Continuing Environmental Defense Amidst the COVID-19 Pandemic
Situation of Environmental Human Rights Defenders from 2020 to 2022
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A publication of the Center for Environmental Concerns - Philippines Inc.
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Introduction

COVID-19 Lockdown in the Philippines

The Philippines is among the countries most devastated by COVID-19 in East Asia with 4,139,295 confirmed cases and 66,466 deaths by the end of May 2023 (World Health Organization, n.d. & Arenas et al., 2022). Upon its initial discovery in January 2020, the virus quickly spread across 17 regions. In preventing the spread of the virus, people’s movements were limited through lockdowns enforced in Metro Manila between March 15 to April 14, 2020. On March 16, then-President Rodrigo Duterte signed Proclamation No 929 placing the Philippines under a state of calamity for six months. He then extended the proclamation twice, allowing the mobilization of funds, procurement of goods and use of the state security forces for pandemic response (Atienza, 2021).

Upon declaring the nation under a state of calamity, the state set its primary goal to disrupt mobility to prevent the spread of the virus. The local government along with the police had more authority to limit outside activities by establishing curfews and checkpoints. On March 17, 2020, the government placed Metro Manila under Enhanced Community Quarantine (ECQ), enforcing curfews throughout the region. The issuance of a lone identification card per household allowed mobility only for one person. In addition, the policy suspended public transportation. Only buses were allowed to operate in limited volume and jeepneys, the most commonly used form of transportation, were forced off the road completely (Alegado & Calonzo, 2020). However, the lockdown did not prevent the rising COVID-19 cases in the country. In October 2020, Amnesty International reported an average of 2,000-3,000 cases, which increased to 15,000 by April 2021 (Amnesty International, 2022).
On April 12, 2021, Metro Manila was placed under Modified Enhanced Community Quarantine (MECQ) (Parrocha, 2021). This level of restriction had looser guidelines compared to ECQ but still limited people’s movement. The United Nations High Commissioner for Human Rights, Michelle Bachelet expressed concern over the “highly militarized” lockdown response of the Philippine government. In April 2020, She reviewed cases of physical violence and arrests from State security forces experienced by violators of health protocols. Bachelet stated that emergency powers “should not be a weapon Governments can wield to quash dissent, control the population, and even perpetuate their time in power” (United Nations, 2020).

Persistence of Environmental Plunder and Attacks on Environmental Defenders during the COVID-19 Pandemic

The threats to the environment persisted while the lockdowns were in place. While the majority of the population’s movement is on hold at the time, big businesses continue their business-as-usual operations in natural resource exploitation. 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 in July 2020. The first COVID-19 case and also several subsequent ones in the province came from the island as the company allegedly did not cease operations despite quarantine prohibitions on mining activities. A hundred members of the Philippine National Police escorted oil tankers owned by mining company Oceanagold Philippines Inc. They were in riot gear as they forcibly passed through the people’s barricade in April of the same year. The residents set up the barricade on July 1, 2019 to enforce the stoppage of the company’s mining activities after the expiration of its permit.

Specifically in the surrounding area near the construction site of San Miguel Corporation’s New Manila International Airport in Taliptip, Bulacan, locals reported intensified displacement. Residents reported attempts of “bribery” of 250,000 pesos to demolish their own houses. As for those who refused, they were threatened by elements of the 48th Infantry Battalion of the Armed Forces of the Philippines (AFP) camping near them. This happened just a few months before the hasty passage of Senate Bill No 1823 on the third and final reading by the Senate on October 13, 2020 which gave license to the reclamation project. A month earlier, 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. Critics bombarded DENR with criticisms of their apparent lack of scientific basis and potential pollution of the body of water.
This is a great concern, especially with the widespread opposition of land reclamation or coastal dump and fill projects in Manila Bay. The DENR’s move is seen as “economically inefficient” — spending for such a costly but useless project amid a health emergency.

Amidst the pandemic and the persistence of environmental plunder, the attacks on environmental defenders continued. Various types of human rights violations were recorded. An estimated total number of 41,230 individuals has been affected due to militarization and 26,250 due to bombing. Meanwhile, 66 cases of extra-judicial killings, 92 cases of harassment and intimidation, and 67 illegal arrests and detention, among others were also recorded. The sectors of indigenous people and peasantry have the highest recorded cases of human rights violations from January 2020 to December 2022.
About the Publication

This publication provides an overview of the state of environmental human rights defenders during the first two years of the COVID-19 pandemic. Health protocols and limits to mobility have caused challenges in data gathering, especially for communities in geographically isolated and heavily militarized areas. This seeks to give a better understanding of the situation of environmental defenders to encourage greater solidarity and lead to more initiatives to protect them.

Furthermore, the publication aims for the following:
1. To provide a deeper understanding of the increasing and worsening attacks on environmental defenders
2. To analyze how times of national crises such as the pandemic are being exploited to push programs and policies where citizens are unable to respond effectively
3. To recognize the heroic efforts of environmental defenders for the environment and the people.
State of Environmental Human Rights Defenders

Continuing Attacks on Environmental Human Rights Defenders

Environmental Human Rights Defenders (EHRDs) are groups or individuals who strive to protect and promote human and environmental rights (including water, air, land, and flora and fauna) in their personal or professional capacity (United Nations Environmental Programme, 2016). EHRDs have a “positive, important, and legitimate role in the promotion and protection of environmental human rights.” (United Nations Human Rights Council (UNHRC), 2019).
However, during the implementation of the COVID-19 lockdown, the attacks on environmental defenders continued to spread like the virus. Since the start of the lockdown until its end in 2022, rights watch groups have reported over 700 cases of various human rights violations. These violations include extra-judicial killings, illegal arrests, red-tagging (an act of labeling individuals or groups as “communist fronts”, “communist-terrorist”, or “communist sympathizers”) (Global Voices, 2023), intimidation, enforced disappearances, and physical assault, among others (Table 1). In 2020 alone, monitoring from Kalikasan PNE, civil society organizations, and various news outlets has recorded a total of 3,137 violations related to environmental defenders.
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These attacks are endangering the lives of the communities, threatening the environment, and the environmental defenders who are at the frontline in protecting multitudes of exploitation in land, coastal, and remote areas in the Philippines. The militaristic implementation of lockdowns restricted communities, including the environmentalists, from expressing their concerns in various forms. The health protocol was observed as a repressive measure for organizing and conducting consultations in the affected areas of destructive projects.

**Red-tagging and Vilification**

Red-tagging, red-labeling, 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 tagging of an individual. Since red-tagging brands someone as a terrorist, it creates a public identity. As its gravest repercussion, red-tagging is used to “condition” the notion that the individual is dangerous and what he or she does is illegal, and hence must be arrested or even killed.

<table>
<thead>
<tr>
<th>Violations</th>
<th>Number of Victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extrajudicial killing</td>
<td>66</td>
</tr>
<tr>
<td>Frustrated extrajudicial killings</td>
<td>4</td>
</tr>
<tr>
<td>Enforced disappearance</td>
<td>5</td>
</tr>
<tr>
<td>Torture</td>
<td>12</td>
</tr>
<tr>
<td>Illegal arrest without detention</td>
<td>11</td>
</tr>
<tr>
<td>Illegal arrest and detention</td>
<td>67</td>
</tr>
<tr>
<td>Illegal search and seizure</td>
<td>11</td>
</tr>
<tr>
<td>Physical assault and injury</td>
<td>18</td>
</tr>
<tr>
<td>SLAPPs, trumped-up charges</td>
<td>5</td>
</tr>
<tr>
<td>Threat/harassment/intimidation</td>
<td>92</td>
</tr>
<tr>
<td>Militarization</td>
<td>41,230*</td>
</tr>
<tr>
<td>Bombing</td>
<td>26,250*</td>
</tr>
<tr>
<td>Forced/fake surrender</td>
<td>7</td>
</tr>
<tr>
<td>Red-tagging</td>
<td>39</td>
</tr>
<tr>
<td>Arson</td>
<td>2</td>
</tr>
<tr>
<td>Terrorist designation</td>
<td>5</td>
</tr>
<tr>
<td>Freezing of bank accounts</td>
<td>1</td>
</tr>
<tr>
<td>Others</td>
<td>1</td>
</tr>
</tbody>
</table>

Asterisk (*) implies the estimated number of individuals affected

Table 1. Incidences of human rights violations experienced by environmental defenders (EHRDs) in 2020-2022 (January 2020 to December 2022)
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.

Red-tagging to the extra-judicial killing of Atty. Ben Ramos

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, Kabangkalan City. He was the 24th lawyer to be executed back then since under former President Duterte’s term.
Atty. Ramos represented on a pro bono basis peasants, environmentalists, activists, and political prisoners who are victims of human rights violations. According to the 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 lawyer of some well-known human rights victims such as the sugarcane peasants “Sagay 9”, and the illegally detained “Mabinay 6” (Manglinong, 2018). In April of the same year, he was labeled as a 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 National Police in the town of Moises Padilla, Negros Occidental (Graaf, 2019). Red-tagging, combined with the culture of impunity, was identified by national and international fact-finding missions as one of the main roots of extrajudicial killings in the Philippines (Lawyers for Lawyers, 2019). This is why the rampant and explicit red-tagging nowadays of legitimate organizations and activists deserves condemnation and must be stopped at all costs.
Online and On-ground Threats against Cordillera Peoples Alliance (CPA)

A Facebook post circulated online indicated the chairperson of Cordillera Peoples Alliance (CPA), Windel Bolinget, along with Bestang Sarah Dekdeken, Santos Mero, and other members of the organization as being members of the NPA. The campaign intensified when CPA released a statement criticizing Duterte’s decision to allocate resources to spread anti-Communist propaganda in Cordillera region on April 10, 2020. CPA further states that instead of spending large sums of money to spread allegations, they should spend it on economic relief efforts and COVID-19 health response of the government (Cultural Survival, 2020).

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.
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Posters in Davao City

Human rights and indigenous people advocates in Davao City were alarmed by posters that were circulated in the city, tagging them as human rights violators and “berdugo” which means executioner (Lacorte, 2020).

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, environmental, or religious organizations that genuinely help the poor and marginalized. Nolasco was a CEC staff member who led the livelihood program in Zambales province. 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 convener of Panalipdan Mindanao, a multi-regional environmental alliance in Mindanao. Despite the perpetrators remaining unidentified, Dr. Lindo believes that the act sought to stop them from their advocacies for the environment and human rights (Lacorte, 2020b).
Extrajudicial Killings

New Bataan 5 Massacre

On February 24, 2022, Chad Booc, Gelejurain Ngujo II, Elegyn Balonga, and their accompanying drivers Tirso Añar and Robert Aragon were shot and killed by state forces. They were traveling back to Davao City after visiting a community in New Bataan (Mangosing, 2022). Booc and Ngujo were Lumad school volunteer teachers while Balonga was a community health worker.

