it appear that they had killed an armed rebel.

In Masbate. In the early morning of August 19, elements of Charlie Company of the 2nd IBPA abducted farmers **Mario Esparaguerra** and **Renante Capareño** in Barangay Piña, San Jacinto, Ticao island, Masbate. Later that day, the military falsely claimed that Esparaguerra and Capareño were members of the New People's Army who died in an armed encounter in the area. Esparaguerra had been arbitrarily listed as one of the suspects in the death of former Far Eastern University football player Keith Absalon and his cousin Nolgen in Masbate City on June 6, 2021.

In Masbate. There would be **seven (7) more victims of extrajudicial killings** before the end of 2022, five of them in the province of Masbate.

On September 1, farmer **Manuel Cos** was murdered by soldiers of the 2nd IBPA and elements of a paramilitary group led by Aldrin Boyet Besana, barangay chairman of Dalipe village in Cawayan, Masbate. Cos was killed while tilling his farm in Sitio Baldoza, Barangay Cabungahan, Cawayan. His murder was attributed to a long-simmering agrarian conflict in the area.

On October 28, farmers **Pancho Versaga** and **Renard Remulta**, both residents of Sitio Villaluna, Barangay Itom-bato, Cawayan, Masbate were killed by the same group of soldiers and paramilitaries. Versaga and Remulta were among more than a hundred farmers who tilled a 450-hectare plot, part of a sprawling 1,807-hectare land known as the Pecson estate. Incumbent Masbate Governor Antonio Kho bought the property in 2002 without the farmers' knowledge, evicted the tillers and had the entire estate classified as timberland and pastureland to evade land distribution under the government's agrarian reform program.



Farmers and land reform advocates protest at the Department of Agrarian Reform office in Quezon City last March 30, 2022. (Photo from the Manila Standard)

In yet another related incident, 46-year-old farmer **Gilbert Julie Goylan** was abducted on November 11 by Besana's armed goons in Barangay Mahayahay, Cawayan, Masbate. Two days later, his body was found in Sitio Madalamo, an area bounding the villages of Palo-banderá and Del Carmen in Uson, Masbate.

On November 13, at around 2 a.m., 43-year-old farmer **Rene Bartolata Garzon** was killed by elements of the 31st IBPA in Sitio Pacquiao, Barangay Jagna-an, San Jacinto, Ticao Island. The military troopers vented their frustration on Garzon after four soldiers were killed in an armed encounter between the NPA and the AFP on November 8 in Sitio Tukip, Barangay Jagna-an.

In Negros Occidental. On the early morning of November 30, **Ericson Acosta**, an award-winning poet and resource person of the National Democratic Front of the Philippines (NDFP) in drafting the Comprehensive Agreement on Social and Economic Reforms (CASER), was summarily executed in Sitio Makilo, Barangay Kamansi, Kabankalan City. Acosta and his companion, peasant organizer **Joseph Jimenez**, were reportedly arrested by joint elements of the 94th and 47th IB at 2 a.m. but were later tagged by the AFP as casualties in a fake encounter. In a statement, NDF-Negros spokesperson Ka Bayani Obrero said Acosta was in Kabankalan City for consultations on the situation of farm workers in the southern part of Negros Occidental and to share developments regarding the CASER. Acosta and Jimenez's bodies bore multiple hack wounds.



Activists pay tribute to Ericson Acosta on November 30, 2022. (Photos from Altermidya and KM64)



Protesters destroy an effigy of Marcos Jr. hours before his first SONA (Photo by Lisa Marie David, Reuters)

Drug War Killings

When Duterte's rule ended, there were 6,252 persons who died during anti-drug operations, according to official government statistics. Other estimates place the actual number of victims of drug-related killings to as high as 30,000, most of them slain by motorcycle-riding vigilante death squads, likely policemen themselves or others in the employ of the police.

Marcos Jr. claimed that his administration would launch a new anti-drug program called "Buhay Ingatan, Droga'y Ayawan" which would allegedly focus on reducing demand by addressing the roots of the drug problem such as "poverty, social crimes, unemployment, problems of the youth."



(Photo edit from Rappler)

Despite this change in tone from Duterte's infamous "I will kill you" rhetoric, however, the killings continued, albeit at a lower scale.

According to the Third World Studies Center's Dahas project, 90 people had been killed in the drug war from July 1 to September 30. By Marcos Jr.'s first five months in office, the number had risen to 150.

As for addressing the roots of the drug problem, there has been no palpable change in the Marcos Jr. regime, policy- and practice-wise. The rhetoric is good for soundbites and nothing more.

But there is one telling thing about the rhetoric: Marcos Jr., despite his embellished words about his different approach to the drug problem, has not issued a public statement unequivocally ordering a stop to the killings. Thus, the number of drug-related killings is expected to rise further.

His government's current stance of refusing to rejoin the ICC is a strong indicator that impunity reigns and that on the ground, it will essentially be "business as usual" in the conduct of the drug war.



On November 4, 2022, relatives of the disappeared gather at the Supreme Court to submit a Petition for Writ of Amparo on behalf of Ma. Elena 'Cha' Pampoza, and Elgene 'Leleng' Mungcal. (Photo from Surface Moncada 2 Network)

Enforced disappearances

Four persons were involuntarily disappeared during Marcos Jr.'s first six months in office, from July to December 2022.

In Tarlac. On July 3, Anakpawis member **Ma. Elena Pampoza**, a resident of La Paz, Tarlac and Gabriela Women's Party organizer **Elgene Mungcal**, a resident of Mayon Street, Quezon City went missing, presumed abducted by state agents. They were last seen in Anao, Tarlac while on the way to a consultation with farmers. Witnesses reported that Pampoza and Mungcal had been under surveillance before they disappeared.



In Agusan del Norte. On August 26, two women NPA members—**Cherilyn Rebita** and **Jackilyn Egtob**—were reportedly abducted and held without charges in a military safehouse in Barangay Ata-Atahon, Nasipit, Agusan del Norte where they were subjected to severe mental torture, and their lives and families were constantly threatened for 69 days.

Rebita, who was seven months pregnant upon her abduction, gave birth to a baby girl while in captivity. Weeks later, she and Egtob were coerced into joining a so-called “black operation” where they would return to their NPA unit and convince Rebita’s husband, as well as Egtob’s fiancé and a brother, both NPA fighters, to surrender. They were also ordered to steal three firearms.

