



2F Erythrina Building, 1 Maaralin Street,
Brgy. Central, Diliman, Quezon City 1100 PHILIPPINES
Voice/Fax: (+632-3) 4354146
Email: urgentaction@karapatan.org; karapatan@karapatan.org
www.karapatan.org

Stop the crackdown and judicial harassment against human rights and people's organizations in the Philippines!

Dear friends,

The Philippines is inching ever closer to a full-blown crackdown of activist and civil society organizations, albeit without a formal declaration of nationwide martial law, and the return of a formal dictatorship. In the past week, police and military operatives unleashed a series of horrors by conducting raids targeting legitimate people's organizations in Negros and in Metro Manila. At least 62 activists were arbitrarily arrested since October 31, 2019, a former political prisoner was killed and a former human rights worker has been missing since November 2. Church and humanitarian groups, including international NGOs, have been wrongly tagged as "legal fronts" and funders of the communist armed movement in the Philippines. Reports on impending arrests of leaders of national human rights and people's organizations have also reached our office.

Using the convenient excuse that the raids and subsequent arrests were "lawful," State forces took pains to cover their tracks. Operatives worked in cahoots with judges who have no qualms being party to injustices perpetrated against human rights workers and activists. Particularly, all raids executed in Negros and Manila during the past week were on the basis of a search warrant signed by one Quezon City Regional Trial Court Executive Judge – Judge Cecilyn Burgos-Villavert. The raids started on October 31. Prior to this, the said Judge was visited by current NCR Police Chief Debold Sinas, formerly of the Negros police, for a "dialogue." Now we see what the sinister agenda was set and put into motion. Given the past attacks in Negros which included wholesale killings and arrests, we do not doubt that this is in the process of being replicated in the country's capital. This is further affirmed by the transfer of not only Sinas, but of many Negros officers who were involved in widespread violations in Negros.

We emphasize that the targeted organizations are all legal, open and legitimate groups. However, owing to years of exposing human rights violations and leading campaigns for justice and accountability, these organizations are facing reprisal for their work. They have been red-tagged and subjected to malicious and smear campaigns, which set the pretext for more violations. This is part of the ongoing crackdown against all those who speak against the Duterte government's anti-people policies. This time around, we are seeing a pattern of State forces using the judicial system to persecute and harass critics, and justify the raids and arrests done against them. The search warrants have rendered the offices of organizations vulnerable to the planting of evidence, which was then used to justify the filing of trumped-up charges. It is also notable that the trumped-up charges following the raids would most likely be illegal possession of firearms and explosives, given that this is the easiest to manufacture for the police. While this is all cloaked in "legal processes," we still call it for what it is – repression and the criminalization of political dissent.

The closing of civic space in the country is an orchestrated and calculated move, sanctioned and manned through various government policies. Foremost, this is in line with the Duterte government's counterinsurgency program Oplan Kapanatagan and its newly formed task force to supplement its counterinsurgency operations. Under

Executive Order No. 70 issued in December 2018, a National Task Force to End Local Communist Armed Conflict (NTF) was created. The NTF, headed by Duterte and National Security Adviser Hermogenes Esperon Jr., has cited its whole-of-nation approach in dealing with the armed conflict, but its operations are far from resolving the roots of the armed conflict. Instead, the NTF has been instrumental in seamlessly capitalizing on a militarized government bureaucracy to profile, harass, and justify attacks against various human rights and people's organizations conducting social justice, human rights and development work. Far from solving the root causes of the armed conflict, the NTF has merely confirmed that its primary objective is to crackdown on individuals and organizations who continue to expose, critique, call out, and mount campaigns for justice and accountability. These policies are further aggravated by martial law in Mindanao, Memorandum Order No. 32 which puts Negros, Eastern Visayas and Bicol under de facto martial law, and Implan (Implementation Plan) Kalasag which focuses counterinsurgency operations in Metro Manila.

