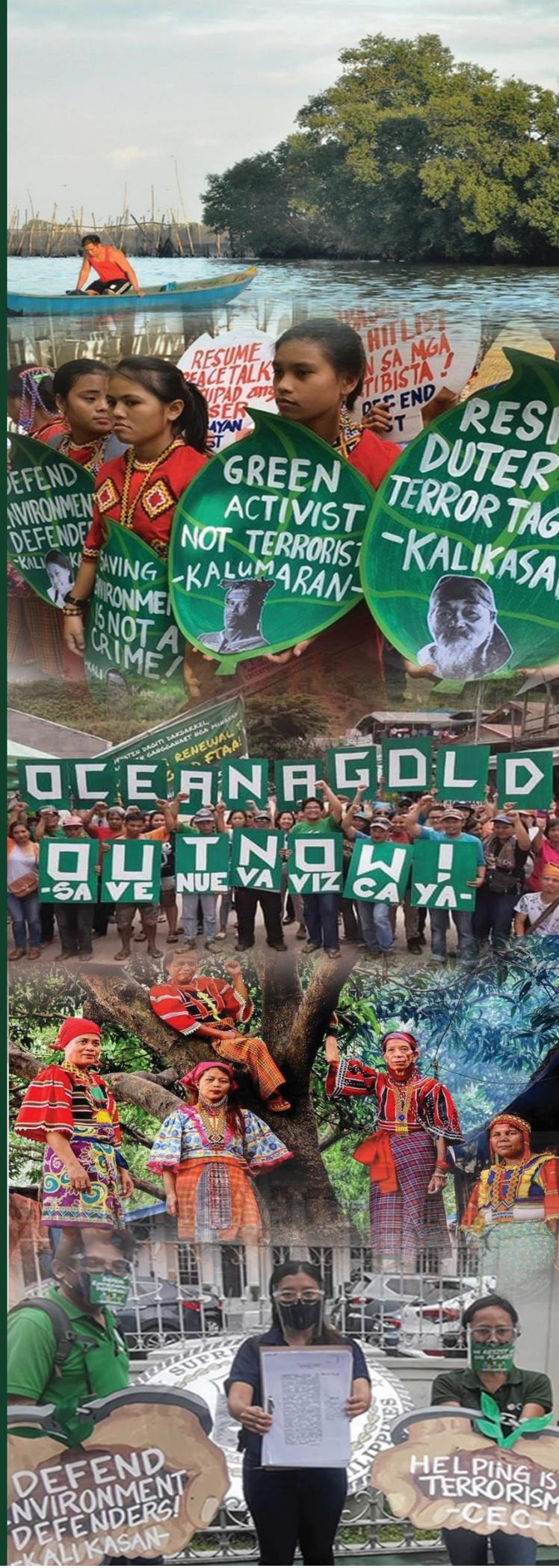


ENVIRONMENTAL DEFENDERS IN THE TIME OF COVID 19



Environmental Defenders in the Time of COVID-19



Center for Environmental Concerns – Philippines Inc.
and Kalikasan People’s Network for the Environment
with the support of

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Environmental Defenders in the Time of COVID-19

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and Kalikasan People’s Network for the Environment

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The Center for Environmental Concerns–Philippines (CEC) is a non-government organization founded through the initiatives of organizations representing fisherfolk, farmers, indigenous peoples, women, urban poor, and professional sectors. Currently, the Center is a service institution based in Quezon City, Metro Manila. Its area of operation and networking covers the entire Philippines and different ecological contexts.

At the grassroots level, CEC closely works with communities and organizations nationwide, supporting their initiatives to nurture their ecosystems, defend their common access to natural resources, and eventually improve their living and working conditions in the context of a balanced and healthy environment.

At the national level, CEC advocates for people-oriented, patriotic, sustainable, and scientific policies and programs for the protection of the Philippine environment.

At the global level, CEC engages in information sharing, international networking, cross-cultural exchanges, and solidarity initiatives on common environmental issues and concerns.

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Table of Contents

Introduction	5
Weaponizing the world’s longest COVID-19 lockdown	6
Environmental plunder intensifies	7
Defenders of the environment	8
Attacks on environmental defenders during COVID-19	11
Extrajudicial killings	12
Arrests and trumped-up charges	16
Red-tagging	19
Threats, Dispersal, Displacement, and Enforce Disappearance	23
Anti-Terrorism Law	27
People’s Response	30
Major Local Actions	31
Policy Advocacy	34
International Engagements	36
Concluding Remarks	39
Box 1: Environment and Infectious Diseases	10
Box 2: More than just red-tagging	22
Box 3: The need for a law for environmental defenders	35

Introduction

The Philippines was declared the second deadliest country in the world for environmental defenders in the 2020 Global Witness Report on Land and Environmental Defender Killings.

While our archipelagic nation has consistently ranked among the most dangerous countries in the world for people protecting the planet, we are facing an unprecedented spike in environment-related killings under the current dispensation of President Rodrigo Duterte.

In a report on environmental defenders submitted to the United Nations Office of the High Commissioner for Human Rights (UN OHCHR), it was revealed that there were at least 157 killings perpetrated from Duterte's ascension to presidency in 2016 up to the end of 2019. Environment-related killings under Duterte were 3.2 times the rate under the administration of Aquino from mid-2010 to mid-2016, and 8.2 times the rate under Arroyo from 2001 to mid-2010.

At least 19,498 environmental defenders were subjected to a wide range of human rights abuses during this period. This equated to each murdered Filipino defender representing 124 more who suffer threats and intimidation, 'terror tagging' and criminalization, illegal arrests, strategic lawsuits against public participation, and militarization and its consequent forced displacement.

This crackdown threatens to open up 6.2 million hectares of critical landscapes and seascapes under the protection or advocacy of defenders from extractive and destructive interests.

Extractive projects that grab lands and resources and violently displace affected communities instigate the most attacks against defenders. Mining, agribusiness and land grabs, and deforestation were the main drivers of human rights violations against defenders.

Indeed, in the 2020 Global Witness report, the Philippines has the distinction of being the country with the most number of mining-related killings, and of being the hotspot of 80 percent of all agribusiness-related cases in Asia.

Data shows that state security forces such as soldiers, police, and their 'force multipliers' such as paramilitary groups and Civilian Auxiliary Force Geographical Unit (CAFGU) elements are either suspected or confirmed to be behind 69% of the total number of environmental defenders under Duterte.

In the counter insurgency plan 'Development Support and Security Plan (DSSP) 'Kapayapaan (peace)' 2017-2022 document, it was stated that "the primary task of the AFP" with regard

to its role in economic development “is to provide security to vital installations and infrastructure, critical investments, and development projects.”

It is in this preexisting situation of natural resource plunder-driven violence coupled with a highly militarized approach to investment guarantees in which the 2019 Coronavirus Disease (COVID-19) pandemic exploded across the globe—a crisis upon crisis that would only add fuel to an already raging fire of planetary collapse and conflict.

Weaponizing the world’s longest COVID-19 lockdown

At the onset of this millennium, humanity was already aware that a pandemic was inevitable if the decline of our ecological and socio-economic systems continued to worsen. The advent of COVID-19, a zoonotic virus suspected to have emerged from the shrinking interface between host bats and their disappearing habitats, on one hand, and our human populations, on the other, proved to be a cautionary tale.

With more than 42 million people afflicted globally and over 370,000 in the Philippines as of this writing,¹ governments around the world resorted to drastic measures to slow down the rapid spread of the pandemic. The Philippines imposed a strict Enhanced Community Quarantine lockdown last March 16, 2020, with various levels of lockdown still persisting across the country to date.