In an even more despicable move, the 402nd Infantry Brigade held hostage Rebita’s infant daughter Baby Rhea and a pregnant civilian arrested with them, to pressure the two women guerrillas to comply with the AFP’s orders.

On November 3, Rebita and Egtob were “released” to undertake their “mission.” They managed to return to their unit where they recounted their ordeal. The public furor generated after the military took Baby Rhea hostage forced the 402nd Brigade to give the child to her grandparents on December 29.

Two other pregnant NPA members whom Rebita and Egtob were supposed to meet – **Aurily Havana**, 23 (Ka Laiza), of Brgy. Lydia, La Paz, Agusan del Sur and **Jennifer Binungkasan**, 19 (Ka Laile), of Sitio Bulak, Brgy. Lower Olave, Buenavista, Agusan del Norte – were abducted by elements of the 402nd Brigade in Butuan City on November 3. Havana and Binungkasan remain missing to date.

TABLE 1

Violation of Civil & Political Rights

Under the Ferdinand Marcos Jr. Government

July 2022 to December 2022

Extrajudicial Killing	17
Frustrated Extrajudicial Killing	4
Enforced Disappearance	2
Torture	3
Illegal Arrest without Detention	165
Illegal Arrest and Detention	32
Illegal Search and Seizure	456
Physical Assault and Injury	13
Demolition	12,000
Violation of Domicile	461
Destruction of Property	400
Divestment of Property	94
Forced Evacuation	9,159
Threat/Harassment/Intimidation	357,726
Indiscriminate Firing	3,005
Forced / Fake Surrender	151

TABLE 2

Victims of Extrajudicial Killing & Enforced Disappearance

Under the Rodrigo Duterte Government

BY REGION (July 2016 to December 2022)

REGION	Extrajudicial Killing	Enforced Disappearance
Ilocos	0	0
Cordillera Administrative Region	0	0
Cagayan Valley	0	0
Central Luzon	0	2
National Capital Region	0	0
Southern Tagalog	3	0
Bicol	7	0
Western Visayas	2	0
Central Visayas	5	0
Eastern Visayas	0	0
Northern Mindanao	0	0
Caraga	0	0
SoCSKSargen	0	0
Western Mindanao	0	0
Southern Mindanao	0	0
ARMM	0	0
TOTAL	17	2
Female	3	2
Rights Defender	1	2

TABLE 3

Victims of Extrajudicial Killing & Enforced Disappearance

Under the Rodrigo Duterte Government

BY SECTOR (July 2016 to December 2022)

SECTOR	Extrajudicial Killing	Enforced Disappearance
Church		
Entrepreneur		
Environmentalist		
Fisherfolk		
Government Employee		
Indigenous People	1	
Peasant	17	1
Teacher	1	
Urban Poor		
Lawyer		
Human Rights worker		
Worker		
Youth and Student		
Cultural Worker		
Moro		
Transport		
Health		
Minor	2	

TABLE 4

Political Prisoners*as of December 2022*

REGION of Detention	Total Number of Political Prisoners	Women	NDFP Consultants	Arrested Under Marcos Jr.
Cordillera	5	0	0	1
Ilocos	6	1	0	2
Cagayan Valley	20	7	0	1
Central Luzon	13	5	0	1
Southern Tagalog	67	12	1	3
National Capital Region	105	19	9	0
Bikol	39	7	0	3
Western Visayas	93	23	1	9
Central Visayas	90	9	0	2
Eastern Visayas	32	6	1	0
Western Mindanao Region	11	5	0	0
Northern Mindanao Region	107	22	2	0
Southern Mindanao Region	100	14	0	2
Soccsargen	43	6	0	0
Caraga	94	23	1	2
TOTAL	825	159	15	26

Sick: 96**Elderly: 73****Arrested as Minor: 5**

Illegal arrests and detention

One hundred sixty-five (165) individuals had been illegally arrested during Marcos Jr.'s first six months in office. Most of the victims were activists who had been red-tagged and slapped with trumped-up non-bailable cases to justify their arbitrary arrests and prolonged detention.

As of December 2022, there were a total of 825 political prisoners held in various prisons nationwide.

Ninety-six of the political prisoners are ailing and 73 are elderly.



ADORA FAYE
DE VERA

ATHELIANA
HIJOS

In Quezon City and Iloilo. On August 24, martial law era torture victim and former political prisoner **Adora Faye de Vera** was dragged from her rented unit in Teacher's Village, Quezon City and shoved into a white van by eight black-clad men, later identified as belonging to the Iloilo Police Provincial Office (IPPO), Calinog police station and Regional Intelligence Division 6 (RID-6). Though frail and sickly, the 66-year-old De Vera was brought to the Calinog Police Station in Iloilo where she was presented with arrest warrants for multiple murder and multiple frustrated murder, including charges of rebellion.

In Agusan del Norte. On August 31, seventy-six year-old **Atheliana Hijos**, secretary general of Gabriela-Caraga was arrested in her home in District 8, Barangay Kinabjangan, Nasipit, Agusan del Norte. Hijos's arrest was based on fabricated testimonies of soldiers accusing her as a combatant involved in armed encounters – an absurdity, considering her advanced age and frail physical condition.

Hijos had submitted proof that she was attending election-related activities at the time an alleged armed encounter between soldiers and NPA rebels occurred. She was placed under house arrest after suffering a stroke while in detention. She was also diagnosed with pulmonary tuberculosis.



**MARITES
PIELAGO**

In Naga City. On July 28, sixty-three year-old **Marites Legaspi-Pielago**, Makabayan coordinator for Bicol, was arrested by joint elements of the PNP Regional Intelligence Division 5 and the 9th Military Intelligence Battalion, while she was seeking medical attention at the Dr. Nilo O. Roa Memorial Foundation Hospital in Barangay San Francisco, Naga City. She was also Bayan Muna's fourth nominee in the 2019 elections and had formerly chaired the Gabriela-affiliated women's group Bicolana. Facing trumped-up murder and frustrated murder charges, she was first placed under hospital arrest. She was allowed to post bail in December.



**MAWING &
ISMAEL PANGADAS**

In Tandag City, Surigao del Sur. On July 17, volunteer-teacher **Gary Campos** was arrested at the city plaza in Barangay Bongtud, Tandag City while on his way to a review center to prepare for the upcoming licensure examination for teachers. Campos of the Manobo tribe, graduated from the Tribal Filipino Program of Surigao del Sur (TRIFPSS) and Alternative Learning Center for Agricultural and Livelihood Development (ALCADEV).



