

**Action Network Human Rights Philippines (AMP)**

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## Extrajudicial Killings and repressions against Rights Defenders in the Philippines

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Repression and **systematic attacks** continue to intensify against rights defenders in the Philippines. The shrinking of democratic spaces in the country has been in **constant decline** since 2016 when Rodrigo Duterte became president. By instituting legislative and policy restrictions, the government has **weaponized the law** meant to restrict people's dissent. These deliberate attacks have not only created a culture of fear and impunity but have also directly put many **rights defenders lives at constant risk**.

### Extrajudicial Killings and Impunity

- Labour rights activist **Dandy Miguel** was shot dead in Barangay Canlubang in Laguna, on Sunday night, March 28; he documented harassments against workers and filed complaints with the Philippine Commission on Human Rights (CHR); he chose not to file a direct complaint or file for an extraordinary writ of amparo with the courts, because the killing of rights defender Zara Alvarez<sup>1</sup> had a chilling effect on his confidence in the Philippine jurisdiction<sup>2</sup>
- Deadly crackdown against activists on March 7, 2021 called **Bloody Sunday: The Philippine National Police (PNP)** committed a massacre that **killed nine human rights defenders** and imprisoned at least four fellow rights defenders; **PNP** intruded the houses in the early morning hours based on **search warrants**, there is a strong fear that there are more warrants and raids will follow in the region<sup>3</sup>; victims are<sup>4</sup>:
  - o **Emmanuel "Manny" Asuncion**, labour leader and Secretary-General of BAYAN-Cavite
  - o two Indigenous Peoples (IP) rights activists **Puroy dela Cruz** and **Randy "Pulong" dela Cruz** who were members of the IP Dumagat
  - o two Peasant rights activists, fisherfolk leaders and parents of a 10-year-old child **Ana Marie "Chai" Lemita-Evangelista** and **Ariel Evangelista**
  - o two housing rights activists **Melvin Dasigao** and **Mark Lee Bacasno**
  - o Farmer-siblings **Abner Esto** and **Edward Esto**
- **Indigenous People (IP)**: On December 30, 2020, 17 people belonging to the IP Tumandok Tribe in Panay, Capiz were arrested and **nine were killed** in simultaneous police operations. All had been **protesting a hydropower project**, which would flood their communities; on February 28, 2021 supposed **key witness** in the defense of Tumandok members, local community leader **Julie Catamin**, was **shot dead** by unidentified perpetrators;

<sup>1</sup> Rights Defender Zara Alvarez asked for protection but was denied by the Philippine court, the revision has been filed with the Supreme Court for a group of rights defenders two years ago: <https://www.rappler.com/nation/zara-alvarez-petition-writ-amparo-habeas-data-court>

<sup>2</sup> <https://www.fidh.org/en/issues/human-rights-defenders/philippines-deadly-crackdown-on-human-rights-defenders>

<sup>3</sup> According to Supreme Court Administrator Midas Marquez, the PNP applied for 72 search warrants for the March 7 incidents. Of the 63 applications in the Manila RTC, 42 were granted, while out of the nine filed before Antipolo RTC, four were granted.

<sup>4</sup> <https://www.rappler.com/newsbreak/iq/names-activists-killed-by-duterte-government-bloody-sunday-march-7-2021>

**Human rights lawyer Angelo Karlo Guillen** and legal counsel for the IP group was stabbed in March 3, 2021 after being red-tagged for his engagement in the case but luckily survived; he is also one of the petitioners out of 37 petition complaints against the Anti-Terrorism Act of 2020 to the Supreme Court,

- **61 lawyers were killed** since Duterte became president in 2016 – compared to 49 killed lawyers in a span of 44 years before from Marco to Aquino<sup>5</sup>; the **AMP** documented at least **242 extrajudicial killings of human rights defenders and of journalists** under Duterte until March 2021<sup>6</sup>; the latest **Urgency Resolution of the EP** estimates at least **208 extrajudicial killings of human rights defenders, journalists, and trade unionists**, amongst those at least **30 women**,
- All victims were vilified as “terrorists” or “suspects” – in fact, they had engaged in **rights-based work** for years, while the **red-tagging**<sup>7</sup> against them is **tied to the presidency of Duterte** and his **brutal fight against dissent**,
- There is lack of accountability toward the killings under the war on drugs and rights defenders; **Impunity remains a major problem**<sup>8</sup>.

### **Repression against the civil society leads to democratic backsliding and shrinking of civic spaces in the Philippines**

