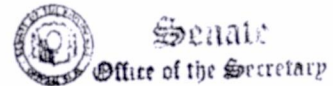


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



19 NOV 11 P4:06

SENATE

P.S. Res. No. 215

RECEIVED BY: [Signature]

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

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**RESOLUTION**

**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE REPORTED RED-TAGGING AND HUMAN RIGHTS VIOLATIONS COMMITTED BY THE NATIONAL TASK FORCE TO END LOCAL COMMUNIST ARMED CONFLICT CREATED UNDER EXECUTIVE ORDER NO. 70, SERIES OF 2018**

1           WHEREAS, in December 2018, President Rodrigo Roa Duterte issued  
2 Executive Order (E. O.) No. 70 institutionalizing a whole-of-nation approach in ending  
3 insurgencies, internal disturbances and tensions, and other armed conflicts and  
4 threats by prioritizing and harmonizing the delivery of basic services and social  
5 development packages in conflict-affected areas and vulnerable communities,  
6 facilitating societal inclusivity and ensuring active participation of all sectors in the  
7 pursuit of country's peace agenda;

8           WHEREAS, under E.O. No. 70, a National Task Force to End Local Communist  
9 Armed Conflict (NTF) is created under the Office of the President. The NTF shall  
10 coordinate with all relevant national government agencies, local government units  
11 (LGUs), civil society and other stakeholders and ensure convergence in the  
12 implementation of the National Peace Framework designed to be "responsive to the  
13 local needs and sensitive to realities on the ground";

14           WHEREAS, the NTF is chaired by the President while the National Security  
15 Adviser serves as vice-chair;

16           WHEREAS, NTF was supposedly created to address problems of insurgency by  
17 shifting the strategy from a military to a civilian approach. However, according to

1 reports, it has been used for political persecution, harassment and even violation of  
2 human rights;

3 WHEREAS, last May, rights groups Karapatan, Gabriela Women's Party and  
4 Rural Missionaries of the Philippines (RMP) filed a petition writ of *amparo* and  
5 *habeas data* before the Supreme Court, alleging that they have been "constantly  
6 threatened and harassed, red-tagged and maliciously terrorist-labeled only because of  
7 their advocacies in the various fields of human rights work" and this was intensified  
8 with the creation of the NTF under E.O. No. 70<sup>1</sup>;

9 WHEREAS, in the petition, Gabriela and RMP<sup>2</sup> claimed that they have been  
10 tagged by the NTF as legal fronts of the CPP-NPA and even the National Democratic  
11 Front of the Philippines. Last February, NTF supposedly met with different United  
12 Nations and European Union bodies, campaigning for the withdrawal or denial of  
13 funding and other forms of support to human rights organizations and defenders in  
14 the Philippines<sup>3</sup>;

15 WHEREAS, Karapatan, on the other hand, said that its officers and workers  
16 "became the subject of defamatory propaganda materials posted in public places in  
17 Metro Manila and nearby provinces and distributed to public"<sup>4</sup>;

18 WHEREAS, petitioners averred that, through E.O. No. 70, "red-tagging and  
19 terrorist-labeling of Duterte and his men became more systematic"<sup>5</sup>. Petitioners added  
20 that the threats against their lives, liberty and security were aggravated, as the  
21 "government order is an expression of government policy directed against legitimate  
22 civil society organizations, activities and human rights defenders"<sup>6</sup>;

23 WHEREAS, a writ of *amparo* and *habeas data* was issued by the Supreme Court  
24 and the respondents were required to file verified return of the writ with the Court of  
25 Appeals (CA), to which the case was remanded for reception of evidence. The CA

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<sup>1</sup> Navallo, M. (30 May 2019) "SC grants rights groups' bid for protection from 'red-tagging'". Retrieved from <https://news.abs-cbn.com/news/05/30/19/sc-grants-rights-groups-bid-for-protection-from-red-tagging>

<sup>2</sup> Galvez, D. (12 March 2019) "CHR asked to probe red-tagging of human rights groups. Retrieved from <https://newsinfo.inquirer.net/1094910/chr-asked-to-probe-red-tagging-of-human-rights-groups#ixzz61plE29e4>

<sup>3</sup> Supra foot note #1

<sup>4</sup> Supra foot note #3

<sup>5</sup> Ibid

<sup>6</sup> Patag, K.J. (06 May 2019) "Rights defenders seek SC protection from state 'red-tagging'". Retrieved from <https://www.philstar.com/headlines/2019/05/06/1915550/rights-defenders-seek-sc-protection-state-red-tagging#d3hly4Zzmf6SUoil.99>

1 ultimately dismissed the petition on the ground, among others, that petitioners failed  
2 to present substantial evidence<sup>7</sup>;

3 WHEREAS, also last May, the NTF asked the Commission on Elections  
4 (COMELEC) to cancel the registration in the party-list system of Gabriel Women's  
5 Party for violating the Constitution and COMELEC Rules of Procedure for allegedly  
6 accepting support from foreign sources and for supporting the outlawed advocacies  
7 and principles of the New Peoples' Army (NPA)<sup>8</sup>, even though the NTF mandate  
8 stipulated in E.O. No. 70 doesn't include such;

9 WHEREAS, it was also NTF which reported that the Lumad schools in  
10 Mindanao teach students to rebel against government and serve as training centers for  
11 the NPA in the region<sup>9</sup>. The NTF report served as the basis of the Department of  
12 Education's official order to close all 55 Lumad schools operated by the Salugpongan  
13 Ta'Tanu Igkanogon Community Learning Center, Incorporated<sup>10</sup>;