GARY CAMPOS

To serve his community, Campos volunteered as a teacher of TRIFPSS upon graduation. He was later granted a scholarship by the Diocese of Tandag, enabling him to finish his education degree at St. Theresa's College-Tandag. At the time of his arrest, he was a volunteer teacher at a local school in Tandag City under the Department of Education.

He faces a trumped-up murder case and is detained at the Butuan City Police Station in Agusan del Norte.

In Davao City. On July 25, brothers **Mawing and Ismael Pangadas** were arrested at Freedom Park in Davao City after attending a protest rally against Ferdinand Marcos Jr.'s first State of the Nation Address. The Manobo youth, members of Kabataan Partylist, were slapped with the ridiculous charge of human trafficking, and are now detained at the Davao City San Pedro Police Station.



Steve Tauli. (Photo from CPA)

In the Cordillera. On August 20, **Stephen “Steve” Tauli**, was abducted outside the office of the Cordillera Peoples Alliance (CPA) in Ag-a Road, Appas, Tabuk City. As a regional council member of the CPA and an organizer of the Timpuyog ti Mannalon ti Kalinga, he had been red-tagged and subjected to surveillance by State agents. Upon his arrest, Tauli was interrogated about his work and about the identities of certain CPP and NPA personalities. His abductors transferred Tauli to another vehicle and took him to a house where he was coerced into signing a document stating his supposed position in the CPP-NPA. Members of the CPA found Tauli on the next night of August 21.

In Masbate and Sorsogon. Another bizarre case happened on August 30 when seven individuals were arrested in Masbate and Sorsogon provinces during simultaneous police operations against suspected rebels in the Bicol region. Arrested in the massive operation were **Perla Molines**, 65; **Ariosto Deinla**, 65; **Jimmy Jaca**, 52; **Belinda Lorilla**, 48; **Jason Lorilla**, 45; **Chris Rollion**, 45; and **Anthony Hapin**, 28.

They face charges ranging from frustrated homicide to murder and attempted murder. Their places of detention are unknown as of this writing.

In Metro Manila. Government union organizer **Benjamin Cordero** was arrested past 11:00 p.m. of October 26, 2022 at his home in Quezon City. Cordero, chair of the Labor Sector of the QC Development Council and campaign officer of the Urban Poor Coordinating Council in the National Capital Region, was served a warrant of arrest for trumped-up charges of frustrated homicide for a case in San Mateo, Rizal. He is currently free on bail.



After his release on bail, Benjamin Cordero (right) addresses the media. (Photo from BAYAN)



Kara Taggaoa (left) and Larry Valbuena (right) protest their illegal arrest and demand the withdrawal of fabricated charges against them. (Photo from Kilusang Mayo Uno)

Earlier, on October 10, labor activists **Kara Lenina Taggaoa** and **Larry Valbuena** were arrested on trumped-up charges of direct assault right after leaving a court room where they were arraigned for another trumped-up charge of robbery. Taggaoa and Valbuena's cases stemmed from their participation in a rally in July 2020 where an armed policeman who infiltrated the mass action caused a commotion, and falsely claimed that the two labor leaders assaulted him and stole his cellphone. Taggaoa and Valbuena posted bail for their temporary liberty.



Dr. Natividad Castro

In San Juan City. Renowned community health worker **Dr. Natividad Castro** was designated a “terrorist individual” under the ATA in a resolution dated December 7, 2022 for reasons that included her being the executive director of the Community Based Health Program in the Caraga region of Mindanao which was branded as “communist-inspired.” In 2020, Dr. Castro's name, along with those of other human rights defenders in Caraga, appeared in a poster distributed throughout the region identifying

them as members of the NPA. In 2022, she was arrested at her family home in San Juan City. Dr. Castro was among 500 persons named in a warrant for the alleged kidnapping and serious illegal detention of a member of a paramilitary group. She was freed after a month but was later ordered rearrested after another court granted a motion for reconsideration filed by the Department of Justice questioning her release.

“Doc Naty,” as she is fondly called, has been working in the most impoverished peasant and indigenous communities of the Caraga region for close to 30 years.



IN PHOTOS: Increased military presence in barangays in Batangas. Progressive groups from Southern Tagalog clamor against recent human rights violations in the region. (Photo taken from Kasama-TK)

Threats, harassment and intimidation

The state's relentless military operations against suspected NPA members endangered civilians and subjected them to harassment and intimidation. As of November 2022, up to 3,005 persons were victimized by indiscriminate firing by soldiers conducting military operations. As many as 357,726 individuals had been threatened, harassed and intimidated by state agents in the course of counter-insurgency campaigns under the Marcos Jr. government.

In Batangas. On July 26, the 59th IB filed a blotter report against the **barangay chairperson along with five village officials of Barangay Mapalad na Parang, Lobo, Batangas** for “negligence.” The military threatened to charge them with “supporting terrorism” under the provisions of the Anti-Terrorism Act for allegedly allowing members of the NPA inside their community. This accusation was directed at them after an alleged armed encounter between the NPA and the 59th IBPA supposedly transpired at around 8 a.m. of that day in the area.

Over **50 families of Barangay Mapalad** were threatened and intimidated by the constant presence of military elements in the barangay, by the soldiers' unwanted visits to the houses of civilians, and the hourly roving of a military truck with a loudspeaker red-tagging progressive organizations. The civilians were coerced to sign forms that falsely marked them as “NPA surrenderees”.

From July to November 2022, up to **151 individuals** had become victims of forced or fake surrenders.

In Canlaon City, Negros Oriental. On September 10, troops from the 62nd IB forcibly entered **Renante Pasibog's** home in Sitio Banban 1, Barangay Bucalan, Canlaon City. The soldiers took a picture of Pasibog, threatened and falsely accused him of supporting the NPA. They occupied his house for a few days, drinking and shouting while staying there.

On the morning of September 11, **Berto Recisio** was threatened by the same troops of the 62nd IB that also forcibly entered his home. In the afternoon, the soldiers forced their way into other houses in Sitio Natae and Cambuslot, bordering Barangay Bucalan, Canlaon City and Barangay Guba, Vallehermoso. **Willie Ababa's** house was ransacked by the soldiers who forced him for so-called information on the NPA's whereabouts.



