

HUMAN RIGHTS IN THE PHILIPPINES

ABOUT THE AKTIONSBÜNDNIS MENSCHENRECHTE – PHILIPPINEN

The Aktionsbündnis Menschenrechte – Philippinen (AMP – Action Network Human Rights – Philippines) is an initiative of seven major German church-based agencies and human rights organizations to promote advocacy and information work in Germany and the EU regarding the human rights situation in the Philippines. Member organizations of the AMP are Amnesty International Germany, Brot für die Welt (BfdW), International Peace Observers Network (IPON), MISEREOR, Missio Munich, philippinenbüro e.V., and the United Evangelical Mission (UEM). The main focus of the network lies the core human rights issues of extrajudicial killings, enforced disappearances, and fabricated charges against political activists.

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ABBREVIATIONS

AFP	Armed Forces of the Philippines	HRDs	Human Rights Defenders	NTF-ELCAC	National Task Force to End Local Communist Armed Conflict
AMP	Aktionsbündnis Menschenrechte – Philippinen	IAWRT	International Association of Women in Radio & Television	OHCHR	Office of the High Commissioner for Human Rights
ATA	Anti-Terrorism Act	ICC	International Criminal Court	PAHRA	Philippine Alliance of Human Rights Advocates
ATC	Anti-Terrorism Council	ICCPR	International Covenant on Civil and Political Rights	PCIJ	Philippine Center for Investigative Journalism
CHR	Commission on Human Rights	ICESCR	International Covenant on Economic, Social and Cultural Rights	PDEA	Philippine Drug Enforcement Agency
COMELEC	Commission on Elections	IFI	Iglesia Filipina Independiente	PNP	Philippine National Police
CPA	Cordillera Peoples Alliance	ILO	International Labour Organization	PTFoMS	Presidential Task Force on Media Security
CPP	Communist Party of the Philippines	IPRA	Indigenous Peoples' Rights Act	UCCP	United Church of Christ in the Philippines
DDoS	Distributed Denial of Services	IPs	Indigenous Peoples	UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
DOJ	Department of Justice	MO32	Memorandum Order No. 32	UNESCO	United Nations Educational, Scientific and Cultural Organization
EO130	Executive Order No. 130	NDFP	National Democratic Front of the Philippines	UNHRC	United Nations Human Rights Council
EO70	Executive Order No. 70	NGOs	Non-Governmental Organizations	UNJP	United Nations Joint Programme
EU	European Union	NIHPCD	Negros Island Health Integrated Program for Community Development		
FARDEC	Farmers Development Center	NUPL	National Union of Peoples' Lawyers		
FIND	Families of Victims of Involuntary Disappearance	NPA	New People's Army		
FLAG	Free Legal Assistance Group				
FPIC	Free, Prior and Informed Consent				
GSP+	Generalized Scheme of Preferences				



Philippine National Police forces stand in formation during the relaunch of the government's anti-illegal drug campaign Oplan Tokhang (knock and plead) at the Batasan Police Station (PS-6) in Quezon City in 2018.



FOREWORD

The Aktionsbündnis Menschenrechte – Philippinen (AMP – Action Network Human Rights – Philippines) was founded in 2007 by church groups and Non-Governmental Organizations (NGOs) in Germany that had maintained longstanding partnerships with civil society activists and networks in the Philippines. The AMP responded to reports by these Philippine partners of a significant rise in the number of political killings and other serious human rights violations since 2001. Staff members and human rights activists from these partner networks have been among the victims who were killed, criminalized by fabricated charges, or disappeared without trace.

Since its founding, the AMP has published reports aiming at highlighting and documenting human rights violations during the respective periods in 2014, 2017, and 2019. The reports identified certain patterns of human rights violations in connection with exemplary cases.

The reports aimed at encouraging the Philippine government to investigate past human rights violations, to hold those responsible accountable, to introduce legal reforms, and to protect human rights defenders.

This 2022 report, the fourth in the series, follows these same objectives and draws attention to the fact that developments between 2019 and 2022 have made it even more urgent for the government to take immediate and firm actions to end impunity and human rights violations.

With the inauguration of Ferdinand “Bongbong” Marcos Jr. as the new President of the Philippines and Sara Duterte-Carpio as Vice President on June 30, 2022, the rule of the Rodrigo Duterte government came to an end. The human rights situation in the Philippines worsened soon after he took office as President in 2016 and announced his so-called war on drugs.

The Philippine government estimated that about 6,229 people, mainly from the poorest population strata, were killed at the hands of the Philippine National Police in over 200,000 drug-related operations during this controversial campaign. However, the Philippine Commission on Human Rights and several human rights groups have counted at least 27,000 extrajudicial killings that took place in the context of Duterte’s “war on drugs.”

Under the rule of President Duterte, the situation of human rights defenders deteriorated even further. With a number of legislative actions and executive orders introduced between 2018 and 2021, the risk of intimidation, harassment, and criminalization of human rights defenders, members of civil society, church workers, as well as indigenous people such as the Lumads in Mindanao has increased dramatically.

This report lists at least 85 extrajudicial killings of human rights defenders and journalists between August 19, 2019, and May 31, 2022. It also outlines cases of enforced disappearances and criminalization of human rights defenders, which have often been accompanied by the practice of so-called *red-tagging*¹ of political activists.

Furthermore, this report reflects on the “culture of impunity” that limits accountability and the Philippine government’s lack of co-operation with the international human rights system.

One hopes that the Philippine government under President Ferdinand Marcos Jr. and Vice President Sara Duterte-Carpio will acknowledge the victims of human rights violations, end impunity, and uphold the rule of law. However, announcements from the campaign and first days in office offer ample reason to remain skeptical.

Concrete recommendations not only towards the Philippine government but for international actors too on how to move forward to protect human rights defenders in the Philippines conclude this fourth AMP Human Rights Report.

Jochen Range
Amnesty International, Germany

¹ *Red-tagging* is a practice where individuals or organizations are accused of being supporters or members of the communist New People’s Army (NPA).

SUMMARY: THE HUMAN RIGHTS SITUATION AND PROSPECTS IN THE PHILIPPINES

The human rights situation in the Philippines deteriorated dramatically in the six years under President Rodrigo Duterte. In 2016, Duterte won the presidential election in a landslide victory. During his election campaign, he explicitly vowed to utilize extrajudicial killings to end drug-related crime in the Philippines. By gradually weakening the already dysfunctional and poorly financed judicial system, Duterte paved the way for an autocratic government that allowed perpetrators near-complete impunity for serious human rights violations and significantly increased the repression of Human Rights Defenders (HRDs) and the independent media.

Duterte's "war on drugs" claimed thousands of lives during the time he was in office. Official investigations of human rights abuses remained deeply inadequate because the government deliberately obscured the extent of the death toll. According to estimates from the Commission on Human Rights (CHR) and various human rights groups, the death toll in Duterte's anti-drugs campaign reached more than 27,000 victims – a significant discrepancy compared to government statistics citing 6,229 killings.²⁴

On many occasions, Duterte publicly assured the security forces that they would not have to fear accountability. During his six years in office, only one trial related to the "war on drugs" resulted in a court conviction for murder. But it was not only in the course of the "war on drugs" that the rule of law was systematically ignored and dismantled. The widely criticized Anti-Terrorism Act (ATA) of 2020¹ provided the government with a dangerous tool to exacerbate the criminalization of HRDs, opposition politicians, and any dissenting civil society organizations.

A climate of fear among human rights and legal-focused civil society organizations has thus prevailed across the country, profoundly shaped by Duterte's aggressive rhetoric of violence. This rhetoric targeted activists as well as his political opponents. He frequently discredited human rights and their advocates with statements such as "human rights, you are preoccupied with the lives of the criminals and drug pushers [...] the game is killing [...] I say to the human rights, I don't give a shit with [sic] you."²

The government systematically denounced HRDs and the opposition as enemies of the state and accused them of being supporters or members of the communist New People's Army (NPA). This practice, known as *red-tagging*, escalated under Duterte after he ended the peace negotiations with the National Democratic Front of the Philippines (NDFP) in November 2017.

In addition, President Duterte's militaristic response to the COVID-19 pandemic and the extensive lockdown measures were often used to hinder HRDs in their work, increase surveillance through numerous police and military checkpoints, and to vilify civil society and community aid initiatives as communist.³

From the very beginning of his administration, President Duterte repeatedly attacked the independent and critical media by threatening and pressing charges against journalists and media agencies such as Rappler, Philippine Daily Inquirer, and the ABS-CBN network. Libel – a criminal offence in the Philippines – and particularly cyber libel, which was criminalized in 2012, once again became a popular tool to oppress the right to freedom of the press and opinion.

Indigenous Peoples (IPs), especially the Lumads on the island of Mindanao in Southern Philippines, faced severe hardship and insecurity under Duterte. Owing to their advocacy for the protection of their rights to their ancestral domain and resistance to socio-ecologically destructive development projects, indigenous HRDs have been threatened, harassed, and even murdered. Duterte himself threatened to order the bombing of independent Lumad schools, and hundreds of such schools have been ordered to close since 2016.

The intense violence and repression against HRDs, opposition politicians, and the independent media under Duterte's presidential term included the killing of at least 298 HRDs and journalists between July 1, 2016, and May 31, 2022. According to the international NGO Global Witness, 2019 was the most dangerous year for HRDs in the Philippines.⁴ In 2021, the Philippines ranked seventh among the countries with the highest number of unsolved murders of journalists.⁵



Former President Rodrigo Duterte delivers a speech in Mindanao in July 2016.

The international community responded and repeatedly called on the Philippine government to end the killings and further human rights violations. President Duterte denounced these calls as illegitimate foreign intervention. He sought to block all UN attempts along these lines and even withdrew the Philippines' membership from the International Criminal Court (ICC).

The human rights situation in the Philippines reached another crisis point under Duterte following the brutal years of martial law under Ferdinand Marcos Sr. in the 1980s. The already weak foundations of the Philippine democracy – such as the rule of law, free press, and legislative checks and balances – eroded even further. Nevertheless, most of the Philippine population supported Duterte's presidency.⁶ He was backed by a skilled propaganda machine (predominantly on social media) that created the narrative of a strong leader with a clear "political will." His signature "war on drugs" and his

"strongman appeal" were generally perceived positively despite the alleged role they played in the known killings.

