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THE WORST ACTS OF THE DUTERTE GOVERNMENT, PHOTOSHOPPED PROGRESS, AND THE CONTINUING CHALLENGE TO RESIST TYRANNY

Karapatan Year-End Report on the Human Rights 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 organisations, 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 conducts education, training and campaigns.

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2019

Capping of the end of another decade is the striking symptom of a nation in constant social decline with the upswing of a rotten leadership draped in a populist shawl. Rodrigo Duterte has made an early mark of gross human rights violations, harboring a grave social debt against poor Filipinos. His crusade against drugs and criminality have been unmasked time and again to expose the same economic and political deformity hiding in the bleached veil of misplaced confidence, crudeness, and empty rhetoric. The worst the Philippines has seen is lumped among the ranks of Duterte and his henchmen, forcing the country to witness a contorted celebration of killings, illegal arrests, rising debt, and an unbridled assault against human dignity.

Duterte's government – despite its populist pretense – is not the hope of the Filipino people. Such positivities are mere deluded assertions which come from echoed whispers inside a holographic chamber of horrors. In fact, the Duterte government has morphed into a defensive agency which flinches at the sound of accountability. With the blatant lack of success in many of its campaigns and the looming crisis in all fronts, the government has laughably and dangerously dabbled in fakery, disinformation, pretense, and photoshopped successes.
A Change for the Worse: Closing 2019 in a Downward Spiral Loop

There is a dressed elephant in the room that is silently weighing heavier on Duterte’s government each year, made up of failures and lies. There has been no golden era as promised, and it does not seem to be on its way at all. What is apparent, instead, is a volatile economy built on dubious loans, a ballooning debt to finance bombs and guns for military operations that terrorize communities, and questionable contracts that are the favorite venture of corrupt vultures. Likewise, there is no crime-free Philippines as the country’s State forces cement themselves as the foremost violators of human rights, financed and sanctioned to kill.

With nothing to show for its more than three years in office, the public is instead forced to witness a circus show of expletives, interpretative discussions of these expletives, cover-up shows of denials, slapdash acting with crocodile tears, unbridled repression, and a hodge-podge of distractions of photoshopped images to veer our sight away from government’s overwhelming failure.

The people who take notice of the elephant and call the government out for its failures and incompetence – evidenced by the city transport crisis, health crisis, rice crisis, humanitarian crisis in jails, human rights crisis – are either killed, silenced, jailed, ridiculed, or slandered. Billions of pesos in the country’s yearly budget do not merely go to the pockets of corrupt officials, but are used to purchase war materiel and weaponry; to assemble and feed the troll army; to manufacture and put out fake news; and to finance a bloated task force to drown out the voices of people warning others of lurking predators.
The circus show is still on the road, with different actors coming on stage to erase the bitter aftertaste of despicable acts. Some remain, some fade into the background but are still protected. The likes of Philippine National Police (PNP) Chief Oscar Albayalde and former Bureau of Corrections Director Nicanor Faeldon have been pushed behind the curtain to minimize the embarrassment of the showmaster, accompanied by the legal and semantic acrobatics of the likes of Salvador Panelo. As the elephant grows bigger and harder to ignore, the Filipino people are realizing that the rabid infected dog leading the pack is the same as the dogs in the past – except this one is singularly hostile and barbaric.

The combined mental capacity of this government is directed towards committing human rights violations, plunging the country into deeper crisis, bowing to foreign interests, and subsequently whitewashing despicable acts. In 2019, here are among the worst acts perpetrated by the Duterte government:

1. **Worst Debt, Biggest Borrower**

As 2019’s third quarter eased in, national government debt amounted to PhP 7.8 trillion, showing a 7% increase from the year-end 2018 figures. It is expected to reach a record-high amount of around PhP 1 trillion in the first quarter of 2020. Bureau of Treasury data confirm that Duterte is the biggest borrower among the country’s presidents. The country’s debt far outpaces its productive capacity, yet the Duterte government forwards the same neoliberal policies that its predecessors have championed, and which have done poorly in alleviating the socio-economic troubles and welfare requirements of the lower classes that make up the larger percentage of the Philippine populace.

These enormous loans are to finance mega-projects under the Build, Build, Build framework and its overarching neoliberal trajectory of privatization, deregulation, tax cuts for corporations, and liberalization. While corruption permeates the complexity of these transactions, dangerous provisions tantamount to the surrender of our national patrimony are left undisclosed by those willing to sell off what is not even privately theirs, provided that they get fat chunks of “reward” fees. This new opportunity to leech off of the people’s coffers has given rise to a new batch of cronies, who double as this government’s attack dogs.

As money is laundered and disappears without a trace, journalists who follow to report the money trail are attacked and subjected to malicious fabrications. There is no room for the free press when what is at stake is money in billions.
Kickback money is hidden behind contracts for mega-projects that even bypass necessary requirements, and displace communities. Resisting community leaders are killed, silenced, bribed, or turned against each other. The case of the China-backed Kaliwa Dam – which is set to be built on Dumagat ancestral land – highlights how mega-projects supported by the government end up with railroaded requirements and the fake consent from dubious indigenous leaders who misrepresent IP communities. Similarly, the aftermath of the Southeast Asian Games also saw Aeta communities displaced unilaterally and without due process. To allow for the expansion of the newly-built New Clark City (NCC) – initially used for the games – Aeta communities were served notice to leave. Said notice was given in December 2019 by the Bases Conversion and Development Authority (BCDA), which will result in the displacement of at least 500 Aeta families. The BCDA gave the families seven days to vacate then averred that there is no “displacement” because “there were no declared ancestral domains or Certificates of Ancestral Domain Titles in the area.” This is despite the fact that the Aeta families affected have lived in the same area since the time of their ancestors. Yet again, IP communities are being fed with semantic acrobatics to whitewash and downplay the injustices done against them. In blatant violation of the social, economic, and cultural rights of said communities, profit and corruption prevail under Duterte.
REAL DUTERTE LEGACY

#DuterteVision NOT2020

5.9% growth
for full year 2019,
slowest in 8 years

Php7.9 trillion
outstanding debt, growing
twice as fast as under Aquino

as much as 350,000 rice
farmers at risk of displacement
by rice liberalization

27.2 million Filipinos
are in non-regular, agency-hired,
and informal work in 2019

12.4 million
Filipino families try to survive on
Php132 or less per person per day

around 4.7 million unemployed Filipinos
in 2019

Php537 NCR minimum wage
is just 48% of Php1,025 family living
wage needed for a family of five

not less than 156
Lumad community
schools closed

Php558 billion fiscal
deficit in 2018, equivalent to
8-year-high 3.2% of GDP

around 58% of healthcare
expenses by Philhealth members
are paid from their own pockets

P - preliminary IBON estimates, NCR - National Capital Region, GDP - gross domestic product

SOURCES: Philippine Statistics Authority, Bureau of the Treasury, Philhealth, Philippine Institute for Development Studies, Save our Schools Network
2. *Worst Rice Crisis and Criminal Neglect of Agriculture, Worst Transport Crisis and Water Crisis in Recent Years*

In conjunction with the government’s adherence to the neoliberal framework that favors the haves against the have-nots, policies such as the rice liberalization law are force-fed into the system. The real winners of such policies become clear as the money disappears into the hands of new-entry oligarchs, while farmers are sidelined and their rights to life and livelihood are ignored as they witness the prices of palay plunge to a pittance of PhP 15.94 per kilo in September 2019. Farmers are appeased with paper loans while those who organize themselves to demand the reversal of such onerous policies are hunted down and tagged as terrorists.

Meanwhile, farmers are the ones blamed for not knowing how to do business and not being good at numbers, reasons why they remain poor. The agricultural sector is gasping for air, the situation on the ground grows more desperate, and instead of food or substantial agricultural reforms and subsidies, the poor are being fed with either empty words or bullets.

Meanwhile, a water crisis and a transport crisis have become full-blown catastrophes in Metro Manila. Characterized by the government’s incapacity to recognize access to water as a right, the water crisis worsens as the government opts to fully privatize water services, further passing greater burden to consumers who pay for a natural resource that is rightfully free for
humanity. Like the Marcos dictatorship that deposed the old oligarchs with new oligarchs of its own making, the Duterte faction is now crying foul against some oligarchs but only to have them replaced with more loyal ones that have been bred inside Duterte’s circle.

This same ‘lack-of-water’ crisis is used as a pretext to justify the railroading of the approval of the Kaliwa Dam project amid legitimate opposition and the cruel displacement of indigenous Dumagat and Mangyan communities.

The transport crisis in Metro Manila is illustrated in the latest study of an independent technology specialist which cited the nation’s capital as 2nd among 416 cities across 57 countries with the worst traffic congestion. Due to its inability to have any viable solution, the government keeps to the trite excuse that it is the jeepney transport system and its drivers that are to blame. This is a case wherein Filipinos who earn a living in the secondary transport service sector stand to lose their livelihood without any viable alternatives in sight as the government continues to mechanically define modernization without taking into consideration the needs and concerns of marginalized Filipinos who need government support the most.

In the wake of all these crises situations, the government has only repeated denials and maneuvered attempts to divert and distract the attention of the public have ensued.

At the end of the day, the Filipino people again stand to lose the most.
3. **Obsessive All-knowing Duterte: Biggest Chunk for Intelligence, Discretionary Funds**

Duterte’s ardent followers praise him like a deity. He aims to have eyes everywhere by beefing up the Office of the President’s budget for discretionary funds and intelligence.

In September of 2019, it was revealed that the Office of the President would receive its highest budget in history – a whopping PhP 8.2 billion worth of discretionary fund for 2020. The obedient lapdogs in Congress who yap for their own political careers have done their part as fawning allies – looking away as suspicious matters are on the table for discussion. “Traditional courtesy” to the boss is the treacherous justification of the desperate political climber who wants his status raised. This hefty sum will be unaccounted for, disappearing as payments for riding-in-tandem assassins, for the enormous bonuses of uniformed and non-uniformed men who kill in the name of the war on drugs, for the purchase of bombs and other war materiel that will raze communities, for the rewards of fake surrenders, for the blabbermouths who will spin the falsities, and for the whole structure of impunity that will tidy up the crimes of perpetrators. This chunk will also feed confidential intelligence funds that will be used to repress human rights defenders and critics under the banner of Executive Order No. 70, martial law, Memorandum Order No. 32, and that counterinsurgency program Oplan Kapanatagan.

4. **Best Friend to Criminals and Drug Recyclers, Worst Enemy to Critics**

Of the many worst acts helmed by this government, Duterte and his clique also show their painted faces side to moneyed and criminal friends. “Disappearing” criminals were a special reveal in 2019, particularly featuring heinous and infamous murderers. The use of the Good Conduct Time Allowance (GCTA) law to free convicted and remorseless wealthy criminals was among the exposés that surprised this government. The disappearing acts were not supposed to be known by the public but it was revealed, nonetheless, featuring Nicanor Faeldon, who as then Bureau of Customs chief, let slip billions worth of illegal drugs in the country’s ports. Owing to his friendship with Duterte, Faeldon was not chastised nor punished for the customs fiasco. “A whiff of corruption” would ultimately be not an issue as long as one kept a level of friendship with the top brass.
Instead, Faeldon was assigned to the Bureau of Corrections (BuCor) where the GCTA mess was unearthed. BuCor was profiteering off of impunity, allowing the release of infamous convicts and big-time drug lords who testified against government critic Senator Leila de Lima. There were also several other heinous criminals such as the convicted rapist-murderer, former Calauan Mayor Antonio Sanchez.

The disappearing act involving criminals was busted, but the disappearance of Faeldon from the spotlight was a victory as he remained triumphantly coddled with Duterte’s protection. Close Duterte ally Senator Bato dela Rosa, who was also appointed head of BuCor after being PNP Director, and who did not raise any question about the corrupt practices involving GCTA during his term in BuCor, escaped accountability and the negative limelight. Indeed, what are friends for?

Another ally who benefited from Duterte’s good graces was none other than PNP’s former director Oscar Albaradelde, who, along with and several cops, was found involved in recycling drugs. This drug war would not only be a sham, but it was run by hardened and prolific criminals! This new exposé, dubbed as the “ninja cops,” disclosed how rotten the drug war was, and how its main implementors were precisely those who benefited from it and had the utmost incentive in allowing the proliferation of the illegal drug trade. It looked like a dog chasing its own tail. And, as people marveled at this enraging revelation, Albaradelde was allowed to retire with full benefits. Indeed, “ninja cops” would be safe as long as they were shielded by their patrons.

Impunity is the law of the Duterte government, openly embraced as the reward for the gross human rights violators in the country.

As the Duterte government showed its good side to criminals, it revealed its viciousness when it came to its critics and the opposition. It revealed itself to
be an incredible conspiracy theorist, releasing different matrices that showed a ludicrous plot of various political forces allegedly out to oust Duterte.

The government’s paranoia reached a garbage peak as it decided to file a sedition case against its critics in July 2019 that included individuals from the opposition, church leaders, and human rights lawyers. Trumped-up charges, after all, were among the best weapons in Duterte’s arsenal.

The Duterte government staged the “disappearance” of allied criminals from the public eye to shield them from accountability, then orchestrated the enforced disappearance of critics and human rights defenders to stop them from investigating and exposing cases of corruption and human rights violations.

Karapatan has documented 11 cases of enforced disappearances in the country since Duterte took office. Enforced disappearances are among the harshest of human rights violations.

These cruel disappearances were part of Duterte’s repertoire to silence his victims.

The year 2019 exposed the ugliest of Showmaster Duterte’s circus extravaganza which would lead to a diminishing number of captured audiences. His so-called popular antics were unmasked as forbidding tricks. The public began to realize they were being scammed.

5. Worst Policies that Authorize Human Rights Violations

The Duterte government is fully adept at legitimizing repression and making violations “acceptable.” It has crafted memoranda, orders, programs, campaigns, and laws that are ambiguous enough to serve as blanket authorization for state forces to commit human rights violations. Expectedly, they are couched with the keywords of anti-criminality, counterinsurgency, security, anti-terror, among others.

Prior to 2019, the Duterte government already had its drug war campaign and counterinsurgency program Oplan Kapayapaan at full-throttle. The latter was renamed Oplan Kapanatagan as 2019 approached. In 2017, it was reinforced by martial law in Mindanao. In 2018, it was further made diabolical by adding Memorandum No. 32 and Executive Order No. 70 – the former placed three regions under de facto martial law and the latter created a devilish task force.
The cumulative impact of these policies, topped with a series of repressive legislation, became more pronounced in 2019.

Executive Order No. 70 of 2018 is about “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.”

This 2019, the new team hired its members to craft something out of nothing, i.e. manufacturing evidence and cases to further deceive people. This was the task force established by Executive Order No. 70 called the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC).

This NTF-ELCAC uses the “Whole-of-Nation Approach” (WONA) to “recalibrate” civilian agencies and transform them into operational extensions of the military for counterinsurgency operations. This means, there is no room for productive critical thinking in civilian agencies, because there are only orders to be followed. The NTF-ELCAC’s structure includes agencies such as the Departments of the Interior and Local Government, of Justice, of Finance, of Social Welfare and Development, of Education, and of Budget and Management, among others.

For the NTF-ELCAC to conjure something out of thin air, it has layers of preparations through militarizing the bureaucracy, slowly but surely. It is also aided by other policies that promote the atmosphere of terror such as martial law in Mindanao, Memorandum Order No. 32, and the counterinsurgency program Oplan Kapanatagan. The NTF-ELCAC is composed of 12 clusters: Local Government Empowerment, International Engagement, Legal Cooperation, Strategic Communication, Basic Services, Livelihood and Poverty Alleviation, Infrastructure and Resource Management, AFP-PNP-NBI-PLE and Development Support, Situational Awareness and Knowledge Management, Local Peace Engagement, E-Clip and Amnesty, and the Sectoral Unification, Capacity Building and Empowerment.

The “Whole-of-Nation Approach” or WoNA is a key component of this dangerous trick because it forces the whole of government, that of the civilian and military bureaucracies, to take part in these attacks. Some cases in point are:

a. To delegitimize vocal legally registered organizations, get an Executive Judge sign defective search warrants that sanction raids. Build a basis for these suspicions where there is none. Use raids to plant evidence
against activists and community leaders and gear up the fake news providers to spread disinformation. Proceed in filing trumped-up charges. In this scenario, the judiciary is involved, the police and the military are involved, and the State-led news agencies are mobilized.

b. To further delegitimize human rights organizations that expose human rights violations through the United Nations, the European Union, and other international multilateral institutions, organize a travel junket led by military officials, diplomats, and Duterte-crazed bloggers. Proceed to set up meetings with diplomatic missions and show them badly photoshopped powerpoint presentations and elaborate lies. Produce a story about financing terrorism. This now involves diplomats, military intelligence officials, and State-run news agencies.

c. To drown out resistance in communities, make a list of grassroots leaders, and militarize the area with combat troops camping inside the communities’ borders. Conduct so-called Community Support Programs (CSPs) with uniformed personnel but primarily focus on community profiling through a “census” of sorts. Spread some intrigue amongst community members where there is none. Intimidate people with lots of questions about who belongs in what organization, coerce them to “clear their names,” then arbitrarily label organizations as “communist fronts.” Here, the local government and the military are the main players.