But instead of treating COVID-19 as a public health problem that necessitated the mobilization of health personnel and strategies, the Duterte administration framed the crisis as a peace and order problem that saw thousands of police and military troops enforcing security policies with slow, incompetent, and corruption-ridden responses in mass testing, contact tracing, and treatment, social amelioration, and early recovery.

Unsurprisingly, there was no letup in the attacks against Filipino environmental defenders since the start of the lockdown. A season of violence and fear were unleashed upon critics and dissenters, including environmental defenders, who faced prospects of reprisals while their movements and freedoms restricted by the COVID-19 lockdown. Perpetrators thereof, mostly linked to the state, seemingly took advantage of the situation with business-as-usual counter insurgency and internal security, even as experts pointed out that by doing so they could be superspreaders of the pandemic themselves.

Since the first COVID-19 case was discovered in the Philippines and until October 1, at least 558 environmental defenders received trumped-up charges, were threatened, surveilled, forcefully displaced, illegally detained, or murdered (Annex I). Cases were noted from all over the Philippines, from mining sites in the hinterlands to coastal villages threatened by reclamation. An unprecedented increase in attacks against defenders working in urban centers across the country, and even on social media as activists brought their protests online, were also observed.

The health protocols for the pandemic were cited on multiple occasions for arrests of concerned citizens and activists, and attempts to ban protest mobilizations. This was despite protest organizers demonstrating strict physical distancing and hygiene measures implemented in their rallies such as the ‘Grand Mananita’ rally in the University of the Philippines grounds,² and expert opinions given by institutions such as the World Health Organization upholding people’s right to protest even amid the pandemic.³

Despite having the longest lockdown in the world, the Philippines failed to flatten the curve in a timely manner that could have averted hundreds of thousands of infections. On the other hand, the iron-fisted enforcement of the lockdown resulted in the arrest of 76,000 people and more than 900 complaints of torture, inhumane treatment, and illegal arrest and detention.⁴

This glaring indicator of the failure of pandemic response reflects the prioritization of the government, placing its assertion of control and public image before addressing the health and environmental crisis.

Environmental plunder intensifies

The threats on the environment grew bigger while the lockdown was in place. Developments in the bureaucracy and on-ground incidents showed that the country is still generally pursuing the old business-as-usual style of environment utilization.

In Semirara Island, Antique, groups reported seeing in the coal mine of Semirara Mining and Power Corporation private planes, motorboats and vessels loading coal for export to China last July. The first COVID-19 case and also several subsequent ones in the province came from the said island as the company allegedly did not cease operations despite quarantine prohibitions on mining activities.

Oil tankers needed by the operations of mining company Oceanagold Philippines Inc. were escorted by about 100 members of the Philippine National Police in riot gear and forcibly entered past through the people’s barricade last April. The barricade was set up by the residents last July 1, 2019 to enforce the stoppage of the company’s mining activities after the expiration of its permit.

In Taliptip, Bulacan, the displacement of locals intensified near the site where the San Miguel Corp. Bulacan International Airport project. Residents were “bribed” with 250,000 pesos to “self-demolish” their own houses, while those who refused were threatened with elements of the 48th Infantry Battalion of the Armed Forces of the Philippines camping near them. These happened just a few months before the hasty passage of the Senate Bill No. 1823, which gave license to the reclamation project, on the third and final reading by the Senate last October 13.

Last September, the Department of Environment and Natural Resources (DENR) dumped artificial white sand (crushed dolomite) on a portion of Manila Bay for superficial reasons of beautification, and mental health support. This move by the DENR was bombarded with criticisms due to apparent lack of scientific basis. The DENR’s move was also seen as “economically inefficient” – spending for such a costly but useless project in the midst of a health emergency.

Instead of funneling resources to intensify the health response, the government still found ways on how to secure destructive projects that were totally disconnected with the COVID-19 response. The military-centric efforts of the government also proved to be futile for the health response, and counter-productive in terms of protecting the environment.

As environmental exploitation did not stop during the lockdown, the Philippines is fortunate to have ardent defenders of the environment at the frontlines despite the attacks and harassment from big businesses and state forces.

Frontliners of the environment

Environmental defenders are recognized internationally but are underappreciated in the Philippines. They are individuals or organizations defending environmental rights, including the constitutional right to a clean and healthy environment. They are at the frontlines of millions of hectares of ecologically critical and natural-resource rich landscapes. They are the last line of defense when the state and its laws fail to protect the environment from the encroachment of environment-destructive activities.

With climate change that is expected to bring more frequent and intense extreme weather events, threaten our food security, increase the spread of disease, and aggravate poverty in the Philippines, environmental defenders are needed more than ever to protect and conserve the resource-rich domains and ensure they are rehabilitated and compensated for.

Despite their ever-growing importance in the face of climate change, environmental defenders were faced with repression. They were not exempted from the impacts of the worsening culture of violence and impunity under the administration of President Rodrigo Duterte.

Endnotes

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Box 1: Environment and infectious diseases

Anthropogenic changes in the environment are drivers of the emergence of zoonotic diseases such as the current coronavirus, which is known to have originated from bats. Previously boxed-in pathogens are able to infect directly or indirectly livestock and communities (spillover) due to human activities such as land-grabbing and land-use conversion of farmlands and virgin forests, massive destruction of wildlife and habitats, and forced displacement of local residents and indigenous people onto untouched natural domains.

This trend of aggressive encroachment to expand avenues for profit had long been the trend in the Philippines, and it continuously heightens the risk of humans contracting dangerous and unknown microbes. As evolutionary biologist Rob Wallace puts it, the ongoing capital-led replacement of natural ecologies breeds deadly diseases and allows their human-assisted spread. Evidently, we have seen global outbreaks caused by novel strains of foot-and-mouth disease, hepatitis E, African swine fever, Zika, Ebola, Middle East Respiratory Syndrome (MERS), Severe Acute Respiratory Syndrome (SARS), and influenza viruses, among many others just a two decades into the twenty-first century.¹

According to a study in 2010, an estimated 60% of emerging human pathogens are came from animals and more than 71% of which have wildlife origins.² Meanwhile, 15% of an approximately 250 emerging infectious diseases have direct association with forests.³ Scientists have warned more than a decade ago that if environmental degradation, wildlife destruction, wars, and climate change continues, the question will remain “when” – and not “if” – the next pandemic will come.

The COVID-19, like other new infectious diseases, are not isolated cases and are caused by a system that structurally favors greedy environmental exploitation over the public health and welfare of the environment. Yet interventions always focus on controlling the spread of these illnesses and fail to recognize the root of the problem.

It is surprising that we have yet to find out a novel disease coming out from our maltreated Philippines biodiversity. Should this be due to actual absence thereof or mere lack of research, it is necessary that we put great attention to fixing the destructive system that propagates lethal ailments rather than just managing its symptoms.

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³ https://www.researchgate.net/publication/266210615_B_A_Wilcox_and_B_Ellis_2006_Forests_and_emerging_infectious_diseases_of_humans_Unasyva_Vol_57_11-18

II

Attacks on Environmental Defenders During COVID-19

Even though many parts of the country were under the community quarantine, environmental defenders were still constant targets of harassments, online threats, red-tagging, killings. Since the start of the lockdown until August 31, there have been 558 total victims recorded. There were 295 forced evacuation, 142 illegal arrests and detention, 58 strategic lawsuits against public participation (SLAPP), 53 threat and intimidation, 51 political detention, 25 assault, 12 surveillance, 4 extrajudicial killing (EJK), and 1 enforced disappearance victims reported.