At the same time, the Philippine government further institutionalized its state repression, mobilized its military, and systematically tried to silence its critics. With the gradual political rehabilitation of the Marcos family and state-sponsored disinformation networks, President Duterte provided fertile ground for his ally Ferdinand Marcos Jr. and his daughter Sara Carpio-Duterte to win the 2022 presidential election. The rise of yet another populist leader has prompted calls among the international community to consistently support democratic forces in Philippine civil society, to remain vigilant towards any repressive developments under the new administration, and to demand that the Philippine government abide by international human rights standards.

SPOTLIGHT: THE 2022 PRESIDENTIAL ELECTIONS

On May 9, 2022, Ferdinand Marcos Jr. was elected the 17th President of the Philippines.⁷ Thirty-six years after the peaceful ouster of his father, dictator Ferdinand Marcos Sr., Marcos Jr. won 58.8 percent or more than 31 million votes. Former mayor of Davao City, Sara Duterte-Carpio, won 61.3 percent of the total votes and was elected Vice President. To date, both Marcos and Duterte-Carpio have not broken with the drug policy of former President Rodrigo Duterte and have not distanced themselves from the human rights abuses committed under their fathers' administrations.

Leni Robredo, Marcos' strongest opposition candidate, had to accept defeat in this election. She ran independently alongside Senator Francis "Kiko" Pangilinan. As a former human rights lawyer and strong critic of Duterte's "war on drugs," Robredo promised to hold him accountable for his human rights abuses.

Marcos' success in the 2022 presidential election is considered the culmination of a longstanding whitewashing campaign that aimed to portray his father's two-decade rule as a "golden age of peace and prosperity"⁸ and to rebrand the Marcos family. According to studies, the rehabilitation of the Marcos family had begun several years prior. Ferdinand Marcos Sr.'s dictatorship was marked by widespread corruption, plundering of state coffers, and extensive human rights violations. An Amnesty International report from 1976 highlighted that over 50,000 people were arbitrarily arrested and detained, and thousands of others were tortured, forcibly disappeared, and killed.⁹ Among the victims were HRDs, church workers, lawyers, labor leaders, and journalists.

Even after the overthrow of dictator Marcos, he was not held liable for the many human rights violations committed under his rule (1965–1986), especially since he declared martial law in 1972. To this day, his family refuses to apologize for these human rights violations. Monetary reparations were paid to victims under Republic Act 10368, the Human Rights Victims Reparation and Recognition Act of 2013¹⁰; 11,103 out of over 75,000 claimants were eligible for monetary reparations as of 2018.¹¹ In November 2016, Marcos Sr. was buried at the Heroes' Cemetery, where all notable presidents, military personalities, and other Philippine greats are interred.¹² Duterte endorsed this decision despite widespread crit-

icism that this symbolic burial would contribute to the whitewashing of the dictator's human rights violations.

Marcos' strategic disinformation campaign,¹³ which relied predominantly on social media such as Facebook¹⁴ and TikTok,¹⁵ was able to influence the perceptions and feelings of a broad electorate and to rewrite the family's history. Tsek.ph, an independent fact-checking initiative, found that 92 percent of false online information was favorable to Marcos and 96 percent contained negative information on Robredo.¹⁶ The false narratives presented Marcos as a "unifying leader" who promised to prioritize pandemic recovery and the economy¹⁷ while making the Philippines "great again." On the other hand, Robredo's campaign strongly relied on a broad network of devoted young volunteers who were engaged in "door-to-door" campaigning.¹⁸

Similar to Duterte's aggression against political opponents, Marcos and Duterte-Carpio repeatedly attacked their political opposition candidates by *red-tagging*¹⁹ them or publishing false information about them during the election campaign. Some independent journalists were intentionally excluded from Marcos' election campaign events, whereas the candidate simply ignored others' questions.²⁰ After the elections, Marcos announced that he would accredit vloggers and social media practitioners to cover the presidential palace, thereby sidelining institutional media and further shrinking the available space for critical and independent journalists.²¹

A day after the elections, groups of people, mostly young, gathered in front of the Commission on Elections (COMELEC) main office in Manila to protest the results of the freshly concluded elections. They claimed that the alleged irregularities of thousands of reported malfunctioning vote-counting machines prevented them from casting their vote.²² In the face of their discontent, Marcos' established disinformation campaign combined with targeted *red-tagging* of the political opposition proved to be effective for his landslide victory in the elections. This also became evident in the minority representation of the opposition in Congress.



President Ferdinand Marcos Jr. and Vice President Sara Duterte-Carpio
2022 election campaign.

“WAR ON DRUGS”



A widow visits the apartment-type tomb of her husband, a victim of Duterte’s “war on drugs”, at the Pasay Public Cemetery.

Duterte’s six-year “war on drugs” claimed thousands of lives in the Philippines. Most of the victims of this campaign were from the poorer population strata, which is why local human rights organizations have also called the “war on drugs” a war on the poor.²³ The killings also appear to have been planned and systematically carried out. In many instances, evidence was deliberately fabricated, and the kin of “drug war” victims were pressured to lie about the cause of death to prevent criminal prosecution of the murderers.

To this day, Duterte’s government has not only concealed the scale of the death toll but also hampered adequate investigations. Government statistics have shown a much lower mortality figure than those determined through independent documentation. In February 2022, the Philippine Drug Enforcement Agency (PDEA) reported that 6,229 suspects who allegedly resisted their arrest were killed in over 200,000 police drug-related operations since July 2016 – a number that has also fluctuated throughout their past reports.²⁴

By contrast, the CHR and several human rights groups have noted at least 27,000 cases of extrajudicial killings²⁵ from the time President Duterte took office in 2016. The UN Office of the High Commissioner for Human Rights (OHCHR) supported that number in a report from June 29, 2020.²⁶ According to a Human Rights Watch Report from 2021,²⁷ the cases of killings related to the “war on drugs” and arbitrary arrests increased during the pandemic lockdown in 2020. A 2021 country report on human rights practices, issued by the US State Department, also found those independent reports on human rights violations in the Philippines to be credible.²⁸ The US report stated that numerous violations were committed by and on behalf of the Philippine government as well as non-state actors. What is significant is that the report rated the Philippine National Police’s (PNP) Internal Affairs Service particularly ineffective.²⁹ Nevertheless, the Duterte government rejected all accusations along these lines, claiming that there is no evidence for them.³⁰ On top of that, Duterte opposed any independent investigations by the UN and the ICC.

EXTRAJUDICIAL KILLINGS

The apparently systematic killings of alleged drug users and dealers increased dramatically after the start of the “war on drugs” in 2016. The police used so-called drug watch lists that contained millions of names of drug-related suspects without the existence of a recognized constitutional procedure for dealing with them. Removing one’s name from the list was impossible despite showing proof of non-association with drugs or of having ended one’s use or abuse of drugs. In most cases the PNP claimed that shootings were a matter of self-defense, although no evidence was provided to this end. Police reports also often contained identical phrases or serial numbers of guns allegedly used against police officers. Eyewitnesses and survivors stated to the contrary that the alleged drugs or weapons were planted on the suspect as evidence during a search operation – a common practice by the PNP to fabricate false charges.

Duterte also issued to the police an explicit shoot-to-kill order that applied to people allegedly involved in the drug trade and he incited ordinary citizens who knew drug addicts to “go ahead and kill them.”³¹ In many instances, those responsible for the killings were self-styled vigilante groups who were known to have close ties with state agents. Some of these perpetrators were supporters of Duterte’s “war on drugs” and had been inspired by his violent rhetoric. Some have been identified as “known police assets” who were – as the ICC stated ³² – paid by state security agents; others were PNP forces in civilian clothes. It is nevertheless clear that the extrajudicial killings were encouraged by Duterte’s speeches and the impunity promised to perpetrators, a blatant breach of the Philippines human rights obligations under international law.

The UN High Commissioner for Human Rights stated that the police may understand Duterte’s language as implicit “permission to kill,”³³ which represents a violation of the prohibition against arbitrary deprivation of life (Article 6, International Covenant on Civil and Political Rights; ICCPR). Agnes Callamard, former Special Rapporteur on extrajudicial, arbitrary and summary executions, strongly condemned Duterte’s “war on drugs” and stated in 2018 that he was responsible for “imposing unthinkable sufferings on 1000s of vulnerable

families, emboldening corrupt policing and destroying rule of law.”³⁴ Duterte then announced that Special Rapporteurs like Callamard were no longer welcome in the Philippines.

IMPUNITY

The government has failed to adequately investigate human rights violations allegedly committed by members of the state security forces. In 2021, a few weeks after the ICC approved a formal investigation, Justice Secretary Menardo Guevarra announced that 154 police officers could be criminally liable for the suspects’ deaths in 52 cases in which suspects were killed during police anti-drugs operations.³⁵ Considering the thousands of killings in Duterte’s “war on drugs,” these investigations bear little relation to the estimated 27,000 killings. To date, there have been no convictions for the killings except for one single instance: In November 2018, three police officers received prison sentences for the murder of 17-year-old Kian delos Santos in Caloocan. Nevertheless, this was not simply a result of an official government investigation but mostly due to the relentless efforts of the victim’s family; CCTV footage showed that police officers had executed the young man. The government, however, used this case to argue that it was capable of conducting independent investigations of fatalities and of punishing illegitimate killings if necessary.³⁶

In its request to resume the investigation into possible crimes against humanity committed in the Philippines, the Office of the Prosecutor (OPT) of the ICC concluded that the government had not carried out adequate investigations into drug-related killings.³⁷ Only in four instances of killings, including the case of Kian delos Santos, could the government provide concrete information about any investigative steps it had taken. Moreover, the government was unable to show that it had carried out investigations into drug-related killings that happened outside the scope of police operations or into any crimes other than murder. The OPT also maintained that the non-penal proceedings taken against police officers, such as suspensions, did not amount to criminal prosecutions and were therefore insufficient.



Portraits of those killed in Duterte's “war on drugs” were displayed at the Cultural Center of the Philippines in Pasay in observance of the International Human Rights Day on December 10, 2019.