Internally displaced residents take refuge in a local school gym in Himamaylan

In Himamaylan. A series of indiscriminate bombings and strafing by the 94th IBPA in the areas bordering the villages of Carabalan and Mahalang triggered a humanitarian crisis when up to **15,024 persons** or almost 14% of Himamaylan's population were forced to evacuate after the military peppered the area with artillery and machine gun fire, shooting at rivers, sugarcane fields and forest trees after clashes with the NPA on October 6 and 8, 2022. Residents were evacuated, with the military setting up checkpoints and inspecting the identification papers of everyone passing through, essentially hamletting the communities. A few villagers who were allowed to return to their homes to check on their livestock found them slaughtered by the military troopers. Their belongings were likewise in disarray. In particular, the house of the Tabuy family, who had been repeatedly red-tagged by the military, was ransacked. At least seven farmers were illegally arrested and tortured, and were released only after barangay officials intervened on their behalf.

In Laguna. On August 12, a barangay tanod and several elements of NTF-ELCAC delivered a letter to **Mario Fernandez**, president of the Technol Eight Philippines Workers Union (TEPWU) in Biñan, Laguna and ordered him, his wife and his nephew to sign it.

A month before, three military officers with nameplates Castro, Lorilla, Rubines and one unnamed soldier arrived at Fernandez's house. They red-tagged his union and said that the labor federation OLALIA to which TEPWU was affiliated, was a front for the CPP-NPA. These and other incidents of harassment against Fernandez had come ahead of the union's scheduled negotiations for a new CBA with management.

In Quezon City. The national office of the **Association of Democratic Labor Organizations (ADLO)** in Kamias, Quezon City was broken into and ransacked by suspected State agents on the early morning of September 4 as its member-unions were gearing up for CBA negotiations

Surveillance and red-tagging

Leaders and members of progressive organizations came under ever-increasing surveillance in the second half of 2022.



Angelica Galimba, along with members of Kabataan Partylist Ilocos Region file a compiled complaint on red-tagging and human rights violations at the Commission on Human Rights desk last September 21, 2022. (Photo from Kabataan Partylist Ilocos)

In Ilocos Sur. On July 7, **Angelica Galimba**, Kabataan Partylist (KPL) regional coordinator for Ilocos reported being tailed by suspected state agents as she ran errands in Vigan City. On July 22, two checkpoints were installed across the 2nd district highway municipalities of Ilocos Sur. State agents manning the check points were looking for Galimba.

In Pasay City. On July 8, 12 and 13, suspected state agents stalked **KPL members** in Pasay.

In Laguna. On July 10, **Alvin Lao**, KPL vice chairperson for Laguna was surveilled at his home in San Pedro by an unnamed state agent.

On August 11, a police mobile car was spotted near the **Makabayan office in Los Baños**, Laguna. The vehicle slowed down while the driver was looking at the office gate. Two police officers, one uniformed and the other in civilian clothes were also observed walking back and forth along the streets leading to the office. A white van was also parked just across the office gate. At the same time, there was also a car with an NBI plate roving the vicinity. The same government vehicle was seen again later together with two men in a motorcycle and a suspicious L300 van moving around the office building.

In Central Luzon. On September 17, **Au Santiago**, Bayan-Central Luzon secretary-general and concurrent regional coordinator of ACT in Central Luzon reported that she was followed from her place of residence. Despite several stops and a change of vehicle, the surveillance did not stop.



MARCOS JR. CARRIES ON THE LAWS USED FOR TERROR

The Anti-Terrorism Act and the replenished NTF-ELCAC. Ferdinand Marcos Jr.'s first six months in office has shown his very own NTF-ELCAC subalterns and talking heads ramping up their vicious red-tagging campaign against his government's perceived enemies.

The laws are obviously being used to create an unsafe environment for activists, rendering them more vulnerable to attacks against their persons.

As of this reporting, there were at least **200 cases of red-tagging**, most of them online, that victimized as many as **1,850,500 individuals**. Furthermore, there had been 461 victims of violation of domicile and 456 victims of illegal search and seizure as of December 2022.

Lately, there is the newest weapon in the State's arsenal of anti-people laws – the SIM card registration law, which many fear will be used as a weapon for the intensified surveillance of dissidents and other government critics amid the red-tagging atmosphere. Apprehensions are adrift that the SIM card registration will further open the people's personal data to invasion and exploitation by cybercriminals.

The SIM card registration began on December 27, 2022 and gave mobile phone users 180 days to register their information.



Rural Missionaries of the Philippines holds vigil in front of Manila City Hall to oppose the Anti-Money Laundering Council's actions to freeze their bank accounts, and seize their financial assets. (Photo from RMP National Office)

Terrorism Financing Prevention and Suppression Act. Republic Act (RA) 10168 of 2012 is the Terrorism Financing Prevention and Suppression Act that provides the State with an additional item in its arsenal to harass and intimidate dissenters. RA 11479 or the Anti-Terrorism Act of 2020 (ATA) accelerates the State's campaign to weaponize the law against government critics, activists, and rights defenders. The Marcos Jr. administration has embraced these laws unconditionally.

The Rural Missionaries of the Philippines which, for over 50 years had been running schools and other service projects in several severely neglected hinterland communities was one of the most victimized by the State's weaponization of the law against terrorist financing. Before its bank accounts were ordered frozen in 2019 under provisions of RA 10168, the organization of religious men and women, priests and lay persons was viciously vilified and red-tagged by the NTF-ELCAC.

The RMP's frozen funds are now the subject of a civil forfeiture case in a Manila court. Sixteen individuals from the RMP are likewise facing a criminal case in an Iligan City court for "terrorist financing" which carries a fine of up to PHP 1 million and 40 years imprisonment upon conviction.

Libel and cyberlibel harassment. Aside from the draconian laws legalizing terror, the laws on libel and cyberlibel continue to hang like swords of Damocles over the heads of human rights defenders and other social and political activists.



CPA Secretary General Sarah Dekdeken

In Baguio City, CPA secretary-general **Sarah Dekdeken** was convicted on December 1, 2022 by a Baguio City court for cyberlibel after she denounced then Cordillera Police Regional Office Director Brig. Gen. Rwin Pagkalinawan in a press conference for ordering the demolition of the Anti-Chico Dams Struggle Monument in Tinglayan, Kalinga following verified reports of local residents. The January 2021 demolition was widely opposed by historians, academicians and activists. Dekdeken was slapped with a PHP 250,000 fine and ordered to pay PHP 10,000 in moral damages to Pagkalinawan.