The AFP claimed that the group was killed during a clash with communist rebels in New Bataan. However, both local villagers, the CPP and NPA denied the incident, saying that there had been no encounter between the military and the NPA that day (Mangosing, 2022). Forensic pathologist Dr. Raquel Fortun, who performed autopsies on the bodies, said that the group was shot with the intent to kill, with Booc suffering multiple gunshot wounds throughout his body. Booc was a staunch activist for Lumad rights and actively campaigned against the militarization of Lumad ancestral lands. In 2020, he collaborated with Engr. Amihan Manuel to create a map of mining tenements and Lumad communities in Surigao, which revealed the extent of plunder in the region.
**Enforced Disappearances**

**Disappearance of Steve Abua**

Steve Abua is a peasant activist who went missing after his abduction while on his way to a meeting on November 6, 2021. His family didn’t find out he was abducted until a day later when they were contacted by the abductors.

A video call showed Abua bound, blindfolded, and gagged, and the messages received by the family framed Abua as a rebel. Johanna, Abua’s wife, was told that her husband could be given a second chance if he surrendered and cooperated with the government (Torres-Tupas, 2022). She felt distressed by the idea of cooperating with the abductors as Abua hadn’t done anything wrong. Along with comrades from Kilusang Magbubukid ng Pilipinas (KMP), Johanna tried to trace his whereabouts by contacting local officials, who denied any involvement with the case (Beltran, 2023). Steve Abua is a lands rights activist and has worked as a community organizer for farmers, farm workers and indigenous peoples for many years. KMP advocates for genuine agrarian and aquatic reform by upholding the rights of agricultural workers and small fisherfolk. KMP also seeks to advance indigenous peoples’ rights to their ancestral lands.
Enforced Disappearance in Bantayan, Cebu

On the evening of June 13, 2020, two unidentified persons with long firearms entered the home of 50-year-old Elena Tijamo in Bantayan, Cebu and took her away. Her whole family – her sister, parents, and youngest daughter were home when the abduction happened, witnessing everything (Ecarma, 2020). Tijamo was the Sustainable Agriculture Program Coordinator of the Central Visayas Farmers Development Center (FARDEC). FARDEC was 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, 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” (Ecarma, 2020).

Elena has worked with various human rights and farmers groups, assisting them with their land-grabbing cases to seek justice from the unfair local landlords. She has dedicated half of her life to serving the farmers in Cebu by introducing a sustainable agriculture program that will double the amount of harvest of the farmers through the use of bio-fertilizers (Ellao, 2020). A month after her abduction, Elena’s family revealed in an interview that they were able to speak with her over the phone four times. However, they were met with only the demands of her abductors to take down the news article posted by Rappler about her abduction (Ecarma, 2020b). Until now, no one knows where Elena is or who may have taken her.

Arrests and Trumped-up Charges

Arrest and Detention of Daisy Macapanpan

On June 11, 2022, Police arrested Vertudes “Daisy” Macapanpan in her home just days after giving a speech on the devastating effects of the Ahunan Power Plant Project on the local environment. His nephew uploaded a video on Facebook of her violent apprehension by 40 policemen in full battle gear. Upon her release on bail after two months, people started to raise questions about her arrest, stating that it was an overkill manner, especially considering her age (Umil, 2022).
Daisy Macapanpan is an environmental activist who is currently leading the campaign to protect the lush mountains of Region 4: Southern Tagalog Region from environmental destructive projects including the 1,400 MW Ahunan Pumped Storage Hydroelectric Power Plant in Pakil, Laguna. If finished, this will threaten the fragile ecosystems in the area and affect the community’s food and water supply.

**Illegal Arrest of the Pangadas brothers**

After attending a protest rally for President Ferdinand Marcos Jr.’s first State of the Nation Address (SONA) on July 25, 2022, Police arrested Lumad brothers Mawing and Esmael Pangadas. Their basis of arrest includes trumped-up charges of child trafficking and other allegations (Mindanao Inquirer, 2022). Both of them are staunch defenders of the Pantaron Mountain Range (Free Lumad Roxas 2, 2022). The mountain range is home to ethnic minorities such as the Manobos, Higaonons, and Bukidnons, and endemic species of flora and fauna like the Philippine eagle, Philippine brown deer, and Philippine flying lemur (Luci-Atienza, 2020).
Harassment and intimidation

Harassment against Masungi Georeserve Forest Rangers

On February 18, 2022, a mob of 30 men harassed seven of Masungi Georeserve’s forest rangers while they were eating at a cafeteria. When they refused to be accosted without a warrant, the mob resorted to violence and ganged up on the rangers, injuring two of them and damaging one of their vehicles (Philippine Star, 2022). Although policemen responded to the incident, they were not able to initiate arrests as there were many perpetrators (CNN Philippines, 2022). Masungi trustee Ann Dumaliang noted that the incident is linked to the illegal resorts in the area, with some of the perpetrators being employees of said resorts. Masungi Georeserve is an internationally awarded conservation project located in the southern portion of the Sierra Madre Mountain Range in Tanay, Rizal. Since 2017, the foundation has rescued over 2,000 hectares of land and planted over 68,000 native trees (Recuenco, 2022). This makes it a more suitable home for several endangered species including the North Luzon Cloud Rat and Philippine Hawk Eagle (Unlay, 2021).

Southern Tagalog (Region IV) in Focus

In Calamba Municipal Cemetery, a fact-finding team found the bodies of two missing peasant organizers Emerito Pinza and Romy Candor buried under the false names of ‘Leo San Jose Dela Cruz’ (Piza) and ‘Bipar’ (Candor). People strongly believe in the involvement of the elements of the Philippine National Police (PNP) Regional Mobile Force, Battalion 4A in their disappearance. According to KARAPATAN Southern Tagalog, a human rights organization, on January 21 2020, soldiers brought the remains from Camp Vicente Lim to a nearby funeral home and transferred them to the cemetery on the 23rd. At the time, the bodies had already decomposed and were due for an immediate burial. The army’s spokesperson stated that they organized a funeral for the members of indigenous groups who happened to be Pinza’s family members and allegedly said that they were thankful to the police for giving them decent burials. This statement was refuted by Pinza’s wife, Maribel Pinza, claiming that she was not informed about her husband’s death (HRD Memorial, n.d.).

In June 2020, elements of the Special Weapons and Tactics Team (SWAT) of the PNP, Philippine Air Force, and elements of the 202nd Infantry Brigade (IB) of the AFP illegally arrested six farmers. The six farmers were Leovino and July Julongbayan, Roilan Tenorio, Marcelo and Virgilio Vidal, and Doroteo Bautista, all of whom fought against the Calaca coal-fired power plant in Batangas. Upon the arrest, the uniformed men harassed and accused them as members of the New People’s Army (Umali, 2020b). This has caused fear in the community thus silencing
the dissent and paving the way for the operations of the power plant to continue. Residents filed numerous reports of respiratory diseases from the emitted toxic chemicals from the power plant, which also pollute the land, air, and water systems in the community and nearby areas. This further degrades the living conditions of the people and other living organisms (Tan, 2020).

An unidentified assailant gunned down Fernando “Andoy” Polenio, a DENR forester in 2020 assigned to Mahagnao Volcano Natural Park in Burauen in Leyte. To this day, the assailant remains unknown and at large (Reyes & Gabieta, 2020). Polenio was a staunch advocate, dedicated to enforcing environmental laws in the protection of the environment against the illegal loggers in his area of jurisdiction (Recuerdo, 2020). Extra-judicial killings of environmental defenders are a threat to the protection of the key biodiversity areas (KBAs) and protected areas in the Philippines. These kinds of attacks would endanger biodiversity as these destructive projects continue their operations without the people having an opportunity to voice their concerns over these. Moreover, further environmental degradation will worsen climate adaptation and mitigation given by various ecosystems.

During 2021, there were thousands of forced evacuees due to the rampant militarization and bombing including aerial bombing and strafing in Quezon province’s Bondoc Peninsula (BonPen) region. The farmers and other agricultural workers were most affected. There were also threats, illegal arrests and detentions. During this time, the Duterte government, headed by the National Task Force to End the Local Communist Armed Conflict (NTF-ELCAC), has been operating counter-insurgency programs in the region (Umali, 2021).

The Philippines is a biodiversity hotspot, and south Quezon was also home to several so-called development projects such as large dams (Leilani, 2021), mining and illegal logging among others that are highly detrimental to the environment which also brought indiscriminate flooding in the area during Typhoon Ulysses (Umali, 2021). Heavy militarization and bombings in peasant communities also affect the biodiversity areas in Quezon Protected Landscape (QPL) in the southeastern part of Quezon province. It also affects part of the southern Sierra Madre mountain range spanning through the municipalities of Pagbilao, Padre Burgos and Atimonan (Paclibar, 2020). In 2012, 85th infantry battalion of the AFP were deployed in 22 towns in the province as “a response to the resistance of farmers against feudal exploitation and so-called developmental projects such as dam and mining” (Olea, 2012). The human rights violations have intensified in the time of COVID-19 where thousands have been forced to flee their homes with the military bombings in Quezon province that affected at least 26,200 people (Umali, 2021).
In a recent case in 2023, elements of the 85th Infantry Battalion arrested farmer and community health worker Miguela Peniero and Rowena Dasig in Purok Banaba, Barangay Caridad Ibaba, Atimonan.

They were doing their research on the “potential impacts of the proposed combined cycle gas turbine power project and liquefied natural gas terminal plant” at the time. The project proponent, Atimonan One Energy, Inc. (A1E) was originally planning to build a coal-fired power plant, implicating health risks and loss of lands and livelihood to the residents (Umil, 2023). This only implies that the militarization and repression of environmental defenders not only endangers the state of biodiverse areas in the Philippines such as QPL, but also risks the lives and human rights of the communities and the defenders themselves.

Militarization

Militarization in Taliptip, Bulacan

During the lockdown, fisherfolk and residents of Barangay Taliptip, Bulacan experienced pressure arising from the presence of the military in their community. Brgy. Taliptip is one of the areas affected by the Aerotropolis project planned by San Miguel Corporation (SMC). In December 2019, the military set up camp in the area to essentially clear the site of residents and pave the way for the development of the project.