We review in this section the cases of human rights violations on environmental defenders. More than just to remember their names, the attacks on these defenders at the hands of the state are testaments to their heroic efforts for the environment and the people.

Extrajudicial killings

EJK in Negros Occidental

On the early morning of 30 April 2020, Jory Porquia was shot dead by two gunmen in his rented cottage house in Barangay Sto. Niño Norte in Arevalo District, Iloilo City. The 58-year old was an activist and the Iloilo regional coordinator of Bayan Muna. The victim died on the spot from nine gunshot wounds, including one at the back of his head.

Porquia, or “Toto” as his family would call him, was a well-known community organizer in the Province and a driving force behind the Madia-as Ecological Movement, the biggest environmental organization in the Panay region. He joined campaigns against large-scale mining, coal power plants, and mega-dam projects in the Provinces of Iloilo and Capiz. He also helped provide relief and assistance to the victims of Typhoon Yolanda in 2013.¹

Porquia was already an activist during the Marcos dictatorship. He was repeatedly arrested then for constantly leading protests against the dictatorship. He also served as the officer-in-charge of the National Youth Commission (NYC) during the Cory Administration. He continually advocated for Filipino migrants’ rights and he was the founder of Bayan Muna in Iloilo. His works inspired numerous advocates in advancing politics against tyrannical rule, especially the current Duterte Administration.

Since the start of the pandemic, he was actively leading their organization in feeding program for the most affected communities in Iloilo. He was harassed continuously by the police as he led relief operations and an education campaign on COVID-19 in the poor communities prior to his killing.⁵

Due to the pandemic, his mother and son were not able to attend his burial. As they offer tribute and eulogy to Toto, his family and colleagues looked back on his passionate works in activism, and hope that the investigation on his death will bring forth justice.

Although considered a “great loss” to the progressive movement and for the poor, Porquia’s colleague vowed to continue persist fighting against the system of corruption and impunity that caused his death.²

EJK in Novaliches, Quezon City

The 72-year old Anakpawis chairperson Randall “Ka Randy” Echanis was killed on early Monday morning last August 10 inside his rented apartment in Novaliches, Quezon City. His body, along with his neighbor Louie Tagapia, were found lifeless at 1:35AM.

Early investigations on his death revealed that Ka Randy was tortured before eventually killed by 5 assailants, according to the Commission on Human Rights (CHR). Based on his autopsy, Ka Randy brutally suffered 15 wounds and head injury by a blunt object. There were 12 incised wounds at his back that was meant to cause him pain. A stab through the back and to the aorta was found to be the cause of death.

Anakpawis group believes that the crime was executed by “safe security forces”. Such accusation could especially be true due to the “clean” execution of the crime in the dead of the night despite strict COVID-19 curfew protocols.³ Other National Democratic Front of the Philippines (NDFP) consultants alike, Sotero Llamas and Randy Malayo, had also been killed under President Duterte’s administration.⁴

At late night of August 10, Echanis’ body which was due for an autopsy was forcibly taken by more than 10 policemen from La Loma Philippine National Police (PNP).⁵ They also illegally arrested his paralegal team member Paolo Colabres. The seizing of the corpse, already identified by his wife, was done without consent, papers, or even a court order. The body was then returned two days later while Colabres tested positive for COVID-19 after being detained for a week.⁶

Ka Randy was known for leading the opposition on agrarian reform for five decades in which he helped craft the Genuine Agrarian Reform Bill (GARB). He was integral for the improvement of the parts on agrarian reform and environmental protection, rehabilitation, and protection in the Comprehensive Agreement on Socio-Economic Reforms (CASER) in the Peace Talks between the NDFP and the Government of the Philippines. Along his fellow land and peasant activists, he joined various struggles to protect the environment against large-scale mining, land reclamation, and agribusiness plantations.

In 1997, Ka Randy joined Sentro para sa Tunay na Repormang Agraryo (SENTRA) where he handled the agrarian reform case of Kilusang Magbubukid ng Pilipinas (KMP). Since then, he became part of KMP and was its deputy secretary general until his death. Throughout his life, he had fought for the rights of the oppressed and underserved, exposing inequalities and injustices through the course of the process of his advocacy. He was a well-respected colleague, a peasant leader, and an agrarian reform advocate.

During his wake, hundreds of family, friends, and supporters gathered to attend the final mass held at La Funeraria Paz in Quezon City. All of them were shouting and hungry for justice. As Ka Randy laid rest, his son paid tribute to his late father by saying the words “Ang nais lang ni Ka Randy ay makibaka tayo, huwag matakot!”.

EJK in Bacolod City

Human rights worker Zara Alvarez was relentlessly killed on a rainy Monday night, August 17 in her hometown, Bacolod City in Negros Island. The 39-year old activist was shot 3 times at her back by an unidentified assailant who got away with the help of an accomplice who was riding a motorcycle.

Zara was a former campaign and education director of Karapatan-Negros, where she was supposed to testify against the red-tagging campaign of the current administration towards activists like her and her colleagues in Negros Island. She was a licensed teacher who grew up close to church, this is why she dedicated her life in cause-oriented works. Her colleague described her as a loving mother and a passionate human rights worker. She has spent long days immersed in communities that made her aware of the rampant abuses and dangers faced daily by activists.

On 06 May 2019, activist Zara Alvarez, along with rights group Karapatan, women's group Gabriela, and religious group Rural Missionaries of the Philippines (RMP) filed a petition for the writs of amparo and habeas data. This is to give all members of the said groups protective orders and would push the government to destroy information against them. However, it was denied by the Supreme Court. Zara, along with others, appealed but before it was even granted, the assailant ended her life.

In 2012, Alvarez was once arrested over charges of murder which she and her group denied. From then, she experienced injustices first hand because she was locked up in a cell, deprived of her liberty. She could only think about those individuals who has similar cases with her, detained for something they did not commit. Her detention drew condemnation from different groups that resulted to an international campaign petitioning for her release. She was eventually granted bail in 2014, almost two years after her detention.

Since her youth, she has campaigned for a fair and just society in Negros Island. She also fought for the protection of human rights, given that she experienced this firsthand. She also worked with Negros Integrated Health Program for Community Development and served as the paralegal officer of Negros Karapatan Human Rights Alliance, where she was closely monitored by the government. She persisted to hold onto her principles and advocacies until her death despite the numerous intimidation and death threats.

Endnotes

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⁴ <https://mb.com.ph/2020/08/10/groups-denounce-killing-of-ndf-consultant-echanis-in-qc/>

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Arrests and trumped-up charges

Arrest of Calaca 6

On early Sunday morning last May 10, six farmers were arrested by members of Special Weapons and Tactics Team (SWAT) and Criminal Investigation and Detection Group (CIDG). They were boarding in 47 vehicles as they showed up in barangay Coral Ni Lopez, Calaca, Batangas. The farmers were detained at Camp Vicente Lim in Calamba, Laguna.

The names of the farmers are as follows: Leovino Julongbayan, the barangay councilor and peasant leader; Virgilio Vidal, the barangay secretary and the leader of Samahan ng Magsasaka sa Coral Ni Lopez (SAMACOLO); Marcelo Vidal, a farmer and the brother of Virgilio; Doroteo Bautista, farmer; Agaton Bautista, July Julongbayan, and Roilan Tenorio, farmer and also a member of SAMACOLO. A search warrant was issued by Judge Cynthia R. Marino-Ricablanche on May 07 from Sta. Cruz Laguna RTC. Their charge was illegal possession of firearms and explosives.