Executive Order No. 70 made way for the establishment of NTF-ELCAC, with regional and local formations nationwide. Photo courtesy of Department of Agriculture.
The coordinated actions among these agencies for counterinsurgency operations are being fully realized under a militarized bureaucracy. Likewise, the NTF-ELCAC is directly under the President’s office, thus the seamless flow of funding from the Office of the President’s discretionary budget to the operations that explicitly target and malign legitimate organizations, activists, the political opposition, human rights defenders, and all who dare speak the truth. Under this scenario, the bureaucracy is weaponized to serve vested interests and drown out calls for justice.

These policies are set to continue in 2020, with the exception of the formal martial law in Mindanao. While military rule as decreed in Mindanao has ended after two years and has not been extended, it does not translate to lesser human rights violations or a reduction of military presence in the island. On the contrary, it indicates that the Duterte government has shifted to a different tactic. The atrocities committed during these two years continue without justice as Lumad schools remain closed and are still targeted; peasant, Lumad and Moro communities remain militarized; Marawi residents continue to be displaced; and human rights violators roam freely carrying on their deadly missions.

After all these directives and actions, however, the Duterte government has not moved any closer to solving the root causes of the armed conflict. Instead, it still conjures what is not there to justify repression while spewing lies and deception. The Duterte government has worsened the worst of the already grim human rights situation in the country.

6. Septic Fascism and Human Rights Violations

The militarist-killers, who have converted much of government into an echo chamber of yes-men who act against the interests of the Filipino people, have reinforced the easy passage of repressive legislation, executive orders, memoranda, and other policies that are supposed to legitimize repression, weaponize laws, and criminalize dissent.

There is varying intensity of the human rights violations and attacks being perpetrated per region, but it is evident that, over-all, there is the worsening of the situation. Running past half-time, the Duterte government is trying hard to surpass its predecessors in terms of political killings, torture, illegal arrests and detention, bombings, forced evacuations, and threats. As of December 2019, the number of killings has climbed to 293 while 210 were documented to have undergone torture; 454,696 individuals were displaced, and 97,362 were subjected to various forms of threat, harassment, and intimidation.
<table>
<thead>
<tr>
<th>Violation of Civil &amp; Political Rights</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Under the Rodrigo Duterte Government</td>
<td></td>
</tr>
<tr>
<td>July 2016 To December 2019</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Extrajudicial Killing*</td>
<td>293</td>
</tr>
<tr>
<td>Frustrated Extrajudicial Killing</td>
<td>429</td>
</tr>
<tr>
<td>Enforced Disappearance</td>
<td>11</td>
</tr>
<tr>
<td>Torture</td>
<td>210</td>
</tr>
<tr>
<td>Illegal Arrest without Detention</td>
<td>2,516</td>
</tr>
<tr>
<td>Illegal Arrest and Detention</td>
<td>768</td>
</tr>
<tr>
<td>Illegal Search and Seizure</td>
<td>645</td>
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<tr>
<td>Physical Assault and Injury</td>
<td>358</td>
</tr>
<tr>
<td>Demolition</td>
<td>6,492</td>
</tr>
<tr>
<td>Violation of Domicile</td>
<td>1,043</td>
</tr>
<tr>
<td>Destruction of Property</td>
<td>6,615</td>
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<tr>
<td>Divestment of Property</td>
<td>901</td>
</tr>
<tr>
<td>Forced Evacuation</td>
<td>454,696</td>
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<tr>
<td>Threat/Harassment/Intimidation</td>
<td>97,362</td>
</tr>
<tr>
<td>Indiscriminate Firing</td>
<td>8,536</td>
</tr>
<tr>
<td>Bombing</td>
<td>370,186</td>
</tr>
<tr>
<td>Forced / Fake Surrender</td>
<td>3,296</td>
</tr>
<tr>
<td>Forced Labor / Involuntary Servitude</td>
<td>35</td>
</tr>
<tr>
<td>Use of Civilians in Police and/or Military Operations as Guides and/or Shield</td>
<td>147</td>
</tr>
<tr>
<td>Use of Schools, Medical, Religious and Other Public Places for Military Purpose</td>
<td>44,029</td>
</tr>
<tr>
<td>Restriction or Violent Dispersal of Mass Actions, Public Assemblies and Gatherings</td>
<td>3,964</td>
</tr>
</tbody>
</table>

* Does not include killings and other violations in the anti-drug campaign
A disturbing pattern becomes apparent in reviewing the documentation of human rights violations: Filipinos get shot at in their own homes in broad daylight or at the dead of night; they are shot in the head; there are multiple gunshot wounds; victims are dead on arrival at the hospitals or medical facilities, if at all brought to them, and the violence are almost always witnessed by family members. Death threats and other forms of harassment continue without let up. Political killings persist, while other forms of violations continue unabated. At least 2,000 have been illegally arrested and detained under Duterte, while the number of political prisoners (PPs) in the

<table>
<thead>
<tr>
<th>REGION of Detention</th>
<th>Total Number of Political Prisoners</th>
<th>Women</th>
<th>NDFP Consultants</th>
<th>Arrested Under Duterte</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cordillera</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Ilocos</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Cagayan Valley</td>
<td>23</td>
<td>3</td>
<td>0</td>
<td>19</td>
</tr>
<tr>
<td>Central Luzon</td>
<td>10</td>
<td>4</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Southern Tagalog</td>
<td>49</td>
<td>7</td>
<td>0</td>
<td>34</td>
</tr>
<tr>
<td>National Capital Region</td>
<td>116</td>
<td>18</td>
<td>10</td>
<td>42</td>
</tr>
<tr>
<td>Bikol</td>
<td>25</td>
<td>1</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td>Western Visayas</td>
<td>53</td>
<td>13</td>
<td>0</td>
<td>50</td>
</tr>
<tr>
<td>Central Visayas</td>
<td>40</td>
<td>7</td>
<td>0</td>
<td>38</td>
</tr>
<tr>
<td>Eastern Visayas</td>
<td>26</td>
<td>4</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td>Western Mindanao Region</td>
<td>11</td>
<td>5</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Northern Mindanao Region</td>
<td>53</td>
<td>6</td>
<td>1</td>
<td>36</td>
</tr>
<tr>
<td>Southern Mindanao Region</td>
<td>88</td>
<td>8</td>
<td>0</td>
<td>31</td>
</tr>
<tr>
<td>Soccsksargen</td>
<td>34</td>
<td>5</td>
<td>0</td>
<td>23</td>
</tr>
<tr>
<td>Caraga</td>
<td>70</td>
<td>11</td>
<td>0</td>
<td>51</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>604</strong></td>
<td><strong>92</strong></td>
<td><strong>11</strong></td>
<td><strong>362</strong></td>
</tr>
</tbody>
</table>

| Sickly: 104 | Elderly: 47 | Arrested as Minor: 5 |
country has risen to 604. Even inside jail, the ordeal continues for political detainees who are already facing various forms of injustice. Now, with the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC), PPs are being confronted with a forced dispersal or transfer to local jails that will prevent any legitimate and united effort by them and fellow detainees to address deplorable conditions inside jail. This move will also expose them to more dangers and does not help resolve issues of congestion rates that authorities use to justify the dispersal.

In less than four years, Duterte has arrested and incarcerated 362 political prisoners. This has escalated following the formation of the NTF-ELCAC. Legal processes are now 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 – this is the poisonous vindictiveness of the Duterte regime.

The following section narrates the attacks per major island in the country. With attacks in rural centers and urban cities, justified by legislated policies and funded by the government, the human rights situation in the country continues to be grimly perilous. The dreadful events in Negros, for example, depict that this regime never loses its evil touch in harming the people with even more vile violations.
In Luzon, there are cry-outs for justice

The attacks are a mixture of NTF-ELCAC-led operations and those handled directly by specific military and police operatives. NTF-ELCAC’s primary assignment is to cripple and weaken people’s organizations through judicial harassment and smear campaigns, while the local military and police on the ground are tasked with the legwork of directly terrorizing communities and individuals. The brutes are led by the putrid brains manning the NTF-ELCAC.

In Metro Manila. On July 2, 2019, National Security Adviser and concurrent vice-chairperson of the NTF-ELCAC, General Hermogenes Esperon, Jr. filed a perjury complaint against Karapatan, Gabriela, and the Rural Missionaries of the Philippines (RMP) following the petition for the privilege of the writs of amparo and habeas data that was filed by the three organizations to seek legal protection against government harassment and intimidation. Among those named as respondents in Esperon’s complaint are Karapatan Chairperson Elisa Tita Lubi; Vice Chairperson Reylan Vergara; Secretary-General Cristina Palabay; Deputy Secretary-General Roneo Clamor; and National Council members-at-large Dr. Edita Burgos, mother of disappeared Jonas Burgos; critically-acclaimed filmmaker Krista Dalena; Fr. Wilfredo Ruazol; and youth activist Jose Mari Callueng. This false perjury charge is the military’s retaliation to Karapatan’s actions which have exposed and criticized the government’s rights violations. The case’s lack of merit has led
to its dismissal on December 5, but the Quezon City court proceeded to charge 80-year-old Sister Elenita Belardo, RMP’s former national coordinator. She is out on bail and is determined to prove as she faces trial that the charges against her and RMP are false and part of the government’s reprisal against people’s and human rights organizations.

In Laguna. On July 6, 2019, at around 5 a.m., agency-payrolled workers of Nutriasia Inc. in Cabuyao, Laguna organized a concerted action to call on the management to consider them as regular workers. Between 9 a.m. and 10 a.m., a number of Cabuyao-Laguna police joined the company’s security personnel in violently hitting the unfortunate workers with the butt of long firearms and metals bars; many of the workers were injured. The police arrested 17 workers, including three union officers and three women. The arrested workers were slapped with criminal charges, including arson and robbery that were filed by the security team of Nutriasia, Inc. at the Cabuyao Regional Trial Court. Other charges such as malicious mischief, grave coercion, and direct assault were filed at the Cabuyao Metropolitan Trial Court.

The following were those arrested and charged by the authorities: Reyniero Maarat, union president; Jennifer Lagaya, union vice-president; Marnie Varona; Dindo Ockaya; Joanne Galang; Antonio Montimor Jr.; Christian

Workers of Nutriasia Inc. hold a picket to demand recognition as regular workers. Photo courtesy of @grrdlt via Twitter.
Azores; Erickson Aliling; Christopher Delmo; Lemuel Lalong Isip; Joemar Arancel; Jonathan Francisco; Joselito Enate; Junar Porte; Emaylene Pedro; Romar Varona; and Kenny Baguio. They were released from the Cabuyao Jail in December 2019 after posting bail. The hearing on their case continues.

In Occidental Mindoro. On July 28, 2019, Nadeline Fabon and Ray Irvine Malaborbor, volunteers of Samahang Magbubukid ng Pilipinas sa Timog Katagalugan (Association of Peasants in Southern Tagalog), were illegally arrested by two non-uniformed policemen, who were later identified as Sablayan Police Chief Master Sergeant Ernesto B. Gabia Jr. and PNP Sablayan Police Staff Sergeant Erick P. Caiga. They accused the two volunteers of being New People’s Army (NPA) members. A warrant of arrest for illegal possession of firearms and explosives in the name of Malaborbor was shown to them. Meanwhile, firearms were planted in the victims’ belongings. They were brought to the headquarters of the 76th Infantry Battalion of the Philippine Army (IBPA) in Mamburao town and were later transferred to the Sta. Cruz jail facilities. The case against the two was dismissed on September 20, 2019. Fabon was released from prison, while Malaborbor remains in jail for other charges.

In the Cordillera. Attacks against human rights defenders have become more brazen, with more and more violations happening in the vicinity of the victim’s residence. The past military practice of the Marcos dictatorship is here once more -- the following narrative shows the standard operating procedure of perpetrators monitoring their targets and compiling “files” on pertinent information such as addresses, family members, and even everyday routine.

On August 6, 2019, Brandon Lee, paralegal volunteer and provincial human rights officer of the Cordillera Human Rights Alliance (CHRA) and the Ifugao Peasant Movement (IPM), was shot several times in an area close to his residence in Lagawe, Ifugao. Prior to
this, he was subjected to several threats that were traced to the 54th IBPA. He was rushed to the hospital and was able to recover. Lee, an American citizen of Chinese descent, was later flown to the US where he continues to receive medical treatment. Federal state officials in US have condemned the attacks against him.

Members of CHRA alleged that the assailants had no intention of keeping Lee alive, considering that he was shot four times. Other CHRA officials, including human rights defender Ricardo Mayumi, were targeted and killed for their active involvement in human rights work in the past. On separate incidents, fellow IPM officers Nestor Padilla and James Tayaban were subjected to surveillance on the same day that Brandon Lee was shot.

**In Quezon City.** On August 26, 2019, at around 2 a.m., more than 20 armed men with short firearms barged inside a studio-type condominium unit rented by 59-year-old Esterlita Suaybaguio at the Tower 5 of the Escalades Condominium, 20th Ave., San Roque, Cubao, Quezon City. Alone while sleeping, Suaybaguio heard knocks. When she opened her door, the operatives forced themselves in. Two women officers showed her a search warrant, but she was not able to read it. The operatives scattered themselves inside while searching the unit. The cabinet where some of the important belongings of the unit’s owner were kept was damaged as they broke into it to get at its contents. At that time, operatives planted a firearm and grenade in Suaybaguio’s empty purple shoulder bag. The search lasted for about an hour-and-a-half.

When she was taken outside, she saw a military truck loaded with uniformed soldiers. She was later brought to Camp Karingal in Quezon City where she was interrogated. In the afternoon of the same day, she was brought to the Quezon City Hall of Justice where she was charged with illegal possession of firearms and explosives.

**In Southern Tagalog.** From September 3 to 4, 2019, an anonymous texter sent death threats to transgender activist Claire Balabbo, secretary-general of PAMANTIK-KMU, the Southern Tagalog regional labor center. Balabbo received texts from the same number in three separate time periods from September 3 to 4. At first, the texter asked if “they can be friends,” accompanying the
request with consecutive calls throughout the day. The morning after, the texter sent, “DI K PumaPanSin Bayot Ka lang MALAPIT KN?” (You’re not paying attention when you’re just a faggot. Maybe you’re next?) with the same flurry of attempted calls. The texter followed up by 10:30 p.m. with a text that read “TLAGANG Dka SmASagOt Hah? KiLALANG KiLALA Na kita MADALAS Ka Sa RALLY? PAgDka TUmigil LAM Mo Na KAsuNOd? Km_t_y__?” (You don’t reply, do you? I know you well, you frequently attend rallies. If you don’t stop, you know what will come next? Death?)

This incident happened while anti-union seminars were being held in the region’s factories. They tagged PAMANTIK and its unions as “communist fronts”. The seminar were spearheaded by the CALABARZON PNP’s Regional Industrial Safety and Security Alliance and the Regional Intelligence Division.

In Isabela, Cagayan Valley. Not only human rights defenders are targeted, but even local officials who genuinely respond to the needs of their poor constituencies as part of their public service.

For the “whole-of-nation approach” or WONA to succeed, a blind, complicit, obedient local government is imperative to perpetuate impunity amid gross killings and violations. For the WONA implementers amongst local officials, those whom they cannot control, they kill. Such is the case of many local leaders at the barangay level who are targeted to be silenced because they are disobedient to the ways of impunity.

On September 11, 2019, at around 8:30 p.m., residents of Sitio Dipogpog, Brgy. Del Pilar, San Mariano, Isabela, heard gunshots. Residents, including barangay officials, investigated the area. It was then that they discovered Sammy Pohayon, 37, a barangay tanod, inside his house dead with multiple gunshot wounds. His wife, Phyliz Pohayon, 25, was also shot several times. She survived the attack and was rushed to the Faustino Dy Sr. Memorial Hospital in Ilagan City.

According to other barangay leaders, armed men, confirmed to be soldiers of the 95th IBPA, were seen roaming around Sitio Dipogpog. Pohayon’s mother narrated that prior to her son’s killing, soldiers repeatedly visited their home, looking for a certain “Ka Bang.” On numerous occasions, the military tagged Pohayon as an NPA member, and would convince him to “surrender.”

In June 2019, five companies under the 95th IBPA started implementing the Community Support Program (CSP) in San Mariano, Isabela. CSP is the new tool to disguise and justify the militarization of entire communities. In this
case, said soldiers set camp in Brgy. Del Pilar as security support to the DENR’s National Greening Project (NGP) in Isabela that covers at least 2,000 hectares of ancestral domain.