The judicial harassment of Sarah Dekdeken in the form of this cyberlibel suit is but one of the many forms of attacks against her and other Cordilleran activists who have been threatened, intimidated and red-tagged.



Benharl Kahil (left) and Percival Mabasa (right). Journalists and progressive groups hold an indignation rally on October 4, 2022 to denounce the murder of broadcaster Percival Mabasa. Photo from Noel Mabalate | Manila Bulletin.

Media killings. Radio journalist **Percival Mabasa** (killed on October 3, 2022) and editorial cartoonist **Benharl Kahil** (slain on November 5, 2022), were known for their incisive and hard-hitting criticisms of government and had been red-tagged before they were murdered. Their killings remain unresolved. According to the 2022 Global Impunity Index of the Community to Protect Journalists (CPJ), the Philippines ranks seventh among the worst countries in prosecuting killers of journalists.



Media repression. Threats to freedom of expression persist under Marcos Jr.'s rule, with a noted pattern of increasingly weaponizing laws against critical media practitioners. The National Union of Journalists of the Philippines (NUJP) documented 38 new cases of attacks against the media since Ferdinand Marcos Jr. took over as president. In particular, the laws on libel were used against journalists.

On December 14, 2022, Baguio-based *Rappler* correspondent **Frank Cimatu** was convicted of cyberlibel for a case filed by former Agriculture Secretary Emmanuel Piñol which stemmed from a 2017 Facebook post where Cimatu wrote “Agri sec got rich by P21-M in 6 months. Bird flu pa more.” Cimatu’s post was based on a previous report from the Philippine Center for Investigative Journalism (PCIJ) showing that Piñol’s net worth rose by a “fantastic PhP 21,956,632.23,” from PhP 3,643,000 in 2009 to PhP 25,599,632.23 in December 2016 based on his Statement of Assets, Liabilities and Net Worth.

Cimatu, who chairs the Baguio chapter of the NUJP, has been sentenced by a Quezon City court to spend up to five years, five months and eleven days in prison and to pay PhP 300,000 in moral damages. He is free on bail while his case is on appeal.

Aside from Cimatu, many other journalists have likewise been charged with cyberlibel, with the most notorious case so far involving Quezon-based broadcast journalists **Darcie de Galicia** and **Noel Alamar** of ABS-CBN Teleradyo who face up to 941 counts of cyberlibel filed by Quezon Governor Helen Tan and her husband, DPWH Region IV-A director Ronel Tan over an interview the journalists made during their online broadcast.

Meanwhile, *Rappler* CEO and award-winning journalist Maria Ressa is under fire from legal charges instigated by Duterte. The Court of Appeals upheld the June 2020 cyberlibel conviction of Ressa and former *Rappler*



researcher Reynaldo Santos Jr. on July 8, 2022 and even extended their maximum terms of imprisonment by eight months and 20 days with fines amounting to PHP 400,000 for moral and exemplary damages. Resa and Santos were originally sentenced to up to six years in prison. The case is now under appeal in the Supreme Court.

Red-tagging the media. For progressive online newspaper *Bulatlat*, constant red-tagging and terror-tagging have led to an order from the National Telecommunications Commission (NTC) blocking *Bulatlat* and 26 other websites for alleged links to terror organizations. A Quezon City court has since granted *Bulatlat's* plea for a preliminary injunction, allowing readers in the Philippines to access *Bulatlat's* website.

The websites of *Pinoy Weekly* and other progressive organizations remain blocked due to the NTC order.

Two community journalists, Frenchie Mae Cumpio and Anne Krueger are facing trumped-up charges of illegal possession of firearms, with Krueger having posted bail and Cumpio still behind bars.

NUJP Secretary General and *Bulatlat* editor-in-chief Ronalyn Olea has been likewise tagged as “operatibong internet operator” for the CPP-NPA-NDF by NTF-ELCAC enabler, radio network SMNI.

Also among the journalists and media groups red-tagged in 2022 are *Bulatlat's* Associate Editor Danilo Arao, ABS-CBN's Mike Navallo, *Philippine Daily Inquirer's* Dexter Cabalzo, GMA-7's Atom Araullo, Vergel Santos of the Center for Media Freedom and Responsibility, and Inday Espina Varona of the Philippine Center for Investigative Journalism. The NUJP, Foreign Correspondents Association of the Philippines and Movement Against Disinformation have also been labeled as communist propagandists for advocating press freedom.

Critics have been calling for the decriminalization of oral defamation and libel, saying that these laws are antiquated and inconsistent with the International Covenant on Civil and Political Rights to which the Philippine government is a signatory.

The antiquated laws in the Revised Penal Code that criminalize libel and oral defamation have been buttressed by a new “cybercrime” law prescribing harsher punishments for criminal libel and granting authorities massive powers to shut down websites and monitor online information. Worse, Section 9 of the Anti-Terrorism Act of 2020 has concocted the new crime of “inciting to terrorism,” prohibiting speech, proclamations, writings, emblems and banners without providing a clear definition of what constitutes terrorist acts. This renders all media practitioners vulnerable to bogus charges and wrongful arrests and creates a chilling effect on the media. In particular danger are independent, critical and investigative journalists. Already, media outfits like ABS-CBN, *Rappler*, *Pinoy Media Center*, *Bulatlat*, *Altermidya*, *Kodao* and other independent media organizations are under constant attack.

In the November 2022 Universal Periodic Review (UPR) of the Philippine government’s compliance with its international human rights commitments, the UN Human Rights Council (UNHRC) expressed concern about the “persistent violation of freedom of expression” in the Philippines, citing ABS-CBN’s closure and denial of franchise, and the revocation of *Rappler*’s certificate of incorporation, among others.

The UN Human Rights Council likewise raised concerns about an “anti-fake news bill” designed as an amendment to the law on cyberlibel which uses the undefined “reasonable belief” as the standard to determine fake news and allows the justice department to modify or remove information from a website. Under the bill, the creation and dissemination of fake news will be classified as cyberlibel and punishable under the same terms. The UNHRC said this bill, if enacted, will only add teeth to the problematic oral defamation, libel and cyberlibel laws that are being weaponized against journalists as well as human rights defenders and other activists.