The farmers insisted that around midnight on May 10, at least 13 vehicles and 2 trucks ransacked their homes and planted the evidences. Moreover, from a joint statement by Kilusang Magbubukid ng Pilipinas (KMP) and Samahan ng Magbubukid sa Batangas (SAMBAT), SWAT and CIDG used their arrest warrants to forcibly enter homes and plant guns and evidences. However, Col. Alex Rillera, the commander of the Army's 202nd Infantry Brigade, insisted that the operation was only to control the illegal firearms of the farmers. He did not claim that the farmers arrested were members of the New People's Army, but rather they were only there to secure the area.

All of the six arrested were members of Samahan ng Magasaka sa Coral ni Lopez (SAMACOLO), a farmer's organization that has been asserting the farmer's rights to the 233-hectare farmland in Balayan, Batangas owned by Luis Lopez. Prior to their arrest, the farmers had experience getting tagged as members and supporters of the New People's Army in 2016 due to their land advocacy. In 2018, they were listed in the military's "order of battle."

All trumped-up charges on the six farmers were then dismissed by July 8 due to invalid search warrants and lack of probable cause for the issuance of search warrants. Nonetheless, the arrest and harassment they experienced were seen as threats being dealt by the state to people that fight for their rights.¹

Illegal Arrest in Tacloban

Five activists were arrested after an alleged separate illegal raids of their offices last February 07 in Tacloban City, Leyte. The charges pressed against them were alleged possession of firearms and ammunition. The accused were Frenchie Mae Cumpio, Alexander Abinguna, Marielle Domequil, Mira Legion, and Marissa Cabaljao. They are detained in the municipal police station in Palo, Leyte as of writing.

The authorities who conducted the raids reported that they were able to confiscate pistols, live ammunition, two grenades, and a red flag with the symbol of the Communist Party of the Philippines – New People’s Army. The raid was in response to the arrest warrant issued by Executive Judge Eligio Petilla of Regional Trial Court Branch 44.

The Tacloban 5 are all human rights workers. Marissa Cabaljao is a peasant leader who serves as the secretary general of disaster survivors alliance People Surge, which was also an Organizational Awardee of the 5th Gawad Bayani ng Kalikasan. She was arrested along with her one-year-old baby. The respective efforts of the Tacloban 5 on different organizations had contributed to the plight for justice of the Yolanda-stricken survivors and to the campaign against the Leyte Tide Embankment Project.

Aside from Marissa, the other four detainees all came from University of the Philippines Tacloban campus. Fenchie Cumpio is a media practitioner in Eastern Vista and radio program Lingganay Han Kamatuoran, and a former officer of People Surge. Marielle Domequil is a staffer of the Rural Missionaries of the Philippines – Eastern Visayaz, and also a former officer of People Surge. Alexander Abinguna is a member of People Surge and works under Katungod, the local chapter of Karapatan; and Mira Legion is a student leader in UP Tacloban and a staff member of the Bagong Alyansang Makabayan – Eastern Visayaz.

As posted in the Free Tacloban 5 Facebook page, one of the defense witnesses for the Tacloban 5 Angela Pajanustan was threatened and interrogated by a suspected state agent in the house she was staying on October 8 – just four days prior to the resumption of the hearings for the Tacloban 5. She was asked without a lawyer to identify the names of all members of the youth mass organization in Tacloban. She was threatened that she would be arrested should she not cooperate.²

Mocha Uson, a blogger who serves as the current deputy administrator of the Overseas Worker Welfare Administration, reposted a graphic of a compiled pictures of the four out of five of the arrested for allegedly violating RA 10591 or the Comprehensive Firearms and Ammunition Regulation Act. This is a blatant act of red-tagging from a government official. Uson’s post sparked condemnation from social media citizens, calling out her violation of their rights.

It is apparent, as seen in the case of the Tacloban 5, that the state puts effort and resources to political persecution of activists not only to hamper their advocacies but also to sow fear and promote silence to those that expose their failures.

Endnotes

¹ <https://www.bulatlat.com/2020/07/28/charges-vs-6-calaca-farmers-dismissed/>

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Red-tagging

Online and on-ground threats to Cordillera Peoples Alliance

In a Facebook post that circulated online, the chairperson of CPA, Windel Bolinget, along with Bestang Sarah Dekdeken, Santos Mero, and other members of the organization were accused of being members of NPA, a communist organization tagged as a terrorist group by the Philippine government. The campaign intensified when CPA released a statement criticizing PRRD's decision last April 12 to allocate resources to spread anti-Communist propaganda in Cordillera region. CPA stated that instead of spending large sum of money to spread allegation, it should have been spent on economic relief efforts and COVID-19 health response of the government.

“These are direct threats, harassment, intimidation and political vilification especially against my children with a clear intent to harm not only myself but also my family. This is State terrorism,” said Bolinget in a post on the CPA Facebook page.¹

Throughout the CPA's decades of history working with various sectors of the poor, they have had a vast experience of receiving attacks and threats from the government that were aimed to dissuade and discredit them.

In this same year, CPA was tagged as NPA supporters in flyers distributed by elements of the Manila Police Station.² The flyers were titled, “Deceptive Recruitment of CPP-NPA Terrorists” and included CPA and other alleged communist fronts Innabuyog, Gabriela, Mountain Province Research Development, Inayan Watch, APIT TAKO Montanosa, Alliance of Concerned Teachers (ACT), Katribu, Bayan Muna, and other organizations. Flyers with essentially similar content were dropped by army helicopters in some parts of the Cordillera last April 12.³

Cordillera cradles extensive landscapes rich with natural resources, and with it came several companies and projects that aimed to develop industries such as dams and mining which pollute the environment and drive away indigenous people from their lands. CPA was established out of the desire to free the Cordillera people, especially the indigenous people, from the continuing pillage and rape of their ancestral homes, culture, and freedom.

Online threats on environmental groups

Center for Environmental Concerns – Philippines (CEC) and Kalikasan People's Network for the Environment (KPNE), both operating in just one office, saw that their Quezon City office gate was defaced last May 15 with red-tagging posters along with organizations and parties they have worked with before.

The posters were also put up on the walls and gates near the CEC and KPNE office and on some tricycles. Written on the materials were baseless labeling of certain groups as members of the CPP-NPA. The posters also claimed that the organizations were in possession of certain youth.

Both organizations condemned the red-tagging allegations of Southern Luzon Command Chief Lt. Gen. Antonio Parlade Jr. According to Lia Alonzo, the Executive Director of CEC, this red-tagging effort of the government was only to divert the attention of the public from this administration's incompetence in addressing the pandemic. She also said that instead of spending budget on red-tagging, it could have been used in the current health crisis. The Commission on Human Rights also addressed the issue, in which they released a statement about the red-tagging of numerous human rights group and civil society organizations and individuals albeit the ongoing pandemic.

CEC and KPNE have been red-tagged and threatened even before this incident. The same office was threatened of being raided due to offering temporary sanctuary to Lumad children who evacuated from Mindanao due to militarization. Meanwhile, CEC have been red-tagged twice by Southern Luzon Command Chief, Lt. Gen. Antonio Parlade, Jr. for its humanitarian work.

CEC is a non-government environmental organization that has collaborated with national and international institutions to push forward humanitarian and developmental efforts for the benefit of many communities. For over thirty years, CEC has helped address various environmental challenges. Kalikasan PNE, on the other hand, is an environmental campaign network of NGOs, grassroots organizations, and environmental advocates. Both work with and defend the rights of local farmers, indigenous peoples, and communities affected by environmental damages and injustices. They have closely monitored environmental and human rights violations linked to mining sector.

Posters in Davao City

Human rights and indigenous people advocates in Davao City were alarmed by posters that were circulated around the city, tagging them as human rights violators and “berdugo” which means executioner.