**In Southern Tagalog.** The dirty tactics showing the reality of forced surrenders became conspicuous with the illegal arrest and detention of **Alexandrea Pacalda**, a former Karapatan human rights worker in Quezon. On September 14, 2019, 23-year old Pacalda of Pinag-isang Lakas ng Magsasaka sa Quezon (PIGLAS-Quezon) was arrested without a warrant by six members of the 85th IBPA in General Luna, South Quezon. She was initially brought to the 85th IBPA headquarters, and then to the General Luna police station, where Pacalda was forced to sign a prepared certification indicating that she “voluntarily surrendered”. Thereafter, she was taken to the 201st AFP Brigade camp in Calauan, Quezon. Pacalda was arbitrarily detained as she was held for hours without any charges filed. This signed certification was circulated online to fuel attacks against her and her alleged involvement with the NPA.

Under duress, she was again forced to sign an “affidavit of voluntary surrender.” When her family and legal counsel finally gained access to her, she revealed her psychological ordeal that led to her being coerced to sign the statements prepared for her by her captors. With her lawyer this time, she signed her own recount statement that the military had tortured her mentally, and that she was not allowed to sleep and was starved for 24-30 hours. Further affixing their signature, Pacalda’s parents added that the military also threatened them, saying that a criminal case would be filed against their daughter if they did not agree to sign the affidavit prepared for them.

**In Laguna.** On September 17, 2019, 60-year-old **Antonia Setias Dizon** of the Confederation of Unity, Recognition and Advancement of Government Employees (Courage) was arrested by police operatives, accusing her of being the replacement of an arrested peace consultant of the National Democratic Front of the Philippines (NDFP). She was also alleged as the Secretary of the National Organizing Department of the NPA. Dizon was arrested in her house in Brgy. Rosario, San Pedro City on the basis of a warrant of arrest issued by Branch 7 of the Bayugan City Regional Trial Court (RTC) in Agusan del Sur. Some years prior to her arrest, Dizon had complained of being tailed by
military operatives. She was detained for a time at the San Pedro City Police Office, and then transferred to the Calamba Provincial Jail.

In 2018, the cases of activists arrested with warrants from faraway places, particularly from Davao and Caraga courts, had increased, due to the WONA approach done in cahoots with court judges who dispensed injustice with no qualms whatsoever.

In Pampanga. Apart from human rights defenders and leaders, the government shows how it is particularly wary of journalists who publish critical news or articles. In their contorted logic the government believes that so long as everybody is silent, nothing is wrong because a government cannot be corrupt if no one is saying so nor investigating.

On September 17, 2019, Sonia Soto, the president and general manager of CLTV 56 in San Fernando City, Pampanga, was named by an intelligence officer as among the journalists and government workers who were alleged members of the Communist Party of the Philippines (CPP). She was red-tagged, along with 30 other individuals by Rolando Asuncion, regional director of the National Intelligence Coordinating Agency in a forum at the Don Honorio Ventura State University in Bacolor.

In Palawan, Southern Tagalog. In the evening of October 4, 2019, at around 8:30 p.m., former Karapatan-Southern Tagalog secretary general Glendyl Malabanan and six other human rights workers – Bener Rimbuwan, Awing Lumpat, Joelito Tanilon, Jenny Bautista, Ronces Paraguso, and Domingo Ritas – were arrested without warrants by combined elements of the PNP and AFP in Puerto Princesa City, Palawan after their fact-finding investigation on reports of human rights violations perpetrated by military forces against farmers in Taytay town.

After coming from Taytay, the HR investigation team was accosted around Maoyon, Puerto Princesa.
They were held at gunpoint as they were ordered to lie down on the road. When they demanded to know why they were being arrested, the PNP and AFP team showed them a document without any of their names. They were then made to ride a vehicle and were told that they would be brought to the Puerto Princesa City Police Station. Somewhere along the way, they were diverted and brought to another checkpoint, where the police insisted that the firearms they had “confiscated” belonged to Malabanan and company. This incident showed how authorities continued to whip up evidence and use defective warrants to arrest and jail critics and human rights defenders.

**In Bulacan.** Alliance of Concerned Teachers (ACT) - Bulacan provincial coordinator **Digna Mateo** was arrested during a joint operation conducted by the Bulacan Provincial Intelligence Branch, together with the intelligence units of the AFP and police personnel of Meycauayan City and Marilao. The operatives were on board three vans and arrested Mateo at around 1:45 p.m. of October 16, 2019 at the Our Lady of Fatima Parish in Marilao, Bulacan, where she also works as a volunteer bookkeeper. The police and the military cited a false murder charge against Mateo. She was brought to Camp Alejo Santos in Malolos City and was paraded to the media as an arrested member of the NPA. In her report, she recalled that, a week earlier, she had been tailed by a riding-in-tandem while she was on her way home after campaigning for the election of the ACT-Central Luzon union to be the sole and exclusive negotiating agent in the region. Mateo had been an active and a key officer of ACT in Central Luzon, leading campaigns for the right to unionize, as well as, demanding for a basic pay of PhP 30,000 for teachers.

After two months of incarceration at Bulacan Provincial Jail, Malolos City, Bulacan, she was finally released on December 17, 2019. Her case is currently on provisional dismissal, which means that if within two years, her case is not reopened, then the court will grant its absolute dismissal.

**In Metro Manila.** Aside from teachers and activists, doctors are also being targeted. In the evening of October 21, 2019, UP College of Medicine Faculty and President of the All UP Academic Employees Union-Manila Chapter (AUPAEU-Manila) **Dr. Gene Nisperos** and his wife, **Dr. Julie Caguiat**, received death threats. A text message from an unknown number threatened the two doctors: “Both of you (referring to Nisperos and Caguiat) will line up with cottons on your nostrils in due time.” The same text message indicated that the perpetrator knew of Dr. Nisperos’s residence and even threatened his whole family. The attack came after Dr. Nisperos’s appearance in a press conference highlighting the health care crisis in the country, as the
government yet again slashed the budget of the Department of Health and the Philippine General Hospital.

Days later, the residence of an activist couple was raided. On October 31, 2019, at around 5 a.m., some 20 armed operatives of the CIDG and the Metro Manila Police District (MPD) forcefully entered the residence of activist couple Cora Agovida and Michael Tan Bartolome. Agovida is Gabriela Metro Manila’s spokesperson while Bartolome is a member of Kadamay Metro Manila. According to the victims, the operatives planted two rifles and two grenades in their belongings. The two children of the couple – both minors – were traumatized after witnessing the entire incident. They were turned over to the Children’s Rehabilitation Center (CRC), a child welfare group, for counseling and care. Agovida and Bartolome are currently detained at the Manila City Jail.

The raid was justified by a search warrant issued by Judge Cecilyn Burgos-Villavert. The couple were falsely charged with illegal possession of firearms and explosives which is non-bailable. Judge Burgos-Villavert was the same judge who issued the search warrants used in the October 31 raids in Negros, as well as, the warrants of arrest against peace consultants Vicente Ladlad, Suaybaguio, and NDFP staff Winona and Alexander Birondo.
In Laguna. A peasant activist and staff member of peasant group Pagkakaisa at Ugnayan ng Magsasaka sa Laguna (Pumalag) was gunned down in front of his residence in Kapatagan Subdivision, Cabuyao City, Laguna. Reynaldo Malaborbor Sr., 62, was shot dead by a lone gunman at around 9 p.m. on November 4, 2019.

Back in 2010, he was arrested along with two other peasant activists, and was falsely charged with illegal possession of firearms and explosives. The three activists, dubbed the ‘Lumban 3,’ were detained for five years before the charges filed against them were dismissed.

Before becoming a peasant organizer, Malaborbor was a union president in Universal Robina Corporation in Calamba, and an organizer for the Trade Unions of the Philippines - February Six Movement. His son, Ray Irvine, is also a peasant activist and a volunteer for Katipunan ng mga Samahang Magbubukid sa Timog Katagalugan (Kasama-TK). Malaborbor’s son was arrested along with fellow volunteer Nadeline Fabon last July 28.

In Metro Manila. On November 5, 2019 following the arrest of Metro Manila activists on October 31, another series of arrests were orchestrated by State forces, by virtue of warrants issued by Judge Burgos-Villavert.

At around 1 a.m. on November 5, the Bayan Manila office located at Flora Street corner Clemente Street in Tondo, Manila was raided by police operatives. The raid resulted in the arbitrary arrest of three activists: Ram Carlo Bautista, Bayan Manila Campaign Director; Alma Moran, Manila
Workers Unity Secretariat; and Ina Nacino, Kadamay Manila Coordinator. The three are facing trumped-up charges of illegal possession of firearms and explosives. Bautista, Moran, Nacino, along with previously arrested activists Agovida and Bartolome, were detained at the CIDG facility inside the Manila Police District (MPD) headquarters.

On November 9, 2019, a strike by Regent Foods Corporation workers was violently dispersed by the company’s security personnel. In total, 23 people were arrested, including 20 workers, two members of Defend Job-Philippines, and a bystander. The 23 victims were assaulted, kicked, and beaten up by security personnel, yet it was the workers who were charged with physical injury, alarm and scandal, and resistance and disobedience. Pasig City Mayor Vico Sotto sided with the workers. He condemned the incident, reiterating that the striking workers were not criminals, and echoed their call for regularization and lawful living wages. The workers were eventually released on bail after Sotto provided them support.

More than a month later, Karapatan’s Secretary-General, Cristina Palabay, received a series of horrid death threats and messages. In the evening of December 10, after the conclusion of protest rallies on International Human Rights Day, Palabay received a call and a series of texts from an unknown number. According to Palabay, the caller threatened to kill her and “said the worst possible things.” In a follow-up text message, the caller, using the number 09275704471, threatened the Karapatan official with rape. The tone and content of the text messages are consistent with the same style of toxic misogyny articulated by President Duterte and several of his supporters.

Before the year ended, combined elements of the military and the police arrested Jaime Padilla, 72, on November 25, along with his three companions Jefren Banjawan, Kay Ann Trogon, and Rey Rafa. Padilla was accused of being the Spokesperson of NPA-Southern Tagalog. He was arrested at the Cardinal Santos Medical Center where he was being treated for a medical condition. On November 27, he was taken from the CIDG-NCR offices to an unknown location, which led his counsel to raise fears of physical and psychological torture. He was transported in secret to Occidental Mindoro, where he is currently detained. Specifically, he is under the custody of the San Jose, Mindoro Bureau of Jail Management and Penology (BJMP). Padilla is likewise set to face murder charges. His three companions were eventually released on bail.
M.O. # 32 in Bicol, Negros, and Eastern Visayas: 
State of Lawlessness, as the Law is scorned by State forces

Ironically, the state of lawlessness directly stems from the deliberate disregard for the law by state forces themselves. That and the weaponization of the law have become so extensive so that the law has been subverted to become a tool of repression.

Many of the killings documented in 2019 were concentrated in Bicol, the Negros region, and Eastern Visayas – all of which were areas under Memorandum Order No. 32. The memorandum practically installed martial law in the three regions, allowing for the massive deployment of combat troops and police forces. The numbers of killings and HR violations spiked following troop deployments.

Negros, since the end of 2018, had borne the resurgent brunt of human rights atrocities being replicated around the country. The series of violations escalated with mass arrests, consecutive killings, and widespread terror enveloping the region. It was like the 1970s again with everyone as a target – from human rights defenders, lawyers, church workers, barangay officials, community leaders, farm workers, and even innocent bystanders and residents.
### TABLE 3

**Victims of Extrajudicial Killing & Enforced Disappearance**

Under the Rodrigo Duterte Government

**BY SECTOR (July 2016 to December 2019)**

<table>
<thead>
<tr>
<th>SECTOR</th>
<th>Extrajudicial Killing</th>
<th>Enforced Disappearance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Church</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Entrepreneur</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Environmentalist</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Fisherfolk</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Government Employee</td>
<td>22</td>
<td>1</td>
</tr>
<tr>
<td>Indigenous People</td>
<td>59</td>
<td>3</td>
</tr>
<tr>
<td>Peasant</td>
<td>239</td>
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<tr>
<td>Teacher</td>
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<td></td>
</tr>
<tr>
<td>Lawyer</td>
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<td></td>
</tr>
<tr>
<td>Human Rights worker</td>
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<td></td>
</tr>
<tr>
<td>Worker</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Youth and Student</td>
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<td></td>
</tr>
<tr>
<td>Cultural Worker</td>
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<td></td>
</tr>
<tr>
<td>Moro</td>
<td>32</td>
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</tr>
<tr>
<td>Transport</td>
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<td></td>
</tr>
<tr>
<td>Minor</td>
<td>10</td>
<td>1</td>
</tr>
</tbody>
</table>

*Does not include killings and other violations in the anti-drug campaign*
<table>
<thead>
<tr>
<th>REGION</th>
<th>Extrajudicial Killing</th>
<th>Enforced Disappearance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ilocos</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Cordillera Administrative Region</td>
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<tr>
<td>Cagayan Valley</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Central Luzon</td>
<td>10</td>
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<tr>
<td>National Capital Region</td>
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<tr>
<td>Southern Tagalog</td>
<td>9</td>
<td></td>
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<tr>
<td>Bicol</td>
<td>37</td>
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<td>Western Visayas</td>
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<td>Central Visayas</td>
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<td>Northern Mindanao</td>
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<tr>
<td>Caraga</td>
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<td>1</td>
</tr>
<tr>
<td>SoCSKSargen</td>
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<td>4</td>
</tr>
<tr>
<td>Western Mindanao</td>
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<tr>
<td>Southern Mindanao</td>
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</tr>
<tr>
<td>ARMM</td>
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</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>293</strong></td>
<td><strong>11</strong></td>
</tr>
<tr>
<td>Women</td>
<td>43</td>
<td>4</td>
</tr>
<tr>
<td>Rights Defenders</td>
<td>167</td>
<td>6</td>
</tr>
</tbody>
</table>

* Does not include killings and other violations in the anti-drug campaign
In Negros Oriental. The whole-of-nation-approach guides State forces to surreptitiously weed their way into the religious sector, targeting pastors and laymen. The Iglesia Filipina Independiente (IFI) has borne the brunt of a series of red-tagging, vandalism and harassment schemes.

On July 7, 2019, an IFI church member and adviser of the Youth for Iglesia Filipina Independiente (YIFI) was gunned down by two riding-in-tandem assassins in Aglipay Street, Brgy. Poblacion, Manjuyod, Negros Oriental. Victim Salvador Romano, 42, sustained four gunshot wounds and was immediately rushed to the Bais City District Hospital. He was pronounced dead on arrival.

Farmers were targeted for liquidation. Months before, several killings of farmers were documented in the region, including the simultaneous police operations which killed 14 farmers in March 2019. The victims were tagged as members or sympathizers of the NPA, but they were members of legal people’s organizations. Aside from being a church worker, Romano was also a volunteer for the regional chapter of Karapatan in Negros Oriental.

Families who had been torn apart by State terrorism continue to be bullied under this government’s militarist attitude. The family of Jesus Isugan, one of the six killed in the operations staged by the Police Regional Office 7 and the 94th IBPA under the SEMPO 1 or the Oplan Sauron 1, remained as targets. On July 8, 2019, at around 11:30 p.m., the residence of Delia Isugan and her family was burned to the ground. At the time of the incident, soldiers of the 94th IBPA were seen in the vicinity. The parents of Jesus were also arrested and were falsely charged with illegal possession of firearms.
Lawyers who dared take up human rights cases were also considered targets of WONA. On July 23, 2019, human rights lawyer **Anthony Trinidad**, 53, was on his way home from a hearing with wife, **Novie Marie**, 53, to San Carlos City when two motorcycle-riding men shot them and left them for dead. The two were rushed to the Dumaguete City Hospital but Anthony was declared dead on arrival while Novie Marie survived. Atty. Trinidad’s name was listed in a flyer distributed in Negros Oriental by an anti-communist group called Kawsa Guihulngan Batok Kumunista (Kagubak), and which falsely tagged him as a supporter of the NPA.

The flyer was considered a hit-list, as **Heidi Malalay Flores**, another woman activist listed in the same flyer was likewise killed back in 2018. This incident was reported to the Guihulngan police.

Trinidad was the second of eight siblings, and studied law in Siliman University. He initially studied physics and wanted to be an engineer, but changed his career to help those who could not afford legal services. Many of Trinidad’s clientele were poor farmers in the region. The victim’s family described him as a “kind-hearted, soft-spoken person who was willing to go out of his way to help people in need.”