Photo source: Kalikasan PNE Facebook page (2020)
On March 5, 2020, SMC offered residents 250,000 pesos to demolish their own houses and leave the site. Since then, the SMC succeeded in displacing most of the families. In July of the same year, members of both AFP and PNP reportedly intimidated the remaining seven families into accepting SMC’s to vacate the area. Nevertheless, the families remained steadfast in their fight to stay in the community, given that they are fisherfolk who rely heavily on the ocean for their basic needs (AKAP Ka Manila Bay, 2020). A few months after the incident, 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 remaining mangrove forests and seagrass beds that are critical for fisheries production in Manila Bay.

This airport covering over 2,500 hectares, entails the destruction of the land where it stands. Once built, this will destroy 24.5 hectares of mangrove forests and displace over 700 families, causing a loss of their livelihood. It will also endanger 34 million pesos worth of fish production and the viable biodiversity in Taliptip which is home to 200,000 birds (Center for Environmental Concerns, n.d.). At present, there are over seven families left living along Taliptip defending their livelihoods and the environment against the reclamation project. Despite the support of experts, religious groups, and environmental groups in the community, harassment of state agents against them carries on (AKAP Ka Manila Bay, 2020b).

Militarization Linked with Environmentally Critical Projects

Militarization was imposed in the regions such as Negros Island, Quezon, Rizal, Cagayan Valley, and Mindanao which has vibrant opposition to destructive projects such as large-scale, and offshore mining, agribusiness, and legal and illegal logging among others. These projects imposed by the government and big local and international businesses were labeled for “development” despite their destruction to the environment, effects on the livelihood of the communities, and the natural ecology of the area. Furthermore, internationally identified key biodiversity areas were also found within these areas, which is critical in the conservation and protection of various endangered flora and fauna. In militarized communities, human rights violations such as extrajudicial killings, illegal arrest and detention, displacement, as well as threats and harassment were recorded from 2020 to 2022 (Table 2). These human rights violations were often perpetrated by the police and military, attacking and heavily affecting the communities of farmers and indigenous peoples. Oftentimes, victims were left without attaining justice, with additional issues of faceless victims or unreported cases making it harder for further tracing and investigation for human rights violation reports.
On October 2022, various groups reported cases of aerial bombing, shelling, and strafing had the highest number of victims that affected thousands of farmers and indigenous people that flee their homes in Himamaylan, Negros Occidental. Negros Occidental is a region rich in natural resources and home to impoverished indigenous communities, farm workers, and peasants. In addition to human rights violations, records show that illegal arrests, torture, stolen and slaughtered livestock by the military, and imposing of media blackouts happened during this time. There was a noted increase in incidences during the pandemic. Human rights organization, KARAPATAN Negros believes that business entities and the government are eyeing possible mining extraction in Himamaylan near Tayasan, Negros Oriental. This could be linked to the rampant militarization in the area, paving the way for corporate interests to exploit the resource-rich region, they added (Umil, 2022).

Similar attacks on EHRDs are continuing to intensify in other parts of the country, implicating the real motive of foreign and state-led projects that prioritize profit over its people. For many years, militarization has not resolved the armed conflict in the countryside which has worsened the plight of the Filipino people and the environment. The resistance of the people and the communities implies the state’s prioritization of silencing dissent over addressing the root cause of the armed conflict and protecting people against social and economic problems such as poverty, hunger, and environmental collapse.

**Weaponization of the 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 disappearing habitats, on one hand, and our human populations, on the other, proved to be a cautionary tale. However, instead of treating COVID-19 as a public health problem that necessitated the mobilization of health personnel and science-backed strategies, the Duterte administration framed the crisis as a peace and order problem. The whole country saw thousands of police and military troops enforcing security policies with slow, incompetent, and corruption-ridden responses in mass testing, contact tracing, as well as treatment, social amelioration, and early recovery.

Unsurprisingly, there has been no letup in the attacks against Filipino environmental defenders since the start of the lockdown. The state unleashed a season of violence and fear upon critics and dissenters, especially for environmental defenders. Environmental defenders had to face reprisals...
along with navigating the restrictions on movements and freedoms due to 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 which targeted legitimate civil society organizations including environmental defenders. From the discovery of the first COVID-19 case in the Philippines until December 2022, the state has perpetuated the filing of trumped-up charges against 700 environmental defenders. Environmental defenders experienced threats, surveillance, forceful displacement, illegal detention, and even murder. Environmental defenders across the country have reported human rights violations from mining sites in the hinterlands to coastal villages threatened by reclamation. It is important to note that records show 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.

**Red-tagging and Vilification**

**Red-tagging of Indigenous People, Farmers and other Civil Society Organizations**

In 2020, elements of the Manila Police Station distributed flyers tagging CPA as NPA supporters. The flyers that posed as COVID-19 informational materials also included text entitled, “Deceptive Recruitment of CPP-NPA Terrorists” include CPA, Innabuyog, GABRIELA, Mountain Province Research Development, Inayan Watch, APIT TAKO Montanosa, Alliance of Concerned Teachers (ACT), KATRIBU, Bayan Muna, and other organizations as alleged communist fronts. Army helicopters dropped flyers with essentially similar content in some parts of the Cordillera last April 12 (Cimatu, 2020).

**Red-tagging of Environmental Groups**

Center for Environmental Concerns – Philippines (CEC) was among the red-tagged organizations by chief Lt. Gen. Antonio Parlade Jr, member of NTF-ELCAC stating that the listed organizations are the alleged “front” of the Communist Party of the Philippines (CPP). Parlade has also made statements claiming that the “communist-terrorist” groups are “exaggerating the misery of the people in the heightened COVID-19 pandemic, and used the crisis as an advantage to gain financial and political support.” He has also claimed there are funding schemes that have allowed the expansion of other environmental organizations, such as Climate Change Network of Community-based Initiative (CCNCI) and under this network is CEC who was being “exploited by the CPP” (Arcilla, 2020). This is the second time that CEC has been red-tagged online. These incidents have been followed by other threats.
A month later, on May 15, 2020, CEC and Kalikasan People’s Network for the Environment (Kalikasan PNE) experienced a threat in the form of a defaced office gate. They found posters of red-tagging organizations and parties they had worked with before. The posters were also put up on the walls and gates near the CEC and Kalikasan PNE office and on some tricycles in the area. On the materials was baseless labeling of certain groups as members of the Communist Party of the Philippines - New People’s Army (CPP-NPA). The posters also claimed that the organizations were in possession of certain youth individuals.

Meanwhile on June 9, 2022, CEC and Kalikasan PNE had also found their office surveilled by policemen. This time, policemen in plain clothes knocked on their office and took pictures of one of their staff without their consent. A few days later, they spotted individuals believed to be policemen within the vicinity of their office, taking pictures in the direction of their office gate (Bulatlat, 2022). 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 30 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 the mining sector (IUCN National Committee of the Netherlands, n.d.).

**Extrajudicial Killings**

During the pandemic, killings of environmental and political activists have also intensified (Leilani, 2020b). There have been 157 killings from 2016 until 2019, recorded from various monitoring of civil society organizations, personal reports, and news articles. Meanwhile, there were 66 recorded extrajudicial killings of EHRDs from 2020 until 2022 (Table 1) which substantiate the declaration that the Philippines remained the most dangerous country for land and environmental defenders in Asia for a straight decade in 2023 (Gozum, 2023).
Iloilo City

On the morning of April 30, 2020, Jory Porquia was shot dead by two gunmen in the house he rented 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 calls him, is a well-known community organizer based in Iloilo Province. He is 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 (Business & Human Rights Center, 2020). Since the start of the pandemic, he actively led his organization’s feeding program for the most affected communities in Iloilo. He was continuously harassed by the police as he led relief operations and an education campaign on COVID-19. Due to the pandemic, his mother and son were not able to attend his burial (Burgos, 2020).
Arbitrary Arrest and Detention and Criminalization

Detention and Death of Joseph Canlas

Police raided and arrested Canlas on March 30, 2021 after being tagged as a supporter of the communist rebellion. Canlas, while at the Bureau of Jail Management and Penology (BJMP) died of complications from COVID-19. Canlas was a prominent peasant leader in Central Luzon who spent decades campaigning against land grabbing and eviction of farmers. He played a big role in the movement against large-scale mining and other destructive projects throughout Central Luzon.

Arrest of Ariel Casilao and six Anakpawis Partylist members

The state detained former Anakpawis Partylist representative in Congress, Ariel Casilao along with six Anakpawis Partylist members in Norzagaray, Bulacan on April 19, 2020. To make the arrest, the police charged Casilao and the six volunteers with violation of the Republic Act 11332 or the Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act and for Inciting to Sedition (Conde, 2020). They were conducting “Tulong Anakpawis and Sagip Kanayunan” relief operations, delivering relief goods to those communities affected.
by the COVID-19 Luzon lockdown. Casilao is the negotiator of the volunteers’ release and the resumption of the relief. However, the police also detained him for the same violation. At the time, volunteers were traveling to Sitio Kalye Onse and Brgy. Bigte to deliver 50 food packs to the residents. There were six volunteers, including the driver of the jeepney carrying the relief goods. Upon their arrival at the PNP checkpoint of San Jose Del Monte City and Norzagaray boundaries, the police stopped them. They then ordered the group to proceed to the Municipal Police Station.

Soon after, the police started confiscating their food pass, Pinoy Weekly’s old newspaper issues, and Linang, a publication for the farmers. The police blatantly disregarded the legally issued and accredited pass by the Bureau of Fisheries and Aquatic Resources (BFAR) for humanitarian aid and relief campaigns. Pambansang Lakas ng Kilusang Mamamalakaya ng Pilipinas (PAMALAKAYA) was among the organizations leading the campaign and has stated that more than 2,000 poor families affected by the COVID-19 pandemic have benefited from the relief operations. The political party and coalition, MAKABAYAN bloc of the House of Representatives in the Philippines has condemned the “harassments of groups and individuals who are only giving relief goods to our already hungry people affected by the lockdown” (Arceo, 2020).

**Arrest and Detention of Manobo Leader**

On March 19, 2020, Police elements visited Manobo leader Gloria Tomalon in her home and forcibly took her to a police station. They issued a warrant for her arrest based on charges of kidnapping and serious illegal detention. Tomalon previously served as an Indigenous representative in the local government. As chair of KATRIBUMMU, she also spoke out against attempts by mining companies to operate in the Andap Valley complex. Her advocacies for Indigenous peoples’ rights and the environment, made her a target of an intense red-tagging campaign. The state-owned Philippine News Agency labeled her as an NPA leader and linked her to two operations staged by NPA guerrillas (Umali, 2020). Tomalon remains under police custody to this day.
Restrictions on Mobilizations

The health protocols for the pandemic were cited for arrests of concerned citizens and activists, as well as attempts to ban protest mobilizations on multiple occasions. This was despite protest organizers demonstrating strict physical distancing and hygiene measures implemented in their rallies such as the ‘Grand Mananita’ rally (as a jab to former National Capital Region Police Office (NCRPO) Maj. Gen. Debold Sinas’ birthday celebration amidst the ban of mass gatherings in quarantine protocols) (Gonzales, 2020) in the University of the Philippines grounds for 122nd Independence Day (GMA News, 2020), and expert opinions given by institutions such as the World Health Organization upholding people’s right to protest even amid the pandemic (Huang, 2020).