A recent independent investigation of exhumed victims of the “war on drugs” discovered several forged death certificates,³⁸ thus indicating the state forces’ intent to deliberately protect the perpetrators. In seven out of 46 cases did the death certificates state gunshot wounds – as opposed to natural causes – as the official cause of death. The relatives of the victims further revealed that they were pressured by the cemetery directors to lie about the causes of death. As part of this pressure, they were told that the burial would be too expensive were it to be preceded by a physical autopsy, and they would be discriminated against as families of drug criminals.³⁹ According to media reports, the issuance of forged death certificates was made possible through “verbal autopsies,” wherein the victims’ families provide a cause of death to the physicians.⁴⁰

According to police statistics, between July 2016 and March 30, 2022, about 10,490 police officers were suspended, 848 faced forfeitures of salary, 208 were “restricted,” and 5,559 employees were dismissed from service, of which 714 were allegedly linked to drug-related cases.⁴¹ These repercussions notwithstanding, adequate investigations of the remaining thousands of cases have yet to take place. The government has shown neither the capability nor the will to hold perpetrators accountable. It thus severely violates international standards that prescribe mandatory investigations by prosecuting authorities in every case that involves lethal violence.⁴²

HUMAN RIGHTS DEFENDERS



Protester demanding the many extra-judicial killings of Duterte's "war on drugs" to end.

The Philippines remains one of the most dangerous countries for HRDs worldwide – a situation that drastically worsened under the Duterte administration.⁴³ This resulted in a climate of fear caused by a rise in cases of criminalization of HRDs, the resurgence of enforced disappearance, and a significant increase in extrajudicial killings of HRDs.

The AMP documented at least 85 extrajudicial killings of HRDs and journalists between August 19, 2019, and May 31, 2022. Several laws, including the widely contested Anti-Terrorism Act (ATA) as well as the 2018 Memorandum Order No. 32 (MO 32) and Executive Order No. 70 (EO 70), have encouraged the criminalization of political opponents. The Philippine government has systematically used these laws to harass and intimidate HRDs as well as to legitimize repression against journalists, church workers, and indigenous communities who are defending their rights to ancestral domains. Fabricated charges are an especially perfidious form of

criminalization in which faked evidence is used to accuse the victims of a crime they have not actually committed. This rampant criminalization is accompanied by vilification, death threats, immense psycho-social stress, substantial legal uncertainty for individuals and institutions, as well as murders.

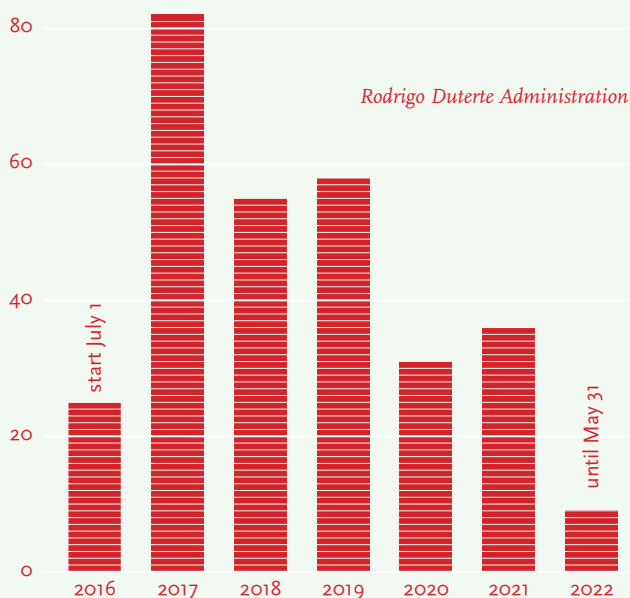
One bright spot was the passing of the Human Rights Defenders Act by the House of Representatives on January 17, 2021.⁴⁴ In March 2021, the UN Special Rapporteur on the situation of HRDs called on the Philippine Congress to prioritize the passage of the legislation, citing the “extremely serious risk faced by those peacefully defending human rights”⁴⁵ in the Philippines. The bill aims to put an end to the extreme harassment, intimidation, criminalization, and killings of HRDs in the Philippines. It also provides for the creation of a Human Rights Defenders Committee,⁴⁶ with the chair and members to be elected by the CHR along with representatives from human rights organizations.

The new law, however, would mandate the government to respect the rights of HRDs such as promoting and protecting human rights and fundamental freedoms. Also, it would prohibit state authorities from freezing or seizing the bank accounts of human rights organizations. Derogatory labeling of HRDs, such as the commonly practiced *red-tagging* of them as communists or terrorists, would become liable to prosecution. The National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) described the bill as “dangerous and potentially unconstitutional,”⁴⁷ underlining its potential to support the interests of the communist insurgency. Here it may be helpful to recall that the NTF-ELCAC itself was created as an implementing body of Duterte’s whole-of-the-nation approach to ending the communist insurgency. With the formation of the new government, however, lobbying for the HRD bill has to begin anew in the Philippine Congress.

KILLINGS OF HUMAN RIGHTS DEFENDERS

Duterte’s dangerous pronouncements against human rights activists and the subsequent degradation of the meaning of human rights has not only made it harder for activists to carry out their work but also incited the demonization of human rights activism.⁴⁸ HRDs who were involved in conflicts over agrarian land and natural resources, such as mining projects, became the primary targets of threats and killings. A significant increase in threats against land rights and environmental activists occurred following the lifting of the moratorium on new mining contracts through the issuance of Executive Order No. 130 (EO 130) on April 14, 2021.⁴⁹ In the wake of the COVID-19 pandemic, the government considered mining to be a key sector for economic rehabilitation on account of its ability to attract more foreign corporations and investment. In this context, 30 activists were killed in the Philippines in relation to mining and land rights conflicts in 2018. This came following 48 such killings in 2017, which was the highest number ever recorded in all of Asia.⁵⁰

KILLED HUMAN RIGHTS DEFENDERS IN THE PHILIPPINES 2016 – 2022¹



¹ This infographic may deviate from the one published in the 2019 AMP human rights report due to the revision of cases.

Red-tagged HRDs – meaning those who are falsely accused of supporting the communist insurgency – are under particular threat. Targeted killings of leftist political activists have a long history in the Philippines, but the systematic vilification of individuals and groups along these lines gained new momentum under Duterte, especially after he ended peace talks with the NDFP in November 2017.⁵¹ The termination of the peace process resulted in an immediate rise in accusations of NGOs being fronts for the NPA.

In December 2017, the Communist Party of the Philippines (CPP) and the NPA were officially declared terrorist organizations under the Human Security Act of 2007.⁵² A total of 649 individuals were listed in the petition as alleged members of the NPA and thus accused of being “terrorists.” Among these were also names of several dozen leftist politicians and HRDs as well as the former UN Special Rapporteur on the rights of indigenous peoples, Victoria Tauli-Corpuz,⁵³ a Philippine citizen.

Another victim of false accusations and death threats was Benjamin Ramos, a well-known human rights lawyer and founding member of the National Union of Peoples’



Rally against
Duterte's
“war on drugs.”

Lawyers (NUPL), the NGO Peace Development Group, as well as the national farmer scientist network known as MASIPAG. On November 6, 2018, Ramos was shot dead by unidentified men in Kabankalan City in Negros Occidental, making him the 35th of 66 lawyers killed under the Duterte administration (as of December 2021).⁵⁴ A 2022 report from the UN Special Rapporteur on the independence of judges and lawyers, Diego García-Sayán, actually makes note of 86 legal professionals killed since 2016.⁵⁵ He also describes the practice of *red-tagging* as a reason for the higher rates of criminalization and extra-judicial killings of lawyers in the Philippines.⁵⁶

Critical comments on social media alone can be reason enough to become a government target. In 2020, for instance, the privately organized Maginhawa Community Pantry became exasperated with the insufficient government support to meet the basic needs of the population for food amid the pandemic. The NTF-ELCAC vilified the Maginhawa Community Pantry online by calling them a “communist terrorist organization.” The pantry was then forced to temporarily stop its operations, which left their community without a supply of food.⁵⁷

The creation of the NTF-ELCAC was based on EO 70, issued on December 4, 2018.⁵⁸ Since the passing of the ATA in 2020, the NTF-ELCAC took up a key role in its implementation by actively *red-tagging* alleged communists. Its representatives, and in particular NTF-ELCAC

spokesperson Lorraine Badoy, have *red-tagged* HRDs, civil society actors, and the political opposition such as Leni Robredo as “terrorists.” In 2022, several complaints were filed by the Makabayan Bloc⁵⁹ against Badoy and the NTF-ELCAC for this practice of *red-tagging*.

After her murder, Zara Alvarez was also publicly vilified by NTF-ELCAC members as a terrorist. Alvarez was a human rights defender, community health worker, and teacher who was killed by two unidentified men on motorcycles near her home in Bacolod City on August 17, 2020 (see Case: Zara Alvarez below).⁶⁰ The same happened to former peace consultant advisor and Anakpawis partylist leader Randall Echanis, who was also accused of being a terrorist and was eventually brutally tortured and murdered in his home in Quezon City on August 10, 2020.⁶¹

A significant number of cases of harassment, vilification, and killings of HRDs have occurred as part of the government’s counterinsurgency operations. The raids of the PNP and the Armed Forces of the Philippines (AFP) are usually based on search warrants. Oftentimes, judges issue search warrants for several cases within a short period of time. In many of these cases, the PNP and AFP storm the houses of the targeted individuals late at night or in the early morning, claiming they are searching for evidence. In this so-called “Oplan Tokhang” practice (a combination of the Cebuano words *toktok* for “knock” and *hangyo* for “plead”), the security forces

themselves often plant the evidence inside the house during the raid. An example of this method are the incidents known as the Bloody Sunday or the Calabrazon Killings on March 7, 2021, where 42 warrants were issued by four judges in the span of just two days.⁶² These search warrants served as the basis for the heavy crackdown on civil society representatives, resulting in the death of nine individuals while six others were arrested. The searches took place in the early morning; several PNP units stormed the homes of these individuals

and shot them. The victims were Emmanuel “Manny” Assuncion, labor leader and Secretary-General of BAYAN-Cavite; two IP rights activists, Puroy dela Cruz and Randy “Pulong” dela Cruz; two peasant’s rights activists, Ana Marie “Chai” Lemita-Evangelista and Ariel Evangelista; and four housing rights activists, Abner and Edward Esto, Melvin Dasigao, and Mark Lee “Makmak” Coros Bacasno.⁶³ A year later, in March 2022, 34 police and military personnel who were involved in a total of three killings were charged with murder.⁶⁴

CASE: ZARA ALVAREZ



Zara Alvarez was a dedicated and well-known HRD, community organizer, teacher, and single mother of a minor. Alvarez supported landless peasants and agricultural workers in asserting claims to their rights, especially in her homeland, the island of Negros. She worked closely with human rights NGOs and church organizations. In addition, she was the research and advocacy officer at Negros Island Health Integrated Program for Community Development (NIHPCD).