Two days following Trinidad’s killing, July 25 was marked as among the bloodiest day in the region. Rounding up its attacks on all sectors, teachers were the next targets. On July 25, 2019, at around 1 a.m., **Arthur Bayawa**, 55, school principal, and **Ardale Bayawa**, 49, a Department of Education (DepEd) official, were killed in Brgy. Hibaiyo, Guihulngan City, Negros Oriental. The brother and sister were attacked by 10 armed men who forcibly went inside their house in Guihulngan City. The victims were killed while they were asleep. They were rushed to a hospital but were declared dead on arrival. The Bayawa siblings, according to local peasant groups, were said to be supportive of the local struggle for genuine land distribution and were against the militarization in their communities.

At around 1:40 a.m. on the same day, Barangay Captain **Romeo Alipan**, 64, was killed in Brgy. Buenavista, Guihulngan City, Negros Oriental. Alipan was killed in his residence, after 20 armed men reportedly barged inside the house and shot him several times. He was declared dead on arrival at the hospital.

At 8 a.m., one-year-old baby **Marjon Ocampo** and his father, peasant **Marlon Ocampo**, were killed in Sitio Tara in Santa Catalina, Negros Oriental. In the same manner as other victims were killed, armed men barged into the victims’ house and killed the father and son. The baby was sleeping in a hammock.
when he was ruthlessly killed. The wife of Marlon Ocampo, Angel Miranda, and another child were also wounded during the shooting.

At 5:10 p.m. on the same day, farmer Reden Eleuterio, 50, was killed in Brgy. Mabato, Ayungon, Negros Oriental. He was driving his motorcycle in Brgy. Tampocon II, Ayungon when he was repeatedly shot by motorcycle-riding gunmen. He was declared dead on arrival at the district hospital. Prior to the killing of Eleuterio, his relative, the barangay chief of Brgy. Mabato was arrested after being falsely implicated in the killing of four policemen. He committed suicide by ingesting pesticide on July 22 following the false charges against him.

At about 12 midnight on July 27, 2019, village councilor Ramon Jalandoni, resident and official of Brgy. Panubigan, Canlaon City, Negros Oriental, was killed in his village. Around 50 operatives armed with long firearms stormed into the house of Jalandoni and killed him inside his room. He was shot several times in his torso. The victim was a member of the Canlaon People’s Rights Movement and had participated in many campaigns for social justice.

A CCTV footage had recorded that at 11:58 a.m., two white vans, two SUVs and a car were parked near the gate of Jalandoni’s residence, seemingly observing his house. The men alighted from the vehicles and entered his house at around midnight, then left minutes later.

Amid the killings, illegal arrests also took place. On July 26, 2019, 37-year-old Onie Bangala and 25-year-old Nerie Boy Bangala, both farmers and residents of Sitio Inasan
in Carol-an, Ayungon, Negros Oriental, were illegally arrested by the elements of a section of the Bravo Company of the 94th IBPA. The two were accused of being members of the Mount Cansermon Command of the NPA that was linked to the ambush of four policemen in Brgy. Mabato on July 18, 2019. Both were detained even if their families insisted their innocence -- that they were just being used as scapegoats.

The next day, the round of killings had yet to end. At around 2:30 a.m. on July 27, former Ayungon Mayor Edsel Enardecido, 60, and his cousin Leo Enardecido, 45, were killed in Brgy. Tampocon 1. The victims were shot repeatedly while in Edsel’s house.

The killings mentioned above occurred within hours of each other, and with the same pattern. The perpetrators remained unidentified, and the series of killings were all linked to the implementation of MO 32 and the crackdown against activists and those tagged as “NPA sympathizers” in the region.

Bizarrely, after widespread condemnation from the public about the possibility that State agents were behind the killings, a reprieve of sorts was observed.

The arrests, however, continued. On July 29, 2019, at about 5 p.m., farmers Rico Oraco, 39, and Lito Cadusal, 51, both residents of Sitio Yamot, Brgy.
Mabato in Ayungon town, were illegally arrested in a joint operation conducted by the Regional Mobile Force Battalion 7, 704th Maneuver Company, 2nd Provincial Mobile Force Company (PMFC), and the 94th Infantry Battalion-Bravo Company. The two men were accused of being NPA supporters. They were charged with illegal possession of firearms and explosives, and detained at the police station in Guihulngan City. The same offenses were slapped against Epifanio Cabusog Romano on the same day. He was accused of having a black bandolier and a rifle grenade. Romano was later turned over to the Bindoy Police and was charged with illegal possession of firearms and explosives. Romano was a farmer and a resident in the area who was accosted while the police were conducting clearing operations.

In Negros Occidental. On July 31, 2019, 24-year-old Danilo Cantalao Tancinco of Sitio Tigbao, Brgy. Buenavista, Himamaylan; 36-year-old Ronnie Herebias Dogomio of Sitio Mambalayong, Brgy. Mahalang, Himamaylan City; and 24-year-old Marlon Basalo of Don Salvador Benedicto were forced by elements of the PMFC and Badian Municipal Police Station to get off a bus while they were on their way to Cebu City from Ayungon, Negros Oriental. The three were forced to board a patrol car which brought them to the Badian Police Station. The uniformed men took their cell phones and wallets containing cash amounting to a total of PhP 10,250.

Interrogation and torture. As they were being transferred to the Barili Police Station from Badian, they were blindfolded and their hands were bound with packaging tape. Upon arrival, the three were interrogated while blindfolded inside three separate rooms. The interrogation lasted for two nights and one day. Tancinco and Dogomio were physically and psychologically tortured, while Basalo was able to post bail. The remaining two were hit in the chest. Tancinco’s feet was also hit with a M16 armalite and because he was not responding to questions, his nose and mouth were covered with plastic for at least two minutes or until he could no longer breathe. Handcuffs were also used on them. Tancinco was threatened that he would be burned and buried alive at the back of the police station. Arresting officers were identified as PSSg. Elmer Grengia, PSSg. Brian Yosores, PCpl. Rodjie Alicaway, PSSg. Diosdado Iran Jr., PSSg. Jovie Icaranom, PCpl. Peter Rendon, PCpl. Rainier Sosmeña, and PCpl. Ramil Cañete.

Media harassment. The successive attacks in Negros drew attention from the media which raised the possibility that the attacks were State-perpetrated. This must have drawn the ire of whoever was directing the violence being wrought in the region. On August 4, 2019, National Union of Journalists of the
Philippines (NUJP) - Bacolod Chapter chairperson Marchel Espina was tailed by a “suspicious-looking motorcycle rider” while on assignment in Negros Oriental. Espina, a reporter for Rappler, was pursuing stories about the killings of civilians in Negros Island believed to be the result of the government’s intensified counter-insurgency drive. According to reports, while returning from Canlaon City, Espina’s driver told her that they were being followed by a motorcycle rider, “who was of medium build and wore a bonnet concealing his face, a black jacket and pants and with a backpack.” She was tailed for almost 18 kilometers.

*Arbitrary arrests.* In other parts of the region, the dangerous link between red-tagging and graver violations continued to be evident. On August 30, 2019, at about 3 a.m., Teresita Camanso, Edelia dela Cruz Pacheco, along with other relatives were awakened by shouts of armed men at their door. They were ordered to lie down on the floor and afterwards, they were handcuffed and blindfolded. They were forced to board two vehicles. Camanso was identified as the main target by the armed men. She was interrogated about a “Loida” and a “Toti” who were alleged to be members of the NPA. She was also interrogated about her affiliation with a local indigenous peoples’ organization and with Bayan Muna. She informed them that she was a member of the Ituman-Maghat-Bukidnon tribe and that she was not aware of the accusation that her organization was a “front of the Communist Armed Movement”.

Meanwhile, Edelia Pacheco was interrogated on allegations that she allowed members of the NPA to stay in her house. She denied the accusations. Those picked up were then left in a sugarcane field along the national highway in Mabinay, Negros Oriental at about 11 a.m.

With this regime’s new reputation as the new reigning champion for trumped-up charges, mass arrests were also conducted. On September 18, 2019, *nine activists and artists* were on their way to perform in the commemoration program on the 34th anniversary of the 1985 Escalante Massacre. They were illegally arrested by combined elements of the police and the army.

At around 4 p.m., the jeepney of nine cultural workers from Teatro Obrero’s mobile propaganda team were on their way to the commemoration when they were blocked by plainclothesmen in bonnets and masks. The perpetrators were later revealed to be operatives from the combined forces of the 79th IBPA and the Escalante City Police. The cultural workers were told to step down from the vehicle and to present a permit. Thereafter, the vehicle was “searched” and firearms, as well as, Tanduay bottles supposedly for making
Molotov cocktails, were supposedly recovered. Those arrested were Teatro Obrero vice-chairperson Kenneth Serondo and members Carlo Apurado, Rolly Hernando, and Reynaldo Saura; National Federation of Sugar Workers (NFSW) North Negros spokesperson Joel Guillero, Toboso chapter auditor Leon Charita, and member Benvenido Ducay; as well as KADAMAY Negros vice-chairperson Aiza Orbesa and their driver Toto Canilio. Their mobile phones were confiscated and their video documentation of the search incident was deleted from their smartphone cameras. They were detained at the Escalante City Police Station under trumped-up charges. They also reported that their organizations were subjected to numerous incidents of red-tagging.

In Catanduanes, Bicol. A wedding was called off after the groom, an abaca farmer, was among those killed in a military operation in Catanduanes on September 22, 2019. Lito Aguilar, Christopher Abraham, Jimmy Bonifacio, Joseph Santos Turado, and Jomari Delos Santos Calderon, all residents of Brgy. San Miguel, Panganiban, Catanduanes, were indiscriminately fired at by soldiers while on their way home; Aguilar and Abraham were killed.

All five were at the local river catching fish for Aguilar’s wedding feast scheduled the following day, September 23. At around 1 a.m. on September 22, all five friends were preparing to go home with their catch when they heard rustles in the nearby bushes. They dismissed these as normal occurrence until they heard successive gunshots and loud shouts. According to Bonifacio, he immediately dropped to the ground and slowly crawled away. Turado, on
the other hand, recounted that as he dropped to the ground, he saw Aguilar and Abraham’s bodies lying motionless on the ground. He saw Bonifacio and Calderon running, so he followed suit. Calderon went straight to the house of San Miguel’s Barangay Captain Jeffrey Velasco to report the incident and to seek help.

Later that day, the 9th Infantry Division released a statement claiming that there was an armed encounter between the 83rd IBPA, the Provincial Mobile Force of the PNP, and members of the NPA; they cited that two rebels were killed. The military was referring to Aguilar and Abraham. However, community residents and the Barangay Captain belied the report, insisting that the two victims were ordinary residents. The barangay official further vouched for the five abaca farmers and insisted that they were in the area to catch fish for Aguilar’s upcoming wedding feast. Talking to Karapatan workers, Aguilar’s partner presented the marriage certificate that they were supposed to sign on September 23.

In Northern Samar, Eastern Visayas. The family of Mamer Ogatcho, 40, was sleeping peacefully in their residence in Brgy. Victory, Las Navas, Northern Samar when their house was strafed at around 5 a.m. on July 8, 2019. The household was composed of Mamer, his partner Renalyn Ogatcho, and their three minor children, aged 11, 7, and 6 years old.

It was recounted that the couple was awakened by the loud barks of their dogs so, they decided to check the vicinity. Mamer got up and went behind their house to wash his face. He reported to his wife that he did not notice anything unusual, but that he heard what sounded as whispers. Renalyn, on the other hand, saw three uniformed soldiers armed with long firearms. Seconds after Mamer was about to enter the house, shots were fired towards their house. Mamer fell after sustaining gunshot wounds on his back. The strafing continued for a whole minute.

Seeing Mamer down on the ground, Renalyn narrated that a soldier checked and pronounced him dead after seeing his blood. It was around this time that she saw some 20 armed men emerging from different nearby places. “They left as if nothing happened,” she added. However, rushing to Mamer’s side after the soldiers left, she quickly realized that her husband was still alive. She asked help from the neighbors and three of Mamer’s siblings, who lived nearby, quickly responded. A cloth was wrapped around Mamer’s wounds to stop the bleeding. He was rushed to a nearby hospital. Mamer survived the attempt on his life. As result, his family and three children were traumatized by the
incident. The attack was linked to Mamer’s affiliation with Asosasyon han mga Parag-uma Kontra Kagutoman ha Las Navas (APKLAS), a farmer’s organization and an affiliate of the Kilusang Magbubukid ng Pilipinas (KMP).

In Las Navas, Northern Samar. On October 2, 2019, elements of the 20th IBPA illegally arrested Christian Sabado, Anton Pajares Mañoso and Edson Piczon. All three are members of Northern Samar Small Farmers Association (NSSFA) and are active peasant organizers in the area. The family of Mañoso and Piczon reported that both were tortured and forced to give false statements. The military presented them as NPA surrenderees.

In Negros Occidental. On October 31, at least 57 individuals, including minors, were illegally arrested as State forces simultaneously raided the Bayan Muna office in a compound at #222 Ilang Ilang St., Purok Riverside, Brgy. Bata, Bacolod City. Similarly, the offices of Kilusang Mayo Uno (KMU) and urban poor alliance, Kadamay located in the same compound were also raided, as well as, the house of National Federation of Sugar Workers Secretary-General John Milton Lozande which was situated in the same compound. Likewise taken by military operatives were 21 Ceres workers from a bus company who were using the KMU office for a meeting. Flags, computers, documents, laptops, hard drives, bags, cash, and blank cheques were reportedly taken by those who raided the offices.
At dawn of November 1, the NFSW office on Libertad St., Bacolod was also raided by combined forces of the military and the police, as well as the Gabriela office in Brgy. Bata, Bacolod City. The offices were left in disarray by the raiding teams. Community journalist Mary Anne Krueger of the Paghimutad media group was able to livestream the incident on Facebook while the raid was being conducted, exposing the irregularities of CIDG operatives and their modus operandi of planting evidence. Krueger was among those arbitrarily arrested during the operation. The next day, on November 1, the district office of NFSW in Escalante was also raided.

At least 57 individuals, including minors who were members of a cultural youth group, were arbitrarily arrested. Among those confirmed to be in police custody in Bacolod City were Krueger, John Milton Lozande, Secretary General of NFSW; Danny Tabura, NFSW leader; Albert dela Cerna, KMP organizer; Noly Rosales, KMU organizer; Romulo Bito-on, Jr., Makabayan coordinator, Bayan Muna partylist leader and former political prisoner; Mermalyn Bito-on, wife of Romulo; Proceso Quiatchon of Karapatan-Negros, and other members affiliated with Teatro Obrero and Teatro Bungkal cultural group. NFSW leaders Imelda Sultan and Lindy Perocho were arrested on November 1 in Escalante City, after police and military agents raided their office.

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 ammunitions, hand grenades, bladed weapons, Kilusang Mayo Uno (KMU) flags, megaphones, microphones, and voluminous subversive documents.” The operatives also tried to refer to the offices as “safehouses,” despite the addresses being known to the public.

The coordinated raids in the offices in Bacolod and Escalante were sanctioned by a judge miles away — by Quezon City Executive Judge Cecilyn Burgos-Villavert in Metro Manila. Of the 57 arrested in Negros following the coordinated raids, 48 were already released, including the 21 Ceres workers and 11 youth cultural workers. Those still detained face non-bailable trumped-up charges.
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* Does not include killings and other violations in the anti-drug campaign
Mindanao under Unlimited Martial Law

The imposition of martial law in Mindanao was among the first indication of piecemeal dictatorship in the country. The Duterte government kept Southern Philippines under military rule for almost two years. From 2017 to 2019, the military bosses were superior – to be obeyed without question. The expansion of military powers had authorized State forces to enforce human rights violations with impunity.

Martial law was used to suffocate the voices of Moro and indigenous communities. This increased military intervention shamelessly capitalized not only to prevent Marawi residents from returning to their homes, but also in harassing those who complained about the non-implementation of a rehabilitation plan. Two years after the declaration of a “victory”, Marawi remained in ruins. Duterte had the gall to blame Marawi residents for their city’s siege.

Meanwhile, mining companies and agri-business plantations were invited to encroach on ancestral lands. For Duterte, martial law was not only good for terror, it was also good for speeding up big business ventures laced with kickbacks and bloated budgets, at the expense of irreversible environmental degradation. It was in this context that many of the victims of atrocities in Mindanao were either environment and indigenous peoples rights defenders, or innocents living in vulnerable areas targeted by bombings.

Artwork by SAKA
In Bukidnon. Farmer Joel Anino, 35 years old, was shot by armed men on his way home to Sitio Mawi, Little Baguio, San Fernando, Bukidnon at 6 a.m. of July 6, 2019. He was later brought to the Malaybalay General Hospital for immediate medical attention, but later died at around nine in the morning. Anino was a member of KASAMA-Bukidnon, a local farmer’s organization and affiliate of KMP. As of December 2019, at least 91 farmer-members of KMP and its local affiliates have been killed under the Duterte government.