A glaring example of the government’s blatant disregard for this right was when they arrested 42 activists who were laying wreaths on the site of the killing of Bayan Muna coordinator Jory Porquia. The group faced charges of violating several laws such as the Public Assembly Act of 1985, Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act, and the Bayanihan to Heal as One Act. In addition to this, the state charged them with Disobedience of Persons in Authority, simply for seeking justice for the slain environmental and human rights activist (ABS-CBN, n.d.). Despite having the longest lockdown in the world, the Philippines failed to flatten the curve promptly 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 (Pasley, 2020).

Violent dispersal of people’s barricade in Didipio, Nueva Vizcaya

From July 2019 up to 2020, local communities in Didipio, Nueva Vizcaya have blocked the entry of fuel tankers and service vehicles in Didipio gold and copper site. This is to halt the operations of OceanaGold Philippines Inc., (OGPI) after the expiration of its Financial and Technical Assistance Agreement (FTAA) mining permit, two weeks prior. More than a year after the barricade’s inception, the community has successfully garnered support of religious sectors, private and civil society organizations, and all local government units up to the provincial level to call for the non-renewal of the mining permit of OGPI. The community had sustained two checkpoints that ensured no copper concentrate got out of the company and no mining operation was conducted. They have displayed the capability of residents to enforce environmental protection through the closure of a destructive industry.
The United Organization of Didipio Residents (UODR) has led this struggle and was also an Organizational Awardee in the sixth Gawad Bayani ng Kalikasan held last September 28, 2020 (Gawad Bayani ng Kalikasan, 2020).

However, former president Duterte has authorized the mining company to allow the trucks carrying fuel generators to run water pumps in the underground mines to enter the site. Following this, on April 6, 2020, hundreds of police personnel in full riot gear violently dispersed a total of 29 community leaders in the people’s barricade and assisted the entry of the vehicles into the mining site carrying 63,000 liters (16,600 gallons) of fuel. The police also detained the chairperson of the Didipio Earth Savers Multi-Purpose Association (DESAMA), Rolando Pulido (Leilani, 2020). During this time, the entire region was in a state of calamity of a global pandemic; with all domestic land, sea and air travel banned and strict lockdowns imposed (Leilani, 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’s barricade (MiningWatch Canada, 2020). The Commission on Human Rights (CHR) has called on the PNP to issue a probe on the policemen involved in the violent dispersal. In a previous statement, CHR’s spokesperson, Jacqueline Ann De Guia, asserts an immediate investigation after the alarming action of the PNP. Given that there is an ongoing pandemic, such actions were condemnable.
Continuing Environmental Defense Amidst the COVID-19 Pandemic

(MSN News Philippines, n.d.). 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.

This incident only reflects that the priority of the government is the business entities rather than addressing health and environmental crises. Government security forces also manned checkpoints during the Enhanced Community Quarantine (ECQ) period, arresting 120,000 violators of “lockdown guidelines” that prohibit mass gatherings. This has also justified the arrests and assaults on defenders in the guise of enforcing COVID-19 measures which has exacerbated threats to activists and environmentalists. Moreover, a local environmental group, Alyansa ng Novo Vizcayano Para sa Kalikasan (ANVIK) expressed their concern for social distancing, quarantine protocols, and the draconian approach of the Duterte regime. According to them, in reality, the state weaponizes these policies to attack people opposing the mining operations (Montesclaros, 2020)

Trends and Analysis

Environmental Defenders Amidst the Climate Crisis

Despite the recognition of international institutions, the role of environmental defenders in upholding environmental rights remains underappreciated in the Philippines, particularly by the Philippine government. They are at the frontlines of millions of hectares of ecologically critical and natural-resource-rich landscapes. They provide a check and balance in the implementation of laws and in upholding environmental rights in general. With the state of climate change at present, the country should expect more frequent and intense extreme weather events. These extreme weather events will threaten our food security, increase the spread of disease, and aggravate poverty in the Philippines. Now more than ever, environmental defenders must protect and conserve resource-rich areas for climate resilience. They must ensure that these areas are rehabilitated, and affected communities are compensated for losses and damages.
Sectors at the Frontlines of Environmental Defense

During Duterte’s time in 2020, bombings related to militarization in Lumad indigenous communities in Mindanao, who protects the forests, rivers, and the environment by using sustainable indigenous practices (Global Environment Facility, 2019), had the highest number of recorded violations, followed by extra-judicial killings. In 2019, the Department of Education (DepEd), forcefully shut down 55 Lumad schools, claiming that these schools are “training centers” of New People’s Army (NPA) communist rebels. In addition to this, the military has created vilification campaigns threatening the safety of Lumad schools. Save Our School (SOS) Network attributes the increase in attacks with Duterte’s threat to bomb Lumad schools last July 2017 in allegedly teaching “subversion” and “communism”. Among those affected by the Draconian rule of Duterte was the Mindanao Interfaith Services Foundation Inc (MISFI) Academy in Bukidnon where the paramilitary group Magahat Bagani Force destroyed textbooks and two buildings of the academy, including a teachers’ cottage. Beverly Gofredo of SOS Network states that the Academy is near the Pantaron mountain range and Pulang River. Pulang River is the longest river in Bukidnon which the Lumads have long been fighting to protect against the construction of hydropower dams and mining companies in the area (Diño, 2020).

These kinds of attacks have resulted in the disenfranchising of more than 3,000 Lumad students in July 2020 which continue to rise with the passing of the Anti-Terror Act (Save Our Schools Network, n.d.). Toppling the effects of a pandemic surge, the ‘Bakwit’ school, a makeshift educational facility for Lumad students sought sanctuary in UP Diliman. The students experienced mental health issues such as anxiety and depression as they heard the news of the bombing as the location of these attacks is where their parents live (Diño, 2020). If indigenous groups like the Lumads cannot protect the mountains and rivers because of the continuing oppression of the state, destructive projects will continue to invade the area, wreaking havoc on the biodiversity, environment, and communities. Four men attacked and killed Merlin Ansabu Celis while she was walking with her daughter on the way to their farm at the village of Mahongkog, in Magpet town, Cotabato. She was shot from behind, and another assailant finished her off using a machete. Celis was actively advocating for the indigenous people’s cultural and ancestral domain against the continued illegal logging in her village (Fernandez, 2020).
Continuing Environmental Defense Amidst the COVID-19 Pandemic

Table 2. Sectors affected by violations during COVID-19 lockdown implementation in 2020-2022 (January 2020 to December 2022)

<table>
<thead>
<tr>
<th>Sectors</th>
<th>Extrajudicial Killing</th>
<th>Illegal Arrest and Detention</th>
<th>Threat/ Harassment/ Intimidation</th>
<th>Militarization</th>
<th>Bombing</th>
<th>Red-tagging</th>
<th>Total number of individuals affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indigenous people</td>
<td>19</td>
<td>69</td>
<td>376</td>
<td>15,030*</td>
<td>3,021*</td>
<td>9</td>
<td>18,524</td>
</tr>
<tr>
<td>Peasant</td>
<td>13</td>
<td>30</td>
<td>424</td>
<td>26,200*</td>
<td>26,218*</td>
<td>138</td>
<td>53,023</td>
</tr>
<tr>
<td>Fisheries</td>
<td>2</td>
<td>15</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>Teacher</td>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Youth</td>
<td>32</td>
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<td></td>
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<td>37</td>
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<tr>
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<tr>
<td>Media</td>
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<td>1</td>
<td>2</td>
<td>1</td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Faith-based institutions / organizations</td>
<td>19</td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td>20</td>
</tr>
<tr>
<td>Environmental NGOs</td>
<td>6</td>
<td>2</td>
<td></td>
<td>3</td>
<td></td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>Others</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>35</strong></td>
<td><strong>164</strong></td>
<td><strong>832</strong></td>
<td><strong>41,230</strong></td>
<td><strong>29,239</strong></td>
<td><strong>154</strong></td>
<td><strong>61,654</strong></td>
</tr>
</tbody>
</table>

Asterisk (*) implies the estimated number of individuals affected

From 2020 to 2022, the peasant and indigenous people’s sectors were among the highest recorded human rights violations with the estimated number of victims of 53,023 and 18,524 respectively. Between these years, militarization and bombing incidents have become apparent among peasant and indigenous people’s communities. The state attacks resulted in displacement and inflicting terror across regions.

For decades, peasant communities have long been asserting their rights to the land they till. They suffer from multiple threats of land grabbing by big companies and businesses for land conversion, and destructive projects that are branded as “development projects”. These projects are, however, detrimental to the environment and the livelihoods of local communities in the area. Militarization in peasant communities in Quezon province was also related to counter-insurgency following an encounter between the military and the revolutionary NPA which resulted in the deaths of two fighters and two soldiers. This was part of Duterte’s Executive Order No. 70, implementing the so-called “whole-of-nation” approach in its Counterinsurgency plan to “eradicate the Communist Party of the Philippines (CPP) and NPA” before the year 2022 ends (Ellao, 2019). Moreover, this approach mobilizes and coordinates programs and actions on counter-insurgency across all government offices and agencies (Ellao, 2019). This has led to numerous human rights violations in the region ranging from harassment, and threats to trumped-up cases filed and murder, among others (Umali, 2021).
Indigenous peoples were also among the victims with the highest number of human rights violations experienced. Bombing of Lumad schools was evident in 2020 followed by Duterte’s vicious statements about bombing the schools. Before this incident, SOS Network recorded 584 cases of attacks in 2019 including school-related extra-judicial killings and sexual harassment. Threats, harassment, and intimidation have also increased during the heightened COVID-19 pandemic. Due to the remote distance of Lumad schools which requires a two-hour motorcycle ride and a five-hour walk from the community, the students needed to adapt to ‘blended learning’ as a form of education that further challenged them. Lumad schools have a specific curriculum that caters to the culture and needs of Lumad communities. Since the 1980s, the schools have used culturally sensitive educational interventions such as using local language in mediums of instruction, teaching concepts with local situations, i.e. fermentation, literacy, numeracy, simple weaving, etc.