Alvarez had been receiving death threats since the term of former President Gloria Macapagal-Arroyo. As early as 2004, Alvarez became the target of a vilification campaign by the military, which denounced her as a communist terrorist at public events and on a military radio program. She received threatening text messages (e.g., “We are watching you”), and her daily activities were surveilled. In 2008, due to her intensive documentation of human rights violations, Alvarez was declared persona non grata in Guihuln-

gan City along with two of her colleagues. In October 2012, Alvarez faced two trumped-up charges and was illegitimately detained. The AFP accused her of being a member of the NPA and charged her, on the basis of fabricated evidence, with murder and robbery in band. As a result, she remained imprisoned for almost two years. She was released on bail in July 2014. The legal proceedings were prolonged for several years and imposed restrictions on her work. The pending but false charges were a standing threat to her as well as to her family and colleagues. It was not until March 2020 that she was acquitted of the murder charge for lack of evidence – eight years after first being charged.

Although the charge was dismissed, Alvarez was still exposed to continued harassment. She was vilified as a terrorist and threatened. In a petition of the Philippine Department of Justice (DOJ), Alvarez was – among more than 600 other individuals – once again accused of being a communist terrorist in February 2018. She lived in constant fear for her life and in substantial legal uncertainty. Finally, the years of harassment, threats, and repression culminated in her assassination: On August 17, 2020, Alvarez was killed by unidentified perpetrators near her apartment in Bacolod City, Negros Island.

Zara Alvarez is one of many victims of the deteriorating human rights situation in the Philippines under former President Duterte.

DISAPPEARANCES OF HUMAN RIGHTS DEFENDERS

The enforced disappearance of HRDs is a common tool of oppression against civil society and is frequently employed by autocratic governments such as Duterte's. By now it is clear that enforced disappearances – which means that state agents were involved in the abduction, arrest of activists, and concealment of the victim's whereabouts – were well organized by perpetrators and systemic under Duterte's regime. The Philippine Center for Investigative Journalism (PCIJ) identified a pattern in disappearances in relation to Duterte's "war on drugs" that resembles life under martial law.⁶⁵ In 2022, the local NGO Families of Victims of Involuntary Disappearance (FIND) counted 24 disappearances related to the "war on drugs" out of 50 total disappearances during Duterte's administration.⁶⁶ According to FIND, cases of enforced disappearances are difficult to document because many relatives are afraid to speak up out of fear of retribution from the perpetrators.⁶⁷ Other families of missing persons who were seeking support from the PNP reported that the guidelines on the recording, moni-

toring, and investigation (as of Memorandum Circular 2016–2033) had not been followed.⁶⁸ In some instances, the involuntarily disappeared persons reappear as deceased after a while.

In 2012, the Philippines passed the Anti-Enforced or Involuntary Disappearance Act, making it the first Asian country to criminalize the practice of enforced disappearances.⁶⁹ The law also prohibits the use of secret detention facilities and makes provisions for the compensation and restitution of victims and their relatives. To date, however, no perpetrators of enforced disappearances have been convicted under this law. Only in the case of the kidnapping and unlawful detention of two students, Sherlyn Cadapan and Karen Empeño, on June 26, 2006, was former AFP general Jovito Palparan sentenced to 40 years in prison in September 2017. More recently, the enforced disappearance of Elena Tijamo on June 13, 2020, frightened several civil society organizations and their members as it was reminiscent of the malicious practices of the Marcos dictatorship (see Case: Elena Tijamo).

CASE: ELENA TIJAMO



Elena Tijamo was a dedicated human rights defender, community organizer, and coordinator at the NGO Farmers Development Center (FARDEC) in Central Visayas. She lived in Bantayan, Cebu.

On June 13, 2020, four unidentified armed men and two women kidnapped her from her home in Sitio Avocado, Barangay Kampingganon, Bantayan Island,

Cebu (Visayas). Her whereabouts at the time were unknown. Tijamo's family reported the case to the police. On August 30, 2021, one of her family members based in Manila – far away from where she was originally abducted – received a call from an unknown person saying that Tijamo had received surgery and had died in a hospital. It took her family two more days to get access to her body, which had already been brought to a funeral home under a false name.

Tijamo served also as community radio coordinator for FARDEC in Bantayan Island, Cebu. FARDEC has a radio program, Radyo Sugbuanon, in partnership with the International Association of Women in Radio & Television (IAWRT) Philippines. Before her disappearance, Tijamo was falsely accused by the Philippine military of supporting the communist insurgency of the NPA (i.e., *red-tagged*).

CRIMINALIZATION

Security forces, politicians, and private actors such as companies owned by Philippine oligarchs systematically abuse the criminal system to silence those who oppose their interests. HRDs are often criminalized on the basis of fabricated charges wherein faked evidence is used to accuse the victims of an alleged crime – a practice frequently applied by members of the military. These false charges often come with intimidation and a campaign of abuse against the victims, in which they are accused to be members of the NPA.

In many instances, victims are indicted for participating in an armed encounter between the AFP and the NPA. Typical charges are murder, arson, or illegal possession of firearms and explosives. For the latter, bail can only be granted in exceptional cases, which results in pretrial custody until the court concludes the case. The trials themselves are usually lengthy and take place over a long period of time due to overtaxed courts, slow bureaucracy, and corruption within the judicial system. In 2020, for instance, Windel Bolinget, chairperson of the Cordillera Peoples Alliance (CPA) and an advocate of indigenous rights, was unlawfully charged by the Regional Trial Court in Tagum City, Davao del Norte in Mindanao for his alleged involvement in the 2018 murder of Garito Malibato, a member of a Lumad indigenous organization. After years of threats and out of fear of being extrajudicially executed, Bolinget went into hiding. In January 2021, the Cordillera Police Director issued a “shoot-to-kill” order against him. Although the charges against him were dismissed on July 27, 2021, harassment campaigns and threats to his life persist to this day.

Human rights organizations have observed that the number of cases of criminalization drastically increased across the whole country under the Duterte administration. With the passing of the ATA on July 3, 2020, a highly problematic law was adopted that has institutionalized the criminalization of HRDs. The ATA is not only based on an overly broad and vague definition of terrorism but also undermines the presumption of innocence of the accused. The Anti-Terrorism Council (ATC) that was established under the ATA and consists of Senate and government representatives can declare individuals and organizations as “terrorists” even in the absence of

any evidence. The suspects can then be imprisoned for up to 24 days without an arrest warrant, and the bank accounts of the terrorist-declared organizations can be frozen with no due process in place to challenge the allegations. In June 2021, the ATC classified the NDFP as a terrorist organization under the ATA.⁷⁰

In 2021, 37 petitions from various stakeholders challenged the ATA as unconstitutional before the Philippine Supreme Court (SC).⁷¹ On December 7, 2021, the SC ruled the following two portions of the law unconstitutional⁷²: first, that the ATC was able to list individuals or groups as terrorists at the request of other countries; and second, that dissent can be defined as an act of terrorism if it is intended to cause harm or violence. Nevertheless, the ATA retained much of its problematic content. In March 2022, the majority of the initial petitioners re-filed a joint motion and demanded another review of the entire ATA in addition to some specific sections.⁷³ On April 26, 2022, however, the SC rejected all petitions against the controversial law with finality.⁷⁴

Two men from the indigenous community of the Aetas, Japer Garung and Junior Ramos-Urbano, were among the first to be accused as “terrorists” under the ATA. On August 21, 2020, the 703rd Brigade and 7th Infantry Division of the AFP engaged in an armed encounter with the NPA on the ancestral land of the Aeta in San Macelino in Zambales. Garung and Ramos-Urbano, who happened to be at this location at this time, tried to escape the gunfire when AFP soldiers arrested them on suspicion of being NPA members.⁷⁵ In November 2020, the two men were charged with alleged illegal possession of firearms and with the alleged murder of a soldier. Garung and Ramos-Urbano claimed that they were forced under torture in military detention to confess to being members of the NPA. Both remained in prison for 11 months until the Olongapo City Regional Trial Court dismissed the terrorism charges on July 15, 2021, as a result of insufficient evidence, contradictions in the soldiers’ testimonies, and their warrantless arrest.⁷⁶ Those who were responsible for the unlawful arrest and detention were not held accountable.

Trumped-up charges present a particular form of criminalization. These fabricated charges aim to discredit and imprison HRDs, and they take advantage of the lack of

forensic expertise that makes witness testimonies essential for the investigations of killings. The charges are often solely based on false testimonies of self-declared former rebels who claim to be able to identify the victim as a co-perpetrator of a crime. Philippine human rights organizations tend to assume that false testimonies are a result of the military bribing the witnesses. In several instances, it turned out afterwards that the witness testimonies were based on information provided by the military during a cross-examination. Often, however, witnesses are also afraid of speaking the truth due to concerns for their safety.

Despite the spurious nature of the evidence, prosecutors do file charges and judges allow trials to proceed without taking exculpatory evidence into account. This is in violation of Article 14 of the UN guidelines on the role of prosecutors, who “shall not initiate or continue prosecution, or shall make every effort to stay proceedings, when an impartial investigation shows the charge to be unfounded.”⁷⁷ The Philippine government also thereby violates its duty to protect the independence of the judiciary per ICCPR Article 14 (1).

CASE: DAN BALUCIO



United Church of Christ in the Philippines (UCCP) Pastor Dan Balucio is a well-known human rights activist, community organizer, and coordinator of Andurong Mayon (Ecumenical Disaster Response and Management Committee) in Albay Province. Pastor Balucio coordinated the ongoing humanitarian response in communities affected by the typhoons Rolly and Ulysees. Through his humanitarian activities in the Philippines, he is part of the civil society movement that facilitated the government’s humanitarian response to such natural disasters as typhoons. He is a social justice advocate and a critic of the Duterte administration. Pastor Balucio is also a member of the South Bicol Conference.