Two days later, on July 8, another peasant activist was gunned down in Bukidnon. Datu Mario Agsab was at home in Sitio Mainaga, Brgy. Iba, Cabanglasan, Bukidnon when he was shot dead by two paramilitary men identified as Sammy Diwangan and Emboy Gayao. The perpetrators, according to witnesses, were members of the Alamara paramilitary group, a unit armed, trained, and protected by the Citizen Armed Forces Geographical Unit (CAFGU) and the 8th IBPA. Agsab was the leader of Pigyayung-an Lumad Organization, a local chapter of the indigenous peoples’ alliance, Kalumbay Regional Lumad Organization. The victim was an active advocate for the protection and preservation of Lumad ancestral lands against the incursion of agri-business plantations in the region.

In Cagayan de Oro. On July 7, 2019, the National Union of Journalists of the Philippines; National Union of People’s Lawyers (NUPL); Union of People’s Laywers in Mindanao (UPLM); Iglesia Filipina Independiente (IFI); Rural Missionaries of the Philippines (RMP); Association for Community Cooperation and Rural Development; IFI priest Antonio Ablon; Fr. Rolando Abejo, spokesperson of the Movement Against Tyranny-Northern Mindanao Region; IFI Bishop Felixberto Calang; Atty. Beverly Musni; Leonardo
Vicente “Cong” Corrales, associate editor of the Mindanao Gold Star Daily; and Francisco “Ico” Pagayaman, National Council Member and Vice President of Kalipunan ng Damayang Mahihirap, were red-tagged as so-called fronts and supporters of the CPP-NPA-NDF. For most of 2019, posters red-tagging the above-mentioned organizations and individuals were plastered on the walls of the IFI church in Brgy. Agusan, and also in another church compound. The posters were signed by a shadowy group calling itself the Movement Against Terrorism - Northern Mindanao Region.

In North Cotabato. The rights of national minorities had been much neglected and violated, what with martial law. With Moro communities, foot soldiers were not the only actors involved, but the air force also did its nefarious share in terrorizing communities.

At around 3 a.m. on July 25, 2019, the Philippine Air Force (PAF) bombed Sitio Butelin, Brgy. Kabasalan, Pikit, North Cotabato after it was reported that elements of the Bangsamoro Islamic Freedom Fighters (BIFF) were in the area. The indiscriminate bombing led to the killing of Misba Masla, 60, a resident of Brgy. Kabasalan. Misba Masla’s husband, Alimodin Masla, 62, and their grandson Edwin Masla, 10, were injured following the incident. Their house was also destroyed.

![Groups stage Black Friday Protest on the second anniversary of martial law in Mindanao.](Photo by John Aaron Mark Macaraeg / Bulatlat)
Misba, Alimodin, and Edwin were brought to the Cruzado Medical Hospital where Misba was pronounced dead on arrival. Witnesses narrated that prior to the aerial bombings, they heard several planes pass over the vicinity of their community. Meanwhile, the 6th IBPA alleged that Alimodin is a suspected BIFF commander. This was disputed by the victims’ family and the members of their community.

In Bukidnon. Indigenous people or the Lumad are particularly targeted in the government’s whole-of-nation-approach, as their communities remained sites of struggle and resistance against landgrabbing and corporate plunder.

On July 31, 2019, 100 families or 649 individuals from Brgy. Kalilangan evacuated and stayed in a mosque, the barangay hall, or in several classrooms in an elementary school in Brgy. Rogongon, Iligan City when they fled from an armed encounter between the 51st IBPA and the NPA in Sitio Duwa-duwa on July 25, 2019. The classes was disrupted as 130 elementary pupils had to be evacuated.

On August 9, 2019, an active member of the Lumad organization Kaugalingong Sistema Igpapasindog to Lumadnong Ogpaan (KASILO) was shot dead. Alex Lacay, 34, was gunned down at around 4 p.m. in Sitio Pag-as-a, Brgy. Salawagan, Quezon, Bukidnon. Lacay was with his companion, Renard Burgos, when the attack occurred. The two were on board their motorcycle and were on their way to the public market when assailants shot them. Lacay sustained two gunshot wounds to the head and four to his abdomen. Burgos was able to escape. According to witnesses, one of the perpetrators was Dodo Pacquiao, an individual linked to the 88th IBPA operating in the area.

In Cagayan de Oro. On August 16, 2019, two plainclothesmen went to the residence of Kadamay - Northern Mindanao Chairperson Francisco “Iko” Pagayaman in Barangay Carmen, Cagayan de Oro City and asked for his whereabouts. The two introduced themselves as members of the 1st Special Forces Battalion, PA, but did not provide their names. As Pagayaman was not at his residence, the two soldiers took pictures of his house and said that they would be back. Prior to the incident, Pagayaman, along with other rights advocates, filed a petition at the City’s Human Rights Council to call for an end to the bullying and red-tagging of church people, lawyers, and media persons for their alleged connection to communists.

In Bukidnon. Two more KASILO members were killed in separate incidents on August 11 and August 23. Jeffrey Bayot, 32, was shot dead at around 5 p.m. on August 11 while he was about to enter his house in Brgy. Bongbungan,
Quezon, Bukidnon. He sustained two gunshot wounds to his head and one to his torso. Bayot, a Manobo, was a staunch Lumad activist who had advocated for the protection of ancestral lands against the plunder of agri-business plantations. Days later, in Valencia City, Bukidnon, Tigwahanon health worker and community leader Bai Leah Tumbalang, 45, was shot in the head by two riding-in-tandem masked gunmen in the afternoon of August 23. In 2012, Tumbalang was the Secretary-General of KASIL0.

For years, KASIL0 members had endured harassment and intimidation. The organization had been targeted for its resistance against the entry of big mining companies and agri-business plantations in Bukidnon. In the killings of KASIL0 members Lacay, Bayot, and Tumbalang, colleagues pointed to the elements of the 88th IBPA operating in the area who implemented a militarization drive in the communities and unceasingly harassed Lumad activists.

Two more peasant killings were documented in Bukidnon, both members of peasant organization KASAMA - Bukidnon, KMP’s provincial chapter. On September 11, Nedis Bacong, 57, was shot on the head by gunmen at his residence in Brgy. Little Baguio. Survived by his seven children, Bacong was a known local leader of KASAMA - Bukidnon. Five days later, Angelito Marivao, 49, was killed at around 8 p.m. on September 16. Marivao was at home in Sitio Lagdik, Purok 3, Brgy. Mabuhay, Bukidnon, when he was shot by motorcycle-riding gunmen. Both farmers were active in opposing the entry of mining companies along the Pantaron Range. Similar to the killings of KASIL0 members, the killings of Bacong and Marivao were attributed to the 88th IBPA.

In Cagayan de Oro. On September 12, 2019, at around 12 p.m., Ophelia Tabacon of the Alliance of Concerned Teachers was about to have lunch at a cafeteria outside the Camaman-an Elementary School in Cagayan de Oro City when she saw flyers with her picture along with other human rights advocates in the region, posted on a wall. On closer look, Tabacon discovered that the flyers were cheap posters denouncing her as “maestra komunista (communist teacher).” The flyers also stated that she “exploited” minors, molding them to become communists. The flyers also named Rep. Carlos Zarate of Bayan
Muna, **Wildon Barros** of Makabayan - Northern Mindanao, **Vennel Chenfoo** of Kabataan Partylist, **Ireneo Udarbe** of Kilusang Magbubukid ng Pilipinas-Northern Mindanao, **Francisco “Iko” Pagayaman** of Kadamay, **Sr. Famita Somogod** of the Rural Missionaries of the Philippines, and human rights lawyer **Atty. Beverly Musni**. The flyers also stated that her son, **Sigfyl** is a “**lider sa teroristang NPA**” (leader of the terrorist NPA) and “**imong umagad nga si Kristin Lim**” (and your daughter-in-law Kristin Lim). The same malicious materials were personally passed on to Ms. Tabacon by the hotel staff where they were staying, disguised as a message from ACT Representative France Castro during the Regional Leadership Training Seminar that they were all attending. The materials came with a death threat from the Anti-Communist Terrorist Vigilante, a local paramilitary formation in Mindanao.

Days later, the NUJP reported a series of red-tagging – this time, targeting Mindanao-based journalists. In September 17, 2019, NUJP reported that **Pamela Orias**, the organization’s chairperson in Cagayan de Oro, former NUJP director **Cong Corrales**, and former chapter chairman and veteran journalist **Froilan Gallardo** were red-tagged in banners and flyers, along with Davao columnist **Margarita Valle**. In June 2019, Valle was abducted and held incommunicado for half a day by police who later claimed it was a case of “mistaken identity.” All four journalists are authors and contributors for media outfits SunStar and Mindanao Gold Star Daily.

**In Caraga.** In a bid to close down all Lumad schools, which remained as a vehicle of unified resistance and articulation of indigenous peoples’ right to self-determination, attacks against Lumad schools were sustained. On October 7, 2019, at around 9 a.m. five armed soldiers of the 3rd Special Forces Battalion took pictures of teachers and students while the latter were conducting classes in the Lumad school Tribal Filipino Program of Surigao del Sur (TRIFPSS). This was the latest in a series of harassment against teachers and students of TRIFPSS. Prior to the October 7 incident, the same military unit forcibly entered the teachers’ cottage on September 28 and interrogated the teachers for half an hour, then forced them to give a masterlist of the school’s enrollees.

In two separate incidents, three human rights defenders were arrested on October 10, 2019. **Virgilio Lincuna**, KMP Chapter Chairperson in Caraga and Mag-uuma sa Agusan del Norte, was illegally arrested by 30 members of the CIDG in Butuan City based on a warrant for a fabricated case of attempted murder that allegedly happened in Lianga, Surigao del Sur. Meanwhile, **Melissa Comiso**, a Lumad and head teacher of the RMP - Northern Mindanao Sub-Region’s Literacy and Numeracy Program, was likewise illegally arrested.
in Butuan City and detained at the office of the CIDG in the same city. She was taken along with her colleague, fellow teacher Nore Torregosa.

**In Bukidnon.** On October 15, 2019, ACT-Region X member Zhaydee Cabañelez, 32, survived an ambush when four masked gunmen shot her several times in front of school children in Dalit Elementary School, Valencia City, Bukidnon. Also in the room was Zhaydee’s husband, teacher Ramil Cabañelez, who was said to be also a target of the attack. The military justified the attack against Zhaydee by alleging that she was the daughter of a top NPA officer. It was later revealed that this was untrue, as her parents were both active members of KASAMA-Bukidnon. The Cabañelez couple were brought to a hospital in Valencia City. Visitors from a solidarity mission were barred access to the victims.

Teacher Zhaydee Cabañelez was the 2016 Outstanding Teacher awardee in her barangay and was actively involved in campaigning for the welfare of teachers.

**In Kidapawan.** Mindaley Genotiva, a Lumad school administrator, was arrested by the 72nd IBPA at the Spottswood Methodist Center on October 22, 2019. Genotiva was slapped with trumped-up charges of frustrated murder, attempted murder and murder. She is now detained at the Amas Provincial Jail in Kidapawan.

**In Bukidnon.** Another member of KASAMA-Bukidnon was shot dead before the year 2019 closed. Nathaniel Dodo Tagaylo, a farmer and resident in the area, was killed while watching television inside his house at around 6 p.m. on October 29, 2019. He sustained a gunshot wound to the head and was instantaneously killed.

**In South Cotabato.** Members of the media were not exempt from the onslaught of killings. Among the latest victims was local radioman Benjie Abdul Caballero, 38, station manager of radio outfit Radyo ni Juan FM. Caballero was waiting for a vehicle in front of his house in Tacurong City when he was shot by a gunman at around 1 p.m. on October 30, 2019. He was rushed to a local hospital and immediately received treatment to no avail. It was
reported that prior to the killing, the radio manager had been receiving death threats.

In Davao del Norte. A former Karapatan human rights worker in Southern Mindanao, Honey Mae Suazo, had been missing since November 2, 2019. She was with friends and her partner in Panabo City, Davao del Norte to light “All Souls Day” candles at the cemetery. She was travelling back to Davao City when she called her partner to pick her up near the Panabo City Hall, saying that she was being tailed by a white pick-up vehicle. Her partner went to fetch Honey Mae, but did not find her. His calls to her mobile phone were unanswered.

Suazo was the Secretary-General of Karapatan-Southern Mindanao, a chapter of the human rights alliance Karapatan, from 2011 to 2016. During this period, she led numerous fact-finding missions in the region which had a substantial number of documented killings and arrests of peasants and indigenous peoples, as well as, forced displacement of communities due to militarization. She supported victims of rights violations in the communities. As a vocal critic of human rights violations perpetrated by the military, Suazo had received numerous threats throughout her years of work with Karapatan, including incessant red-tagging by military officials and even a trumped-up charge of “trafficking” in July 2016 (this was about her work with the education of Lumad children).
2020: A Call for Continuing Defiance

The government wants the people to bear the brunt of the ongoing crises, as well as, make people accept atrocities as a normal course of living. However, the struggle against fascism and tyranny continues.

Human rights defenders are among those who have pushed into the limelight the discussion on the elephant in the room, and about the issues that this government wants buried. As more deceit, corruption, and repression are exposed, shooting the messenger is the government’s easy way out. Thus, the target of many atrocities and smear campaigns has been rights defenders, journalists, and their organizations. Reprisal for their work and advocacy is a standard response of this vindictive government. The crocodiles, vultures, butchers, militarist hounds, and rabid dogs want to continue their reign through insidious and all-out maneuvers, but the bar of defiance has been further raised as repression worsens.

Mass actions and protests condemning the atrocious acts of the police and military in Negros were conducted all-year round. Peasant organizations, various people’s and human rights organizations and advocates have sounded the alarm on the government’s scheme of turning Negros into its new killings fields. Churches in Negros, led by Catholic Bishop Gerardo Alminaza, tolled their bells to call for a halt to killings and came out to condemn government officials and state forces involved in the killings and arrests. Police officials, including Albayalde and Sinas, were denounced as the “butchers” of the peasants in Negros, as peasant organizations and progressive legislators
demanded their resignation. Despite ceaselessly harassed and threatened, progressive legislators of Makabayan and human rights workers led fact-finding missions that exposed the culpability of State forces.

The public uproar on the then-possible release of convicted ex-Mayor Antonio Sanchez from the New Bilibid Prisons, through the GCTA-for-sale scheme by the Bureau of Corrections officials, forced government officials to rescind their previous orders. Public protests on this issue has also forced into open the anomalies related to former PNP Chief Albayalde’s involvement in absolving the cops who recycled seized illegal drugs and sold them. Albayalde was forced into early retirement in November 2019, unable to finish his term as PNP chief.

Campaign efforts of relatives of political prisoners through Kapatid and rights advocates to expose the dire conditions in jail have resulted in putting a halt to several unlawful restrictions against political prisoners in Metro Manila detention facilities. BuCor officials were forced to lift the lockdown of NBP, after Kapatid’s relentless advocacy activities and dialogues.

Nationwide rallies during July 2019 State of the Nation Address highlighted the lopsided relationship of the Duterte administration and the Chinese government. The Philippine government’s mendicant approach to China’s maltreatment of Filipino fishermen in the West Philippine Sea exposed its prioritization of Chinese interests to its nationals.

Protest actions condemning extrajudicial killings in relation to the drug war and counter-insurgency campaigns, redtagging, and illegal and arbitrary arrests peaked during the September 20 protests and in the International Human Rights Day on December 10. These similarly year-long mass actions were sustained despite vicious attacks against the democratic mass movement.
In July 2019, the UN Human Rights Council (UNHRC) 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 44th session in June 2020. The Duterte government expressed its unwillingness to cooperate, and there was the usual chamber of horrors show of Duterte himself ranting and raging, this time against Iceland and the UN. As of this writing, many human rights organizations and agencies – both national and international – already submitted their reports. This was alongside the complaints filed at the International Criminal Court (ICC), initiated by human rights lawyers like those in the National Union of People’s Lawyers (NUPL) and Public Interest Law Center (PILC). They have with them the families of drug war victims, especially those who sought help from Rise UP, a network working with the victims and families of indiscriminate extra-judicial killings perpetrated by the police in its “war on drugs”. There is also the upcoming treaty body review of the UN HR Committee on the State’s compliance to the International Covenant on Civil and Political Rights.

The Duterte government has been shaken by this push-back and the developments in the international arena, of which they are scrambling for some semblance of control. To make matters worse for the Duterte government and its supporters, Senators of the United States have supported a resolution
banning U.S. entry of Philippine officials involved in the unjust detention of Senator Leila de Lima, and of those who are supportive of extrajudicial killings. These sanctions are under the Global Magnitsky Act. When imposed, not only will travel restrictions be implemented, but the US accounts and assets of such Philippine officials are set to be frozen. This news has disoriented many rabid allies of the government.