Karapatan's own national office in Quezon City is at risk of being subjected to raids. Various security measures have been placed, including seeking the help of the Philippine Commission on Human Rights and local government units to inspect our offices instead; this removes the opportunity to plant evidence should State operatives raid the office using the same modus operandi observed in Negros. This situation has only furthered our resolve to push back against a government that is revealing how truly paranoid and rotten it is. However, we recognize that support from all sectors is crucial in strengthening our defenses.

We call on all partner organizations, communities, and fellow human rights advocates to speak in behalf of the many people's organizations under attack. We enjoin everyone to release statements of support, echoing the work and advocacy of the many targeted organizations. Likewise, we encourage all our networks to exhaust all means – including engagements within civil society, governments overseas and intergovernmental bodies – to pursue independent investigations on the human rights situation and ominous full-blown crackdown in the Philippines.

Account of Incidents:

In Negros: On October 31, 2019 at least 57 individuals, including minors, were illegally arrested as State forces simultaneously raided the following offices:

- The compound of the regional offices of Bayan Muna, Karapatan, Kadamay and the Kilusang Mayo Uno (May First Movement) located at #222 Ilang Ilang St., Purok Riverside, Brgy. Bata, Bacolod City. The house of National Federation of Sugar Workers' secretary general Butch Lozande which was situated in the same compound was also raided. At least 21 workers from a bus company called Ceres who were using the KMU office for a meeting were all taken by operatives. Flags, computers, documents, laptops, hard drives, bags, cash including blank cheques were reportedly taken by authorities who raided the offices.
- The office of the National Federation of Sugar Workers (NFSW) and the Negros Island Health Integrated Program (NIHIP) in Libertad St., Bacolod was also raided by combined forces of the military and the police.
- Gabriela office in Brgy. Bata, Bacolod City. The office was left in disarray by the raiding team. Community journalist Anne Krueger was able to go use Facebook live when the raid was being conducted, exposing the irregularities of CIDG operatives and their modus operandi of planting evidence. Anne Krueger was among those arbitrarily arrested by operatives.

The next day, on November 1, the district office of NFSW in Escalante was also raided. Imelda Sultan, NFSW-Escalante District treasurer was illegally arrested after the incident.

At least 57 individuals, including minors who were members of a cultural youth group who were conducting practice sessions, were arbitrarily arrested. Among those confirmed to be in police custody in Bacolod City are John Milton Lozande, Secretary General of the Unyon ng mga Manggagawa sa Agrikultura (UMA, Union of Agricultural Workers); Danny Tabura, NFSW member; Albert dela Cerna, Kilusang Magbubukid ng Pilipinas (KMP, Peasant Movement of the Philippines) organizer; Noly Rosales, KMU organizer; Romulo Bitoon, Jr., Makabayan coordinator, Bayan Muna partylist leader and former political prisoner; Mermalyn Bitoon, wife of Romulo; Mary Anne Krueger, member of Paghimutad media group and organizer of the BPO Industry Employees Network (BIEN); Proceso Quiatchon, paralegal staff of Karapatan-Negros, and other members affiliated with Teatro Obrero and Teatro Bungkal cultural group. NFSW leaders Imelda Sultan and Lindy Perocho were arrested on November 1 in Escalante City, after police and military agents raided their office.

Supposedly seized by the Criminal Investigation and Detection Group (CIDG) from those illegally arrested in the raids were “assorted short caliber firearms, sub-machine guns, machine guns, live ammunitions, hand grenades, bladed weapons, Kilusang Mayo Uno (KMU) flags, megaphones, microphones, and voluminous subversive documents.” However, these are all planted to justify the arrests to further discredit and malign said organizations. The Duterte government also tried to refer to these offices as “safehouses,” when the truth is these are offices used by organizations with publicly known and identified addresses.

Karapatan is a national human rights alliance working on the protection and promotion of people’s rights. It pursues human rights advocacy through a multitude of platforms, including its education and training programs, provision of direct services to victims of rights violations and communities, documentation of human rights violations, research, campaign and alliance work, and network building. Founded in 1995, Karapatan now has 16 regional chapters and more than 40 organizations under its umbrella, all closely linked with various people’s organizations throughout the country.