- **Due to repression by public entities, civil Society Organizations (CSOs) are restricted in their core activities** such as humanitarian and social work, legal support and case monitoring in courts, community work and documentation of human rights violations; partner organizations documented the following means of repression in the months between July 3, 2020 (enactment of the Anti-Terror Act of 2020) and February 1, 2021:
  - o **Enforced Disappearances** in at least one case
  - o **Red-tagging / Terrorist-tagging** of more than 54 people
  - o **Extrajudicial killings** of 31 victims
  - o **Harassments** - such as death threats assaults – in 15 incidences
  - o **Arrest and detention** of 45 individuals
  - o **Attempted arrests** of 4 individuals
  - o **Legal charges** against 3 individuals and 1 civil society organization (freezing of bank accounts)
  - o **Displacement** of 363 individuals (89 families)
  - o **Strafing**<sup>9</sup> in one incidence with 18 victims
  - o **Systematical torture and abuse** in the context of the militarized approach to the COVID-19 health crisis management<sup>10</sup>
  - o **Unilateral Termination of Agreement** between military the academic institution that is meant to protect students from militarization and uphold academic freedom in one case
- **Trumped-Up charges** are frequently used to intimidate and silence rights defenders:
- **Two regulations for the funding** of non-government and civil society organizations (NGO / CSO) were announced recently; these are widely seen as **instruments to further shrink the already narrowed civic and democratic spaces** in the Philippines and have a **chilling effect** on civil society actors and political dissenters: *Department of Foreign Affairs (DFA)’s Note Verbale No. 2021-0592* and *Department of the Interior and Local Government (DILG)’s Memorandum Circular No. 2021-012*<sup>11</sup>; concerns are that international donors will have to submit **detailed sensitive information** about their Philippine partner CSOs to the Philippine administration and state security forces; this will lead to **further vulnerability** of the civil society in the Philippines.

<sup>5</sup> <https://www.rappler.com/nation/lawyers-killed-duterte-marcos-aquino-administrations-data-studies>

<sup>6</sup> <https://amp.ngo/wp-content/uploads/2019/01/AMP-Report-2019-Human-Rights-in-the-Philippines-Under-Duterte.pdf>

<sup>7</sup> More details on red-tagging in the CHR Report on the situation of human rights defenders in the Philippines, July 2020: <http://chr.gov.ph/wp-content/uploads/2020/07/CHRP-2020-Report-on-the-Situation-of-Human-Rights-Defenders.pdf>

<sup>8</sup> <https://www.amnesty.org/download/Documents/ASA3530852020ENGLISH.PDF>

<sup>9</sup> Strafing: A method of killing or wounding persons or destroying properties by spraying with rifle bullets as with ground troops at a close range or with a machine gun fire from low-flying aircraft or elevated positions; see:

<https://news.abs-cbn.com/focus/09/21/18/by-the-numbers-human-rights-violations-during-marcos-rule>

<sup>10</sup> <https://www.hrw.org/news/2020/04/03/philippine-children-face-abuse-violating-covid-19-curfew>

<sup>11</sup> [https://dilg.gov.ph/PDF\\_File/issuances/memo\\_circulars/dilg-memocircular-2021128\\_c81ece04e9.pdf](https://dilg.gov.ph/PDF_File/issuances/memo_circulars/dilg-memocircular-2021128_c81ece04e9.pdf)

## **“Kill, kill, kill”, “Shoot them in the vagina” and Senator Leila de Lima “the only bitch” - the Presidents discourse of violence and misogyny**

- Duterte has **directly ordered** and even **admitted murder in public**; lately, he publicly has **assured** the state security forces **impunity for EJKs** even for the time after his presidency,
- On Friday 5, 2021, two days before the **Bloody Sunday**, President Duterte publicly called on state security forces to **“kill”** communist rebels and **“finish them off”**, also to **“forget about human rights”**<sup>12</sup>; the day after the Bloody Sunday, Spokesman Harry Roque confirmed Duterte’s order to **“kill kill kill”** those perceived as terrorists,
- In 2017, Duterte encouraged government forces to **shoot female rebels in their genitals** as punishment<sup>13</sup>; on March 18, 2021 Duterte called imprisoned Senator Leila de Lima, a sharp critic of his administration and imprisoned since February 2017, the **“only bitch”** who made the world believe she is a **“prisoner of conscience”**<sup>14</sup>
- A study of the polling institute Social Weather Stations from November 2020 shows a “strong agreement” amongst Filipin@s with the **“dangerous to print or broadcast anything critical”** of Duterte while in July 2020 – the month of the enactment of the Anti-Terror Act of 2020 agreement with the same statement was “moderat”<sup>15</sup>
- **“Words matter and such words can embolden some to act with abuse and impunity”**<sup>16</sup> - CHR spokesperson Atty. Jacqueline de Guia; **“...repeated verbal encouragement by highest-level State officials to use lethal force may have emboldened the police to treat [government communication] as permission to kill”** - Report of the UN High Commissioner for Human Rights on the Situation of Human Rights in the Philippines<sup>17</sup>

<sup>12</sup> <https://www.aljazeera.com/news/2021/3/7/philippines-deadly-operation-after-order-to-kill-communists>

<sup>13</sup> <https://www.aljazeera.com/news/2018/2/12/duterte-shoot-female-rebels-in-their-genitals>

<sup>14</sup> <https://newsinfo.inquirer.net/1408646/bitch-de-lima-made-the-world-believe-shes-a-prisoner-of-conscience>

<sup>15</sup> [https://www.sws.org.ph/swsmain/artclldisppage?artcsyscode=ART-20210319095324&mc\\_cid=97cbc43887&mc\\_eid=dd32e2232c](https://www.sws.org.ph/swsmain/artclldisppage?artcsyscode=ART-20210319095324&mc_cid=97cbc43887&mc_eid=dd32e2232c)

<sup>16</sup> <https://news.abs-cbn.com/news/03/08/21/duterte-kill-kill-kill-order-vs-rebels-is-legal-says-spokesman>

<sup>17</sup> <https://www.ohchr.org/Documents/Countries/PH/Philippines-HRC44-AEV.pdf>; page 5