All in all, Philippine media has suffered harassment, physical attacks and the killing of their own colleagues. The government of Marcos Jr. continues the fascist tradition of the red-tagging of media practitioners, while fostering the weaponization of laws such as those on libel, to stifle dissent and critical reporting.



Demonstrators march to Mendiola to express their discontent over President Marcos jr.'s first 100 days in office, citing his failure to address the ongoing social issues in the country and his unfulfilled campaign pledges. (Photo from BAYAN)

RESISTANCE TO A NEW FASCIST PERSONA MUST PREVAIL

This situation of an unbroken chain of fascist brutality calls for boldness and daring from all of us. Fascism can never be a choice to be allowed to proliferate.

President Marcos Jr.'s first six months from July to December 2022 forebodes a government that is utterly treacherous to the existence of human rights defenders and civil society activists, and this peril may even spill over to bystanders and other lay people.

This situation of an unbroken chain of fascist brutality calls for boldness and daring from all of us. Fascism can never be a choice to be allowed to proliferate. There are, after all, more people with courage than those who are cowardly who will participate in the growing upsurge of fearlessness in the struggle for justice, freedom and democracy.

Already, the people are reaping gains in their valiant efforts to push back against the perpetuation of state repression.

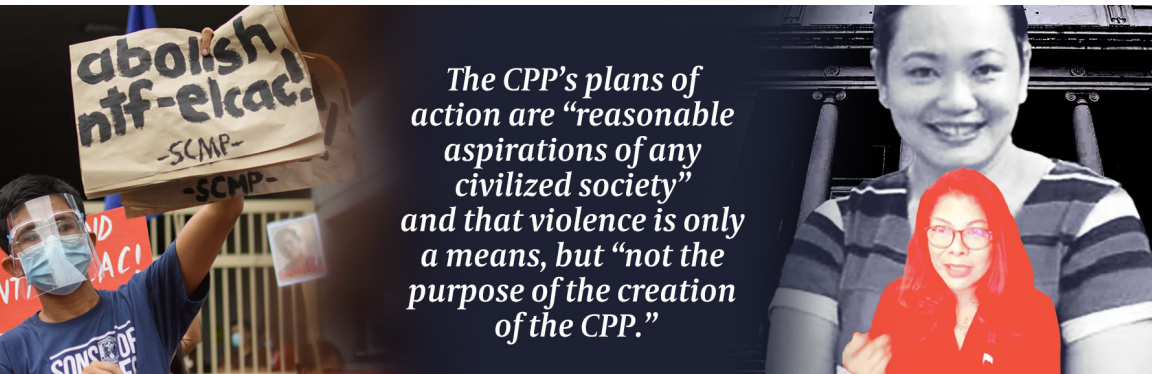


ICC moves to resume investigation of drug war. On January 26, 2023, the International Criminal Court authorized the reopening of an investigation into former Pres. Rodrigo Duterte’s bloody war on drugs. A preliminary probe on Duterte’s anti-drug war had begun in early 2019, which precipitated Duterte’s withdrawal of the country’s membership in the ICC to evade accountability. The withdrawal, however, would not exempt Duterte from being investigated for the killing of drug suspects from November 2011 to March 2019, while the Philippines was still an ICC member.

Investigations were suspended in November 2021 after the Philippine government claimed that it was undertaking its own investigations. After the ICC prosecutor’s examination of materials from the Philippine government and from the victims, the ICC said that it was not convinced that the government is “making a real or genuine effort” to investigate and prosecute those behind the killings. ICC prosecutor Karim Khan debunked the Philippine government’s claims saying, “Nothing in the observations nor in the hundreds of pages of associated annexes (submitted by the Philippine government) substantiates that criminal proceedings actually have been or are being conducted in anything more than a small number of cases.” He added that “there were neither criminal probes into war on drugs-related killings in Davao, nor into vigilante killings or war on drugs-related torture, from 2011 to 2016, when Rodrigo Duterte was either mayor or vice mayor of Davao.”

UN Human Rights Committee on the call for accountability. In the concluding observations of the UN Human Rights Committee (UNHRC) in November 2022, the UNHRC called for an end to the extrajudicial killings of suspected drug offenders, bolstering hopes for the eventual conduct of an independent investigation of the Philippine government’s anti-drug war by the UNHRC and the ICC.

The UNHRC, likewise, recommended the repeal of provisions of the Anti-Terrorism Act that fundamentally attacked basic rights to freedom of association, expression and peaceful assembly.



The CPP's plans of action are "reasonable aspirations of any civilized society" and that violence is only a means, but "not the purpose of the creation of the CPP."

(Photos from Bulatlat and Rappler)

Overtuning Justice Secretary Crispin Remulla's defense of red-tagging as part of protected speech, the UNHRC reaffirmed its observation of the Anti-Terrorism Acts's dangers and called for an end to the practice against activists and human rights defenders, citing the death threats, intimidation, attacks, arbitrary arrests and detention, enforced disappearances, and extrajudicial killings that red-tagged individuals were subjected to.

Court junks State's proscription case against CPP-NPA-NDF. In an unprecedented 135-page decision issued on September 21, 2022, Manila RTC Branch 19 Judge Marlo Magdoza-Malagar denied a petition by the Department of Justice (DOJ) to declare the CPP, NPA and NDF as terrorist organizations.

Citing passages from the CPP's 10-point program and constitution which formed part of the supporting documents submitted by the DOJ itself, Judge Malagar said the CPP's plans of action are "reasonable aspirations of any civilized society" and that violence is only a means, but "not the purpose of the creation of the CPP."

The ruling has stymied State efforts to legally proscribe the CPP-NPA-NDF with the intention of formally putting an end to the possibility of peace negotiations following the government's policy of no-negotiations with terrorists.

Although deemed moot and academic by the State for having been filed under the Human Security Act which has been superseded by the Anti-Terrorism Act, Judge Malagar's ruling nonetheless presents a significant legal and political victory in the struggle to resume peace negotiations and address the deep-seated social, economic and political roots of the armed conflict.