To parallel thrusts for accountability overseas, rights organizations have also engaged domestic mechanisms that exposed violations and demanded protection for impending attacks. Human rights organizations Karapatan, Gabriela, and the Rural Missionaries of the Philippines (RMP) petitioned the Philippine Supreme Court for the privilege of the writ of amparo and writ of habeas data against identified military and government officials, including President Duterte, Defense Secretary Lorenzana, National Security Adviser Hermogenes Esperon Jr., and other officials of the NTF-ELCAC. Many organizations in civil society are standing up against the violent bullying by government, and maximizing remedies allowed by law. The reprisal case of perjury filed by Esperon against Karapatan and Gabriela were dismissed but the charge against a former official of the RMP remains. Notwithstanding, the resolve of civil society organizations to fight back remains strong.

The Duterte government has been deprived of the gratification they expected following the NTF-ELCAC’s move to raid the offices of targeted organizations and charge mass leaders. Defying the threat of raids, threatened NGOs and civil society leaders opened their offices to the Commission on Human Rights...
for inspection. Some creatively posted giant streamers in their offices stating that “Hoy, walang baril o granada dito!” (Hey, there are no guns nor explosives here!) At a time when the entire State machinery is working to delegitimize NGOs and people’s organizations by terror-tagging and disinformation, rights defenders of both civil society and independent constitutional entities stood together to assert the importance and, in this context, the necessity of work in the defense and protection of human rights.

In efforts to counter red-tagging and increase protection for rights defenders, a petition filed by lawyers, priests, rights advocates, and journalists had been sent to the City Government of Cagayan de Oro on September 2019. Said petition sought protection and immediate action over the red-tagging of activists, and pushed for the declaration of a “red-tag free” city. A similar and broader initiative had also been done with the lobbying for a Human Rights Defenders Protection Bill. A version of said bill had already been filed in both the House of Representatives and the Senate, while similar efforts are also being done at the municipal and provincial levels.
The Commission on Human Rights also conducted a special public inquiry on the attacks against human rights defenders. They are set to come out with a report and recommendations this 2020.

As the country moves forward to several more years under the same contemptible regime, the recognition and honor of rights defenders and the reiteration of who they were and what they fought for must repeatedly be emphasized. We honor the martyrs of 2019.


**Leonilla and Ramon Pesadilla, Obello Bay-ao**, and **Datu Victor Danyan Sr.**, environmental defenders who stood against corporate plunder, mining and agribusiness plantations, and defending the right of indigenous peoples to education. The struggle of the indigenous peoples for self-determination shall endure.

Human rights defenders **Fr. Marcelito “Tito” Paez, lawyer Atty. Benjamin Ramos, Elisa Badayos, Haide Flores, Bernardino Patigas, Ryan Hubilla, Nelly Bagasala**, and peace consultant **Randy Felix Malayao**. The people’s movement remembers the courageous human rights defenders who believed and strove for the greater good. The struggle for peoples’ rights shall advance onwards for as long as there is oppression.
As the attacks continue, there are aspiring openings for peace. More than a hundred lawmakers have already signed a resolution supporting the peace talks as the government has seemingly expressed a renewed interest in the peace negotiations. While caution is an imperative, this development is a reminder to maximize any and all avenues to press for the release of political prisoners as an issue of justice; and to pursue just and lasting peace wherever and whenever possible.

2019 has also become a reminder that accountability does not fall from nowhere, but must consistently be supported and secured.

In a breakthrough decision in December 2019, the masterminds and perpetrators of the Ampatuan massacre were convicted after a decade. 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 their involvement in the massacre in November 23, 2009 which killed 58 individuals, including 32 journalists, 28 criminals were sentenced with murder. Those convicted with murder were sentenced to reclusion perpetua.

While the conviction took ten years in the making, this is still a welcome development. It has to be pointed out, however, this delivery of legal justice is largely attributed to the constant hounding, vigilance, and persistent calls for justice by the families and colleagues of the victims. The massacre resulted in the formation of the End Impunity Alliance led by HR organizations and advocates which provided continuing protest actions and statements denouncing the Ampatuan Massacre and demanded justice for the victims, a majority of whom are media people.
Such cases of justice achieved are a drop in the bucket, and are really the result of the families’ and human rights defenders’ tireless pursuit of justice. Nonetheless, it is a reminder that even after several years, impunity is not forever.

In light of all that happened in 2019, the families of human rights victims along with organized groups and communities, remain as among the key driving forces that can strike out tyrannical regimes and end it in a zap. Such upheavals are justified. It can dramatically alter the authoritarian direction of a once dominant clique. The open mass movement is under fire precisely because its actions can cascade into a powerful deluge of people. People power is targeted because unity and people’s solidarity are fatal for dictatorships.

Impunity; gross human rights killings and violations; the so-called economic progress that is apathetic to the marginalized, the poor, and the dispossessed; the flagrant corruption in the civil and military bureaucracies – these are catalysts that will eventually expose the emperor without any clothes and take away his cloak of populist make-believe. The last curtain call will soon be announced. Akin to the surmounting pressure of a boiling kettle, it is not a matter of “if,” but a question of “when.”

Where there is repression, there is always resistance.
NTF-ELCAC: Militarizing The Whole Government Under Duterte’s De Facto Martial Law

The creation of the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC), with the signing of Executive Order No. 70 unveiled in full President Rodrigo R. Duterte’s anti-people and militarist agenda. It serves as a launching pad for all-out State terrorism, gross human rights violations, desperate crackdown on all forms of dissent, and intensified fascist attacks on the people.

Deceptively masked to supposedly address the roots of armed conflict and attain “inclusive and sustainable peace” through its “Whole-of-Nation” approach, nothing could be farther from the truth. Loud and proud in its mission statement, the NTF-ELCAC was created, designed, and structured for State violence and war against the people as the Duterte regime further spirals toward a de facto martial law crisis. Nonetheless, the NTF-ELCAC seeks not only to crush the communist insurgency, but also to silence dissent and opposition of the people who resist and clamor for justice and genuine social change — damning anyone who stands in the way of Duterte’s fascist ambitions and tyrannical delusions.
Recycled State militarist approaches are doomed to fail

Touted by Duterte’s bloodthirsty peace saboteurs and militarist lapdogs as the nail in the coffin of the Communist Party of the Philippines’ armed conflict with the government, the NTF-ELCAC and the institutionalization of its “Whole-of-Nation” approach is, in fact, a tired, recycled approach. It is nothing new, and is only doomed to fail.

Patterned after the 2009 United States Counterinsurgency (COIN) Guide’s “Whole-of-Government” and “Whole-of-Society” approach which outlines “the blend of comprehensive civilian and military efforts designed to simultaneously contain insurgency and address its root causes,” the “Whole-of-Nation” approach was first formally employed by Benigno S. Aquino III’s counterinsurgency program Oplan Bayanihan to “win” the peace. Nonetheless, the idea of the military taking over the functions of civilian government agencies or involving civilian government agencies, non-government organizations (NGOs), and the private sector - the entire government and society - in the counterinsurgency campaign is a throwback to the dark and bloody days of Gloria Macapagal-Arroyo’s Oplan Bantay Laya, which similarly adopted a US-directed “holistic” counterinsurgency framework.

While the US COIN Guide, on paper, states that “[u]nlike conventional warfare, non-military means are often the most effective elements, with military forces playing an enabling role,” in practice, the military and
its militarist interests set the course and direction of the counterinsurgency program—allowing the military to commit with brazen impunity a staggering toll of gruesome and brutal human rights violations from extrajudicial killings, illegal arrests on trumped-up charges, abductions and enforced disappearances, bombings, surveillance and intimidation, and violence against women and children, among other attacks on people’s rights and civil liberties targeting unarmed civilians, activists, and mass leaders branded and tagged by the State as enemies, communist terrorists, or sympathizers of the underground communist movement.

Despite this, the past two regimes did not succeed in wiping out both the communist insurgency and mass movement; as a matter of fact, unbridled State repression and militarism facilitated by this “whole-of-nation” approach only gave further legitimacy to the cause of resistance.

**De facto martial law as response to the people’s resistance**

After carefully and surgically shedding the last remaining vestiges of democratic rule with the militarization of the civilian bureaucracy, the Duterte regime’s grim response to the people’s determined resistance against his fascist rule is a mere replication of the same imperialist-directed and failed approach, despite Duterte’s pronouncements that the NTF-ELCAC “[considers] the lessons learned from past administrations to effectively address the communist insurgency problem.”

Beneath Duterte’s empty braggadocio that the underground communist movement and the mass movement are weakening and dwindling in numbers, the fact that his top security agenda is a Cold War-esque paranoia to end the communist movement, however, speaks to the reality that it has only grown in strength and numbers—a direct and inevitable response to Duterte’s tyranny and dictatorship. This is a dictator being cornered and pushed back against the wall, desperately clinging to power and the decaying, corrupt, and repressive system amid the people’s legitimate call for systemic change. Despite this, the NTF-ELCAC has also facilitated and continues to facilitate more “harmonized and synchronized” fascist attacks that pose challenges on the mass movement.

Many of Oplan Bantay Laya’s architects and implementers are once again working with Duterte, such as National Security Adviser and NTF-ELCAC vice chairperson Ret. Gen. Hermogenes Esperon Jr., who was formerly the chief-of-staff of the Armed Forces of the Philippines (AFP) under the Gloria Macapagal-Arroyo regime. Three of the 16 civilian departments and agencies enlisted by
the NTF-ELCAC are also currently led by former military officers, with former
AFP chiefs Rolando Bautista, Eduardo Año, and Carlito Gavez Jr. heading
the Department of Social Welfare and Development (DSWD), Department
of Interior and Local Government (DILG), and the Office of the Presidential
Adviser on the Peace Process (OPAPP) respectively.

Mass deception is the name of the NTF-ELCAC’s game: it masks its militarist
agenda in fancy campaign goals such as to “foster localized peace settlements
and conflict resolutions, establish and strengthen community security, address
injustices and enhance access to justice, generate employment and improve
livelihoods, manage revenue and build capacity for accountable and fair service
delivery, and enhance access of vulnerable sectors to development programs.”

As per Executive Order No. 70, the government is conscious of the fact
that armed conflicts “are not only military and security concerns, but are
symptomatic of broader social, economic, and historical problems, such as
poverty, historical injustice, social inequality, and lack of inclusivity” and that
the roots of such can be addressed simply by “prioritizing and harmonizing the
delivery of basic services and social development packages by the government,
facilitating societal inclusivity, and ensuring active participation of all
sectors of society in the pursuit of the country’s peace agenda”—following
the US COIN Guide’s directive to render insurgencies irrelevant through
“political reform to improve the quality of governance and address underlying
grievances, many of which may be legitimate.”
However, what the government is also consciously mystifying in the process, is the fact that these social, economic, and historical ills owe themselves to the intensifying contradictions of the semi-colonial and semi-feudal character of Philippine society which the State has long protected and perpetuated, through its continued implementation of same neoliberal and anti-people policies that plunge the broad masses into poverty.

The NTF-ELCAC enlists two representatives from the private sector and 18 national government agencies for its efforts and groups them into 12 clusters or “lines of effort.” While the Duterte regime may talk of giving the illusion of change despite refusing to actually address the roots of armed conflict, its orchestration of more brutal attacks against the mass movement only strengthens the cause of resistance rather than rendering insurgencies inutile and irrelevant.

With the institutionalization of the “Whole-of-Nation” approach, Oplan Kapanatagan shifts from the Oplan Kapayapaan by formally enlisting the police in the counterinsurgency program and consolidating both the AFP and PNP’s efforts and operations in a joint campaign plan, such as 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. Intensified militarization of far-flung barangays has also caused the relentless coercion of barangay officials and residents into signing and campaigning for “persona non grata” local resolutions against mass organizations.

The NTF-ELCAC expands this further 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 has placed Negros Island, Samar, and Bicol region under a state of lawless State violence—with Negros suffering successive killings in the hands of synchronized police and military counterinsurgency operations.

Through the operations of the Local Peace Engagement cluster and the Enhanced Comprehensive Local Integration Program (E-CLIP) and Amnesty cluster, “localized peace talks” have focused on disarming and forcing so-called NPA combatants to surrender rather than addressing the legitimate concerns and demands that lie at the root of armed conflict. In many cases, the military staged surrenders by forcing civilians to surrender, hiring fellow soldiers or policeman to act as rebel returnees—or worse, photo manipulating surrenders,
including a recent controversy over supposed rebel returnees in Masbate during the 51st anniversary of the Communist Party of the Philippines (CPP) last December 26, 2019.

After coming under fire on social media for the obvious marks of photo manipulation, the military was forced to admit the shameful deed to supposedly protect the identity of the rebel surrenderees despite Malacañang’s insistence that it was a collage, not a manipulated photo. Año has allocated an additional PHP 250 million for the E-CLIP in 2019; the budget allocation per PNP unit or local government unit handling the board and lodging of supposed rebel returnees increased from from PHP 7,000 to PHP 21,000, while the PHP 65,000 budget per “surrenderee” remains the same.

The government’s spending and the reported number of “returnees,” however, do not add up. With Karapatan documenting at least 3,043 fake and forced surrenders from July 2016 to November 2019, the E-CLIP and Amnesty cluster of the NTF-ELCAC is fast becoming a pocket-fattening scheme for corrupt bureaucrats and military officers.

As part of the efforts of the NTF-ELCAC’s Basic Services cluster, the Department of Education had decided to formally shut down 55 alternative Lumad schools of the Salugpongan Ta’Tanu Igkanogon Community Learning Center in Davao last October following an initial closure order in July 2019.
Other alternative Lumad schools such as the Alternative Learning Center for Agriculture and Livelihood Development, Center for Lumad Advocacy Networking and Services, Mindanao Interfaith Services Foundation Inc., and the Tribal Filipino Program of Surigao del Sur are red-tagged and vilified in press conferences and diplomatic engagements through the Presidential Communications Operations Office and the NTF-ELCAC’s International Engagements cluster. The military maliciously disparage these alternative schools—which were established in response to the government’s failure to provide education and an appropriate educational system for the Lumad—along with other progressive advocacy organizations and formations such as Karapatan, IBON, and the Rural Missionaries of the Philippines (RMP) as fronts of the CPP and NPA, from where they allegedly recruit child soldiers and solicit funds from international NGOs.

Even amid the series of earthquakes that rocked Mindanao, humanitarian response was not spared from militarization. Community-based disaster relief organizations and religious formations such as the Citizens’ Disaster Response Center, National Council of Churches in the Philippines, and even international humanitarian aid group Oxfam were branded as fronts or funders of communist insurgents in a House of Representatives hearing in November. This was followed by directives to limit humanitarian aid through military checkpoints and required clearances before they can be allowed into evacuation centers and disaster-affected communities in the countryside.

The NTF-ELCAC’s Strategic Communications cluster has also unleashed a swathe of intensified false and negative propaganda and disinformation campaign against mass organizations, activists, and leaders. It used the social media and on-ground posters both from government agencies such as the PNP, supposed pro-government civil society organizations funded by the NTF-ELCAC, and anti-communist “vigilantes” - all containing the same baseless yet malicious allegations.

In combination with the mobilization of the NTF-ELCAC’s Legal Cooperation cluster, youth mass leaders have faced trumped-up trafficking, child abuse, and kidnapping charges from the PNP Criminal Investigation and Detection Group along with the military-backed group League of Parents of the Philippines and their #HandsOffOurChildren campaign in schools for supposedly recruiting and “brainwashing” minors. Also included in the charges are Kabataan party-list Representative Sarah Jane Elago and former Bayan Muna party-list Representative Neri Colmenares.
The aforementioned charges have also laid the groundwork to push for campus militarization in the Senate, headed by former PNP chief Senator Roland “Bato” Dela Rosa through his rabid anti-communist hysteria. His propositions to let armed security forces enter school and universities and to crack down on progressive student formations and faculty members as part of the government’s counterinsurgency program are violations of International Humanitarian Law and an accord between the League of Filipino Students and the Department of National Defense Accord. The move was met with firm resistance from students, teachers, and university officials in the form of mass protests and walkouts as they asserted academic freedom.

The NTF-ELCAC’s Legal Cooperation cluster also facilitated the trumped-up perjury charge - filed by Esperon - against 12 officials of Karapatan, Gabriela, and RMP in retaliation for the petitions for the privilege of the writs of amparo and habeas data filed by the three organizations. The case was eventually dismissed for the rest of the 11 respondents except for 80-year-old Sister Elenita Belardo, former RMP national coordinator, who was nonetheless allowed to post bail.

The biggest spate of legal offensives, however, came with the coordinated crackdown raids and mass arrests from October 31 to November 1, 2019. Peasant leaders, trade unionists, human rights defenders, cultural workers, a community journalist, women’s rights activists, as well as, minors were among the at least 62 individuals illegally arrested by State forces in Bacolod and Escalante in Negros and in Manila during the raids against the offices of progressive organizations along with residences of activists and mass leaders.