On May 2, 2021, at 3:30am, around 30 individuals of the police and military forcibly entered Pastor Balucio’s

bungalow at the Shannan Christian Academy in the Barangay San Isidro in St. Domingo Albay Province. Pastor Balucio serves as the administrator of the academy. He was staying there together with his wife and their two children as well as one further UCCP staff member. During the raid, Pastor Balucio’s family was brought outside the house where they had to wait for almost 45 minutes. In the meantime, the police and military went through their belongings without the presence of independent witnesses.

Only when local officials arrived was a search warrant shown to Pastor Balucio. The house was then searched anew for almost another 30 minutes. Yet, in the presence of the local officials, the state security forces allegedly found guns, ammunitions, a grenade, and a red flag of the “armed rebels.” Pastor Balucio was then arrested. This is because an alleged terrorist intent is already a crime under the ATA, thus resulting in a dismantling of legal proceedings for the protection of defendants.

On August 13, 2021, the Legazpi City RTC Branch 10 dismissed all charges against Pastor Balucio and released him from jail.⁷⁸ The search warrant was voided due to inconsistencies by the police, a common trend by courts in the region. Today, Pastor Dan Balucio still feels threatened.

POLITICAL OPPOSITION



Senator Risa Hontiveros and vice-presidential candidate Walden Bello in a rally.

Among some of Duterte's strongest critics were also opposition politicians such as former Senator Leila de Lima and former presidential candidate Leni Robredo. Duterte's government systematically harassed and attacked opposition politicians for their critical statements on the "drug war" killings. Marcos and Duterte-Carpio denounced their political opponents in the same way during the presidential election campaign. Robredo and former vice-presidential candidate Walden Bello were especially subject to attacks from their election competitors.

Senator de Lima became the most prominent target because of her criticism of Duterte's drug policy. In her previous function as chair of the CHR 2008, she had already come into conflict with Duterte, then mayor of Davao City. In 2012, De Lima ordered an investigation into the extrajudicial killings of alleged drug users by the Davao Death Squad.⁷⁹ After being charged for an alleged involvement in drug trafficking in February 2017, she was arrested and has been imprisoned ever since. Her case gained widespread international attention, not least because her unlawful detention was found to be clearly politically motivated and was exemplary of Duterte's re-

gime of criminalization at all levels. In February 2021, charges were dropped in one of the three cases filed against her.⁸⁰ A significant step towards her release was reached in April 2022, when two key witnesses retracted their testimonies.⁸¹ After self-declared drug lord Kerwin Espinosa withdrew his accusations against her, claiming that he himself was threatened,⁸² Rafael Ragos, a former officer in charge of the Bureau of Corrections, stated that his alleged delivery of money from drug lords to De Lima was false. Ragos claimed he was coerced into the bogus testimony by Duterte's former Justice Secretary Vitaliano Aguirre.⁸³

Duterte also made Vice President Leni Robredo a target of his attacks when he took power in 2016. Robredo called Duterte's anti-drug campaign non-transparent as well as "ineffective and out of control."⁸⁴ She also sharply criticized his plan to reinstate the death penalty.⁸⁵ In July 2019, the PNP Criminal Investigation and Detection Group filed a criminal complaint of sedition and libel against Robredo alongside 35 other oppositional respondents, including De Lima, for allegedly discrediting Duterte and his allies.⁸⁶ The DOJ dropped all charges based on a resolution from February 2020.⁸⁷

Robredo and her family also became victims of online sexual harassment. In April 2022, fake "sexist content" was spread on social media about her eldest daughter, Aika Robredo.⁸⁸ Moreover, Robredo became a major target of *red-tagging* as she gained increasing support for her presidential candidacy in the past election.⁸⁹

Former vice-presidential candidate Walden Bello is another strong critic of Duterte's "war on drugs" and of the unpunished human rights violations under dictator Marcos Sr.⁹⁰ In March 2022, he was charged with cyber libel by the former Head of the Information Office of Davao City Jefry Tupas for allegedly portraying her as "drug addict and drug dealer"⁹¹ in a Facebook post. At the same time, the Davao city council declared Bello persona non grata for his public statements that the city government was corrupt and the city a hub for the drug trade.⁹² Duterte-Carpio and her regional party Hugpong ng Pagbabago further attacked Bello by labeling him a "narco-politician." He allegedly "deliberately" withheld crucial information from the PDEA and the PNP on investigations of illegal drugs in Davao City.⁹³

FREEDOM OF THE PRESS



Under former President Duterte, both HRDs and journalists were frequently charged with libel if they reported or expressed opinions critical of the government and the acts of public officials. In 2021, the Philippines ranked seventh among the countries with the highest number of unsolved journalist murders.⁹⁴ Since the end of the Marcos dictatorship, the Philippines has had a dynamic media and press landscape where freedom of reporting is not restricted by censorship. However, when Duterte took office in 2016, attacks against the free press increased dramatically. In July 2021, Reporters without Borders listed Duterte, along with 36 other government heads across the world, as a “press freedom predator.”⁹⁵

In the Philippines, libel is a criminal offence pursuant to Articles 353–362 of the Revised Penal Code.⁹⁶ The definition of libel is especially problematic, as Article 354 declares that “every defamatory imputation is presumed to be malicious, even if it is true,”⁹⁷ thereby placing the burden of proof on the accused. The UNHRC found one case from 2011 in which the criminalization of libel in the Philippines represents a breach of the government’s obligations under Article 9 (1) of the ICCPR to protect the right to freedom of opinion.⁹⁸ Yet, in 2012, the Phil-

ippine Congress passed the Cybercrime Prevention Act, which further criminalized libel: The online posting of libelous statements can be punished with up to 12 years in prison.⁹⁹ Since many media agencies publish online articles, more journalists became liable to prosecution under this law.

In the past two years, Philippine libel law has come under strong criticism and calls for its decriminalization became louder – especially with the increase in killings of journalists. The UN Special Rapporteur on the promotion and protection of freedom of opinion and expression, Irene Khan, stated in 2021 that “[c]riminal law should be used only in very exceptional and most egregious circumstances of incitement to violence, hatred or discrimination”¹⁰⁰ and recommended an end to the criminalization of libel. The SC echoed these calls by recognizing that defamation should be prosecuted according to civil law because imprisonment is not considered an appropriate penalty.¹⁰¹

One example of attacks on the freedom of press is the continuous prosecution of Maria Ressa, co-founder of the online news platform Rappler. From the moment

Rally against repression of freedom of speech.

that she revealed evidence of Duterte's online army of paid trolls spreading fake news on social media in 2016, Ressa became a particular target of the government. Ressa and Rappler were accused of online libel, fraud, and tax evasion. On the basis of a government decision in June 2022, Rappler was to be shut down due to violations of foreign ownership rules.¹⁰² Prior to that, in March 2022, 21 out of 50 cyber libel cases against the news agency for reporting that was critical of the government were dismissed.¹⁰³ In May 2021, Ressa received the UN Educational, Scientific and Cultural Organization (UNESCO) Press Freedom Prize¹⁰⁴ and in October 2021 the Nobel Peace Prize¹⁰⁵ for her work against disinformation and for press freedom and freedom of expression.

The recent presidential election campaign underlined the severe situation of freedom of expression in the country. Restrictions on news coverage with attacks against independent media and individual journalists increased significantly. For instance, the PNP denied

two reporters access to campaign events of Ferdinand Marcos Jr. in Ilocos Sur without explanation.¹⁰⁶ A group of armed men attacked and harassed the journalists Manuel Garcellano and Reymark Umpacan from the independent and progressive media outlet UMANI Productions in January 2022. The two journalists conducted interviews with residents on an alleged illegitimate demolition of houses.¹⁰⁷

In addition, there was a rise in Distributed Denial of Service (DDoS) attacks against different online news sites over the course of several months. DDoS attacks have the ability to make websites temporarily inaccessible or prevent new content from being published. Technical measures to counter such attacks are very expensive in the Philippines. The DDoS attacks targeted among other organizations the news outlets Rappler, CNN Philippines, and ABS-CBN, the alternative media outlets Bulatlat and Altermidya, as well as the website of the human rights group Karapatan.¹⁰⁸

CASE: JESUS MALABANAN

Journalist Jesus Malabanan was a longtime correspondent for the British news agency Reuters; he also wrote locally for the Manila Times, Manila Standard, and Bandera news outlets. Malabanan was involved in the Reuters coverage of Duterte's "war on drugs," which was awarded a Pulitzer Prize in 2018. His investigation revealed that China was one of the major sources of illegal drugs entering the Philippines. As a result of the publication of these stories, Malabanan received death threats, according to his former colleague Manny Mogato. Reuters then helped him to go into hiding for several months. On December 8, 2021, Malabanan was shot dead while watching TV in his family's store in Calbayong City, Samar.

Both the PNP and the Presidential Task Force on Media Security (PTFoMS) launched investigations, assuming the murder was related to his work on land conflicts. The Philippine CHR launched its own investigation into the case on December 9, 2021, and condemned the murder of Malabanan. Results of the investigations have yet to be published. He was the twenty-second of 24 journalists who were killed during the Duterte administration, which underlines the rampant violence against journalists during that period.

INDIGENOUS PEOPLES' RIGHTS

In their struggle for their rights to ancestral lands, the Indigenous Peoples (IPs) in the Philippines are frequently *red-tagged*, harassed, vilified as terrorists, and murdered. IPs often become a major target in the domestic conflict between the government and the NPA. In some instances, the IPs are deliberately recruited by both the AFP and the NPA and thus involuntarily dragged into their conflict. The AFP argued that the recruitment of Lumads, for example, aims to “provide equal opportunities to minority groups”¹⁰⁹ in supporting the military’s anti-insurgency campaign. It is part of the AFP’s national program but is also designed to prevent these groups from joining the NPA.¹¹⁰

President Duterte repeatedly accused the independent Lumad schools – a collective name for members of different indigenous non-Muslim communities in Mindanao – of being training institutions for the NPA. Lumad teachers, students, and administrative personnel thus frequently experienced increased harassment and threats. The schools are crucial to the IP communities because these communities often have no access to adequate education. Indigenous history and traditional practices are also not taught in public schools.

