

07 June 2021

Hon. Alexander G. Gesmundo
Chief Justice
Supreme Court of the Philippines

Hon. Menardo I. Guevarra
Secretary
Philippine Department of Justice

Dear Chief Justice Gesmundo and Secretary Guevarra:

Greetings of peace!

We, the undersigned civil society, religious organisations and individuals, are writing to you to express our profound and urgent concern on the recent extrajudicial killings, judicial harassment, arbitrary arrests and detention and threats through red-tagging against human rights defenders, including Karapatan human rights workers, human rights lawyers, trade unionists and public sector unions, and organizers of community pantries in the Philippines.

The killings of trade unionists Emmanuel “Manny” Asuncion and Dandy Miguel, fisherfolk leaders and couple Ana Mari “Chai” and Ariel Evangelista, urban poor activists Melvin Dasigao and Mark Bacasno, and indigenous farmers Abner and Edward Esto and Puroy and Randy dela Cruz in March 2021 alone are disturbing incidents, following the killings of nine indigenous leaders in Capiz on December 30, 2020. Almost all were killed in the course of police and military operations, using questionable search warrants and the oft-heard “nanlaban” narrative. We note that these were the same reasons given by the Philippine National Police in the conduct of drug war operations in the Philippines, and we find it deeply disturbing that the same lines are being increasingly used now in the deaths of activists.

Human rights lawyers, including those who are assisting several petitioners against the Anti-Terrorism Act of 2020 at the Supreme Court, face threats and physical attacks. Women’s rights lawyer Evalyn Ursua reported that individuals onboard motorcycles are surveilling her and human rights lawyer Angelo Karl Guillen suffered stab wounds after unidentified men attacked him.

Arbitrary arrests and detention using the same pattern of questionable search warrants and through cases perfunctorily filed against human rights defenders without due process were also reported. Karapatan human rights workers Teresita Naul, Alexander Philip Abinguna and most recently, Renalyn Tejero and Nimfa Lanzanas, were arrested and are currently detained based on these false charges. Along with Lanzanas, trade union leaders Elizabeth Camoral, Esteban Mendoza, Ramir Corcolon, Arnedo Lagunias, Eugene Eugenio and Pol Viuya, and peasant leader Joseph Canlas were arrested in March 2021.

Karapatan's National Chairperson Elisa Lubi and rights workers Jayvee Apiag and Daisy Valencia, as well as six other Karapatan national officers - Cristina Palabay, Roneo Clamor, Gabriela Krista Dalena, Dr. Edita Burgos, Fr. Wilfredo Ruazol and Jose Mari Callueng - also continue to face judicial harassment. Indigenous people's leaders and advocates Windel Bolinget, Jong Monzon, United Church of Christ of the Philippines Bishop Hamuel Tequis and Lindy Perucho are likewise in the same situation.

All above-mentioned defenders and their organizations have been previously red-tagged. More recently, organizers of community pantries especially Ana Patricia Non, universities, journalists, public sector union leaders including unionists from the judiciary and Senate employees, educators from the Alliance of Concerned Teachers and health workers, have been victims of red-tagging by high government officials of the National Task Force to End Local Communist Armed Conflict.

These recent attacks are the latest in the alarming and ongoing pattern of criminalization and violence against human rights defenders in the Philippines.

In June 2020, the Office of the United Nations High Commissioner for Human Rights (OHCHR) stated that "[p]ersistent impunity for human rights violations is stark, and practical obstacles to accessing justice within the country are almost insurmountable," in its report on the human rights situation in the Philippines.

In August 2020, the OHCHR said it was "saddened and appalled by the ongoing violence and threats against human rights defenders in the Philippines" with the killings of activists Zara Alvarez and Randall Echanis. Pertaining to the Bloody Sunday incidents on March 7, 2021 in the country, the OHCHR said "[w]e are deeply worried that these latest killings indicate an escalation in violence, intimidation, harassment and "red-tagging" of human rights defenders." United Nations (UN) Special Rapporteur on the Situation of Human Rights Defenders Mary Lawlor called "red-tagging" in the Philippines a context-specific death threat.

We believe that the incidents mentioned, in addition to the enactment of the Anti-Terrorism Act of 2020, which is viewed by UN Special Procedures as “overbroad,” “vague” and with serious concerns on the exercise of human rights and civil liberties; the government’s anti-drug campaign; and the threats to press freedom and freedom of expression as well as against critics and opposition members contribute to pervasive climate of impunity.

We noted with appreciation the statement of the Supreme Court on the attacks against lawyers and judges and the Justice Secretary’s statement regarding red-tagging.

Given the gravity of the situation, we further enjoin you to:

1. Stop the killings, arbitrary arrests and detention, judicial harassment, threats and red-tagging against human rights defenders, trade unionists including public sector unions of court and Congressional employees, teachers and health workers, lawyers, journalists, community pantry organizers and mutual aid or humanitarian initiatives, among others;
2. Conduct prompt, thorough, independent and impartial investigations into the killings, arrests, detentions, searches and other forms of persecution of human rights defenders. Those responsible must be held accountable;
3. Review and revise rules on the service of search warrants and issuances of arrest warrants against human rights defenders, which appears to be routinely used to judicially harass and arbitrarily detain them;
4. Review and revise rules on the privilege of the writs of amparo and habeas data to ensure that human rights defenders are afforded timely, relevant and comprehensive legal protection from threats to their lives, security and liberty, including red-tagging and gendered threats received by women and queer human rights defenders;
5. Act to repeal the Anti-Terrorism Act of 2020;
6. Enact measures protecting human rights defenders and to criminalise red-tagging; and
7. Publicly recognize the legitimate and essential work of human rights defenders.

