

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE

P.S. Res. No. 628

Introduced by **SENATOR LEILA M. DE LIMA**

RESOLUTION
URGING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION, ON THE RECENT INSTANCES OF
RED-TAGGING BY THE ARMED FORCES OF THE PHILIPPINES OF
ALUMNI OF THE UNIVERSITY OF THE PHILIPPINES FOLLOWING
THE UNILATERAL ABROGATION OF THE 1989 UP-DND ACCORD

1 WHEREAS, academic freedom can be understood in multiple ways. In one
2 sense, academic freedom can be interpreted as a right conferred to members of the
3 academe to pursue and share knowledge without undue interference from external
4 authorities. Academic freedom can also be interpreted as the right of members of the
5 academe to engage in appropriate activities and implies that institutions of higher
6 learning have a responsibility to provide appropriate support in order to enable
7 academic freedom;¹

8 WHEREAS, no less than the 1987 Constitution guarantees that academic
9 freedom shall be enjoyed in all institutions of higher learning;

10 WHEREAS, pursuant to Republic Act No. 9500, otherwise known as the
11 “University of the Philippines Charter of 2008”, the University of the Philippines (UP)
12 is designated as the country’s national university and declares that it has the right
13 and responsibility to exercise academic freedom;

14 WHEREAS, in a letter to UP President Danilo Conception dated 15 January
15 2021, the Duterte administration, through the Department of National Defense

¹ Åkerlind, G. & Kayrooz, C. (2003). *Understanding Academic Freedom: The views of social scientists*. Higher Education Research & Development. 22. 327-344. 10.1080/0729436032000145176. Retrieved 26 January 2021, from https://www.researchgate.net/publication/233219352_Understanding_Academic_Freedom_The_views_of_social_scientists

1 (DND), ended the government's decades-long accord with UP that prevented state
2 forces from entering its campuses without notifying the university administration;²

3 WHEREAS, Defense Secretary Delfin Lorenzana said the agreement had been
4 a hindrance to operations against communist rebels as he cited “ongoing clandestine
5 recruitment inside UP campuses nationwide” by the Communist Party of the
6 Philippines (CPP) and its armed wing, the New People’s Army (NPA);³

7 WHEREAS, netizens and alumni of the University have also mobilized online
8 under the hashtag #DefendUP and chided claims and accusations of the Armed
9 Forces of the Philippines (AFP) and Philippine National Police (PNP) by noting that
10 this was another attempt to threaten and silence activists who have opposed
11 President Rodrigo Duterte’s several policies, especially on supposed red-tagging
12 activities and on the COVID-19 pandemic response;⁴

13 WHEREAS, several lawmakers from both Houses of Congress and high-
14 ranking government officials have also spoken out against the move to unilaterally
15 terminate the UP-DND accord and urged Sec. Lorenzana to reconsider the decision;⁵

16 WHEREAS, on 22 January, a list on the Facebook page “Armed Forces of the
17 Philippines Information Exchange” named 27 people who are supposedly “UP
18 students who became NPA (died or captured)”. The list, which was thoroughly
19 debunked, featured at least eight individuals who are either journalists, former
20 government officials, lawyers, teachers, or entertainment personalities and have no
21 proven association whatsoever with the NPA.⁶ Included in the list was no less than
22 Atty. Alexander Padilla who has spent decades in government service, most notably,
23 as chair of the peace panel for the talks with the CPP-NPA;

24 WHEREAS, in response to the backlash, Sec. Lorenzana assured that the AFP
25 would apologize for this latest incidence of “red-tagging” committed against UP

² Mangosing, F. (18 January 2021). *DND exits deal requiring prior notice for counterinsurgency operations in UP campuses*. Retrieved 25 January 2021, from <https://newsinfo.inquirer.net/1385252/dnd-exits-deal-requiring-prior-notice-for-counterinsurgency-operations-in-up-campuses>

³ *Ibid.*

⁴ Lalu, G. P. (18 January 2021). *#DefendUP trends after DND scraps agreement with UP*. Retrieved 25 January 2021, from <https://newsinfo.inquirer.net/1385244/defendup-trends-after-dnd-scraps-agreement-with-up>

⁵ Cepeda, M. (19 January 2021). *‘Don’t mess with UP’: Lawmakers blast DND for ending pact with university*. Retrieved 25 January 2021, from <https://www.rappler.com/nation/lawmakers-statements-duterte-government-ending-up-dnd-accord>

⁶ Rappler.com. (23 January 2021). *FALSE: List of dead, captured former UP students who became NPA*. Retrieved 25 January 2021, from <https://www.rappler.com/newsbreak/fact-check/list-dead-captured-former-up-students-mpa>