According to the children’s rights group Save Our Schools Network, 162 Lumad schools were closed by the government. This affected over 4,792 students between July 2016 and December 2019; by 2021, almost all 215 Lumad schools in Mindanao had ceased operating.¹¹¹ Another incident known as the “Bakwit School 7” case occurred in February 2021, when the PNP forcefully removed at least 19 Manobo students and their teachers from the campus of the University of San Carlos-Talamban in Davao del Norte.¹¹² The police claimed that they were “rescuing” the students. The teachers who tried to protect the students from the police by hiding them then faced charges of kidnapping and child abuse; after three months in detention, all charges were dismissed.¹¹³ On February 24, 2022, Lumad teacher Chad Booc, who was among the arrested teachers at the Bakwit School 7 incident, was shot dead along with four others in an alleged clash between the AFP and NPA. The CPP denied that the five people were members of the NPA. Booc had long been a victim of *red-tagging*, which is also considered by his former lawyer Tony La Viña to be a “deadly” consequence of the problematic ATA.¹¹⁴



Economic interests in relation to natural resources in the ancestral domains of IPs often lead to violations of their human rights, land grabs, and land conflicts. About 60 percent of the Philippines’ mineral resources are estimated to be located in IP territories, thus turning their territories into an attractive target for economic investment.¹¹⁵ The Philippines voted in favor of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP)¹¹⁶ but has not ratified the Indigenous and Tribal Peoples Convention (International Labour Organization [ILO] Convention No. 169). The Mining Act of 1995 still grants mining companies extensive rights to cut timber and to use water free of charge.¹¹⁷ As a result, IP communities are often severely deprived of their rights to water, food, and access to the forest as enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR).¹¹⁸

The Indigenous Peoples’ Rights Act (IPRA) of 1997 allows IPs the rights over their territorial heritage, known as ancestral domains.¹¹⁹ Prior to any construction project, Free, Prior and Informed Consent (FPIC) must be granted from the respective IP community. Regardless, FPIC is frequently manipulated and violated by powerful business and political actors to obtain mining and agricultural permits, thereby undermining any land distribution efforts. These corporate land grabs result in the displacement of IP communities and lead to the

Ancestral domain of the indigenous Tumandok community in Tapaz, Capiz Province.

harassment and intimidation of defenders of indigenous rights. A 2020 UN report from the OHCHR emphasized that “various controversial large-scale projects to which indigenous communities have not consented remain pending, including the Kaliwa Dam project in

Quezon” province.¹²⁰ The 2020 Tumandok massacre in which nine indigenous rights defenders were killed was one of the most recent cases of violence against IPs (see Case: Tumandok massacre).

CASE: TUMANDOK MASSACRE



Eliseo Gayas Jr. at the Jalaur river.

At 4am on December 30, 2020, the Philippine security forces entered the houses of leaders of the Panay indigenous Tumandok community in the villages of Tapaz in Capiz province and Calinog in Iloilo province. In these joint police and military operations, nine IP leaders were brutally killed by gunshot in the presence of their family members; 16 others were arrested. The dead were identified as Roy Giganto, Reynaldo Katipunan, Galson Catamin, Eliseo Gayas Jr., Maurito Diaz Artilito, Mario Aguirre, Jomar Vidal, and Rolando Diaz. The police justified the killings by stating that the victims had resisted the search and arrest warrants.

The NUPL-Panay condemned the massacre publicly, saying that “neither a search warrant nor a warrant of arrest is a license to commit murder.”¹²¹ The search

warrants were issued for an alleged possession of firearms and explosives. Relatives of the detained IP members affirmed that the security forces planted the firearms found inside their homes and that some IPs were tortured.¹²² The arrested Tumandok members were later accused of being members of the NPA and of illegally possessing firearms and explosives – charges that can lead to 12 to 20 years of imprisonment without release on bail.

The killed Tumandok leaders were known activists who fought against militarization, land grabbing, and the construction of the Jalaur Mega dam between Tapaz and Calinog, as the dam could significantly threaten the IPs’ livelihoods. The military deliberately *red-tagged* them prior to the series of arrests and killings for their human rights advocacy. Just a few weeks before the massacre, Tumandok members from the villages of Tacayan and Lahug sought the help of the Philippine CHR. Several residents had been threatened by the military and pressured to surrender as alleged members of the NPA.

As of December 30, 2021, 15 out of 16 of the arrested Tumandoks were released.

The large-scale operation of the Tumandok massacre is reminiscent not only of the Marcos era but also of two successive large-scale operations by state security forces in December 2018 and March 2019 on Negros Island in which a total of 20 people were murdered and more than 50 people arrested.

IMPUNITY AND COOPERATION WITH THE INTERNATIONAL HUMAN RIGHTS SYSTEM



Duterte's anti-drugs campaign has encouraged a “culture of impunity”¹²³ as the government has failed to respect, protect, and fulfill human rights in the Philippines. In October 2021, the country still ranked seventh in the global impunity index.¹²⁴ It was not only the lack of thorough investigations that fostered widespread impunity in the country but also Duterte's rhetoric of violence and the prevailing climate of fear that paralyzed accountability mechanisms. The perpetrators' identities have been difficult to verify because witnesses were silenced or afraid to give evidence out of fear for their own safety. In many cases, hired killers carried out the assassinations, thus making it harder to link the murder to the state security forces. Since 2017, none of the perpetrators have been convicted in the thousands of cases of extrajudicial killings and enforced disappearances.

Over the years, the Philippine government created a multitude of bodies and mechanisms to investigate and prosecute cases of severe human rights violations. These include, among others, specialized investigation units such as the PNP's Task Force USIG, human rights desks in the police force and the army, the cross-departmental Inter-Agency Committee on Extra-Legal Killings (known as Administrative Order 35), as well as the engagement in the investigation of extrajudicial killings under the UN Joint Programme (UNJP). The PTFoMS was established under the Duterte administration with the aim of solving the murders of journalists and bringing perpetrators to justice. The government rated its performance in expediting the investigation and resolution of journalist murder cases since 2016 and creating a safer environment for journalists as highly successful.¹²⁵ This is at odds with

Rally against the return of the Marcoses to the presidential palace.

the notably worse repression of the free press and attacks against the media under Duterte's government.¹²⁶

Despite its lack of political and fiscal independence as well as of prosecutorial power, the CHR was one of the only national human rights mechanisms that consistently countered Duterte's policies. The commission suffered various attacks from Duterte and his supporters. In 2017, the House of Representatives initially accepted to cut the budget of the independent CHR to a measly 1,000 pesos (20 euros);¹²⁷ the Congress later voted for a budget of 659.5 million pesos (11.8 million euros). The CHR chair and its highest-ranking commissioners are also appointed by presidential decree, making it easy for the government to exert control.

In its April 2022 report, the CHR concluded that police officers showed an "intent to kill" and applied "excessive force" during the anti-drug operations.¹²⁸ According to the CHR, 201 out of 235 victims were shot in the head and/or torso.¹²⁹ The "nanlaban" plot wherein the victims supposedly resisted or fought the security forces using

firearms was found to be a common narrative as documented by the authorities. The CHR report also stated that in only 31 out of 882 cases did the police officers involved suffer an injury.¹³⁰ The report further highlighted that the PNP has repeatedly denied the CHR access to police records, which again underscores the lack of transparency and impartiality in the government's internal processes. In May 2022, the Duterte government brushed off the CHR report by describing it a "rehash of old issues"¹³¹ and further emphasized that the anti-drugs campaign leaves "a legacy of a safe and secure Philippines."¹³²

Under its former and now deceased chairperson Chito Gascon (2015–2021), the CHR adopted a particularly critical attitude towards Duterte's "war on drugs." Gascon, a dedicated human rights lawyer, repeatedly confronted the government for its lack of accountability in human rights abuses that had been committed.¹³³ Duterte's administration and his supporters subsequently attacked Gascon and the CHR by accusing it of frequently taking the "drug war" victims' side.¹³⁴

CASE: BENJAMIN BAYLES

A regional court in Bacolod City convicted two Philippine Army intelligence officers for the murder of activist Benjamin Bayles on March 31, 2022¹³⁵ – twelve years after he was killed. Bayles was a coordinator of the party-list Bayan Muna and member of the Iglesia Filipina Independiente (IFI). In broad daylight, the two men shot Bayles on June 14, 2010, from a motorcycle in Himamaylan City in Negros Occidental.¹³⁶

Bayles had been under military surveillance since May 2010. As a member of the September 21 movement (itself a part of the human rights organization Karapatan), Bayles advocated for the rights of upland farmers and farm workers. He also helped families of victims of human rights abuses, committed by the police and military, to seek legal advice. At the time of his murder, Bayles was actively campaigning against mining projects and for peasants' rights.

The NUPL, which represented Bayles, informed the public about the court's decision on April 18, 2022: Rafael Cordova and Reygine Laus were both sentenced to "reclusion perpetua," meaning imprisonment from 30 to a maximum of 40 years. Moreover, they had been ordered to pay compensation to Bayles' family. After the DOJ requested the transfer of the case from Himamaylan City to Bacolod City in 2019, several testimonies of eyewitnesses and circumstantial evidence led to their conviction. Coincidentally, Bayles was also a client of human rights lawyer Benjamin Ramos, who was murdered in 2018. The conviction in Bayles' murder case was a result of the relentless efforts of Bayles' lawyers and is illustrative of the lengthy fight against impunity in the country.

COOPERATION WITH INTERNATIONAL HUMAN RIGHTS MECHANISMS

With the Philippines' withdrawal from the International Criminal Court (ICC) on March 17, 2019,¹³⁷ the Duterte government demonstrated its unwillingness to engage with international human rights mechanisms to address the serious human rights violations in the country. The ICC, however, remains mandated to prosecute all crimes committed before its withdrawal. On September 15, 2021, the Office of the Prosecutor of the ICC announced an independent investigation into alleged crimes against humanity in the Philippines, pursuant to Article 15 (3) of the Rome Statute.¹³⁸ In response to the ICC's announcement, Duterte promptly stated that he would not allow prosecutors into the country.¹³⁹

In July 2021, the Philippine government and the OHCHR launched the UNJP, which was mandated by a Human Rights Council (HRC) resolution in October 2020.¹⁴⁰ The program is designed to support the Philippine government in conducting adequate investigations into cases of extrajudicial killings that occurred during police operations. Human rights groups have criticized the UNJP as an inadequate response to the human rights calamity in the Philippines. Instead of aiming for accountability for the systematic human rights violations, which may even amount to crimes against humanity, the program offers technical support to the very institutions responsible for these crimes.