Sincerely,

1. Action Network Human Rights Philippines (AMP)
2. Action Solidarité Tiers Monde (ASTM)
3. Advanced League of Peoples' Artists (ALPA), Australia
4. Anakbayan Canada
5. Anakbayan Melbourne
6. Anakbayan Ottawa
7. Anakbayan Sydney
8. Anakbayan Toronto
9. Arren Winton, Newport Australia
10. Asian Human Rights Commission, Hong Kong
11. Australian Coalition for Human Rights in the Philippines
12. Australian Manufacturing Workers Union, NSW & ACT Branch
13. Bagong Alyansang Makabayan - Australia
14. Bagong Alyansang Makabayan - Canada
15. Beaconsfield Initiative, Montreal, Canada
16. Burt Blackburn, Melbourne Unitarian Peace Memorial Church, Australia
17. Canada-Philippines Solidarity Organization (CPSO)
18. Canada-Philippines Solidarity for Human Rights (CPSHR Vancouver)
19. Center for Constitutional Governance (CCG), Uganda
20. Center for International Human Rights, John Jay College of Criminal Justice, City University of New York
21. CIVICUS
22. Dave Kerin, Earthworker Cooperative, Australia
23. Dino Concepcion, Philippine Studies Network Australia
24. Emma Bridger, University of Birmingham, UK
25. FIDH, within the framework of the Observatory for the Protection of Human Rights Defenders
26. Fr. Claude Mostowik, MSC, Pax Christi Australia President and National Director of the Missionaries of the Sacred Heart Justice and Peace
27. Front Line Defenders
28. Gabriela Australia
29. Gabriela Australia – Victoria
30. Gabriela Central Coast
31. Gabriela Greater Sydney
32. Gabriela Western Australia
33. George Kotsakis, Convenor, Philippine Caucus for Peace (PCP)
34. Hans Gaasbeek, Foundation Day of the Endangered Lawyer
35. Hong Kong Campaign for Human Rights and Peace in the Philippines (HKCAHRPP)

36. International Bar Association's Human Rights Institute (IBAHRI)
37. International Coalition Against Enforced Disappearances (ICAED)
38. International Coalition for Human Rights in the Philippines
39. International Coalition for Human Rights in the Philippines-Canada
40. International Coalition for Human Rights in the Philippines-Europe
41. International Coalition for Human Rights in the Philippines-Quebec
42. International Service for Human Rights (ISHR)
43. Jack Endacott, Melbourne May Day Organisation, Australia
44. Jones Espino, United Church of Christ in the Philippines Missionary in South Korea
45. Just Associates (JASS)
46. KAIROS: Canadian Ecumenical Justice Initiatives
47. Karapatan Alliance Philippines
48. Kevin Bracken, ILPS Australia
49. Kilusang Maralita sa Kanayunan (Kilos Ka)
50. Kilusang Mayo Uno (KMU)
51. Lawyers' Rights Watch Canada (LRWC)
52. Legal Resources Centre from Moldova
53. Lingap Migrante (Sydney)
54. MADRE
55. Malaya Movement Canada
56. Maldivian Democracy Network (MDN)
57. Margaret Williamson, Bena Victoria, Australia
58. MARUAH, Singapore
59. Marion Oke, Glenroy Victoria, Australia
60. May Kotsakis, Co-Chairperson, Philippines Australia Solidarity Association (PASA)
61. Melbourne May Day Organisation, Australia
62. MIGRANTE International, Philippines
63. Migrante Australia
64. Migrante-Canada
65. Migrante Melbourne
66. Migrante Melbourne East
67. Migrante Melbourne North East (Samahang Tatak Pinoy -STP)
68. Migrante Melbourne North West
69. Migrante Melbourne West
70. Migrante North (Sydney)
71. Migrante-Ontario
72. Migrante Perth (WA)
73. Migrante Southwest (Sydney)

74. Mining Watch Canada
75. Mohammad Ashrafuzzaman, Hong Kong
76. Netherlands Philippines Solidarity Movement (NFS)
77. Network of Civil Society Organizations for the Observation and Monitoring of Elections in Guinea (ROSE)
78. Odhikar, Bangladesh
79. Ontario Committee for Human Rights in the Philippines (OCHRP)
80. Organisation Tchadienne Anti-Corruption (OTAC)
81. Paloma Polo, Moving Artists International
82. Philippines Australia Union Link
83. Philippine Australia Women's Association (PAWA)
84. Philippine Caucus for Peace (PCP)
85. Philippine Studies Network of Australia (PINAS)
86. Prof. Gill Boehringer, Co-Chair Monitoring Committee on Attacks on Lawyers, International Association of People's Lawyers
87. Promotion for Church People's Response (PCPR) Australia
88. Radyo Migrante- Toronto Canada
89. Raul Diche, Chairperson, Migrante Melbourne West Chapter
90. Shirley Winton, Newport Victoria, Australia
91. Sr. Patricia Fox, Coordinator, Asia Pacific Coalition on Human Rights in the Philippines
92. Spirit of Eureka, Australia
93. Steunfonds Filipijnen, Belgium
94. Stichting Ronoylion
95. Stop the Attacks Campaign - Japan
96. Sulong UBC (University of British Columbia, Canada)
97. Support Group for Toyota Motor Philippines Corporation Workers Association in Japan
98. Symone Gaasbeek-Wielinga, President of the Dutch League for Human Rights
99. The United Church of Canada
100. Tranby National Indigenous Adult Education & Training, Australia
101. Warren Winton, Newport Australia
102. World Organisation Against Torture (OMCT), within the framework of the Observatory for the Protection of Human Rights Defenders
103. Xavier Cutillas, President of the Associació Catalana per la Pau - Catalan Association for Peace