The raids were facilitated by the seemingly templated search warrants issued by Executive Judge Cecilyn Burgos-Villavert of the Quezon City Regional Trial Court Branch 89 - who also issued the search warrants for other National Democratic Front (NDF) consultants with the same charges: illegal possession of firearms and ammunition. The evidence seized from the raids were obviously planted, and the raids have been met with international condemnation from various human rights groups and advocates.
Many of the arrested during the raids remain in detention. Out of the 629 political prisoners documented by Karapatan as of November 2019, 382 were arrested under Duterte.

**People's resistance and struggle for just peace**

Just as the NTF-ELCAC seeks to mobilize and militarize the whole government to achieve its fascist ambitions, the Filipino people face various challenges to resist these fascist attacks.

The respective holiday unilateral ceasefires declared by the government and the NDF as confidence-building measures for the possible resumption of the peace talks opens doors for pushing for substantial social and economic reforms that can truly address the roots of armed conflict. The NTF-ELCAC and its trigger-happy peace saboteurs, however, are already mobilizing their resources in maligning the peace talks in concocting false reports of ceasefire violations by the NPA and in raising contentions against the pro-people and anti-imperialist provisions of the NDFP’s draft of the Comprehensive Agreement on Social and Economic Reforms (CASER).

Peace saboteurs are not merely interested in derailing the peace talks. They intend to spoil the peace negotiations because they are desperately protecting the interest of their imperialist masters and the ruling elite in the country.

The new decade poses the challenge of further advancing the struggle for people’s rights, democracy and just and lasting peace. As we call for the resumption of the peace talks and an end to all-out war, true peace-building measures can only be laid down with the dissolution and abolition of the NTF-ELCAC and its militarist programs and the rescinding of Duterte’s draconian proclamations.
Planting of Evidence:  
The State Forces’ Modus Operandi to Violate People’s Rights

The easiest way to indict individuals is to plant evidence against them. This has been an all-too-common practice of the Philippine National Police (PNP) in its conduct of the Duterte government’s anti-narcotics drive. Small amounts of shabu, along with a low caliber firearm, would be planted in the victims’ belongings, supplemented by an overly-dramatic and, at most times, a preposterous narrative of how they engaged police operatives. This would typically end with the PNP’s overused tale of “nanlaban” (people who fought back against authorities during operations).

In the same outrageous manner, the PNP and the Armed Forces of the Philippines (AFP) have been in the practice of planting firearm/s and explosive/s against anybody they perceive as enemies of the state. It is as easy as stealthily inserting a bullet inside a luggage, similar to the infamous tanim-bala modus at airports.

It should be noted, however, that the PNP and AFP have been using this modus of systematically planting evidence, even before the tanim-bala scheme or Duterte’s sham drug war gained notoriety.

Past administrations’ implementation of counterinsurgency programs have resulted in illegal arrests and detention of many activists with the filing of trumped-up charges of illegal possession of firearms and explosives, the latter
being a non-bailable offense. With manufactured pieces of evidence and concoction of perjured testimonies, victims are trapped in a long and winding legal battle. Bags would magically contain guns and a grenade, and the PNP can very well have the the records manipulated as they have access to the supposed evidence.

With the continuing implementation of Duterte’s counterinsurgency program, ironically dubbed Oplan Kapayapaan, and later Oplan Kapanatagan, the crackdown on activists, and criminalization of dissent, the practice of planting evidence by State security forces have gone a long way. The PNP and AFP have become experts in the field of concoction of unimaginable fictitious stories.

Let us see how the PNP and AFP’s modus operandi evolved.

**The Old-Fashioned Way of Filing Trumped-Up Cases**

The AFP or the PNP, as main complainants, routinely filed trumped-up non-bailable cases of murder, arson, or kidnapping against targeted activists. Usually, the victims were unaware of any pending case against them.

However, most of the political prisoners charged with trumped-up cases were not given the chance to take part during the preliminary investigation because they were purposely not furnished with copies of complaints against them. Eventually, the investigating prosecutor rule solely on the allegations stated in the complaint, even without the benefit of hearing the side of the other party. This clearly violates the right of the accused to due process of the law and has resulted in a number of activists caught by surprise with pending warrants of arrests.

During trial, the complainants and witnesses from the PNP and AFP choke on their own lies during cross-examination. Their testimonies are marred with inconsistencies -- of alleged encounters that never happened, of the victims shouting out their full names (including their middle names) and addresses, in the heat of an armed encounter, of ludicrous stories by recycled professional witnesses.

Many of these cases will likely be dismissed for lack of evidence or for failure to prosecute, which has been the case for many of the charges against political prisoners. In some cases, after years of trial, the accused will eventually be acquitted by the court because of the prosecution’s failure to establish guilt beyond reasonable doubt. But by then, the slow grinding judicial processes have eaten up years of people’s lives.
The AFP and PNP’s New and Improved Guide to Planting Evidence

The AFP and PNP have long set a pattern of fabricating charges against activists. However, as they choke on their brazen lies in court and the sheer lack of evidence in the cases, they are prompted to come up with a modus of combined service of warrant/s of arrest and planting of firearms and explosives. In the event that the trumped-up case, of say murder, is dismissed, the state again will file another set of trumped-up cases to prevent the release of the activist.

Based on the various trials handled and monitored by Karapatan paralegals, the step-by-step procedure as to how the AFP and PNP have conducted and improved on their modus to arrest activists and bring them to court are as follows:

1. Serve a warrant of arrest, involving a trumped-up case against the target;
2. Frisk the activist, search his/her personal belongings and the premises of her/his home, office or wherever he/she may be;
3. Plant evidence before or during the course of the search. Firearms, hand or rifle grenades, or detonating cords of bombs magically appear in conspicuous places like on top of a bed or on an empty shelf. Some allegedly recovered firearms or grenades were “found” inside a small sling bag of the victim or in a plastic bag of rice – a highly improbable and ridiculous story that will not even pass for a movie script;
4. Coerce the victim to sign the inventory of alleged “seized” items and take a photo of the helpless victim in front of said items;
5. Coerce a barangay official to sign the inventory, even if he/she has not been present in the search procedures;

6. State on paper that the warrantless arrest of the accused is for being “in flagrante delicto” or caught in the act of possessing an unlicensed firearm/s and explosive/s;

7. Fabricate the procedure or chain of custody of the alleged evidence. The police submit the alleged evidence to Camp Crame for verification of the seized firearm/explosive. Of course, since the firearm and the explosives were planted, it will turn out as an unlicensed firearm/explosive.

In many cases of planted firearm/s and explosive/s, the police or military need not concoct an entirely complicated story such as an armed encounter when all they needed to do is come up with a single orchestrated story on how the search and arrest was “regularly” conducted, ensuring that their lies corroborate each other. This means that on top of the trumped-up charge/s of murder, arson or kidnapping, covered by a warrant of arrest, the victim is now also charged with illegal possession of firearms and explosives, where conviction is more likely.

**New trend: Out with arrest warrants, in with search warrants**

Recently, the PNP and AFP have been brushing up on their “planting technique.” They have figured out an easier and more convenient way - to apply and secure search warrants.

In their new modus, the PNP and the AFP apply for search warrants in a “friendly court,” where they can easily secure one. In March 31, 2019 police operations in Negros Oriental, which resulted in the killing of 14 individuals, the search warrants used by the PNP were defective, meaning these did not comply with the requirements mandated by law, i.e. particular description in the search warrant of the place to be searched and persons or things to be seized.

After they have secured the search warrant, the police and military will then use this to enter the victims’ house and plant evidence. They arbitrarily arrest a person without a warrant, for “possession” in flagrante delicto of unlicensed firearm/s and/or explosives.
The PNP and the AFP also tamper crime scenes, destroying other evidence such as CCTV cameras or footages, and threatening witnesses to prevent them from giving accurate information.

A warrant to kill

State agents have become more brazen by the day. On March 30, 2019, in the course of police operations, 14 peasants were killed in Sta. Catalina, Manjuyod and Canlaon City in Negros Oriental. The police also illegally arrested at least 15 individuals resulting from search warrants. However, the victims reported that they were not presented with any search warrants at the time of the arrest and had only known of the cases against them at the inquest proceedings. The warrants served to the victims were also maliciously obtained from the Regional Trial Court Branch 10 of Cebu City under the sala of Judge Soliver Peras. Negros Oriental, where the search warrants were served, was plainly outside the court’s jurisdiction.

In all of the killings, the victims were shot point blank, and their bodies were dragged outside their houses. To bolster their “nanlaban” story, the PNP and AFP also planted small caliber firearms, such as .38 and .45, beside the victims’ lifeless bodies.

Photo by Jire Carreon
Recently, another wave of malicious search warrants were obtained by the police and military by using a new rule for the issuance of search warrants, authorizing executive judges of the regional trial courts in Manila and Quezon City to issue such warrants in far away regions. The PNP filed for the issuance of the said warrants before Quezon City Executive Judge Cecilyn Burgos-Villavert of Quezon City.

On October 31, 2019, offices of Bayan, Bayan Muna, Kilusang Mayo Uno, Karapatan, Gabriela, National Federation of Sugar Workers (NFSW) and the Negros Island Health Integrated Program were simultaneously raided along with the residence of local leaders in Bacolod City and Manila. At least 57 activists were illegally arrested based on planted firearms and explosives. On November 5, 2019, the office of Bagong Alyansang Makabayan-Manila in Tondo was raided and planted with firearms and explosives by the police and military. Three activists were arrested.

Brig. Gen Debold Sinas, now PNP NCRPO regional director, was reported to be in a meeting with Judge Villavert prior to the raids.

A warrant for resistance

The systematic use of laws to violate people’s rights has been part of the State’s legal offensives against those who express opposition to various anti-people policies. The application of the rule of law, therefore, cannot be equated with the rule of justice.

Lawyers and human rights advocates work hard for the dismissal of these fabricated cases, but these battles cannot be merely confined in courts, legal processes and jargons. Collective assertion of people’s rights in all platforms until justice is served is imperative.

* This article, by Karapatan Legal Counsel Atty. Maria Sol Taule, was first published in Squeeze PH on August 24, 2019
Political Prisoners: Conditions, Issues and Concerns

Amid the increase in the number of political prisoners under the Duterte regime, political prisoners face increasingly repressive policies affecting them and their families. For the government, it is not enough to put political prisoners behind iron bars on baseless charges, and to prolong their imprisonment for years. It has to break their spirit, dissuade them from expressing their political beliefs, and scar them enough into passivity. However, for the political prisoners and their families, such cruel, inhuman and degrading treatment are mere reflections of the injustices suffered by the poor in a twisted and oppressive system.

Convicted, compromised

The New Bilibid Prisons (NBP) in Muntinlupa, under the administration of the Bureau of Corrections (BuCor), is the facility for convicted prisoners. There are more than 50 political prisoners in NBP, while some are in BuCor facilities in other parts of the country.

Majority of the political prisoners in the NBP Maximum Security Compound are detained in Building 11-A and 11-B. Building 11-A serves as an annex.
of the church of the Iglesia Filipina Independiente (Philippine Independent Church) or IFI, which was built through funds from donations and through the efforts of Bayan Muna partylist way back in 2000.

During the demolition of illegal structures which are not part of NBP buildings inside the compound in October 2019, there was fear that said building will also be subject to demolition.

According to political prisoners, the perimeter fence nearest the location of Building 11-A was where contrabands, like tobacco, were thrown inside the prison compound for some time. They reported this to prison officers, only to learn later that the tobacco was sold by some BuCor employees.

Political prisoners, are arrested, charged with criminal offenses, and detained due to their political beliefs and actions. Their alleged involvement in contraband, drugs, and the like, is a far cry from prisoners who have been convicted drug lords and syndicates, and who have continued their criminal activities inside the NBP.

Ironically, while the political prisoners avoided the possession of contraband, these allegations were still being used to threaten them – either that they will be evicted, or that the whole Building 11-A will be included in the clearing operations.

Building 11-A remains at present, but political prisoners continue to assert that they should have separate quarters, without fear of being transferred or dispersed to other sections and mixed with prisoners with common crimes – not because they demand special treatment, but because this is a basic rule stated in the UN Standard Minimum Rules for the Treatment of Prisoners, under Part I, Rules of General Application, under “Separation of Categories,” which states under No. 8:

\[
\text{The different categories of prisoners shall be kept in separate institutions or parts of institutions taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment.}
\]

Political prisoners have been arrested, charged and imprisoned due to their political beliefs and actions. Having separate physical quarters is necessary not only to assert the distinctive political and historical status of political prisoners but also to secure their physical safety, protect their rights and welfare, and provide a support system, especially for the elderly and the sick.
Forcible transfers, dispersal to local jails

Political prisoners, as well as their families, at the Metro Manila District Jail Annex 4 expressed their concerns, and raised their opposition of what they viewed as the questionable transfer of political prisoners to local jails, mostly outside Metro Manila under “harsher and less secure conditions.”

They cited court motions which made explicit references to letters from the Bureau of Jail Management and Penology (BJMP) regarding “the institutionalization of a whole-of-government approach to End Local Communist Armed Conflict (ELCAC) under Executive Order No. 70 to prevent opportunities for Communist Terrorist Groups (CTGs) to conduct organized activities while under detention,” even as the BJMP cited “the timely resolution of criminal cases against CPP-NPA personalities pending before the regular courts.”

In previous years, MMDJ Annex 4, formerly named Special Intensive Care Area 1 (SICA1), placed under its custody “high-risk and high-profile” detainees. In fact, many of the political prisoners detained in Bicutan were transferred there from provincial jails upon the motion of local jail wardens who were worried about security risks in keeping them. Historically too, there have been segregated prison quarters for political prisoners ever since martial law and even in previous decades.

Political prisoners also stated that their forcible transfer also runs counter to “the fact that historically, including during the Marcos dictatorship, political prisoners have always been detained in common facilities
for practical reasons, including easier monitoring and control by state authorities,” referring to the long-established practice of segregating political prisoners from non-PPs (commonly referred to as common criminals) even under martial law.

While many of the political prisoners at MMDJ 4 are elderly and ill, their current quarters provide them to a certain extent a support system especially for medical care, 24/7, as well as easier visitation for families based in Metro Manila. The poor conditions and congestion of local jails would not only aggravate their weakened health state but would also put their lives in greater physical danger in the current political climate where extrajudicial killings take place even inside jails.

Also, since movements of political prisoners are naturally limited in prison, whatever “organized activities” they could conduct “cannot be anything but legitimate and justified.” These include visits and discussions among their co-prisoners and friends, social gatherings and celebrations, handicrafts and other livelihood projects, sports, and health and wellness activities.

To date, the BJMP has agreed not to transfer political prisoners to local jails, yet this remains to be seen as the NTF-ELCAC continues to implement its “whole of nation approach” in counter-insurgency, which means more repressive policies and schemes against known activists, government critics and ordinary citizens.

Returnees or surrenderees: Prisoners anew

At the height of Duterte’s order for BuCor facilities nationwide, including the NBP, to take back all released prisoners who benefitted from the law on Good Conduct and Time Allowance (GCTA), six political prisoners, namely Apolonio Barado, Arnulfo Boates, Rico Bodino, Christian Espenilla, Generoso Rolida and Martin Villanueva, were included among the so-called “returnees” or “surrenderees.”

Espenilla was granted parole, while the other five were given conditional pardon as part of the peace negotiations agreement between the Government of the Republic of the Philippines (GRP) and the National Democratic Front of the Philippines (NDFP) in 2016. Since their release, all six have religiously reported to the respective parole offices in charge. Not one of them availed of the GCTA while in detention, hence making their “re-arrest” and custody under the BuCor without basis.
According to them, elements of the PNP-CIDG went to their houses and “invited” them in October 2019. All of them were hesitant to go, because they did not benefit from the GCTA and are not obliged to return to NBP. They sought advice from their respective parole officers whom they regularly report to, and they were merely told to just comply because they will just “appear” before the BuCor and will be sent home in a day or two.

With nothing but a few personal belongings, they were immediately enlisted as “returnees” upon arriving at the NBP, given identification cards and taken into custody by the BuCor. After a month of staying in so-called “halfway houses” outside the NBP compound, they were transferred to the NBP Minimum Security Compound along with other “returnees”.

“We became prisoners again, but this is far worse than our first detention,” said the political prisoners, as they stayed in makeshift tents, given a bar of soap, and the usual food rations, sometimes even less than what were given to the common inmates at the NBP Minimum. They have acquired common illnesses and witnessed deaths among the returnees, all of whom were twice victims of injustice and the GCTA mess.