The NFSW is a farmers’ organization established in the 1970s, which launched land cultivation and land occupation campaigns. The organization mobilized farmers and campaigned for genuine land reform in the country. Bayan Muna is the number one partylist in the 2022 elections, even after wanton red-tagging by State forces; Gabriela is an alliance of women’s organizations and groups in the country. The organization is involved in various campaigns, including passage of legislation such as the Extended Maternity Leave Law. The Kilusang Mayo Uno, or May First Movement, is an alliance of workers’ unions across the country. It has launched campaigns regarding labor flexibilization and contractualization and living wage, among other workers’ rights.

The coordinated raids in these offices – both in Bacolod and Escalante – were sanctioned by a judge miles away – by Quezon City Judge Cecilyn Burgos-Villavert.

As of this writing, of the 57 arrested in Negros following the coordinated raids, 43 have been released. This includes the 21 Ceres workers and 11 youth cultural workers. The remaining individuals, including Karapatan human rights worker Proceso Quiatchon, NFSW treasurer Imelda Sultan, among others, are set to face trumped-up non-bailable charges.

In Metro Manila:

On October 31, 2019, at around 5AM, some 20 armed operatives of the CIDG and the Metro Manila Police District (MPD) forcefully entered the home of activist couple Cora Agovida and Mickael Tan Bartolome. Agovida is Gabriela Metro Manila's spokesperson while Bartolome is a member of Kadamay Metro Manila, an urban poor group. According to the victims, the operatives planted two rifles and two grenades in their belongings. The two children of the couple – ages 2 and 10 years old – were traumatized after witnessing the entire incident. They were turned over to the Children's Rehabilitation Center (CRC), a child welfare group, for counseling and care.

The raid against their home was justified on the basis of a search warrant issued by Judge Cecilyn Burgos-Villavert. They are set to face trumped-up charges of illegal possession of firearms and explosives.

At around 1AM on November 5, 2019, the Bayan Manila office located at Flora Street corner Clemente Street in Tondo, Manila was raided by police operatives. The raid was executed by virtue of a search warrant signed by the same Judge which sanctioned the October 31 search warrant against activist couple Cora Agovida and Michael Bartolome and the coordinated raids in Negros – Judge Cecilyn Burgos-Villavert. The raid resulted to the arbitrary arrest of three activists: Ram Carlo Bautista, Bayan Manila Campaign Director; Alma Moran, Manila Workers Unity Secretariat; and Ina Nacino, Kadamay Manila Coordinator. Following the planting of evidence, the three are now set to face trumped-up charges of illegal possession of firearms and explosives.

As of this writing, the five arrested activists in Metro Manila are detained at the CIDG facility inside the Manila Police District headquarters. They are all set to face the same trumped-up charges, following successive raids justified by a warrant issued by the same Judge.

Also on November 5, while presenting the AFP Modernization Program in a hearing at the House of Representatives, Major General Reuben Basiao, AFP Deputy Chief of Staff for Intelligence, has blatantly tagged the National Council of Churches in the Philippines (NCCP); OXFAM sa Pilipinas and numerous international NGOs; Citizens' Disaster Response Center; Cordillera's People Alliance; Mindanao Interfaith Services Foundation, Inc.; Timpuyog ti Mannalon ti Kalinga; Ilocos Center for Research, Empowerment and Development; Tumandoc; Disac-Kalibo; Cordillera Indigenous Peoples' Law Center; Cagayan Valley Disaster and Response Center; Farmers Development Center; Katinnulong Dagiti Umili ti Amianan; Regional Development Center - Northern Luzon; Regional Development Center - Cagayan Valley; Leyte Center for Development and Education; Tarabang Para sa Bicol; Alay Bayan Incorporated; Community Empowerment Resource Network and Gabriela Women's Party as front organizations and funders of the Communist movement. The Department of National Defense (DND) and AFP officials tagged said religious, humanitarian and aid organizations as fronts of "Communist Terrorist Group" without providing any basis or evidence. Several organizations, including NCCP and OXFAM, along with their international counterparts and partner organizations, have already belied and contested the malicious claims of the military. The said groups also assailed the continuing red-tagging, emphasizing that it further endangers the lives of humanitarian and church workers on the ground.