1 alumni;⁷ Sec. Lorenzana likewise relieved MGen. Alex Luna from his post as Deputy
2 Chief of Staff for Intelligence, J2, effective 28 January 2021, following the
3 publication of the error-riddled list of alleged NPA members;⁸

4 WHEREAS, on 24 January, the “Armed Forces of the Philippines Information
5 Exchange” Facebook page issued an apology to those “inadvertently affected by
6 inconsistencies” regarding the list, which had been taken down, and gave assurances
7 that the matter would be investigated internally;⁹

8 WHEREAS, on the same day, another Facebook post made by the page “Civil
9 Relations Service AFP” quoted a certain UP Professor named Michael Eric Castillo
10 stating that the claim that a majority of UP Alumni are against the government is
11 false. The post was under the headline claiming that a silent majority of the UP
12 Community was in support of the abrogation of the UP-DND accord and made use of
13 the UP seal, the UP Oblation, and the UP colors;¹⁰

14 WHEREAS, this prompted the UP Media and Public Relations Office to clarify
15 that Mr. Castillo was no longer affiliated with the University as a faculty member. It
16 further stated that the post made unauthorized use of the UP seal, the UP Oblation,
17 and the UP colors and urged that it be taken down as well to prevent the further
18 spread of misinformation;¹¹

19 WHEREAS, these instances of red-tagging and spreading of misinformation
20 are no longer uncommon as it forms part of the Duterte administration’s strategy to
21 end the decades-old communist insurgency in the Philippines.¹² In recent months,
22 these red-tagging campaigns have gone on to target peasant leaders, indigenous
23 peoples, activists and human rights defenders, among others;

24 WHEREAS, the CHR has repeatedly cautioned the government on the dangers
25 of carelessly ‘red-tagging’ persons and groups as these may “trigger a number of

⁷ Lalu, G. P. (24 January 2021). *AFP to apologize to UP alum falsely included in list of NPA members — Lorenzana*. Retrieved 26 January 2021, from <https://newsinfo.inquirer.net/1387716/afp-would-apologize-to-up-alum-falsely-included-in-list-of-npa-members-lorenzana>

⁸ Talabong, Rambo (28 January 2021). Lorenzana axes AFP intel chief over 'erroneous' red-tagging list. Retrieved from: <https://www.rappler.com/nation/lorenzana-axes-afp-top-intelligence-chief-luna-erroneous-red-tagging-list>

⁹ Retrieved from <https://www.facebook.com/inquirerdotnet/photos/a.10150441841044453/10161028488524453/>

¹⁰ Retrieved from <https://www.facebook.com/CivilRelationsServiceAFP/photos/a.182240175128048/4023499284335432>

¹¹ UP Media and Public Relations Office. (26 January 2021). UP issues clarification on recent CRS-AFP social media post. Retrieved 26 January 2021, from <https://www.up.edu.ph/up-issues-clarification-on-recent-crs-afp-social-media-post/>

¹² Gotinga, J. (14 May 2020). Duterte's final gambit to end insurgency: task force vs communists. Retrieved 26 January 2021, from <https://www.rappler.com/newsbreak/in-depth/duterte-final-gambit-task-force-against-communists>

1 human rights violations, including harassment, unlawful arrests, torture, and threats
2 to life”;¹³

3 WHEREAS, despite billions of pesos in taxpayers’ money poured into military
4 intelligence for supposed counter-insurgency operations, the AFP continues to make
5 false or misleading statements and sweeping generalizations against law-abiding
6 citizens in order to support their pre-formed conclusions against its perceived
7 enemies;

8 WHEREAS, this exercise by the AFP is tantamount to grasping at straws and
9 distracts the public from other more pressing issues, such the government’s plan to
10 resuscitate our economy and the national COVID-19 vaccination program;

11 WHEREAS, there is a need to conduct an independent investigation in order
12 to determine who allowed for the creation and release of such false and malicious
13 information and hold them accountable;

14 WHEREAS, there is a need to determine how these instances of red-tagging
15 can finally be put to an end;

16 WHEREAS, there is a need to introduce safeguards in order to protect,
17 promote and guarantee the enjoyment of academic freedom in higher institutions of
18 learning as enshrined in the Constitution;

19 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, urging the
20 appropriate Senate Committee to conduct an inquiry, in aid of legislation, on the
21 recent instances of red-tagging by the Armed Forces of the Philippines of alumni of
22 the University of the Philippines following the unilateral abrogation of the 1989 UP-
23 DND accord.

Adopted,


LEILA M. DE LIMA

¹³ Lalu, G. P. *CHR reminds gov’t: Dissent protected by law, stop red-tagging activists, journos.* (22 May 2020). Retrieved 26 January 2021, from <https://newsinfo.inquirer.net/1279480/chr-reminds-govt-dissent-protected-by-law-stop-red-tagging-activists-journos>