There is also the inclusion of local knowledge in identifying animals, plants, land and water bodies, and values such as self-determination. Hence, their role in protecting the environment through sustainable and indigenous practices is vital in the preservation of culture, food security and conservation of biodiversity (Episcopal Commission on Indigenous Peoples (ECIP), n.d.). However, this was lost due to heavy militarization that preempted the forced closure of the schools. This also enables the mining companies and hydropower dam construction to invade the areas that the indigenous peoples have long been fighting against (Diño, 2020).

**Regions with the Highest Number of Attacks**

In the span of three years, regions 4-A Southern Tagalog, Negros, and Northeastern Mindanao had among the highest recorded cases of human rights violations regarding environmental defenders. These are also the areas with a high concentration of environmentally critical projects and projects in environmentally critical areas such as large-scale mining and large dams, among others.
Table 3. Regions affected by violations during COVID-19 lockdown implementation in 2020-2022 (January 2020 to December 2022)

<table>
<thead>
<tr>
<th>Region</th>
<th>Extrajudicial Killing</th>
<th>Illegal Arrest and Detention</th>
<th>Threat/ Harassment/ Intimidation</th>
<th>Militarization</th>
<th>Bombing</th>
<th>Red-tagging</th>
<th>Total number of individuals affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAR (ICR)</td>
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<td>6</td>
<td>4</td>
<td>11</td>
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<td></td>
</tr>
<tr>
<td>1 (ICR)</td>
<td>3</td>
<td>2</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 (CagVal)</td>
<td>5</td>
<td>28</td>
<td>1</td>
<td>34</td>
<td></td>
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<td>3 (CL)</td>
<td>3</td>
<td>120</td>
<td>3</td>
<td>674</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>4-A (ST)</td>
<td>12</td>
<td>21</td>
<td>26,200*</td>
<td>52,446</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>4-B (ST)</td>
<td>2</td>
<td>12</td>
<td>14</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 (Bicol)</td>
<td>3</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>6 (Panay)</td>
<td>15</td>
<td>1</td>
<td>1</td>
<td>18</td>
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<td></td>
</tr>
<tr>
<td>6 (Negros)</td>
<td>7</td>
<td>2</td>
<td>15,024*</td>
<td>15,052</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>7 (CenVis)</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td></td>
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<td></td>
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<td>8 (EV)</td>
<td>3</td>
<td>3</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 (WMR)</td>
<td>1</td>
<td>1</td>
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<td></td>
<td></td>
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<td>11 (SMR)</td>
<td>5</td>
<td>7</td>
<td>13</td>
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<td>12 (NCRM)</td>
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<tr>
<td>12 (FSMR)</td>
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<td>11</td>
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<td></td>
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<tr>
<td>13 (NEVR)</td>
<td>4</td>
<td>6</td>
<td>3000*</td>
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<tr>
<td>NCR</td>
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<td>8</td>
<td>5</td>
<td>17</td>
<td></td>
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</tr>
<tr>
<td>TOTAL</td>
<td>62</td>
<td>176</td>
<td>568</td>
<td>41,230</td>
<td>29,221</td>
<td>71</td>
<td>71,328</td>
</tr>
</tbody>
</table>

Asterisk (*) implies the estimated number of individuals affected

Region 4-A: Southern Tagalog - CALABARZON (Cavite, Laguna, Batangas, Rizal and Quezon)

Region 4-A Southern Tagalog had the highest number of recorded cases from January 2020 to December 2022, with peasants, including activists and organizers, having the most recorded human rights violations. On March 7, 2021, the police brutally murdered Chai Lemita-Evangelista and Ariel Evangelista, a fisherfolk couple from the local environmental organization, UMALPAS KA during a region-wide crackdown against Southern Tagalog activists. The Ugnayan ng Mamamayan Laban sa Pagwawasak ng Kalikasan at Kalupaan (UMALPAS KA), is a local environmental organization for the protection of land and coastal areas in Nasugbu, Batangas. UMALPAS KA was among the People’s organizations that experienced red-tagging and state-sponsored attacks. Former president Duterte commanded the military-led crackdown, viciously accusing legal organizations including local environmental non-government organizations (NGOs), media groups, religious institutions, human rights, and environmental defenders as being “fronts” by using red-tagging as justification for these attacks (Ejolt, n.d.).

In Laguna, Hacienda Yulo farmer families and residents have long been asserting their rights to the land they till for decades. In this land that is owned by the Yulo and Ayala families, attacks continue on the farmers in Sitios of Buntog and Matang Tubig, Calamba, Laguna.”
asserts that the attacks stem from the persistence of landlordism and the absence of genuine agrarian reform in the country. Arson cases were among the human rights violations faced by the farmers on January 24, 2021 by the security guards hired by Yulo-owned San Cristobal Realty Development Corporation and Ayala Land Inc. Additionally, police blocked relief goods from reaching the displaced families amidst the COVID-19 pandemic. An organization of farmers in Hacienda Yulo, SAMANA-Buntog, strongly believes that the violence is rooted in the land dispute between the landlords, small farmers, and the combination of Yulo and Ayala real estate giants (KMP, 2021).

Region 6: Negros

In Region six Negros Occidental, thousands of evacuees from peasant and indigenous communities in Himamaylan bear the brunt of heavy militarization in the area. According to the military, no forced evacuation happened and the residents complied out of fear of the presence of the military. However, KARAPATAN, a human rights organization, found out numerous incidents of human rights violations in the area. Military forces committed arbitrary arrests and torture and stole and slaughtered livestock. Moreover, the military has imposed a media blackout, restricting journalists from interviewing the evacuees. Peasant organizations in the region vehemently condemn these actions. They assert that the only reason behind the lockdown and militarization was to pave the way for big businesses to exploit the resource-rich area of Himamaylan. This is not new to the context of previous government projects such as the Ilog-Hilabangan River Basin project (IHRBP), and logging companies that displaced indigenous, and farmer communities in the area and nearby cities (Umil, 2022).

Region 13: Northeastern Mindanao - Caraga

Additionally, Northeastern Mindanao in Region 13 has the most number of violations regarding bombing incidents in the province. Concerned groups believe that these incidents are part of the attacks against Indigenous peoples in the area. In the same area, Lumad schools experienced forced closures, state forces illegally arrested students, and executed aerial bombings in communities. SOS Network suspects that these attacks were connected to the proposed mining and dam projects in the region (Diño, 2020). As of June 2023, there are 47 existing and approved mining tenements under the Mining Production Sharing Agreement (MPSA) for the extraction of nickel, chromite, gold, and other minerals in Caraga, which are operated by large mining companies such as Sinosteel Phils. H.Y. Mining Corp. in Dinagat Islands, Surigao Integrated Resources Corp. in Surigao del Norte, and Brightgreen Resources Corporation in Surigao del Sur, among others (Mines and Geosciences Bureau, 2023). At the expense of lives and environmental degradation, 12 diversion dams finished construction. These dams are worth more than P46.683
million for irrigation of farmlands in Caraga in 2023 (Crismundo, 2020). However, in 2014, there were corruption charges filed against the officials of the National Irrigation Administration (NIA) for P66 million in irrigation projects in the Caraga region (Ranada, 2014).

**Industries Related to Attacks Against EHRDs**

According to data monitoring incidences of CEC from various references such as articles and civil society organizations, the industries that are behind most cases of extrajudicial killings are mega-dams, and mining with 17 recorded cases for mega-dam projects, and 15 recorded cases for mining between 2020 to 2022.

Among the notable examples are the massacre of the “New Bataan 5”, whose victims worked with communities that were displaced due to mining operations in Mindanao. Another is the death of public interest and environmental lawyer Juan Macababbad, who opposed applications for coal mining in the Daguma mountain range. Besides mining, the megadam industry is also seen to have a growing number of cases related to extrajudicial killings. With the thrust to transition to renewable energy, there has been an increase in hydropower projects in different parts of the Philippines. However, these often cause the displacement of local and indigenous communities, loss of livelihood and disturbances of forest and riverine ecosystems both upstream and downstream. In 2021, Four (4) community organizers were shot and killed in their homes for their opposition to the Kaliwa Dam in Rizal while nine Tumandok leaders were massacred after leading the community opposition against the Jalaur Dam in Iloilo.

Agriculture is the sector with the highest number of recorded cases between 2020 to 2022, with 138 recorded extra-judicial killings. In one day in 2020, four farmers were murdered and three were injured in a combined police and military operations in Iloilo and Northern Samar. Harold Tablazon was among the massacred who received multiple gunshot wounds in Sitio Passi, Barangay Mayang, Tubungan, Iloilo. Tablazon was a long-time organizer of the Federation of Iloilo Farmers Association (FIFA), a regional chapter of Kilusang Magbubukid ng Pilipinas (KMP) in Panay, he also served as a barangay councilor. Before the incident, Tablazon was a victim of a police raid and was charged with illegal possession of firearms last December 2019. Danilo Ramos, chairperson of KMP claimed that this kind of attack was not an isolated case, and blamed the Memorandum Order No. 32, the Executive Order No. 70, and the military’s ferocious anti-insurgency campaign ‘Oplan Kapayapaan’ (predecessor of Anti-Terror Act) by Duterte’s administration. Moreover, these attacks were the very “reason why mass activists, including former activists and government critics, were under attack” Ramos added. KMP also mentioned that “sprees of fabricating ‘fake
encounters with the NPA’ launched by the PNP and the 61st IBPA are actually affecting and targeting peasant communities in far-flung areas (Umali, 2020).

Large-scale mining, logging and large dams were also related to the rise of militarization and bombing in the communities. This reveals the additional vulnerabilities of peasants and indigenous communities during the COVID-19 lockdown. Mining had a total number of 18,284 human rights violation victims with the highest number of cases related to militarization with 15,030 casualties and bombing incidents that affected 3,018 people. The logging industry’s Human rights violations are linked directly to militarization. Records show that the violations affected 41,224 victims, and bombing incidents affected 26,218 people. Overall, this resulted in a total of 67,451 casualties. Dam industry-related violations were also among the highest recorded cases with 3,000 victims affected by bombing incidents.