Those red-tagged were Dr. Jean Lindo, Meggie Nolasco, Maritess Kafiola, Jong Monzon, Hamuel Tequis, Jay Apiag, Tony Salubre, Kalro Manang, and Carlo Olalo. They all belong to various non-government, educational, or religious organizations that genuinely help the poor and marginalized.

Nolasco was a CEC staff and a member of AGHAM-Advocates of Science and Technology for the People who led the campaign for the nationalization of public utilities specifically the power industry. She also served as the spokesperson of the Philippine Climate Watch Alliance, a multisectoral alliance of individuals and organizations engaged in climate change advocacy.

Dr. Lindo, on the other hand, is a staunch advocate of environmental and human rights who has unparalleled courage when speaking about the plunder of natural resources in Mindanao.⁵ Although the perpetrators were still unknown, Dr. Lindo believes that the act was designed to stop them from their advocacies on the environment and human rights.⁶

Endnotes

1 <https://www.facebook.com/cpaphils/posts/3021086851261489/>

2 <https://www.rappler.com/nation/mountain-province-police-apology-flyers-red-tagging-peoples-organizations-sagada>

3 <https://www.philstar.com/nation/2019/05/13/1917493/cops-allegedly-giving-flyers-red-tagging-groups-caught-cam>

4 <https://newsinfo.inquirer.net/1321843/davao-lumad-advocates-tagged-as-berdugo?fbclid=IwAR3hpTZgYedPgtFgDYWgkp7eQOc5Ss1IFi4hTVf27QCFhHljUrn5reT-QYA>

Box 2: More than just red-tagging

Red-tagging, red-labelling, or terror-tagging is the malicious blacklisting of individuals or groups as terrorists or members of the Communist Party of the Philippines-New People's Army (CPP-NPA). Usually done to advocates of human rights who are critical of or expose the anomalies of the current administration, this slanders the image and distorts the actions of the tagged entity. As its gravest repercussion, red-tagging is used to "condition" the killing of an individual.

Since red-tagging brands someone as a terrorist, it creates a public notion that the individual is dangerous and what he or she does is illegal, and hence must be arrested or even killed. It is an infamous tool routinely used by state forces through mainstream media, social media, and the ground (e.g. posters). Several victims of extrajudicial killings had a history of being red-tagged prior to their execution. Back in 2018, one of the most prominent cases was the case of environmental defender Atty. Benjamin Ramos.

Atty. Ramos was a human rights lawyer in the heavily-militarized Negros Occidental. The 56-year-old was shot dead by two unidentified riding-in-tandem assailants on November 6, 2020 while at the plaza in Barangay 5, Kabankalan City. He was the 24th lawyer to be executed back then since under President Duterte's term.

Atty. Ramos represented on a pro bono basis peasants, environmentalists, activists, and political prisoners that are victims of human rights violations. According to National Union of People's Lawyers, he had just finished preparing a legal paper for one of his pro-bono clients. He was also the lawyers of some well known human rights victims such as the sugarcane peasants "Sagay 9", and the illegally detained "Mabinay 6".

In April of the same year, he was labelled as communist or terrorist by state agents. He was listed in a public poster of so-called personalities of the underground armed movement by the Philippine police in the town Moises Padilla, Negros Occidental.

Red-tagging, combined with the culture of impunity was identified by national and international fact-finding mission as one of the main roots of extrajudicial killings in the Philippines. This is why the recently-increasing rampant and explicit red-tagging of legitimate organizations and activists must be stopped immediately.

1 <https://interaksyon.philstar.com/politics-issues/2018/11/07/137552/ben-ramos-killing-sagay-massacre/>

2 <https://lawyersforlawyers.org/en/lawyer-benjamin-ramos-shot-and-killed/>

3 <https://lawyersforlawyers.org/en/fact-finding-missions/>

Threats, Dispersal, Displacement, and Enforced Disappearance

Dispersal in Didipio, Nueva Vizcaya

More than 100 personnel from the provincial and municipal Philippine National Police forcefully swept the people's barricade in Didipio, Nueva Vizcaya. The assault was done to give way for the entry of 63,000 liters (16,600 gallons) of fuel, approved by the Office of the President, to the Oceanagold Philippines Inc. (OGPI) mining site. The police force dispersed a total of 29 community leaders and residents guarding the barricade and detained the chairperson of the Didipio Earth Savers Multi-Purpose Association (DESAMA), Rolando Pulido.

The people's barricade in Brgy. Didipio, Kasibu, Nueva Vizcaya was set up by the United People's Organization of Didipio (UPOD) last July 1, 2019 to ensure the halting of the operations of OGPI after the expiration of its Financial and Technical Assistance Agreement (mining permit) two weeks prior.

With more than a year since the barricade's inception, the UPOD had successfully earned the support of religious sectors, private and civil society organizations, and all local government units up to the provincial level in calling for the non-renewal of the mining permit of the OGPI. They had sustained two check points that ensure no copper concentrate got out of the company and no mining operation was conducted. They have displayed the capability of local residents in enforcing environmental protection through the closure of a destructive industry. UPOD was also an Organizational Awardee in the 6th Gawad Bayani ng Kalikasan held last September 28, 2020.

Following the dispersal, over 190 non-governmental organizations across the world have signed a statement to condemn the violent police action against the peaceful people barricade of the residents of Didipio, Nueva Ecija.

The Commission on Human Rights (CHR) has called on the Philippine National Police (PNP) to issue probe on the policemen involved in the alleged violent dispersal of the communities in Didipio. From the statement of the CHR's spokesperson, Jacqueline Ann De Guia, she said that the CHR is alarmed by the PNP's action which calls for immediate investigation. Given that there is an ongoing pandemic, such actions were condemnable.

OGPI had been previously linked multiple times with human rights violations and environmental destruction and pollution near its mining operations through fact-finding missions and an environmental investigative mission conducted by various organizations.

Displacement in Lianga, Surigao Del Sur

67 families of Lumad-Manobo from Sitios Simowao and Emerald in Barangay Diatagon, Lianga, Surigao del Sur flee away from their homes on February 28, fearing the escalation of hostilities between the Army and the NPA.

An explosion occurred in the area on February 21 which injured three persons, including a five-year old girl. The militarization continued despite calls of Manobo people residing in 20 neighboring sitios for a military pullout.

The Lumad have been displaced many times over under President Duterte's Administration. Since the Marawi siege in October 2017, the military continued to maintain their presence in their ancestral domains to focus on the NPA.

On July 16, 2018, some 2,000 residents in Brgy. Diatagon coming from at least 11 sitios fled when they saw Army choppers hovering around Sitio Han-ayan. On July 15, 2020, the Armed Forces of the Philippines dropped eight bombs that displaced 37 families in the same barangay.¹ Later that day, around 60 military men arrived at Sitio Km. 16 of the same barangay. A few days before this incident, on July 8 and 9, aerial attacks were also heard in the nearby town of Tago.²

“Tinarget na naman ang mga lumad sa Lianga, Surigao del Sur. Hindi na matigil-tigil ang pambobomba, pananakot, pagsira sa kanilang mga kabuhayan, at pagpapalayas sa kanilang mga komunidad. Ito ay ay krimen laban sa mga lumad at dapat managot ang may kagagawan. Walang ibang makikinabang sa mga atakeng ito kundi si Duterte at mga oligarkiyang kanyang pinagsisilbihan kagaya ng mga mining companies na atat na atat kamkamin ang mga lupaing ninuno,” said Zenaida Soriano, National Federation of Peasant Women or Amihan and Rural Women Advocates (Amihan) National Chairperson. The Lianga community was also witness to the 2016 “Lianga massacre” in which Manobo leaders Dionel Campos, Datu Juvelle Sinzo, and Emerito Samarca were brutally killed in front of the residents – men, women, and children alike – to scare them and pave the way for the entry of a mining company.³

The Caraga Region, where the province Surigao del Sur is located, has rich forests and enormous mineral reserves coinciding with the indigenous people's ancestral domains. The region has at least 23 operating mines. As of today, the indigenous people living in the area are still struggling to finally go home and defend their lands.