Human rights defenders rejoice after a court in Quezon City acquitted them of perjury charges filed against them by former NSA Hermogenes Esperon. (Photo by Altermidya)

10 human rights defenders vindicated after acquittal in perjury case. Karapatan National Council members Elisa Tita Lubi, Cristina Palabay, Roneo Clamor, Gabriela Krista Dalena, Edita Burgos, Jose Mari Callueng and Wilfredo Ruazol; Gabriela officers Joan May Salvador and Gertrudes Libang; and RMP nuns Emma Cupin and Elenita Bernardo were acquitted on January 9, 2023 in a three-year long perjury case filed by former National Security Adviser Hermogenes Esperon Jr. Esperon, one of the respondents in the accused's earlier petition for a writ of amparo to seek protection from growing threats and attacks against human rights defenders, had filed the perjury suit as a retaliatory move.



Groups protest against proposed Maharlika Wealth Fund in front of the House of Representatives last December. (Photo from BAYAN)

Government backs down on using pension funds to bankroll Maharlika Wealth Fund. Overwhelming public opposition to the use of GSIS and SSS funds as the bulk of the seed money for a proposed Maharlika Wealth Fund prompted the authors to back down and remove the two financial institutions from the list of fund sources. The original proposal would have sourced PhP 175 billion from the GSIS and SSS out of a proposed PhP 275 billion seed money for Maharlika. Renamed as the Maharlika Investment Fund after its approval was rushed by Congress before its Christmas break in December 2022, the controversial investment fund was designed to put monies into large-scale strategic investments in hopes of big-time returns.

Critics of the fund state that it presents huge opportunities for plunder and corruption for the Marcos family and its cronies, while adding to the country's current financial and fiscal risks, and worsening the Philippines's debt burden.

Growing protest movement. There is an ever growing protest movement, as evidenced by the thousands who have massed up for the protest rallies during Ferdinand Marcos Jr.'s first State of the Nation Address and the 50th anniversary of Marcos Sr.'s martial law. Thousands of people also celebrated Bonifacio Day and International Human Rights Day with solidarity mass actions across the country.

In unison, the people are voicing their opposition to the State's repressive political and economic policies, the Marcoses' historical revisionism, the lack of accountability and the continuing climate of impunity.

The people's movement for truth, justice and human rights marches on.

*“Nothing is more important [today]
than stopping fascism,
because fascism will stop us all.”
Fredrick Allen Hampton Sr.
(August 1948 – December 1969),
American black activist*



ONE PHILIPPINES, TWO WORLDS

Jose Enrique A. Africa

Executive Director, IBON Foundation

“A lie which is half a truth is ever the blackest of lies,” said Lord Alfred Tennyson, the British empire’s great poetic defender of colonialism and its plunder.

There’s half a truth in the Marcos Jr. administration economic team’s recent bragging that the Philippines “pulled off [its] best full-year performance in 46 years” and is “brimming with economic energy.” Reported economic growth was indeed relatively fast.

The dark lie, however, is the impression the government wants to give that the situation of ordinary Filipinos is improving. The real and whole truth is that it isn’t and, if anything, has even gotten worse in the first few months of the new government.

One world

The claim of the “best” economic performance in decades is from gross domestic product (GDP) growing by 7.6% in 2022, as reported by the Philippine Statistics Authority (PSA). There’s no reason to doubt the high number which is, at the end of the day, just a statistic about economic output. What is dubious though is the pretense that it’s due to some kind of skillful economic management.

First of all, it’s just a rebound from the long overdue reopening of the economy from the irrationally long and harsh lockdowns of the Duterte government. The main reason growth was so high is because it’s mea-

sured from a place that's so low—the unprecedented 9.5% contraction in 2020 which continued until the early part of 2021. Growth will be much slower this year because that base effect is gone.

Secondly, all that hyped growth has done is bring the level of economic output back to where it was before the pandemic. On a seasonally adjusted basis, according to the PSA, all that was really achieved by the third quarter of 2022 was to return economic output to its level at the end of 2019 or before the lockdowns. Put another way, the economy is still missing three years of additional economic output because all that was done is to finally ease lockdowns that shouldn't have been so long to begin with.

The GDP figures are a half-truth for the economic managers to use for their propaganda and populist sunshine. Still, there are a few others who are certainly much happier with the reopening than others. They are in the part of the Philippine economy that might as well be in another world.

Corporate profits recovered quickly. The net income of the largest 1,000 corporations in the country surged from PhP 889 billion in 2020 to PhP 1.8 trillion in 2021—a huge 122% increase, according to *BusinessWorld* data.

The chief executive officers (CEOs) of the country's biggest firms apparently rewarded themselves for this. Average executive compensation in the 19 biggest conglomerates rose 8.4% from an already high PhP 2.4 million monthly in 2021 to PhP 2.6 million in 2022, according to IBON computations on data from the Securities and Exchange Commission (SEC). To put that into context, these CEOs on average earn in a month (PhP 2.6 million) almost nine times what the average Filipino family earns in an entire year (PhP 307,190).

In the rarefied heights of the country's super-rich, the cliché that the rich got richer is very true. The net worth of the 10 richest Filipinos increased further by 5.9% from PhP 2.26 trillion in 2021 to PhP 2.39 trillion in 2022, according to Forbes data converted to pesos at prevailing exchange rates.

At least their executive pay and wealth easily kept up with inflation which the PSA reports rose to 5.8% for the whole year of 2022. For the overwhelming majority of Filipinos, this inflation combined with failing incomes to make the poor poorer.



(Photo from Ibon Foundation)

Real world

In the real world of tens of millions of poor and low-income Filipinos, the struggle against high and rising prices is real and was lost. Inflation was continuously rising through most of 2022 and started 2023 with a new 14-year high of 8.7% in January.

Prices of basic goods and services rose particularly fast in the second semester of 2022 and as the Marcos Jr. administration took power. The worst burden came from rapidly rising food prices—especially because of how food accounts for the single largest part of family spending—which is in the purview of the agriculture department that the president helms but which only made empty promises of action.

The Marcos Jr. administration has also been grossly negligent on the income front. Despite high prices and hype about the economy reopening, the minimum wage hasn't been increased. As a result, for instance, in the National Capital Region (NCR) where the minimum wage is already the highest nationwide, IBON computes that the PhP 570 minimum wage has lost over PhP 29 or 5.1% of its purchasing power between July 2022 and January 2023.

The erosion of household earnings is probably even worse among the much more numerous self-employed and other informal sector earners. The government's statistical system unfortunately doesn't monitor family incomes and poverty more frequently than every three years so this is hard to confirm with government data.