In Southern Mindanao: Honey Mae Suazo, a former Karapatan human rights worker in Southern Mindanao, has been missing since November 2, 2019. She was with friends and her partner in Panabo City, Davao del Norte to light candles at the cemetery. She was travelling back to Davao City when she called her partner to pick her up near the ~~Panabo City Hall, saying that she was being tailed by a white pick-up vehicle. Her~~ partner went to Honey Mae's location, but he couldn't find her and calls to her phone remained unanswered.

Suazo was the Secretary General of Karapatan-Southern Mindanao, a chapter of the human rights alliance Karapatan, from 2011 to 2016. During this period, she led numerous fact-finding missions in the region, which had a high number of documented killings and arrests of peasants and indigenous peoples, as well as forced displacement due to militarization. She supported victims of rights violations communities. As a vocal critic of human rights violations perpetrated by the military, Suazo has received numerous threats throughout her years of work with Karapatan.

In April 2015, Suazo, as well as staff and members of Karapatan Southern Mindanao, faced attacks from unnamed men who tried to barge into their office in Davao City. In July 2016, a warrant of arrest came out against Suazo and 14 other human rights defenders in their region on trumped up charges of trafficking, as a form of reprisal on their support for the displaced indigenous peoples from Talaingod, Davao del Norte. The said warrant was rescinded after the supposed complainant filed a motion to desist from pursuing charges in court. In 2017, Suazo and other peasant leaders were threatened with arrest, while they were travelling in Davao City.

In April 2019, even after she has left Karapatan, Suazo's name was mentioned by AFP Deputy Chief of Staff for Civil Military Operations, Brigadier General Antonio Parlade Jr., insinuating that Karapatan, through Suazo, provided money and bail funds for an arrested rebel leader. Karapatan vehemently denied the said allegations and Suazo released a statement citing she was performing her mandate that is in compliance with international humanitarian law.

Given these numerous harassment against her, Karapatan Southern Mindanao has raised the possibility that Suazo's disappearance is linked to the ongoing crackdown, and is perpetrated by the military. As of this writing, Suazo remains missing. Karapatan Southern Mindanao is assisting Suazo's family in conducting search missions and visits to look for her.

In Southern Tagalog: On November 4, labor leader and former political prisoner Reynaldo Malaborbor, 64, was shot by still unidentified gunmen in front of his house at Katapatan Subdivision in Cabuyao, Laguna on Monday evening. He was a leader of labor alliance group Alyansa ng mga Manggagawa sa Probinsya ng Laguna (ALMAPILA). He was also a peasant activist and was a staff member of Pagkakaisa at Ugnayan ng Magsasaka sa Laguna (Pumalag). Moreover, Malaborbor was an organizer for the Makabayan Koalisyon ng Mamamayan – Timog Katagalugan.

Back in 2010, he was arrested along with 2 other peasant activists, and was charged with trumped-up charges of illegal possession of firearms and explosives. The three activists, dubbed the 'Lumban 3' were detained for five years before the charges filed against them – illegal possession of firearms and explosives – were dismissed.

Before becoming a peasant organizer, Malaborbor was a union president in Universal Robina Corporation in Calamba, and an organizer for the Trade Unions of the Philippines – February Six Movement. His son, Rey Irvine, is also a peasant activist and a volunteer for Katipunan ng mga Samahang Magbubukid sa Timog Katagalugan (Kasama-TK). Malaborbor's son was also arrested along with fellow volunteer Nadeline Corazon last July 27. Charges for both were dismissed on September 20, 2019.