Forced Disappearance in Bantayan, Cebu

On the evening of June 13, two unidentified persons with long firearms entered the home of 50-year old Elena Tijamo in Bantayan, Cebu and took her away. The incident was witnessed by her whole family - her sister, parents, and youngest daughter were home when the abduction happened.

Tijamo was the Sustainable Agriculture Program Coordinator of Central Visayas Farmers Development Center (FARDEC). FARDEC has been red-tagged by the Department of National Defense as a communist front last November 2019 in a national hearing. Her family knows that she has been under state surveillance for a long while, before her abduction because some “surveyors” went to their house and took photos of her family and their home, only to find out later on that they were the only ones interviewed by these “surveyors.”

Elena has worked with various human rights and farmers group, assisting them with their land-grabbing cases to seek for justice from the unfair local landlords. She has dedicated half of her life serving the farmers in Cebu through introducing sustainable agriculture program that will double the amount of harvest of the farmers through the use of bio-fertilizers.

A month after her abduction, in an interview with Elena’s family, it was revealed that they were able to speak with her over the phone four times, but it was only to hear the demand of her abductors to take down the news article posted by Rappler about her abduction.

No one knows until now where Elena is or who may have taken her.

Militarization in Taliptip, Bulacan

Fisherfolks and residents in Brgy. Taliptip, Bulacan continued living under military presence and pressure from the San Miguel Corp. (SMC) during the lockdown.

The barangay is covered by the planned SMC Bulacan International Airport project. Since December 2019, the military had been deployed in the area to essentially clear the site of residents and pave the way for the development of the project.

The SMC and the 48th Infantry Battalion of the Armed Forces of the Philippines, along with the Philippine National Police (PNP) simultaneously enforced displacement of the residents during the lockdown.

On March 5, SMC offered 250,000 pesos to demolish their own houses and leave the site. Since then, the SMC succeeded in displacing most of the families. Last July 18, there were sightings of members of both AFP and PNP to intimidate the remaining seven families to accept the offer of the SMC to vacate the area, but the families remained steadfast in their community give that they are fisher folks who rely heavily on their livelihood for their everyday needs.

Just last September 07, while still in the middle of pandemic that worsens the living condition of the residents of Taliptip, the House Committee on Ways and Means approved the construction of

the Bulacan Airport City in Taliptip. The railroading of the franchise for the reclamation project was tantamount to the government prioritizing an airport over the preservation of the last remaining 734 hectares of mangrove forests and seagrass beds critical for fisheries production in Manila Bay.

This airport, covering over 2,500 hectares, entails the destruction of 24.5 hectares of mangrove forests, displacement of over 700 families, loss of livelihood of the communities, and endangers 34 million pesos worth of fish production and the viable biodiversity in Taliptip that is home of 200,000 birds.

At present, there are over 7 families left living along Taliptip to defend their livelihood and the environment against the reclamation project. Despite the support of experts, religious groups, and environmental groups on the community, harassment of state agents against them carries on.

Endnotes

1 <https://www.mindanews.com/special-reports/2020/03/special-report-for-lumads-in-diatagon-life-has-been-a-series-of-evacuations/>

2 <https://amihanwomen.org/2020/07/20/denounce-aerial-bombings-and-displacement-of-37-lumad-families-in-lianga-surigao-del-sur/>

3 <https://amihanwomen.org/2020/07/20/denounce-aerial-bombings-and-displacement-of-37-lumad-families-in-lianga-surigao-del-sur/>

Anti-Terrorism Law

The Anti-Terrorism Act of 2020, or officially designated as Republic Act No. 11479, was signed by President Rodrigo Duterte last 03 July 2020. Human rights group warns everyone that the legislation of such law could cause insurgencies, given that they use this not to safeguard freedoms, but to prosecute political opponents of the current administration.

The Anti-Terror Act only solidifies the administration's poor human rights record. Since 2016, Duterte's drug war has killed at least 8,600 Filipinos according to UN reports. With this new law, the administration is now legally allowed to use wiretap and do 90-day surveillance to individuals, arrest suspects and detain them for 14 days without charge that has the possibility of extension to 24 days. National Union of People's Lawyers (NUPL) Chairperson Neri Colmenares stated that this is a clear violation of human rights, because it freezes free speech, freedom of the press, freedom of expression, and freedom of association. NUPL was one of the petitioners on the Supreme Court on the basis of the law being "overly-broad" and essentially criminalizes dissent.

Moreover, the anti-terrorism council which is conveniently appointed by the president will have the power to categorize individuals and groups as terrorists. Duterte once announced on a national television that one should not be afraid if he/she is not a terrorist, however, the administration is the one who has the final say on that.

The following specific elements in Implementing Rules and Regulations of the Anti-Terrorism Act will most likely be used against environmental defenders.

Vague definition of "terrorists"

Despite stating that advocacy, protest, dissent, and other similar activities as "not considered terrorism," the IRR provides vague definitions of what acts are considered terrorism. These definitions include the following:

- acts intended to cause death, extensive damage to property, or extensive interference to a critical infrastructure
- any act with the purpose of intimidating the public, create a message of fear, or provoke or influence by intimidation the government or any international organization

The ATA does not define terrorism depending on determinable acts (*i.e.* acts that you can see). Instead, the definitions depend mainly on the intent and purpose of a person which are considered "internal processes" and are thus hard to prove yet easy to suspect. In this light, any deed could practically be considered terrorism as long as any state agent accuses you of having the intent and purpose of causing death, or intimidating the public, etc. For instance, attendees of rallies for legitimate concerns could easily be accused of inciting violence and creating a message of fear, and hence be considered terrorists.

These vague definitions also provide “exemptions to the exemptions,” *i.e.*, advocacy, protest, dissent, and other similar occupations and acts will not be fully exempted from being considered terrorism. The provision acts only as “lip service” as the enumerated activities could still be considered terrorism under the ATA if such activities will be tagged to have the purpose to cause death, intimidation to the public, and so on.

Blanket terror-labelling and warrantless arrest

ATA allows the proscription through the courts, and the Anti-Terrorism Council (ATC) to designate individuals, groups of persons, organizations, or associations as terrorists. Being declared as a terrorist, regardless of either through proscription or designation, will trigger provisions on surveillance, freeze orders and imprisonment. This unilateral decision-making on the part of the ATC essentially allows terror-tagged groups and individuals to suffer the consequences of ATA even before their defense is heard and before a notice is given to them.

Before the ATA, arrests can only be done upon the issuance of a warrant of arrest, except in certain circumstances. However, the ATA allows the arrest of anyone as long as the arresting authority can secure the needed “written authority” from the ATC, which only a judge could issue.

This streamlining of procedures for arrests and other forms of persecution trumps the rights to presumption of innocence (assumes “guilty until proven innocent”). Despite putting a provision for “delisting” one’s name on the terrorist list, the ATA puts the burden on tagged groups and individuals to prove that they are not terrorists, and will most likely trigger mass arrest and a “chilling and silencing effect” to critics and dissenters.

Anti-terrorism council

The ATA will form the Anti-Terrorism Council (ATC) to lead the implementation of state policies on terrorism. The ATC will be consisted of nine members from different executive branches of the government, to be conveniently appointed by the president. The council will also be supported by 15 agencies such as the Commission on Higher Education and the Department of Science and Technology.