14 WHEREAS, the abovementioned NTF report was heavily criticized since "it  
15 stems from ... false, unverified and malicious reports" and violates the right to  
16 education of the 3,500 affected students<sup>11</sup>. It also contradicts the whole-of-nation  
17 approach institutionalized in E.O. No. 70<sup>12</sup>;

18 WHEREAS, according to DILG Secretary Eduardo Año, E.O. No. 70 can even  
19 be "invoked to increase police visibility in schools infiltrated by communist rebels";

20 WHEREAS, last October 31 and November 1, the offices of Bayan, Bayan Muna,  
21 Kilusang Mayo Uno, Karapatan, Gabriela, the National Federation of Sugar Workers  
22 (NFSW) and the Negros Island Health Integrated Program were simultaneously  
23 raided, along with the residence of local leaders in Bacolod City and Manila, on the  
24 basis of search warrant issued by Quezon City Regional Trial Court Branch 89.<sup>13</sup>

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<sup>7</sup> Supra foot note #1

<sup>8</sup> Patinio, F. (10 May 2019) "Gov't anti-insurgency body asks Comelec to void Gabriela registration". Retrieved from <https://www.pna.gov.ph/articles/1069487>

<sup>9</sup> N.A. (08 October 2019) "DepEd formally shuts down 55 Lumad schools in Davao". Retrieved from <https://www.rappler.com/nation/242052-deped-shuts-down-lumad-schools-davao-region>

<sup>10</sup> De Santos, J. (16 July 2019) "Lumad schools suspended over 'recycled lies, unverified reports,' Karapatan says". Retrieved from <https://www.philstar.com/headlines/2019/07/16/1935179/lumad-schools-suspended-over-recycled-lies-unverified-reports-karapatan-says#BildtxJZ1VjDrLkB.99>

<sup>11</sup> Supra foot note #9

<sup>12</sup> Ibid.

<sup>13</sup> Karapatan.org (01 November 2019) "At least 59 activists arbitrarily arrested in widespread crackdown on people's organizations in Negros and Manila". Retrieved from <https://www.karapatan.org/At+least+60+activists+illegally+arrested+in+widespread+crackdown+on+people%27s+organizations+in+Negros>

1 According to the Presidential Communications Operations Office (PCOO) Secretary  
2 Martin Andanar, police and military in the raids recovered “assorted short caliber  
3 firearms, sub-machine guns, machine guns, live ammunitions, hand grenades, bladed  
4 weapons, Kilusang Mayo Uno (KMU) flags, megaphones, microphones, and  
5 voluminous subversive documents<sup>14</sup>”;

6 WHEREAS, on the said dates, a total of 59 individuals were also arbitrarily  
7 arrested, 57 of which are detained in Negros<sup>15</sup>;

8 WHEREAS, in its statements, Karapatan Human Rights Group said that the  
9 Duterte government, through its NTF, has used Negros as a laboratory to perpetrate  
10 human rights violations and that PCOO Secretary Martin Andanar must be “delusional  
11 to even put supposedly seized illegal firearms and explosives side by side with KMU  
12 flags, megaphones, microphones and ‘subversive’ documents as evidence of their  
13 connections to the Communist Party of the Philippines and the New People’s  
14 Army...desperately and illegally confiscating activists’ equipment as proof because  
15 they know that the firearms they ‘recovered’ from the offices are shamelessly  
16 planted”<sup>16</sup>;

17 WHEREAS, Karapatan labeled the two-day raid as an “alarming sign of the  
18 government’s intensifying efforts to crack down on its critics”<sup>17</sup> and it added that “our  
19 justice system has been subverted, with state forces partnering with all officials,  
20 through their whole of nation approach to silence dissent and undermine democratic  
21 space in the country via E.O. No. 70<sup>18</sup>”;

22 WHEREAS, the implementation of E.O. No. 70 has shown to be conveniently  
23 used by state actors to justify their acts of targeting legitimate civil society  
24 organizations and red-tagging human rights defenders, effectively silencing those who  
25 challenge the administration’s narrative;

26 WHEREAS, this abuse of power by the government, in the guise of counter-  
27 insurgency measures, affects the true beneficiaries of the services of these

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<sup>14</sup> Sunstar.com. (03 November 2019) “Tell It to SunStar: Discrediting critics”. Retrieved from <https://www.sunstar.com.ph/article/1830386/Cebu/Opinion/Tell-It-to-SunStar-Discrediting-critics>

<sup>15</sup> Ibid

<sup>16</sup> Supra foot note #14

<sup>17</sup> Supra foot note # 13

<sup>18</sup>Supra foot note #13

1 organizations and, in effect, deprives them of invaluable humanitarian aids in the  
2 guise of counter-insurgency measures;

3 WHEREAS, measures must be taken to ensure respect of our constitutionally-  
4 guaranteed rights, especially by the State who is primarily duty-bound to maintain  
5 peace and order, to protect life, liberty, and property, and to promote the general  
6 welfare of the public;

7 WHEREAS, there is an urgent need to hold accountable the government  
8 officials involved in implementing E.O. No. 70 and determine whether the same has  
9 effectively met its objectives or whether it is merely being used by state actors to justify  
10 oppressive acts against human rights defenders and dissenters;

11 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, as it is hereby  
12 Resolved, To direct the appropriate Senate Committee to conduct an inquiry, in aid of  
13 legislation, into the reported red-tagging and human rights violations committed by  
14 the National Task Force to End Local Communist Armed Conflict created under  
15 Executive Order No. 70, series of 2018.

Adopted,

  
LEILA M. DE LIMA