This is highlighted by the stated goals of the program, which aim only at "a significant reduction in numbers of cases of [...] killings, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unions and human rights advocates"¹⁴¹ rather than calling for an immediate and complete stop to such severe human rights violations. Compared to a 2020 baseline number, defined by the PNP itself, "the number of deaths resulting from police operations"¹⁴² should be reduced by 10 percent by June 2022 and by 20 and 30 percent by June 2023 and 2024, respectively. In light of the huge discrepancy between government and independent statistics on the numbers of killings related to the "drug war", these indicators are highly contentious among human rights advocates.

These advocates also fear that the government uses the UNJP to show the international community its ostensible "willingness" to investigate its own human rights abuses, thereby preventing independent investigations such as those of the ICC from taking place.

On February 17, 2022, the European Parliament adopted the fifth urgency resolution on the Philippines during President Duterte's term.¹⁴³ The resolution identified the dramatic deterioration of the human rights situation in the Philippines under Duterte and called on the Philippine government to stop the violence as well as explicitly to end the "war on drugs." The resolution also lists human rights violations in the Philippines in detail, including numbers, dates, and names such as Zara Alvarez (see p. 18), Jory Porquia, and Elena Tijamo (see p. 19).

RECOMMENDATIONS FOR THE PHILIPPINE GOVERNMENT

THE “WAR ON DRUGS”

- » Immediately end the Philippine government’s anti-drug campaign and put a human-rights-based drug policy in its place.
- » Immediately and impartially investigate all cases of drug-related extrajudicial killings, including covert police operations and vigilante killings. To this end, establish an independent commission and ensure that this commission operates independently of the Philippine National Police (PNP), the Philippine Drug Enforcement Agency (PDEA), and the President’s Office and fully cooperates with international investigatory mechanisms.
- » Fully cooperate with the independent investigations of the International Criminal Court (ICC) and international human rights mechanisms.

PROTECTION OF HUMAN RIGHTS DEFENDERS AND JOURNALISTS

- » Immediately stop all intimidation, threats, and violence against human rights defenders (HRDs), journalists, church workers, and indigenous peoples by state security forces, civil servants, and government officials in the Philippines.
- » Immediately and impartially investigate all cases of killings of human rights defenders and journalists and bring all perpetrators to justice.
- » Take all necessary steps to protect HRDs and journalists from harassment, violence, and death.
- » Order the PNP and Armed Forces of the Philippines (AFP) to cease filing trumped-up charges against HRDs and to refrain from making statements that stigmatize them, especially those which suggest that defenders are members of the NPA.
- » Direct the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) to cease all forms of harassment and vilification of activists, civilians, and HRDs.
- » Ensure that prosecutors and judges do not open trial proceedings in cases of manifestly fabricated charges against HRDs.
- » Pass the Human Rights Defenders Act to ensure protection of HRDs.

FREEDOM OF THE PRESS

- » Cooperate with the independent media and protect freedom of the press and freedom of expression by repealing all criminal defamation laws, including those set out in Articles 353 to 355, Articles 358 to 362 of the Revised Penal Code, and Section 4(c)(4) of the Cybercrime Prevention Act.
- » Drop all charges against Maria Ressa, Rappler, and its journalists without delay.

IMPUNITY

- » Embark on substantial reform of the judicial system to ensure that perpetrators of severe human rights violations are brought to justice and expedite judicial proceedings of such cases.
- » End impunity for extrajudicial killings, enforced disappearances, and torture, in particular when the perpetrators belong to the security forces, by undertaking thorough investigations of all such cases.
- » Amend the Anti-Terrorism Act (ATA) to bring Philippine counter-terrorism legislation in compliance with international human rights standards.
- » Ratify the International Convention for the Protection of All Persons from Enforced Disappearances.
- » Expand the funding and effectiveness of the witness protection program to ensure full protection of witnesses before, during, and after investigations and trials.
- » Ensure the independence of judges and prosecutors.
- » Immediately stop all attempts to obstruct and discredit the work of the CHR. Ensure adequate funding for the work of the commission.
- » Resume the stalled peace negotiations with the National Democratic Front of the Philippines (NDFP).
- » Continue the peace process and development of the Bangsamoro Autonomous Region in Muslim Mindanao.

INDIGENOUS RIGHTS

- » Launch thorough and impartial investigations of all killings of Indigenous Peoples (IPs) in which the military, paramilitary organizations, mining companies, or other infrastructure development companies are implicated. Take all necessary steps to protect indigenous protestors against mining and other infrastructure development projects from harassment and violence.
- » Ensure that the Free, Prior and Informed Consent (FPIC) of IP communities is obtained before issuing licenses for mining projects or other infrastructure development projects on their ancestral domains.
- » Investigate all incidents of attacks on indigenous schools, their teachers, and students and bring the perpetrators to justice.
- » Ratify ILO Convention No. 169.

COOPERATION WITH INTERNATIONAL HUMAN RIGHTS MECHANISMS

- » Guarantee unrestricted access to the country for all international human rights mechanisms for investigation and monitoring, including representatives from the United Nations High Commissioner for Human Rights (UNHCHR) and the ICC.
- » Fully cooperate with the investigations of the ICC.
- » Fully cooperate with and issue a standing invitation to all Special Rapporteurs with thematic mandates and working groups of the UN Human Rights Council (UNHRC), in particular the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on extrajudicial executions, as well as the Working Group on enforced or involuntary disappearances.

RECOMMENDATIONS FOR THE EUROPEAN UNION AND ITS MEMBER STATES

- » Seriously consider using the Generalized Scheme of Preferences (GSP+) process to engage with the Philippines on their human rights issues.

RECOMMENDATIONS FOR OTHER INTERNATIONAL PARTIES

- » Insist that the Philippine government cooperates with all international human rights mechanisms, in particular the UNHRC and the ICC.
- » Support the creation of an international investigation mechanism into human rights violations in the Philippines by the UNHRC.
- » Rigorously utilize bilateral and multilateral human rights dialogues to urge the Philippine government to comply with international human rights standards.
- » Monitor trials in cases that criminalize HRDs to determine whether minimum standards of due process are being observed or to demand that they be observed if observance of due process is lacking.

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KILLED HUMAN RIGHTS DEFENDERS AND JOURNALISTS

August 19, 2019, to May 31, 2022¹

Name	Date	Place	Conflict Background	Affiliation	Alleged Perpetrators
Medardo Espina Barro	Aug 19, 2019	Matalam, Cotabato	Peasants' rights, land rights	Kilusang Magbubukid ng Pilipinas-Southern Mindanao	Unknown
Leah Tumbalang	Aug 23, 2019	City of Valencia, Bukidnon	Peasants' rights	Tigwahanon leader from San Fernando town of Bukidnon; active member of Kaugalingong Sistema Igpapasindog Tuo Lumadnong Ogpaan (KASILO); organizer of Bayan Muna	AFP
Nedis Bacong	Sep 11, 2019	San Fernando, Bukidnon	Peasants' rights	Peasant leader of KASAMA-Bukidnon	Unknown
Angelito Marivao	Sep 16, 2019	San Fernando, Bukidnon	Peasants' rights	Member of KASAMA-Bukidnon	Unknown
Jupiter Gonzales, Christopher Tiongson	Oct 20, 2019	Arayat, Pampanga	Journalism	Columnist for Tabloid Remate (J. Gonzales)	Unknown
Nathaniel Dodo Tagaylo	Oct 29, 2019	Valencia, Bukidnon	Peasants' rights, land rights	Member of KASAMA-Bukidnon	Unknown
Reynaldo Malaborbor	Nov 04, 2019	City of Cabuyao, Laguna	Labor rights	Union leader; community organizer; coordinator of Makabayan Southern Tagalog at elections	Unknown
Dindo Generoso	Nov 07, 2019	Dumaguete City, Negros Oriental	Journalism	Radio commentator; critical coverage on gambling	Unknown
Jennifer Tonag	Jan 17, 2020	Lope de Vega, Northern Samar	Peasants' rights, land rights	Organizer of Northern Samar Small Farmers Association (NSSFA)	Unknown
Emerito Pinza, Romy Candor	Jan 19, 2020	Kalayaan, Laguna	Land rights, peasants' rights	Pinagkaisan ng Ugnayan ng mga Magsasaka sa Laguna (PUMALAG) members	PNP Regional Mobile Force Battalion 4A
Jay-ar Mercado	Jan 31, 2020	Bulalacao, Oriental Mindoro	Indigenous rights	Bigkis at Lakas ng mga Katutubo sa Timog Katagalugan (BALATIK); IP community organizer	4th IBPA
Marlon Maldos	Mar 17, 2020	City of Tagbilaran, Bohol	Cultural rights, peasants' rights	Cultural activist; peasant advocate	Unknown
Nora Apique	Mar 31, 2020	San Miguel, Surigao del Sur	Peasants' rights	Leader of Kahugpungan sa mga Mag-uuma sa Surigao del Sur; Barangay Agrarian Reform Committee (BARC) member; chairperson of the Municipal ARC	Unknown
John Farochilin	Apr 18, 2020	Miag-ao Town, Iloilo	Peasants' rights	Council member of farmers group Pamanggas; chair of farmers group Alyansa sang Mangunguma sa Miag-ao	61st IBPA
Jose "Jory" Reynaldo Porquia	Apr 30, 2020	Iloilo City, Iloilo	Civil-political rights, ESC rights	Madia-as Ecological Movement activist; member of Bayan Muna	Unknown
Cornelio "Rex" Pepino	May 06, 2020	Dumaguete City, Negros Oriental	Journalism	Radio journalist; covered illegal mining and local bribery issues	Unknown
Allan "Mano Boy" Aguilando	May 26, 2020	Catamar, Northern Samar	Land rights, peasants' rights	Peasant leader and chairperson of Northern Samar Small Farmers Association (NSSFA)	AFP
Carlito "Ka Karletz" Badion	May 26, 2020	City of Ormoc, Leyte	Civil-political rights	Secretary-General of Kalipunan ng Damayang Mahihirap (KADAMAY)	AFP
Diony Seromines	May 29, 2020	Alabel, Sarangani	Civil-political rights	Refused as Sarangani barangay captain to sign a paper as a witness in a drug buy-bust operation; supporter of the urban poor	Unknown
Froilan "Kawing" Reyes	Jun 18, 2020	Kalayaan, Laguna	Civil-political rights	Barangay captain of San Antonio; MAKABAYAN Southern Tagalog	Unknown