Table 4. Issues related to human rights violations during COVID-19 lockdown implementation in 2020-2022 (January 2020 to December 2022)

<table>
<thead>
<tr>
<th>Issues Related to HRVs</th>
<th>Extrajudicial Killing</th>
<th>Illegal Arrest and Detention</th>
<th>Threat/ Harassment/ Intimidation</th>
<th>Militarization</th>
<th>Bombing</th>
<th>Red-tagging</th>
<th>Total number of individuals affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mining</td>
<td>15</td>
<td>68</td>
<td>139</td>
<td>15,030*</td>
<td>3,018*</td>
<td>14</td>
<td>18,284</td>
</tr>
<tr>
<td>Logging</td>
<td>6</td>
<td>1</td>
<td>2</td>
<td>41,224*</td>
<td>26,218*</td>
<td></td>
<td>67,451</td>
</tr>
<tr>
<td>Agribusiness</td>
<td>12</td>
<td>203</td>
<td>720</td>
<td></td>
<td></td>
<td>139</td>
<td>1,074</td>
</tr>
<tr>
<td>Fossil fuel</td>
<td>3</td>
<td>6</td>
<td>3</td>
<td></td>
<td></td>
<td>7</td>
<td>19</td>
</tr>
<tr>
<td>Renewables (includes hydropower)</td>
<td>2</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Dam (for water supply)</td>
<td>17</td>
<td>42</td>
<td>94</td>
<td>6</td>
<td>3000</td>
<td>10</td>
<td>3,169</td>
</tr>
<tr>
<td>Land grabs</td>
<td>3</td>
<td>6</td>
<td>170</td>
<td></td>
<td></td>
<td>7</td>
<td>186</td>
</tr>
<tr>
<td>Tourism</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Reclamation</td>
<td>3</td>
<td>23</td>
<td>4</td>
<td></td>
<td></td>
<td>3</td>
<td>33</td>
</tr>
<tr>
<td>Others</td>
<td>2</td>
<td>6</td>
<td>4</td>
<td></td>
<td></td>
<td>12</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>59</strong></td>
<td><strong>358</strong></td>
<td><strong>1,140</strong></td>
<td><strong>56,260</strong></td>
<td><strong>32,236</strong></td>
<td><strong>182</strong></td>
<td><strong>90,235</strong></td>
</tr>
</tbody>
</table>

Asterisk (*) implies the estimated number of individuals affected

One can connect the human rights violation cases to the regions with heavy militarization and bombing incidents. Regions in Quezon, Negros Occidental, and Surigao del Sur were among the regions with the highest recorded cases of violations related to mining, logging, and dam construction projects.

Construction of hydropower dams and mining encroachment in the provinces of Himamaylan, and Surigao del Sur have resulted in multiple human rights violations in farmers and indigenous communities in the region. Among the reported casualties is the Lianga massacre which brutally murdered three members of the Manobo tribe, including Lenie Rivas, and her
12-year-old sister, Angel Rivas in Surigao del Sur. The military insisted that the victims were NPA guerrillas. Reports from the local community, however, claim that the victims took a break from their work, abaca stripping, when the soldiers opened fire at them, instantly killing Angel and her sister, Lenie; while the three workers were able to run to safety (Jerusalem, 2021). The community has experienced heavy militarization for a long time, leading to human rights violations such as this. Lumad communities are the environmental defenders who opposed numerous planned and ongoing mining operations in Surigao del Sur which contributed to biodiversity conservation and mitigation of climate change that is highly beneficial to the Philippines and fellow Filipinos.

Tanggol Quezon, a human rights group, reported that the military perpetuated human rights violations during their aerial bombing and strafing operations in the Bondoc Peninsula region, affecting 26,200 people. Historically, heavy militarization is a lived experience for peasant farmers in South Quezon. The Military harasses and tag community members as NPA supporters, prompting families to leave their community. Additionally, industries have long been bombarding the region with development projects and economic ventures. This led to massive deforestation and destruction of the environment in the area (Umali, 2021). Another example is the killing of 100 members of the National Federation of Sugar Workers (NFSW), an organization based in Negros Island advocating for genuine agrarian reform and sustainable agriculture. These farmers are among the poorest Filipinos since Negros Island remains under the monopoly of big landlords. Additionally, the region is one of the most undistributed land to the landless farmers under the Comprehensive Agrarian Reform Program (CARP) of the government. Since the Cory Aquino regime, the Negros Island remain heavily militarized. This militarization supposedly seeks to obliterate the revolutionary group CPP-NPA in the region (Umil, 2023). However, records show that the innocent have suffered the most vulnerabilities.

**Women Environmental Defenders**

Women play an important role in environmental protection, especially in local communities. However, they experience particular kinds of attacks such as gender-based violence and harassment. From 2020 to 2022, there have been an estimated number of 12,561 women and 3,030 minors who suffer from human rights violations. Some peasant women who practice agroecological farming have realized the importance of the land they depend on. This practice ensured food security in their community during the lockdowns. They also shared vegetables with other communities using a ‘community pantry’. Herbal medicines as basic remedies for fever
have also helped the mothers to cure their children during the lockdowns. However, despite the importance of peasant women in food security and being natural healers, human rights violations have also continued. As of 2023, there are 48 cases of murder of peasant women and 80 cases of illegal detention of peasant women in different provinces. The NTF-ELCAC on the other hand, targets organizations such as the national organization of peasant women, AMIHAN. The NTF-ELCAC filed a financing terrorism case against them, freezing their bank accounts. While the latter is lifted, resisting fake cases remains a necessity. All the more reason for further action, to stand in solidarity with their advocacy in upholding the rights of peasant women in the country.

**Indigenous people as traditional stewards of the environment**

Indigenous people are considered the traditional stewards of the environment with natural resource management as part of their culture. But because of their natural resource-based existence, they are the most vulnerable to environmental degradation and destruction. Thus they remain as the most disadvantaged sector with an estimated number of 18,524 members of indigenous groups also suffering from human rights violations.

In 2021, the 3rd Special Forces of the Philippine Army perpetrated the 2nd Lianga Massacre. They indiscriminately fired at six farmers including Angel Rivas, a 12-year-old Lumad student, and Lenie Rivas. The other three farmers managed to escape, but not Lenie, Angel, and Willy Rodriguez, who is also a farmer. After the incident, the military even presented the murdered bodies to the community. To terrorize the community further, they spread a false narrative that the victims retaliated, or ‘nanlaban’ and were members of the NPA. This narrative is widely known to justify the killing spree during the COVID-19 lockdown. Furthermore, there are speculations that the Military raped and mutilated two women before killing them. The women’s group, GABRIELA criticized this. According to them, not too long ago before the treacherous murder, former president Duterte ordered the military to “shoot female rebels in the vagina” (Umil, 2021), hence enabling the unspeakable attacks against women like Lenie and Angel. Also in 2021, the military raided a retreat house in Cebu where Lumad students were staying to continue their schooling as bakwit, because of the continuous bombing attacks and militarization in their communities.

A year later, the military orchestrated a fake encounter with the NPA, killing Lumad volunteer teachers and health worker Elgyn Belonga. However, the Lumad school’s organization, Save Our Schools Network, has asserted that the victims were civilians and not armed combatants.
According to experts, the autopsy report suggests that the victims were intentionally killed (Umil, 2022). Furthermore, the human rights violations directed at women during the heightened COVID-19, disrupted their roles as seed keepers and their part in ensuring healthy and nutritious food for their families. Thus disrupting the whole community.

**Red-tagging of NTF-ELCAC**

Red-tagging is considered one of the most dangerous trends compounding the existing threats faced by environmental defenders. It maliciously links environmental defenders to communist and terrorist groups discrediting their credibility and advocacies, and then uses this as a justification for more violent attacks and circumvention of due process. There are many incidences where environmental defenders attacked were previously red-tagged.

In May 2020, the elements of the Special Weapons and Tactics Team (SWAT) and Criminal Investigation and Detection Group (CIDG) forcibly entered the houses of residents in Calaca, Batangas and illegally searched, seized, ransacked, and planted evidence in their homes, and illegally detained six farmers. Even before the incident, the residents in Coral Ni Lopez were victims of false accusations of being members of the NPA. The soldiers tagged them as “farmers by day, and NPA by night” (Umali, 2020b). Before the incident, the community has long been actively opposing the first coal plant in the Philippines, the Calaca coal-fired power plant, owned by Sem-Calaca Power Corporation which had greatly affected the environment, people’s lives, health, and livelihood (Ayroso, 2017). The arrests are rooted in a land dispute that began in the 1980s. Although the state awarded the Certificate of Land Ownership Award (CLOA) to the farmers by the virtue of Comprehensive Agrarian Reform Program (CARP), loopholes in the law permitted the landlords to grab their land (Umali, 2020).

Another incident was Gloria Tomalon, a Manobo tribe leader and chair of KATRIBUMMU who was active in opposing large-scale mining. The state-owned national news agency, the Philippine News Agency (PNA) peddled fake news to which Gloria had fallen victim and was red-tagged. The state forces illegally arrested and detained Gloria with trumped-up charges. Moreover, Maj. Gen. Antonio Parlade, Jr., spokesperson of NTF-ELCAC also described Tomalon for “promoting communist principles” (Umali & Clarin, 2020) The arrest of Frenchie Mae Cumpio, a young journalist who covers issues about the killings of farmers in Northern Samar (Ecarma, 2021) have also preceded from red-tagging accusations. She is charged with illegal possession of firearms and explosives during a series of raids of the military in Tacloban City. The military claimed that those arrested were in an “identified Communist Terrorist Group safe houses” (Ecarma, 2021).
Continuing Environmental Defense Amidst the COVID-19 Pandemic & Clarin, 2020b). They also claimed that Frenchie and the other four human rights defenders were ranking officers of the CPP; however, her friends and colleagues have asserted that truth is her only weapon (Clarin, 2020b).

Civil society groups were not exempted to these attacks. Among them are the Cordillera People’s Alliance (CPA). They reported incidents of red tagging before four of their members were designated as “terrorist” by Anti-Terrorism Council (ATC) in June 2023 after asking the Supreme Court to protect them from state-led harassment (The Inquirer, 2023). These only proves that the government is yet allocating its budgets to red-tagging to divert the attention of the public away from its incompetence towards the health crisis during the COVID-19 pandemic.

Community Technical College of Southeastern Mindanao (CTCSM), a community college that caters to Lumad and farmers’ student education has been forcibly closed by the Department of Education (DepEd) due to its “non-compliance”. However, the community believes otherwise--this is an attack against their civil rights. Military and local officials redtag and continue to use the false narrative that the school is a “training ground for communist rebels”. Setting aside the reality that Lumad schools seek to provide quality education for hundreds of the Lumad students (Genotiva, 2020).

Artlitio Katipunan, a Tumandok tribe member and indigenous rights defender, was among the nine indigenous rights defenders murdered in simultaneously combined police and military operations in the Panay region. Among the victims were the arrested 17 Tumandok members. The police and military have confiscated the victims’ mobile phones to prevent them from taking pictures and videos during the crime, and in other operations, they forcibly entered the houses of the victims and shot them dead while they were sleeping. Panay KARAPATAN has stated that the victims were indigenous community leaders, and civilians and were not armed combatants. Before the merciless execution, the nine victims were red-tagged by the military as ‘supporters’ of the Communist Party of the Philippines-New People’s Army (CPP-NPA) (HRD Memorial, n.d.).