As of this writing, four of the political prisoners have already been released, way overdue from the “day or two invitation” of the BuCor. While the BuCor is making up for the blunders of the GCTA issue and are now releasing dozens of “returnees” who they declared are not included in the returnees, Barado and Boates remain in detention in the NBP Minimum despite having their certificates of discharge and decision of conditional pardon from the Office of the President.
On food, livelihood and other needs

In the past, political prisoners in NBP were given uncooked food, usually rice, raw fish and vegetables for them to cook in their stone stove in what before looked like a backyard at Building 11-A. Now, they are served with badly cooked meat, fish or vegetables. Rice is also served cooked, but easily gets spoiled. Prisoners who have the means to buy and cook their own rice opt to do so because they cannot eat the rations that are, at many times, either “sobrang tigas na parang bigas” or “sobrang lambot na parang lugaw.”

Prisoners at NBP still need money to buy food, personal needs, and sometimes medicines. This is why political prisoners strive to collectively run a store to make up for their needs. However, items for sale are now limited because the BuCor has prohibited the entry of some commodities like milk, coffee, sugar and others. These are all available in the cooperative run by the BuCor, but at a higher price.

NBP political prisoners have also stopped making handicrafts since the entry of materials like wood became stricter, and their workshop area behind Building 11-A was already dismantled many years ago. Many of them do not have any source of livelihood since their conviction. Some political prisoners still venture into painting, like Eduardo Sarmiento and Sandino Esguerra, but most of their works are not for sale.
All types of visits were not allowed while the BuCor, under Director General Gerald Bantag, held its clearing operations to remove illegal structures inside the NBP compound which were allegedly used as market for the selling of contraband and prohibited drugs.

**Visitors unwelcomed**

Prisoners have the right to visits, and visitors also have the right to visit those who are under detention. Friends, advocates and organizations act as service providers to political prisoners. Many of them who are detained in Metro Manila jails cannot be regularly visited by their families who reside in the provinces.

For many times, there were arbitrary moves to ban visits or deny entry of visitors, to political prisoners at NBP Muntinlupa and in Metro Manila District Jail Annex 4, located inside Camp Bagong Diwa.

There was a lockdown at NBP during the clearing operations of illegal structures for two weeks in October 2019. No visitors, including relatives and even from the religious, were allowed because the BuCor said they cannot accommodate visitors while demolition is ongoing. Families and relatives were deeply concerned and alarmed on the situation of their imprisoned loved ones, especially the sick and elderly. The chief doctor of BuCor told media during this time that one prisoner dies every day at NBP.

Families and friends called to lift the lockdown, and asked the BuCor to return visitation rights at NBP, worried that the lockdown at NBP may cause a “humanitarian crisis.” After two weeks, visitation resumed at NBP, still with visitors having to endure waiting in line for long hours to be able to go inside and talk to prisoners for roughly 20-30 minutes.

Likewise, in Camp Bagong Diwa, where a significant number of political prisoners are detained at Metro Manila District Jail Annex 4, there was an arbitrary denial of entry of visitors — including families, relatives and friends — of political prisoners during the holidays in December.

Relatives, many of whom are regular visitors at MMDJ 4, were denied entry at the gate of Camp Bagong Diwa. When asked, guards at the gate only said that these were orders coming from “higher-ups.” They could not present any written order at least to justify the denial of entry, except for mentioning that rights group Hustisya will reportedly conduct a Christmas gathering, which, in the first place, had not pushed through due to the lack of a permit.
Families were able to visit in the next days after complaining about the denial of entry with the Commission on Human Rights (CHR), and their continuous assertion to jail authorities.

**Degrading strip search**

Jimmylisa Badayos, a relative of a political prisoner at NBP, complained to the CHR that she was subjected to strip and cavity search during her visit to the facility in December 2019.

The UN International Covenant on Civil and Political Rights states that it is a basic right of persons to be “treated with humanity and with respect for the inherent dignity of the human person,” and be safe against torture. Strip search has an exceptional nature, and visitors who are subjected to strip search are also stripped of their human dignity.

The UN Standard Minimum Rules for the Treatment of Prisoner also states that:

*Rule 51. Searches shall not be used to harass, intimidate or unnecessarily intrude upon a prisoner’s privacy. For the purpose of accountability, the prison administration shall keep appropriate records of searches, in particular strip and body cavity searches and searches of cells, as well as the reasons for the searches, the identities of those who conducted them and any results of the searches.*

*Rule 52. 1. Intrusive searches, including strip and body cavity searches, should be undertaken only if absolutely necessary. Prison administrations shall be encouraged to develop and use appropriate alternatives to*
intrusive searches. Intrusive searches shall be conducted in private and by trained staff of the same sex as the prisoner.

2. Body cavity searches shall be conducted only by qualified health-care professionals other than those primarily responsible for the care of the prisoner or, at a minimum, by staff appropriately trained by a medical professional in standards of hygiene, health and safety.

For many years, strip search has been a common practice at NBP, where visitors are ordered to lift or take off their blouse or shirt, and take down their pants. In Jimmylisa’s case, she was told to bend with her pants down, and a mirror was placed between her legs. She was told to turn around and cough while the prison guard once more placed a mirror between her legs.

Political prisoners consistently opposed illegal drugs that largely victimizes the poor and the youth. Their families and visitors likewise police their ranks against bringing in illegal drugs and prohibited items. Some of their relatives admitted to allowing themselves to be subjected to strip and cavity search out of fear that they might be banned from visiting their relatives. The degrading practice should be stopped especially for the families of prisoners who are known not to engage in illegal drugs nor bring in banned items.

From separating political prisoners from one another, to banning visitors and strip searches, political prisoners alongside their families and friends have to continue to struggle for prison reforms, at the same time they are demanding for their just and immediate freedom.

As one former political prisoner once said, “What we experience as political prisoners, the more than 500 of us, such as decades of incarceration and rights violations, repression and cruel treatment in jail, the fact that we are treated as criminals because we fight for the people’s interests, especially those who are oppressed and exploited, are among the reasons why we need to work to obliterate the decaying ruling system and governance in the country.”
Counterproductive Counterinsurgency

By Sonny Africa

First published by IBON Foundation on November 17, 2019

Development policymaking is hard enough as it is – the Philippines after so many decades of so many development plans is a case in point. Now the military wants to take that over as well? The government’s whole-of-nation approach where the military hijacks governance will just make the country’s maldevelopment worse.

Authoritarian creep

Pres. Rodrigo Duterte’s authoritarianism of course started with a big bloody bang – the thousands of urban poor the government killed in a show of intimidating force. The militarist takeover of government took a little bit longer but is well underway. The transformation has a thin veil of legality but the nation is as far away from real democracy as it has ever been.

The Duterte administration’s brand of militarism started with the National Security Policy (NSP) 2017-2022 it released in April 2017. Conspicuously, national security was defined broadly to “[encompass] virtually every aspect of national life and nation-building” where “economic development and security are inextricably linked”.

While conceptually valid, in retrospect, these were less a sign of vision than gross and insidious ambition. It is difficult to credit a military establishment notorious for human rights violations, unwarranted violence, lying and deceit with having positive long-term aspirations. On the other hand, the appetite for dictatorship is easier to see.
The National Security Council (NSC) prepared the NSP. This collegial body includes many Cabinet members and legislators but is really dominated by the security sector – especially by the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP).

The broad definition of national security was immediately used to give the military and police an entry point into everywhere else in government. Executive Order (EO) No. 16 was released simultaneously with the NSP. This directed that “all government departments and agencies, including government owned and controlled corporations (GOCCs) and local government units (LGUs), shall adopt the NSP 2017-2022 in the formulation and implementation of all their plans and programs which have national security implications”. This is a far-reaching mandate because, according to the NSP, virtually everything has national security implications.

This was followed by the National Security Strategy (NSS) in 2018. The NSS was prepared by National Security Adviser Hermogenes Esperon and presented as a “blueprint [to] foster better coordination, synchronization and cohesion of government functions”. Its sweeping strategy included “the combined, balanced and effective use of the instruments of national power, namely: political and legal, diplomatic, informational, intelligence, economic, and military and law enforcement”.

Photo by Malacanang
Ominously, Pres. Duterte called for Filipinos to “stand behind our national security apparatus” and “strengthen the foundations of a secure, peaceful, modern and prosperous Philippines”. Towards this, the president gradually appointed 73 military and police officials to civilian positions in at least 46 agencies. There are now more military and police officials in government than at any time since the Marcos dictatorship nearly 50 years ago.

They were made heads in 38 of these as Cabinet secretaries, director generals, chairpersons, executive directors, administrators or presidents. As it is, former military and police officials account for 11 of 50 cabinet and cabinet-level officials or one-fifth of the Cabinet.

**Authoritarianism now**

All this fell into place when Pres. Duterte issued EO No. 70 in December 2018 creating the so-called National Task Force to End Local Communist Armed Conflict (NTF-ELCAC). The EO invoked the armed conflict to justify creating the task force and institutionalizing a “whole-of-nation approach” that will “integrate and harmonize the various efforts of the whole of government and of all sectors of society”.

Pres. Duterte is National Task Force Commander and chairperson with Esperon as vice chairperson. This places Esperon second only to the president at the top of an expansive organizational structure encroaching on virtually every government agency that matters, reaching from the regional to the barangay level nationwide. They preside over 18 Cabinet officials and two private sector representatives.

The high-level task force includes the secretaries of national defense, interior and local government, and justice as well as the AFP chief of staff, PNP director general, National Intelligence Coordinating Agency (NICA) director general, and Presidential Adviser on the Peace Process. Propaganda is handled by the Presidential Communications Operations Office (PCOO) Secretary.

To cover socioeconomic development concerns, the group also includes the secretaries of economic planning, finance, budget and management, public works and highways, agrarian reform, education, and social welfare and development, as well as the Presidential Adviser for Indigenous People’s Concerns, National Commission on Indigenous Peoples (NCIP) chairperson, and Technical Education and Skills Development Authority director general.
The 17 regional task forces (RTFs) under the NTF-ELCAC are each chaired by a Cabinet Officer for Regional Development and Security (CORDS) designated by the president. The military and police officials in the Cabinet are handy for this — eight (8) of the 17 Cabinet members appointed as CORDS are former military officers: Esperon (NSA), Carlito Galvez (Presidential Peace Adviser), Eduardo Año (DILG), Gregorio Honasan II (DICT), Roy Cimatu (DENR), Eduardo del Rosario (HUDCC), and Delfin Lorenzana (DND).

EX-MILITARY, POLICE CABINET MEMBERS IN 2019

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<tr>
<th>HERMOGENES ESPERON JR</th>
<th>DANilo LIM</th>
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<td>NATIONAL SECURITY ADVISER</td>
<td>METROPOLITAN MANILA DEVELOPMENT AUTHORITY</td>
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<td>HOUSING AND URBAN DEVELOPMENT COORDINATING COUNCIL CHAIRPERSON</td>
<td>INFORMATION AND COMMUNICATIONS TECHNOLOGY SECRETARY</td>
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<th>CARLITO GALVEZ JR</th>
<th>ISIDRO LAPEÑA</th>
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<td>PRESIDENTIAL ADVISER ON THE PEACE PROCESS</td>
<td>TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY DIRECTOR-GENERAL</td>
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The RTFs supplant regional structures in place and merge the existing Regional Development Councils (RDCs) and Regional Peace and Order Councils (RPOCs). RDCs are the highest policy-making and direction-setting bodies for overall socioeconomic development in the regions. The RDC is composed of all governors, mayors, and development-related line agency regional directors. Upon EO No. 70, RDCs are also adding active military and police officials as special non-voting members.

RPOCs take up major issues and problems affecting peace and order. RPOCs are also composed of all governors, mayors, peace and order-related line
agency regional directors, plus AFP commanders. Similar task forces are organized at the provincial, city/municipal, and barangay level. In effect, all these far-reaching multi-stakeholder bodies are put in a direct chain of command under the NTF-ELCAC and the national security adviser. This cumulatively amounts to hundreds of task forces nationwide and potentially even thousands if barangay efforts are counted. The NTF-ELCAC’s seemingly disproportionate budget of just Php522 million belies its influence. All the memorandum circulars implementing EO No. 70 are clear that “the budgetary requirements for the implementation of EO No. 70 may be authorized chargeable against the respective LGUs and agencies in accordance with EO 70”. Regular agency budgets are put at the service of the NTF-ELCAC.

The NTF-ELCAC is fully up and running. The first RTF-ELCAC was organized in CALABARZON in February 2019 and the first provincial PTF-ELCAC in Cavite in March soon after. The national task force approved its National Plan in its first meeting in April 2019, held in Malacañang.

Other regions and provinces followed suit to organize their respective task forces. One-day island group summits of regional task forces were held in Luzon, Visayas and Mindanao in October to all culminate in a national summit with Pres. Duterte.

This year has already seen a frenzied surge of EO No. 70 implementation-related activity at every level of government across the country. This has gone far beyond armed conflict areas and the government’s militarism has intruded into schools, urban poor communities, offices, media, embassies, international agencies, and elsewhere. A National Capital Region (NCR) task force was even created in September 2019 even if there are no signs of armed conflict or insurgents in Metro Manila. The NCFRTF-ELCAC is a hammer and activists, critics and political opposition are the nails it will be used on.
**Hijacking development**

EO No. 70 implementation includes weaponizing the law and criminalizing dissent. But it also in effect enables the military to hijack socioeconomic development policy for its militarist ends. Having construed national security and addressing the roots of armed conflict expansively, the national task force is broadly “authorized to evaluate, modify or integrate policies and programs” of government according to its plans.

The recent midterm update of the Philippine Development Plan (PDP) 2017-2022 is a case in point. This is regularly done for PDPs but there was something new this time around. Supplementary guidelines were issued to RDCs to “integrate” the NTF-ELCAC’s Cluster Implementation Plans in the updated regional development plans (RDPs) and regional development investment programs (RDIPs).

Accustomed processes were overridden and the NTF-ELCAC gave the RDCs plans to “mainstream” in the update. Regional planning committees were assigned to clusters as defined by the NTF-ELCAC, all of which had military officials from the defense department and AFP as members.

The national task force members include 18 government agencies. The various program clusters of the NTF-ELCAC implementation plan include most of these and 38 others, for 51 agencies in total. At least some of these agencies have created NTF-ELCAC “steering committees” to implement EO No. 70 and operationalize the national task force within their respective departments.

The problem with the national task force and the extensive machinery it creates is that it is, underneath a lot of development-speak and bureaucratese, still just another military scheme driven by a narrow-minded enemy-focused military mindset. It is essentially the Duterte administration identifying ‘enemies’ and using the full force of government against them.

EO No. 70 is not the military suddenly genuinely getting insights about the roots of underdevelopment and, much less, suddenly having the skills set to address this. The military is using the task forces to command resources for community programs, welfare services, and the like for its narrow counterinsurgency and anti-activism purposes. This muddles decision-making and prioritization according to actual development needs.

EO No. 70 is also being used to justify State security forces cracking down on development NGOs, people’s organizations, and all civil society groups.
whose advocacies the administration deems overly critical and putting it in a bad light. More to the point — the government is using all its political, legal, diplomatic, informational, intelligence, economic, military and police resources against any perceived domestic political opposition. In short, using all “the instruments of national power”.

The Duterte government is systematically going after organizations of workers, farmers, urban poor, youth, teachers, indigenous peoples, environment advocates, alternative media, cultural workers, disaster responders, and even researchers. Freedom of expression, freedom of assembly and even freedom of thought are under siege with the government deciding and enforcing what is and is not acceptable.

This gravely sets back prospects for real and democratic development. Curbing civil society suppresses a crucial check on government, stifles fresh development ideas upholding the rights of the majority, and constricts people’s participation in governance.

*What is it all for?*

At one level it is the Duterte administration coming down hard on the strongest voices against its authoritarianism, corruption, and policies enriching elites at the expense of the people. It is the Duterte clique putting down organized opposition to its self-serving agenda to stay in power and enrich itself.
But it is also much more than that. The Duterte government has come but, as with others before, it will also go. Unfortunately, what is happening is also the State pushing obsolete neoliberalism forward by eliminating obstacles to the market and to capital dominating every aspect of Philippine society. The groups being attacked have their own stresses and versions but nonetheless share a vision for a more just, humane and democratic Philippines.

This is consequential for the country’s political and economic prospects. We are in the middle of the Left and social movements violently being put down, under a thin veneer of rule of law, to increase the power of capitalists, landlords, and political elites. Activists are targeted because their clear politics, concrete organizations, and advocacies threaten the ruling class’s grip on power.

The ruling class embraces the Duterte government because it increases their wealth and profits: tax cuts on the rich and big corporations; infrastructure to keep the comprador economy humming and to preserve real estate wealth; privatization of transport, water, health and education; wage repression; land monopolies; and market- and capital-friendly policies all around.

The Philippines is in dire need of reforms and the sheer scale of the problem demands system-wide thinking and massive mass movement solutions. Yet the heavy-handed authoritarianism and military meddling in governance will just stoke even more unrest. This includes polarizing the nation and actually fueling the radicalism, and revolutionary armed struggles that the Duterte administration is so fearful of.
## A P P E N D I X

### Acronyms

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<td>ACT</td>
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