Name	Date	Place	Conflict Background	Affiliation	Alleged Perpetrators
Jose Jerry Catalogo	Jun 23, 2020	Escalante City, Negros Occidental	Peasants' rights, land rights	National Federation of Sugar Workers (NFSW) Escalante City; farmer; father of political prisoner Cheryl Catalogo	Unknown
Randall “Ka Randy” Echanis, Louie Tagapia (neighbor)	Aug 10, 2020	Quezon City, Metro-Manila	Peasants' rights, ESC rights	NDFP peace consultant; neighbor, bystander (L. Tagapia)	Unknown
Zara Alvarez	Aug 17, 2020	Bacolod, Negros Occidental	Civil-political rights, ESC rights, red-tagging	Paralegal for Karapatan-Negros; teacher; political activist	Unknown
Jobert “Polpog” Bercasio	Sep 14, 2020	City of Sorsogon, Sorsogon	Journalism	Journalist; covered illegal mining and deforestation issues	Unknown
Virgilio Maganes	Nov 10, 2020	Villasis, Pangasinan	Journalism	Commentator at DWPR radio; columnist for Northern Watch	Unknown
Ronnie Villamor	Nov 14, 2020	Milagros, Masbate	Journalism	Journalist, among others, at Dos Kantos Balita; covered land rights issues	AFP
Armando Buisan	Nov 14, 2020	Catanauan, Quezon	Peasants' rights	Chairperson of the General Luna chapter of Coco Levy Fund Ibalik sa Amin (CLAIM); peasant leader	Unknown
Ignacio “Tukoy” Jr. Arevalo	Nov 25, 2020	City of Surigao, Surigao del Norte	Civil-political rights	Member of Nagkahiusang Ginag-may'ng Minero (NAGAMI)-KMU	Unknown
Roy Giganto, Reynaldo Katipunán, Galson Catamin, Eliseo Gayas Jr., Maurito Diaz, Artilito Katipunán, Mario Aguirre, Jomar Vidal, Rolando Diaz	Dec 30, 2020	Tapaz, Capiz Calinog, Iloilo	Indigenous rights, land rights, red-tagging	IP Tumandok organization leaders; political activists	PNP-Criminal Investigation Detection Group and Police Regional Office- Western Visayas (PRO-6)
Aldrin Enriquez	Jan 06, 2021	Iriga City, Camarines Sur	Civil-political rights	Camarines Sur People's Organization (CSPO)	PNP
Vernel Mondreal	Jan 21, 2021	Sibalom Town, Antique	Peasants' rights	Peasant leader; head of the human rights desk in Ipanolong Village	Unknown
Antonio “Cano” Arellano	Feb 02, 2021	City of Escalante, Negros Occidental	Peasants' rights	Peasant leader; chairman of Paghiliusa sa Mangunguma (PMSB) chapter of the National Federation of Sugar Workers (NFSW)	Unknown
Romeo “Rommy” Loyola Torres	Feb 05, 2021	Mabitac, Laguna	Land rights	Samahang Magsasaka sa San Mateo (Sama-Sama); land rights activist	Unknown
Lucresia Mancha-Tasic	Feb 16, 2021	City of Tagbilaran, Bohol	ESC rights	Village councilor of Barangay Hanopol Norte; political activist	Unknown
Julie Catamin	Feb 28, 2021	Calinog, Iloilo	ESC rights	Village chief, who was vocal in condemning the arrests of Tumandok IPs	Unknown
Emmanuel “Manny” Asuncion, Abner Esto, Edward Esto, Mark Lee Bacasno, Michael Dasigao, Puroy dela Cruz, Randy dela Cruz, Ana Mariz Lemita Evangelista, Ariel Evangelista	Mar 07, 2021	Rizal; Cavite; Batangas	Civil-political rights, ESC rights, right to housing, indigenous rights, peasants' rights, labor rights, red-tagging	Secretary general of BAYAN in Cavite (E. Asuncion), Damayan para sa Kabuhayan, Katarungan at Kapayapaan (SIKKAD-K3; A. and E. Esto), Ugnayan ng Mamamayan Laban sa Pagwawasak ng Kalikasan at Kalupaan (UMALPAS KA; A. and A. Evangelista), advocates of indigenous people's rights; political activists	PNP and AFP

Name	Date	Place	Conflict Background	Affiliation	Alleged Perpetrators
Dandy Miguel	Mar 28, 2021	Calamba City, Laguna	Labor rights, red-tagging	Labor rights activist; vice chairperson of Pagkakaisa ng Manggagawa sa Timog Katagalugan (PAMANTIK-KMU); president of Lakas ng Nagkakaisang Manggagawa ng Fuji Electric-OLALIA-KMU; national council member of Kilusang Mayo Uno	Unknown
Jesus Pason Jr.	Apr 15, 2021	Silay City, Negros Occidental	ESC rights, urban poor, right to housing	Pasil Homeowners Association, Kadamay Negros; urban poor leader	Unknown
John Heredia	May 02, 2021	Roxas City, Capiz	Journalism	Former chairman of the NUJP Capiz chapter; producer and host of Abri-Aga Alto Cable TV in Capiz	Unknown
Briccio Nuevo Jr.	May 04, 2021	City of Guihulngan, Negros Oriental	Civil-political rights, red-tagging	Iglesia Filipina Independiente (IFI)	Unknown
Ailyn Ekit Bulalacao, Ramon Boy Valenzuela Brioso, Antonio Poligrates	Jun 08, 2021	City of Masbate, Masbate	Red-tagging	Farmers; military claimed they were NPA rebels responsible for a murder	2nd IBPA
Willy Rodriguez, Lenie Rivas, Angel Rivas	Jun 15, 2021	Surigao del Sur	Indigenous people, red-tagging	Lumad-Manobo farmers; Lumad organization Malahutayong Pakigbisog alang sa Sumusunod	4th IBPA, 3rd Special Forces Battalion
Elder Moina	Jun 24, 2021	Jovellar, Albay	Peasants' rights	Organisasyon ng Magsasaka sa Albay members; farmer	Unknown
Jose Arthur Clemente	Jun 24, 2021	Jovellar, Albay	Peasants' rights	Organisasyon ng Magsasaka sa Albay members; farmer; local barangay official	Unknown
Renante "Rey" Cortes	Jul 22, 2021	Cebu City, Cebu	Journalism	Radio journalist	Unknown
Marlon Napire, Jaymar Palero	Jul 26, 2021	Guinobatan, Albay	Civil-political rights, freedom of expression	Political activists	PNP Albay
Veneranda Guinanao	Aug 12, 2021	Maremagno Town, Bukidnon	Women's, land and peasants' rights	Local leader of Amihan National Federation of Peasant Women-Bukidnon; member of Buffalo-Tamaraw-Limus	PNP
Gerald Ral	Aug 21, 2021	Lagonglong, Misamis Oriental	Peasants' rights, red-tagging	Balingasag Farmers Association (BAFA) – local affiliate of Kilusang Magbubukid	Unknown
Elena Tijamo	Sep 01, 2021	Manila City, Metro-Manila	Peasants' rights, land rights	Program coordinator for sustainable agriculture at Farmers Development Center (FARDEC); Community Radio Coordinator of FARDEC in Bantayan Island, Cebu	AFP, Unknown
Juan Macababbad	Sep 15, 2021	Surallah Town, South Cotabato	Civil-political rights	Public interest lawyer; vice chair of the Union of Peoples' Lawyers in Mindanao (UPLM); member of the National Union of People's Lawyers (NUPL)	Unknown
Orlando "Dondon" Dinoy	Oct 30, 2021	Bansalan, Davao del Sur	Journalism	Journalist for the local publication Newsline Philippines and radio station Energy FM	Unknown
Jesus "Jess" Malabanan	Dec 08, 2021	City of Calbayog, Samar	Journalism	Correspondent for The Manila Standard; worked on the Reuters news agency's Pulitzer coverage of a drug crackdown in 2017	Unknown
Jaynard Angeles	Jan 12, 2022	Tacurong City, Sultan Kudarat	Journalism	Former radio commentator	Unknown

Name	Date	Place	Conflict Background	Affiliation	Alleged Perpetrators
Silvestre Fortades Jr., Rose Marie Galias	Jan 15, 2022	Barcelona, Sorsogon	Peasant rights, red-tagging	Anakpawis; farmers	Unknown
Gerald ‘Mommy Oyok’ Casaljay	Feb 08, 2022	City of Calbayog, Samar	Civil-political rights	Youth council Sangguniang Kabataan (SK); LGBTQ+ community	Unknown
Chad Booc, Gelejurain Ngujo II, Elegyn Balonga; Robert Aragon and Tirso Añar (drivers)	Feb 23, 2022	New Bataan, Davao de Oro	Indigenous rights, ESC rights, red-tagging	Lumad community volunteers; Save Our Schools (SOS) Network members (C. Booc, G. Ngujo II); community health worker (E. Balonga); two drivers, bystanders (R. Aragon und T. Añar)	1001st IBPA

1 The cases listed here may deviate from the AMP UPR report of 2022 (Universal Periodic Review) on account of later revisions and adjustments.

Disclaimer:

This list comprises 93 human rights defenders and journalists who were killed in the Philippines between August 19, 2019, and May 31, 2022. Occasionally, we have also indicated relatives or bystanders who died during the assaults. Our classification of “human rights defender” follows the definition of the Office of the United Nations High Commissioner for Human Rights (OHCHR), which defines them as people who, individually or with others, act to promote or protect human rights while employing peaceful action. We have only included cases in which the victim’s death is confirmed, excluding all cases of enforced disappearances in which the whereabouts of the victims remain unknown. Our research is based on publicly available online sources, mostly local human rights organizations and credible media sources. Where possible, we have cross-checked the data with our local partners and networks. We have only included killings in which a connection to the victim’s activity as human rights defender or journalist is to be assumed. The column “Conflict Background” indicates the issue to which the respective killing is most likely related. In some cases, several possible backgrounds have been indicated. However, since there was no reported conviction in any of these cases, the real motives of the perpetrators cannot be verified. Finally, we have also indicated the alleged perpetrators of the killings based on the allegations made in our sources. A verification of these allegations is again not possible due to the lack of convictions.

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