Policies Used Against EHRDs

Anti-Terrorism Act and its Implementing Rules and Regulations. The Anti-Terrorism Act of 2020, officially designated as Republic Act No. 11479, was signed by President Rodrigo Duterte on July 3, 2020. Human rights groups warn that the government could use the legislation to prosecute its political opponents, contrary to the legislation’s aim to combat insurgencies, and to ‘safeguard freedoms’ (McCarthy, 2020).
The Anti-Terror Act only solidifies the administration’s poor human rights record. With this new law, the administration is now legal to use wiretapping and do 90-day surveillance on 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 based on the law being “overly broad” and essentially criminalizing dissent (McCarthy, 2020).

Moreover, this shows that the anti-terrorism council is a mouthpiece for the President. Given this power, the council can categorize individuals and groups as terrorists. This turns Duterte’s speech into reality, “one should not be afraid they are not a terrorist, however, whether one is or is not a terrorist is decided by the government” (McCarthy, 2020). Specifically, the following elements in Implementing Rules and Regulations of the Anti-Terrorism Act foreshadow how the Anti-Terrorism Act can persecute environmental defenders.

### A. Vague definition of “terrorists”

Despite stating that advocacy, protest, dissent, and other similar activities as “not considered terrorism,” the IRR provides ambiguous definitions of what terrorism is. 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 Anti-Terrorism Act 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’s “internal processes”. This creates a conundrum: cases will be the hardest to prove yet easy to suspect. In this light, the council can easily link any activity to terrorism. For as long as any state agent believes there is intent and purpose in causing death, or intimidating the public. For instance, the state can tag attendees of rallies as terrorists for inciting violence and creating a message of fear. These vague definitions provide caveats, i.e., advocacy, protest, dissent, and other similar occupations and acts will not be fully exempted from being a terrorist. In this regard, the provision is merely “lip service”.

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B. Blanket terror-labeling and warrantless arrest

Anti-Terrorism Act 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 Anti-Terrorism Act even before their defense is heard and before a notice is given to them. Prior to the enactment of Anti-Terrorism Act, police make arrests upon the issuance of a warrant, except in certain circumstances. However, the Anti-Terrorism Act 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 right to presumption of innocence (assumes “guilty until proven innocent”). From the aforementioned description, it would seem that the Anti-Terrorism Act violates the principle of due process. The act includes a provision for “delisting” one’s name on the terrorist list which evidently puts the burden on tagged groups and individuals to prove that they are not terrorists. It is a foreseeable future that the Anti-Terrorism Act will trigger mass arrests, creating a “chilling and silencing effect” to critics and dissenters.

C. Anti-Terrorism Council

The Anti-Terrorism Act will form the Anti-Terrorism Council (ATC) to lead the implementation of state policies on terrorism. The ATC will consist of nine members from the executive branches of government. The President himself will conveniently appoint these members. It will be a policy of the state to support the Council through 15 government agencies including the Commission on Higher Education (CHED) and the Department of Science and Technology (DOST). 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 for 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, The Council is still allowed to issue a written authority. This gives them freedom to decide who to consider as terrorists, essentially giving them powers that only the judiciary can previously do.
Some may argue that the law is yet to be proven. However, records of the current administration show that the state is perfectly capable of persecuting a handful of environmental defenders in the past. The developments on the Anti-Terrorism Act signals a more appalling situation for environmental defenders under a bloody administration that shows no signs of stopping.

Considering the new threat posed by the anti-terror law, 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) (Friends of the Earth Australia, 2020). These organizations are concerned with the strong possibility that the law will validate the ongoing threats and harassment against the environmental defenders. Even prior to its enactment, the Philippines is the second most dangerous in the world for environmental defenders (Grant, 2020).

**Anti-Terrorism Act cases**

During lockdowns in 2020 to 2022, there were seven cases of Anti-Terrorism Act against indigenous peoples, a doctor, a peasant organization, and even religious groups. This proves that the law is a tool of suppression against government critics and dissenters. Even without concrete evidence, or with only mere speculations, the law shows no mercy to its targets and further violates their human rights.

Table 5. Use Anti-Terror Law related to human rights violations during COVID-19 lockdown implementation in 2020-2022 (January 2020 to December 2022)

<table>
<thead>
<tr>
<th>Use of Anti-Terror Law</th>
<th>Number of Victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terrorist designation</td>
<td>5</td>
</tr>
<tr>
<td>Freezing of bank accounts</td>
<td>2</td>
</tr>
</tbody>
</table>

**The Four Aeta tribe members** protecting their ancestral domain in the mountainous village of San Marcelino, Zambales were the first victims of the Anti-Terror Act in 2020. Namely, Japer Gurung, Rosalyn Urbano, Kiray Serrano, and Junior Ramos.
Along with the trumped-up charges, the police also pressed the tribe members with RA 9516, or the Illegal Possession of Explosives, and RA 10591, or the Violation Against Comprehensive Firearms and Ammunition, a case usually filed against activists. The victims have experienced methods of torture and detention including forcing one of the victims to eat human feces, physical assault, and verbal abuse to coerce them to ‘surrender’. Furthermore, the police detained four victims, forcefully separating them from their families in Sitio Lumibao, Zambales. Furthermore, this shows the role that heavy militarization plays in easing the sudden eviction of over 192 families. To hide the truth, state forces claim that the incident was a supposed conflict between the NPA and the 73rd Division Reconnaissance Company, with the joint forces of the 48th Infantry Battalion (IB) under the 7th Infantry Division (ID) of the Philippine Army. The operations resulted in numerous bombings and attacks within the Aeta’s ancestral domain which heavily disrupted their security and livelihood. This was also an attempt to make the indigenous peoples surrender as members of NPA. The same tactics of the military also occurred in Stio Magkahunaw, Surigao del Sur which led to a shooting incident in October 2020 (Yapjoco, 2020).

**Rural Missionaries of the Philippines (RMP),** is a national church-based organization engaging in missionary work among rural communities of farmers, fisherfolks, and indigenous people. As part of their scheme to intensify the crackdown on activists, the Anti-Money Laundering Council (AMLC) filed a civil forfeiture and terrorism financing case against RMP at the Manila Regional Trial Court after the group was arbitrarily designated as a ‘terrorist’.
KARAPATAN claimed these allegations have stemmed from fabricated testimonies that have further resulted in the violation and arbitrary restriction of the organization's rights, including the impoverished and marginalized communities that the RMP serves. Aside from the forfeiture case, KARAPATAN also mentioned that RMP members including 16 individuals and four nuns are facing non-bailable charges. The members allegedly violated Section 8 of RA 10168 or the Terrorism Financing Prevention and Suppression Act of 2012 by the Iligan City court, with an imprisonment of 40 years, and P500,000 to P1,000,000 fine (KARAPATAN, 2023).

Dr. Natividad Castro is a community doctor and a development worker in rural Mindanao, where part of her work is providing healthcare training to the communities and empowering peasant and indigenous peoples (Bolledo, 2022). She has been red-tagged by the PNP in 2022 claiming that she is a member of the Communist Party of the Philippines’ (CPP) Central committee and head of its national health bureau. The medical community and her lawyers strongly condemned this allegation. They stand by the truth that Castro served Lumad and poor peasant communities in the Caraga region for decades.
Police arrested Castro in February 2022 for kidnapping and serious illegal detention. The case was later dismissed due to “denial of her substantive right to due process” and “lack of jurisdiction over the person of the accused.” However, the court ordered the re-arrest of Castro because of the complainant’s argument that she is an NPA member (KARAPATAN, 2023).

The AMIHAN National Federation of Peasant Women, is a peasant women organization and federation that helps to empower the peasant men and women in advancing the struggle against exploitation and oppression in the peasantry sector. The Anti Money Laundering Council filed an arbitrary freezing of the bank accounts of the group in 2021 through the Resolution No. TF-38 series of 2021.
The council filed the case based on allegations that the group is violating the Terrorist Financing and Suppression Act. Cristina Palabay of KARAPATAN questions the freeze order and the testimonies of individuals who made allegations against the organization. Furthermore, the said resolution was not made publicly available through its website nor was AMIHAN informed of any proceedings in the case (KARAPATAN, 2021).

**Summary**

Attacks against environmental defenders, progressive organizations, and communities especially of indigenous people have already happened in the past. However, since the passing of Anti-Terrorism Act during the height of COVID-19, these attacks have substantially increased. The Anti-Terrorism Act has legitimized the repression among the opposing organizations which made it easier for the state to use the law against EHRDs without needing to have a court trial, but only through the permission of the ATC.

**Red-tagging and the NTF-ELCAC.** The cornerstone of the bloody Duterte regime is the issuance of Executive Order 70 (EO 70). The order sought the "synchronizing the government instrumentalities' with the capabilities of private sector stakeholders to end 50 years of deceit, lies and atrocities committed by the Communist terrorists against the Filipino people". The order birthed the NTF-ELCAC and its 12 clusters on December 4, 2018. Currently, the officers of the Taskforce are Marcos Jr as the Chairman, Sara Duterte and Eduardo M. Año as Co Vice-Chairpersons, and Ernesto C. Torres Jr as the Executive Director of the National Secretariat (NTF-ELCAC, n.d). Moreover, the task-force was established to ‘prioritize the delivery of basic services to vulnerable communities and areas that are affected by conflict’ (Dela Rosa, 2022).

However, the establishment of this office paved the way for state forces to silence critics through red-tagging, which is the term used to refer to the act of labeling groups and individuals as members or supporters of communist groups. Threats or physical surveillance typically follow after red-tagging. This leads to more severe human rights violations such as physical assault, arrest, detention, or death (Saucedo, 2023) – making the act of red-tagging a "license to kill". The establishment of the NTF-ELCAC legitimizes this, enabling formal and informal red-tagging against progressives, government critics, religious groups, activists, or anyone who opposes the government, its projects, and/or its policies.
Red-tagging is working in accordance with the ‘whole-of-nation’ approach of the government in its counterinsurgency program, meaning it mobilizes all the government units which gives power to perpetuate red-tagging in schools and other government agencies, even the Presidential Communications Operations Office (PCOO). The former NTF-ELCAC spokesperson, Lorraine Badoy, was notorious for spreading false claims of critics being members of the NPA, notable victims being former Vice President Leni Robredo (Reyes, 2022) and Manila Regional Trial Court Branch 19 Judge Marlo Magdoza-Malagar (ABS-CBN News, 2023). It also red-tagged students from the University of the Philippines (UP) for having academic walk-outs to protest election results in 2022; which was denounced by the university’s President Advisory Council (UP-PAC), who, in a statement, said that the accusations are groundless and sow discord within the community (CNN Philippines, n.d).