The ATC will technically have the power to issue all kinds of rules and regulations, and require various public and private bodies to perform all kinds of functions or tasks in relation to terrorism-related policies of the government. On top of this, all records of ATC shall be subject to security classifications, which may mean lack of access for the public, media, or the accused. This may make it impossible the people to know the truth, and harder for the defendant to know what is the evidence against him or her.

Despite stating in the IRR that the ATC shall not be granted judicial or quasi-judicial powers, allowing the council to issue a written authority and decide who to consider as terrorist and consequently persecute essentially gives them powers that only the judiciary can previously do.

Although some may argue that the law is still yet to be proven that it will be used to target environmental defenders, records of the current administration show that it had targeted a handful of environmental defenders even before ATA was passed. The developments on the ATA signals a more appalling situation for environmental defenders under a bloody administration that shows no signs of stopping.

The anti-terror law was designed to silence dissent, which is why numerous environmental and human rights organizations expressed support with environmental defenders. Some of these organizations are: 350.org, Friends of the Earth, Natural Resources Center-Kasama sa Kalikasan (LRC). These organizations are concerned that this law could validate the ongoing threats and harassment against the environmental defenders given that even before the passing of the Anti-Terror law, the Philippines is already known as the second most dangerous in the world for environmental defenders.

III

People's Response

As threats continuously increased despite the lockdown, environmental defenders were consistent in resisting attacks on the people and the environment. In this section, we review some demonstration of the growing struggles of the Filipino people in defending our environmental rights.

Major National Actions

Global environmental and climate activists say #JunkTerrorLaw

Environmental groups including 350.org, Youth Advocates for Climate Action in the Philippines, KPNE, and CEC launched a petition to repeal the Anti-Terrorism Act of 2020 a few days after it was signed last July 3, 2020 by President Rodrigo Duterte.

Garnering more than 25,000 signatures as of writing from individuals and organizations, the petition stated, “the ‘Terror Law’ is a draconian measure that would worsen the already atrocious human rights situation in the Philippines”

The petition was also signed by notable individuals such as Greta Thunberg, Swedish climate activist, Kevin Bracken, Convenor of International League of Peoples Struggles Commission on Environmental and Climate Justice, Beverly Longid, Global Coordinator of International Indigenous Peoples Movement for Self-Determination and Liberation, Naderev Saño, Executive Director of Greenpeace Southeast Asia, Hannibal Rhoades, Communications and Advocacy Coordinator of the Gaia Foundation, and Daniel Aldana Cohen, Director of Socio-Spatial Climate Collaborative at University of Pennsylvania.

This unity of environmental advocates emphasized that environmentalists are against the “Terror Law” which jeopardizes environmental defenders – the human rights workers that defend the environment – who are essential in environmental protection, conservation, and rehabilitation.¹

Filipino youth participate in Global Climate Strike

Youth and environmental groups in the country held an “aerial art attack” and an online protest as part of the 150-country-strong Global Climate Strike.

Participants of the art attack led by the Youth Advocates for Climate Action in the Philippines (YACAP) gathered at Quezon City and posed for a creative aerial shot while holding calls such as “Protect Climate Protectors” and “Junk Terror Law”. They also laid out a banner saying, “There is no planet B” along Katipunan Avenue. Meanwhile, remote participants joined a live program entitled, “Kamay Para sa Kalikasan” (Hands for Nature) also spearheaded by YACAP.

“We are on a climate strike amid the pandemic because of Duterte's relentless pursuit of climate disruptive projects like coal power expansion, land reclamation, and aggressive big mining,” said Mitzi Jonelle Tan, international spokesperson of YACAP.

More than putting into light the climate crisis and the danger of Anti-Terrorism Law, the youth-organized mobilization showed that more and more Filipino youth environmental advocates are standing up to demand accountability for the current climate crisis.

“This year, we want to show that it’s time to be hands-on, it’s time to be proactive in the fight against climate change and the people who are actively supporting the system that allows climate change to happen,” said Xian Guevarra, YACAP national coordinator.²

Environmental groups join #SONAgkaisa

Calling out President Rodrigo Duterte’s failure to address the environmental problems of the country under four years of his administration, environmental and climate activists from 350.org, Youth Advocates for Climate Action Philippines (YACAP), and Kalikasan People’s Network for the Environment (Kalikasan PNE) joined thousands of protesters on the annual State of the Nation Address of President Rodrigo Duterte last July 27, at University of the Philippines Diliman.

The groups creatively displayed their environmental agenda battle cry using umbrella with printed letter that spelled “WE RESIST AS ONE PLANET.”

According to CEC in a statement, the Duterte administration continuously favored massive destruction through funding and allowing operations of mega-dams, mines, and reclamation projects. CEC also said that the spread of novel infectious diseases such as the COVID-19 are caused by destruction of the environment, and hence must have been a wake-up call to the government to seriously tackle environmental problems.³

Aside from the evident lack of control and recovery plan for the coronavirus crisis, President Duterte’s speech was also devoid of concrete plans on addressing the climate crisis. He only cited Boracay’s controversial rehabilitation and that he “hopes to see concerted efforts in protecting the environment”.

“The Boracay rehab ‘greenwash’ reflects the state of Philippine environment after four years under Duterte. Empty rhetoric try – but fail – to cover up the worsening situation with global, existential crises of climate disruption and pandemic spread as its backdrop,” Kalikasan PNE said.⁴

Endnotes

1 <https://world.350.org/asia/junkterrorlaw/>

2 <https://news.abs-cbn.com/life/09/26/20/pinoy-green-advocates-get-creative-for-global-climate-strike-amid-covid-19-pandemic>

3 <https://www.facebook.com/liamai.torres/posts/3671727946190310>

4 <https://www.philstar.com/headlines/2020/07/28/2031214/groups-hit-lack-concrete-plan-addressing-climate-crisis-dutertes-sona>

Policy Advocacy

Filing a petition against Anti-Terror Law

Green groups together and led by Coordinating Council for People's Development and Governance Inc. (CPDG) filed the 35th petition against the Anti-Terrorism Act (ATA) on September 18, 2020.

The petition sought to strike down the Republic Act 11479 and urged the Supreme Court to issue a temporary restraining order on the law. It stated that the ATA will produce more violations of human rights already taking place with warrantless arrests and crackdown on activists and red-tagged groups. "The CPDG and its co-petitioners believe that the Anti-Terrorism Act will seriously hinder its members from continuing their development work for it will legitimize all the harassments many of its members are experiencing now including red-tagging, abduction as well as incarceration on trumped-up charges, and even extra-judicial killings (EJK)," it added.

President Rodrigo Duterte, Executive Secretary Salvador Medialdea as head of the Anti-Terrorism Council, Senate President Vicente Sotto III, and House Speaker Alan Peter Cayetano were named as respondents.¹

CPDG's member organization and co-petitioners were IBON Foundation, Climate Change Network of Community-Based Initiatives, Kalikasan People's Network for the Environment, and Center for Environmental Concerns – Philippines. These four organizations have been previously tagged by the government on multiple occasions as communists fronts due to their humanitarian work.

"We have been wrongfully red-tagged in our typhoon Haiyan response but the 500 Haiyan survivor families who benefitted from our livelihood and housing interventions will attest otherwise. The Anti-Terror Law undermines important humanitarian interventions for underserved communities confronting ecological challenges," said CEC in a statement.²

The ATA had been bombarded by a handful of petitions from several groups and individuals since July 23, 2020. However, the Supreme Court has not yet acted, as of writing, on any of the motions contained in the various petitions for oral arguments.