Karapatan Southern Tagalog is assisting the family of Malaborbor regarding the investigation on his case as well as arrangements for his wake and burial. Given his continued active involvement in the peasant and trade union movement, the organization is raising the possibility the Malaborbor's killing is politically-motivated, ~~given he has previously been targeted, harassed, and even jailed for his advocacy.~~ ◆

We urgently appeal for your support and solidarity by:

1. Writing to all networks and organizations of the legal profession, to call out and condemn the role of Judge Cecilyn Burgos-Villavert on the legitimization of repression in the country, while raising the irregularities and defectiveness of the issued search warrants; Urging said networks to call for the independence and integrity of the Judiciary amid the government's crackdown on activists and people's organizations;
2. Mobilizing colleagues in the legal profession for the release of the special docket book which contains the details of the applications and the results of the searches and seizures made due to the issued warrants, for perusal and possible administrative charges against police operatives who have planted evidence in the conduct of the said raids;
2. Issuing statements of solidarity for Karapatan, Bayan, Gabriela, Bayan Muna, KMU, Kadamay, NFSW and other red-tagged organizations, to be circulated to the public and media circles, and calling on the Philippine government to:
 - a. Stop its smear campaigns, through red-tagging and judicial harassment against human rights defenders and their organizations;
 - b. Dismiss the trumped-up charges against the arbitrarily arrested activists and release them immediately. Stop the judicial harassment of human rights defenders and political dissenters;
 - c. Recall Executive Order No. 70, creating a national task force (NTF) to end local communist armed conflict and institutionalizing the so-called whole of nation approach; to stop all activities emanating from this order, including the smear campaigns and judicial harassment against human rights activists;
 - d. Withdraw its counterinsurgency program Oplan Kapatagan, which victimizes entire communities, legitimate people's organizations, and human rights defenders;
 - e. Prioritize the enactment and full implementation of a Human Rights Defenders Protection Bill that will give legal recognition and safeguard rights defenders and activists in the conduct of their work, in accordance with the UN Declaration on the Rights of Human Rights Defenders; and
 - g. Adhere to and respect the Universal Declaration of Human Rights, the International Convention on Civil and Political Rights, and all major Human Rights instruments that it is a party and signatory.

Publish these on your websites, social media platforms among others.

You may send your communications to:

Mr. Rodrigo Duterte

President of the Republic
Malacañang Palace,
JP Laurel St., San Miguel,
Manila, Philippines 1005

Voice: (+632) 564 1451 to 80

~~Fax: (+632) 742-1641 / 929-3968~~

E-mail: op@president.gov.ph or send a message through

<http://op-proper.gov.ph/contact-us/>

Ret. Gen. Carlito G. Galvez Jr.

Presidential Adviser on the Peace Process
Office of the Presidential Adviser on the Peace Process (OPAPP)
7/F Agustin I Building, F. Ortigas Jr. Road,
Ortigas Center, Pasig City
Telephone: +63 (2) 637-6083
Trunkline: +63 (2) 636-0701 to 07, local 823 or 824
Fax: +63 (2) 638 2216
Email: peace.opapp@gmail.com

Ret. Maj. Gen. Delfin Lorenzana

Secretary, Department of National Defense
DND Building, Camp General Emilio Aguinaldo,
Segundo Avenue, Quezon City 1110
Trunkline: +63 (2) 982-5600
Email: publicaffairs.dnd@gmail.com or through <http://www.dnd.gov.ph/contact-us.html>

Mr. Menardo Guevarra

Secretary, Department of Justice
Padre Faura St., Ermita, Manila
Direct Line: 521-1908; 526-5462
Trunkline: 523-84-81 loc. 211/214
Telefax: (+632) 523-9548
Email: osecmig@gmail.com, osec@doj.gov.ph, communications@doj.gov.ph

Mr. Jose Luis Martin Gascon

Chairperson, Commission on Human Rights
SAAC Bldg., UP Complex, Commonwealth Avenue
Diliman, Quezon City, Philippines
Voice: (+632) 928-5655, 926-6188, 920-9510
Telefax: (+632) 929 0102
Email: chairgascon.chr@gmail.com

Please send us a copy of your email to the above-named officials, to our address below:

**KARAPATAN Alliance for the Advancement of People's Rights
National Office**

2/F Erythrina Bldg., #1 Maaralin, Brgy. Central,
Diliman, Quezon City 1100 PHILIPPINES
Telefax: (+632) 435 4146
Email: karapatan@karapatan.org
Website: www.karapatan.org