**Sim Card Registration.** On October 10, 2022, President Marcos Jr. signed an act entailing compulsory registration for all SIM card users. It is advertised as a means to crack down on phishing scams operated through text messages. However, citizens are concerned because of the risk due to the possibility of data privacy leaks that have occurred in other government agencies. Furthermore, the act allows law enforcement agencies to request for an individual’s personal information, which would also put the individual at risk considering how the state treats critics and dissidents (Purnell, 2022).

**Free Legal Aid for Military and Uniformed Personnel Act or the House Bill No. 6509.** On June 30, 2022, a bill was filed seeking to provide free legal aid to personnel from the PNP, AFP, Bureau of Fire Protection (BFP), Bureau of Jail Management and Penology (BJMP), and Philippine Coast Guard (PCG), should they face criminal, civil, or administrative cases related to their service (Lalu, 2022). Darlene Dy, a lawyer for the Philippine Coast Guard (PCG), says this law has a strong possibility of being abused, and House Deputy Minority Leader France Castro of ACT Teachers shared her worries about the funds being used to defend personnel who are implicated in human rights cases (De Leon, 2022).

This bill has been refiled by lawmakers multiple times. During his final SONA in 2021, former President Duterte asked Congress to pass a law that would provide legal assistance to uniformed personnel, as he believes that they are only doing their jobs. To this, Edre Olalia, president of the NUPL, issued a statement that said, “But more fundamentally, such proposed free legal assistance to them will be totally unnecessary if only they perform their jobs properly, regularly and legally, consistently and in accordance with basic rights and freedoms of the people”.

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He then adds that it is the victims of state forces that are in need of free legal counsel considering that they have less influence, power, and are more likely to face abuse (Lalu, 2021).

**DNA Database.** Besides the previously mentioned bill, the House Bill No. 94 was filed on June 30, 2022, this time seeking to institutionalize a national forensic DNA database to support crime scene investigations. Under this act, biological samples will be collected from people who are arrested, legally detained, and convicted of a crime for an offense, among others. This information will be made available to personnel from the PNP, AFP, National Bureau of Investigation (NBI), and Philippine Drug Enforcement Agency (PDEA) (Barbers, 2022). Dr. Eva Maria Cutiongco Dela Paz, a geneticist from the National Institutes of Health (NIH), says, however, that safeguards should be placed to ensure that law enforcement does not run over the rights of the citizens.
People’s Response

As threats continuously increased during the pandemic, environmental defenders were consistent in resisting attacks on the people and the environment. In this section, we review the creative initiatives of Filipino environmental defenders in upholding environmental rights despite restrictions during the pandemic.

Major National Actions

Global environmental and climate activists say #JunkTerrorLaw. Environmental groups including 350.org, Youth Advocates for Climate Action in the Philippines, Kalikasan PNE, and CEC launched a petition to repeal the Anti-Terrorism Act of 2020 a few days after it was signed 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 Act’ 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 Sano, 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 Act” which jeopardizes environmental defenders – the human rights workers that defend the environment – who are essential in environmental protection, conservation, and rehabilitation (350.org, n.d.).
Filipino youth join 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 Act”. 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 Act, 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 (ABS-CBN News, 2020).
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, Quezon City. The groups creatively displayed their environmental agenda battle cry using umbrellas with printed letters that spelled “WE RESIST AS ONE PLANET.” 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 the Philippine environment after four years under Duterte. Empty rhetoric tries – but fails – to cover up the worsening situation with global, existential crises of climate disruption and pandemic spread as its backdrop,” Kalikasan PNE said (Cabico, 2020).

Photo source: 350 Pilipinas Facebook page (2020)
Gawad Bayani ng Kalikasan

6th Gawad Bayani ng Kalikasan. Pandemic restrictions were not hindrances to paying homage to eight distinct environmental heroes in the 6th Gawad Bayani ng Kalikasan (GBK) held on September 28, 2020.

The sixth GBK, headed by the Center for Environmental Concerns – Philippines (CEC), saw the first ever simultaneous awarding of two Most Distinguished Awards. Both former environment secretary Gina Lopez and engineer Roberto Verzola were posthumously given this award for their respective legacies of stopping big mining and nuclear energy—both currently facing attempts of being reversed by the Duterte administration.

The three Individual Awardees included Atty. Robert Chan, head of the Palawan NGO Network Inc., Bobby Roldan, fisherfolk leader in Zambales who was at the forefront of the campaign on the West Philippine Sea, and Cristeta Sison, a seasoned community leader also from Zambales. Meanwhile, the Organizational Awardees were Nagpakabanang Mananagat sa Tigao (NAMATI), a fisherfolk group guarding a marine protected area in Surigao del Sur, Sabokahan Unity of Lumad Women, a group of indigenous women vital for the indigenous peoples’ struggle for their ancestral lands in Mindanao, and United People’s Organization of Didipio, a group that enforced the halting of the operations of a mining company with an expired permit in Nueva Vizcaya. They all faced threat and intimidation, violent dispersals, destruction of property, and murder most foul, among various other human rights violations, in the course of their heroic acts for the people and the environment.

The successful conclusion of the GBK promoted the importance of defending environmental defenders and genuine environmental protection amidst the raging pandemic on top of the climate crisis. “More than just to inspire, we hope that the stories in this GBK evoke more environmental defense and climate action as part of upholding our rights including our right to a healthy and balanced ecology,” said Lia Alonzo, Executive Director of CEC.
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7th Gawad Bayani ng Kalikasan. On December 28, 2022, CEC and its partners streamed the 7th GBK online. With the theme “Indigenous people as stewards of the world’s biodiversity and cultural diversity”, the awards committee and board of judges gave the Most Distinguished Award to slain Lumad school volunteer teacher Chad Booc, for his efforts in advancing the rights of the Lumad community to education and their ancestral lands.

Gawad Bayani ng Kalikasan Most Distinguished Awardee (Posthumous Award). Former Department of Natural Resources (DENR) Secretary, late Regina Paz “Gina” Lopez (Gawad Bayani ng Kalikasan, 2020).

Photo source: Dulce (2020)
The three Individual Awardees included Daisy Macapanpan, who leads the campaign against destructive projects in Southern Tagalog, Dr. Kelvin Rodolfo, who safeguards the interests of marginalized communities and uses his scientific knowledge to oppose destructive projects such as the Bataan Nuclear Power Plant, Laguna Lake Expressway Dike project, and New Manila International Airport, and Daniel Jason Maches, a member of the Lias tribe who advocates for sustainable development in Barlig, Mountain Province. The three Organizational Awardees were made up of Indigenous Peasants in Defense of Land and Life (TUMANDUK), which actively campaigns against militarization and occupation of Tumandok ancestral lands, Masungi Georeserve Foundation, which campaigns against quarrying, illegal logging, and protects the watershed around Baras, Rizal, and Samahan ng mga Manginsida at Mamamayan sa Latian ng Bulakan (SMB), which is a group of residents and fisherfolk of Sitio Kinse in Bulacan that actively opposes the New Manila International Airport, which has destroyed hectares of mangrove forests and displaced hundreds of families. These groups and individuals have faced red-tagging, militarization, and harassment, but continue to fight valiantly for the interest of human rights and the environment.

Policy Advocacy

Filing of Petition against Anti-Terror Act.

Green groups together and led by the Council for People’s Development and Governance Inc. (CPDG) filed the 35th petition against the Anti-Terrorism Act 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 Anti-Terrorism Act 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,” it added (ABS-CBN News, 2020). 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.

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 Inc. These four organizations have been previously tagged by the government on multiple occasions as communist fronts due to their
humanitarian work. The Anti-Terrorism Act has been bombarded by 37 petitions filed by several groups and individuals since July 23, 2020 (Panaligan, 2020). In December 2021, the Supreme Court partially granted the petitions by voiding the phrase under Section four which would have declared a dissent or protest a crime if it had an intention to cause harm (Buan, 2021). It now says: “Provided that terrorism as defined in this section shall not include advocacy, protest, dissent, stoppage of work, industrial or mass action, and other similar exercises of civil and political rights.” (Buan, 2021). This is an important win, yet the anti-terror law remains very dangerous as the rest of Section four retains vague definitions that could be used for possible abuses (Buan, 2021a).

**International engagements**

Environmental defenders in the Philippines have also sought 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 rights group Sandugo said. They also blamed President Duterte’s national internal security policies EO 70 and the NTF-ELCAC that made indigenous peoples 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 (Conde, 2020). After the meeting, UN Special Rapporteur David Boyd met with PH environmentalists and then promised to promote a safe,

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. On September 21, 2018, civil society and human rights organizations held a picket outside the premises of the International Criminal Court (ICC) in the Netherlands to press for justice for the victims of human rights violations of the Duterte regime (International People’s Tribunal PH, 2018).

Indigenous people, workers and human rights activists submit the International People’s Tribunal results to the International Criminal Court. Photo source: International People’s Tribunal PH Facebook page (2018)
“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 investigation into all allegations of serious human rights and international humanitarian law.” (Human Rights Council, 2020). 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.” (ABS-CBN News, 2020).

The former president Duterte 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 (Welle, 2020). 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.

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Conclusion

The Philippines is losing in the face of battles on two fronts – the health crisis and the climate crisis. The government heightened its militaristic and draconian approach - using the same tactics against people opposed to anti-people and environment policies, programs and projects. Cases of human rights violations on environmental defenders continued to rise along with the number of COVID-19 cases in the country. In addition, the COVID-19 pandemic has been used by businesses and corporations to continue the ‘business as usual’ utilization of natural resources for profit. Furthermore, repressive laws and agencies such as the Anti-Terrorism Act and NTF-ELCAC are used by the government.

But hope is not extinguished as environmental defenders are not backing down despite the lockdown restrictions and heightened fascism. From the cities to the international platform, ecological frontiers and ground zeros of destructive industries, environmental defenders continue to stand up for environmental rights and human rights in general. Climate change will bring more pandemics in the future. The urgency of action has never been more evident. Hence, we must unite with environmental defenders in defending environmental rights. Anyone can help by being vigilant and documenting and reporting human rights violations to environmental and human rights organizations, exposing human rights issues and raising awareness, and uniting with fellow environmental defenders for systematic and coordinated actions.

Let us draw our strength and inspiration from environmental defenders who bravely stood for our rights despite adversity. Environmental defenders unite! We are stronger together!
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About the Center for Environmental Concerns - Philippines Inc.

The Center for Environmental Concerns (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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