The non-government outfit Social Weather Stations (SWS), on the other hand, has been conducting self-rated poverty surveys quarterly, more or less, for decades. SWS reported that the number of families rating themselves as poor or borderline poor increased between June and December 2022 or since the start of the Marcos Jr. administration—the number of poor families rose by 700,000 to 12.9 million (51% of total families) while the number of borderline poor stayed high at 7.8 million (31%).

This combined 20.7 million families (82%) is consistent with IBON estimates on Bangko Sentral ng Pilipinas (BSP) data that some 18.6 million or 70% of households did not have any savings as of the fourth quarter of 2022, colloquially *isang kahig, isang tuka*.

This means that some 19-20 million or 70-80% of Filipino families are poor and vulnerable six months into the Marcos Jr administration—either rating themselves as poor or borderline poor or not having any savings to deal with rising prices or any family emergencies.

How does this square with government claims of the “lowest unemployment rate since 2005” which was at 4.2% in November and 4.3% in December, according to the latest data from the PSA? The problem, again, is that the official unemployment rate isn’t the whole story.

Unfortunately, the nature of employment in the country’s semi-feudal economy today is such that “employment” has become an even poorer indicator of whether or not a family is earning enough for the goods and services that it needs.

Some 49 million were reported as employed as of December 2022. However, a huge 21.2 million or over 43% of these were merely self-employed or in other informal work including 13.6 million self-employed, 5.5 million in family farms or businesses, and 2.1 million household help.

Earnings are very low and irregular here. For instance, out of the 5.5 million supposedly “employed” in family farms or businesses, an overwhelming 4.3 million or 78% are actually outrightly categorized as “unpaid family workers”. These unpaid family workers alone are almost double the 2.2 million officially reported as unemployed.

And it’s not as if government statistics fully reflect all jobless Filipinos. Because of a change in the unemployment methodology, IBON has previously estimated that as much as 2.5-3 million jobless Filipinos are dropped from the official unemployment figures and disregarded for

being “not in the labor force”. It is then possible that the real number of jobless Filipinos entering 2023 may be as much as 9.5 million or even more.

If the economy is seen from the perspective of the majority, as it should be, there are no signs that it is “brimming with energy,” as the economic managers so blissfully put it.

The Philippines also isn’t doing well even among its neighbors in the Association of Southeast Asian Nations (ASEAN). The country actually has the third worst poverty incidence (according to the Asian Development Bank), fourth worst human development index (HDI, according to UN Development Programme), and fourth worst GDP per capita (according to the World Bank).

Choices

The Marcos Jr. administration is directly accountable for the increase in poverty and protracted suffering of the people. As soon as it came into office last year, it could have provided relief that the previous government refused to give.

Instead, its economic team declared that “ayuda is a waste of money” and immediately withheld PhP 18.3 billion in promised targeted cash transfers (TCTs). The program was supposed to give PhP 3,000 in ayuda to 12.4 million households or the poorest half of Filipino families. However, according to data from the social welfare department, it only gave PhP 2,000 to 9.2 million families. Less than three-fourths of beneficiary households received just two-thirds of the already paltry amount promised.

It isn’t doing any better in 2023. The budgets for regular emergency assistance (for distressed families, informal workers, and overseas workers) and for the Pantawid Pamilyang Pilipino Program (4Ps) have been cut by PhP 7.5 billion and PhP 5.1 billion, respectively, in 2023. Even the budgets for community development and MSMEs have been cut by at least PhP 5 billion.

The government can choose to help, but it doesn’t. It claims lack of funds and the need for so-called fiscal consolidation to be able to pay off the PhP 13.4 trillion in national government debt as of the end of 2022, a legacy of the Duterte administration which more than doubled its debt in just six years in power.

Austerity, however, is clearly only for the poor. While cutting social protection budgets and still underfunding health, education and housing, it is still able to increase spending elsewhere.

The Marcos Jr's distorted priorities are clear. It chooses to bloat budgets for infrastructure (rising to PhP 1.2 trillion) for the benefit of pork barrel-hungry politicians, domestic real estate oligarchs, and the export enclave operations of foreign monopoly capital. There is also dutiful debt service to foreign and domestic creditors who can afford to give debt relief (PhP 1.6 trillion for interest and amortization).

There are also brazenly self-serving allotments—the offices of the president and vice president get an unprecedented PhP 11.3 billion, and the budget for shadowy pseudo-audited confidential and intelligence spending reach PhP 9.3 billion.

Plans

Pres. Ferdinand “Bongbong” Marcos Jr took office 36 years after his father, the dictator Marcos Sr., was ousted by a people's uprising for his immense political and economic sins. The father's world-class corruption and human rights violations combined with the neoliberal opening up of the economy according to International Monetary Fund (IMF)-World Bank (WB) prescriptions caused the worst economic collapse in the country's post-war history, and widespread suffering among the people.

Today, corruption remains endemic and gross human rights violations continue even without the outward forms of dictatorship and especially against those struggling for real and radical socio-economic reforms.

Also, the Marcos Jr. administration is oblivious to the economic decline since the neoliberal policies started by the Marcos regime over 40 years ago and dutifully put in place by the six administrations that came after it. These have already driven agriculture to its smallest share of the economy in the country's history, and manufacturing to its smallest in 70 years. The domination of foreign monopoly capital over vast swathes of the economy is more complete than ever.

The current government relentlessly insists on obsolete free market policies. It zealously protects over 40 years of globalization policies and is pushing even more trade and investment liberalization, privatization, and deregulation.

The Philippine Development Plan 2023-2028 released at the end of last year is a recycled rehash of the nine development plans that came before it which glorified the free market and foreign trade and investment, gave only lip service to building domestic agriculture and Filipino industry, and provided social services only as far as there were funds to spare after supporting capital's profits.

The government just ratified the Regional Comprehensive Economic Partnership (RCEP), yet another free trade agreement on top of the nine (9) already in place aside from those under the World Trade Organization (WTO). It is also using its supermajority in Congress to take away the last remaining economic protections for the national economy from the 1987 Constitution.

It already revised the implementing rules of the Build-Operate-Transfer (BOT) law to make privatizing critical infrastructure easier. The scope of coverage was expanded and fulfilling requirements made easier. The government's regulatory authority was weakened and provisions were added for direct government subsidies to private profits.

The political and economic sins of the Marcos dictatorship continue under the Marcos Jr. administration, and the people's movement for real and radical change remains as urgent as ever.