Endnotes

1 <https://news.abs-cbn.com/news/09/18/20/35th-petition-anti-terror-law-hinders-development-humanitarian-work>

2 <https://www.facebook.com/CEC.Phils/posts/3605966502780743>

Box 3: The need for a law for environmental defenders

Environmental defender is defined by the United Nations Environment (UNEP) as anyone (including groups of people and women human rights defenders) who is defending environmental rights, including constitutional rights to a clean and healthy environment, when the exercise of those rights is being threatened. UNEP adds that many environmental defenders engage in their activities through sheer necessity and a number of them do not even see or regard themselves as environmental or human rights defenders.¹

Also known as human rights defenders in environmental matters, environmental defenders are recognized internationally through the UNEP¹ and the Regional Agreement on Access to Information, Public Participation, and Justice in Environmental Matters in Latin America and the Caribbean (Escazu Agreement)². They are regarded as essential elements in ensuring the sustainable utilization of the environment for the future generations.

Despite providing the constitutional right to a healthy environment, the Philippines is yet to provide a concrete safeguard for environmental defenders. In contrary, the current administration had been relentless in its attacks on environmental defenders, making it among the deadliest places in the world for land and environmental defenders consistently for several years.

With several defenders across the archipelago and multiple threats to the environment, the Philippines must sooner than later pass a legislation that will protect its environmental defenders and will guarantee a clean and healthy environment for its citizens.

¹ chrome-extension://gphandlahdpffmccakmbngmbjnjiahp/https://wedocs.unep.org/bitstream/handle/20.500.11822/22769/UN%20Environment%20Policy%20on%20Environmental%20Defenders_08.02.18Clean.pdf?sequence=1&isAllowed=y
² United Nations (2018). Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean. United Nations, Santiago

International Engagements

Environmental defenders in the Philippines have also sought for the support of international bodies and environmental rights groups from other countries. Throughout the lockdown in the Philippines, support from the international platform had been significant in publicizing the grave human and environmental rights situation in the country.

Filipino delegates attend the 43rd session of the UN Human Rights Council, Geneva, Switzerland

The Ecumenical Voice for Human Rights and Peace in the Philippines (EcuVoice) urged members of the 43rd UN Human Rights Council on March 2020 to establish a Commission of Inquiry for the Philippines following reports that 157 “environmental defenders” have been killed, 11 in enforced disappearances, and 106 arrested on trumped-up charges under the Duterte government. The group emphasized the need for an investigation, either via commission or independent fact-finding mission, into the worsening human rights situation under the Duterte administration – including attacks on environmental defenders.

In the same event, Filipino delegates have manifested the situation of environmental defenders in the Philippines.

“Legitimate resistance and dissent in the assertion of rights to ancestral domains and self-determination are categorized as communist activities, while indigenous organizations and leaders are classified as ‘Communist Terrorist Groups’ or enemies of the State,” Moro and indigenous people’s (IP) rights group Sandugo said. They also blamed President Duterte’s national internal security policies EO 70 and the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) that made IPs its core targets.

“Lumads are the stewards of the forest and defenders of indigenous people’s ancestral land. But our communities are being militarized to allow the entry of large-scale mining, commercial logging and agro-plantations. We are being displaced from our lands by corporations, our schools being shut down by the military,” Rep Cullamat narrated.¹

After the meeting, UN Special Rapporteur David Boyd met with PH environmentalists and then promised to promote safe, clean, healthy, and sustainable environment in the Philippines.

²

The call for an independent investigation

In a report of the United Nation Office of High Commissioner on Human Rights (OHCHR) issued on June 4, 2020, they confirmed the widespread and systematic killings and arbitrary detention in the context of the war on drugs, killings and abuses targeting farmers and indigenous peoples, the silencing of independent media, critics and the opposition under the Duterte government. The High Commissioner found that domestic mechanisms have failed to ensure accountability and that authorities' harmful rhetoric inciting hatred and violence against women, human rights defenders, political opposition, civil society, indigenous peoples, drug users and peddlers, and relief workers, which continued during the COVID-19 period, could amount to a violation of the International Covenant on Civil and Political Rights.

“While important human rights gains have been made, and challenges remain, an overarching focus on national security, countering terrorism and illegal drugs has resulted in numerous systematic human rights violations, including killings and arbitrary detention, persistent impunity and the vilification of dissent,” the report said. It also called for an “independent, impartial, credible investigations into all allegations of serious human rights and international humanitarian law.”

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extension://gphandlahdpffmccakmbngmbjnjiihp/https://www.ohchr.org/Documents/Countries/PH/Philippines-HRC44-AEV.pdf

On August 10, 2020, environmental groups joined by Asia Pacific Network of Environmental Defenders (APNED), EcuVoice, International Indigenous Peoples Movement for Self-Determination and Liberation (IPMSDL), and International League of Peoples' Struggle held a webinar that tackled the situation of environmental defenders in the Philippines. Speakers from different local and international organizations tackled necessary ways forward on addressing the dire situation of Philippine environmental defenders.

Malacañang dismissed claims made by the United Nations rights office over alleged violations and abuses in the Philippines, saying they were premised on “faulty conclusions.”³

The president himself has frequently encouraged violence, including remarks he made shortly after taking office in 2016 when he said: "If you know of any addicts, go ahead and kill them yourself as getting their parents to do it would be too painful." Duterte has also frequently threatened independent investigators who are probing the killings, as well as blocking them from entering the Philippines.⁴

The chances of a foreign investigation are yet to come up. Nonetheless, the Duterte administration's hyper-defensive reaction to independent investigations reeked of guilt to a dirty human rights record.

Endnotes

1 <https://www.rappler.com/nation/unhrc-urged-create-commission-inquiry-philippines>

2 <http://chrp.org.uk/2020/un-special-rapporteur-boyd-promises-to-promote-safe-clean-healthy-and-sustainable-environment-in-the-philippines/>

3 <https://news.abs-cbn.com/news/06/06/20/philippines-rejects-faulty-conclusions-in-un-rights-report>

4 <https://www.dw.com/en/un-report-decries-human-rights-violations-in-philippines-war-on-drugs/a-53681998>

Concluding remarks

The Philippines is losing in the face of battles on two fronts – on the climate crisis and on the health crisis. Cases of human rights violations on environmental defenders continued to rise along with the number of COVID-19 cases in the country. Seemingly blinded to and unable to discern both failures, the government continues to heighten its militaristic methods and draconian approach – the same kind of governance that had put the country in its current bloody and disastrous predicament, in the first place.

Hope is not extinguished as environmental defenders are not backing down. From the cities and the international platform, up to the ecological frontiers and ground zeros of destructive industries, green defenders continue to stand up for the environment despite restrictions due to the pandemic and heightened threats and fascism brought about by the passing of the Anti-Terrorism Act.

However, the window for action on climate crisis is quickly diminishing and we must correct the dirty business-as-usual utilization of the environment and the normalization of different forms of attacks on environmental defenders. We are challenged to unite with environmental defenders in defending environmental rights.

Everyone can help by being a watchdog for the environment and its defenders. It is a positive development that cases of violations on the rights of environmental defenders are being brought to the limelight more than before. More than just statistics, their heroic stories show how dangerous – and vilified – protecting the resource-rich and mega-biodiverse domains of the country are.

Furthermore, a full and independent investigation from the United Nations on the human rights violations of the current administration must be pursued. Along with this, the Anti-Terrorism Act must be halted with a temporary restraining order and repealed immediately. In the long run, a legal recognition and protection must be passed for Filipino environmental defenders as necessary protectors of a healthy and balanced ecology for future generations.

