

RISKING LIFE FOR PEOPLE AND PLANET: THE PRICE OF MISSION AND INDIGENOUS EXISTENCE IN THE PHILIPPINES

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The Iglesia Filipina Independiente (IFI)

The Save Our Schools (SOS) network

Members of the Lumad communities

Cover photo: Kalikasan PNE together with Mindanao Indigenous federation KALUMARAN and other Mindanao-based people's organization hold a protest in front of Department of Environment and Natural Resources.

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RISKING LIFE FOR PEOPLE AND PLANET

EXECUTIVE SUMMARY

This report is based on research conducted in 2020 by the United Society Partners in the Gospel (USPG) in collaboration with the Iglesia Filipina Independiente (IFI), the Save Our Schools Network (SOS) and a Lumad community in Mindanao that will, at their request, remain anonymous. It draws upon the experiences of these groups to elucidate the current human rights situation in the Philippines.

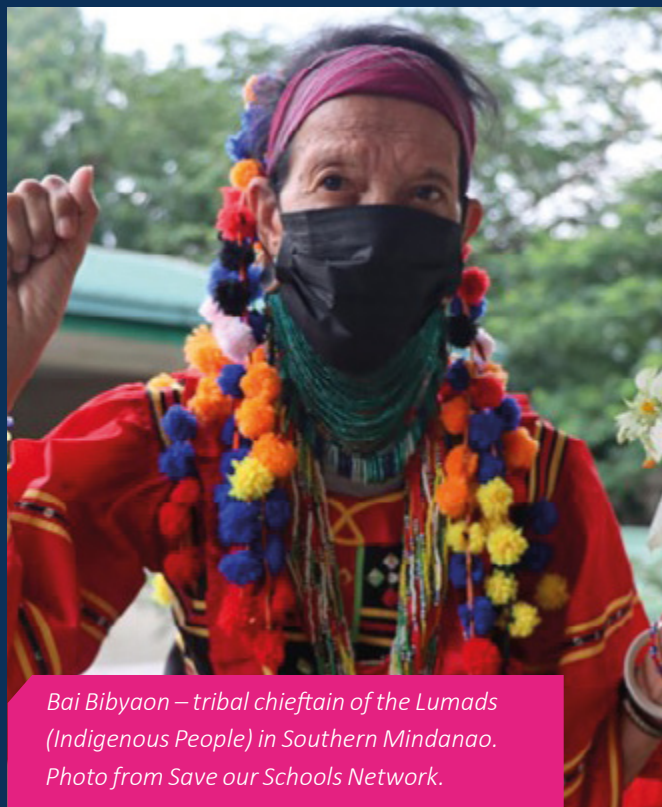


SOS - protest against the killing of the indigenous peoples of Mindanao.

“

We are slowly killed by our own government...They never see about the real situation, what concerns [them] is in their pockets... It is very dangerous in the life of a Filipino.

IFI clergy



Bai Bibyaon – tribal chieftain of the Lumads (Indigenous People) in Southern Mindanao. Photo from Save our Schools Network.

The past five years have seen an increase in concerns regarding the human rights situation in the Philippines from the international community. Yet the weak resolution agreed at the 45th Human Rights Council (HRC) indicates that those responsible for defending international human rights do not realise the severity of the situation. If they did, then we are confident that the resolution would have been stronger and would have expanded beyond its exclusive focus on technical assistance. An understanding of the severity of the human rights abuses and their prolific, systemic nature illustrates the need for immediate bilateral and multilateral diplomatic action over the coming two years, during which the Office of the High Commissioner on Human Rights (OHCHR) will observe and report on the ongoing situation. In addition, a more complete understanding of the situation illustrates the need for the International Criminal Court (ICC) inquiry to move their remit beyond the so called ‘War on Drugs’¹ and include the destruction of the environment, exploitation of natural resources and the illegal dispossession of land. To do so would highlight that this ‘war’ is part of a larger picture of systematic abuse, marginalisation and oppression experienced by the Filipino people at the hands of their own government.

This report begins with an overview of the human rights situation in the Philippines. It then draws on the experience of Lumad indigenous peoples to highlight the abuses of indigenous people and the experience of the IFI to demonstrate the oppression of organisations and individuals within the religious sector.

This report is dedicated to the memory of those whose lives were brutally cut short because of their struggle for life, human rights and human dignity. On behalf of those who have died and those who will die for this cause, we call on foreign national governments to:

- **Support civil society at the UNHRC** in their call for independent investigative mechanisms and monitoring
- **Work with the Commission on Human Rights** in the Philippines to provide online training to all rights defenders, with in-person training considered when the situation allows
- **Immediately cease the sale of all surveillance and war-related equipment** to the Philippines until such time that any nation can be certain that this equipment will not be used in the abuse of human rights.
- Consider placing **targeted sanctions on the Marcos government** if there is not an immediate and dramatic improvement in the human rights situation.
- **Support the resumption of peace talks** to prevent further bloodshed and halt the use of red-tagging as a mechanism to silence legitimate dissent.
- **Closely monitor the actions of national and foreign companies** within the extractives industry operating in the Philippines, specifically within indigenous lands.

STATE PROTECTION OR STATE PERSECUTION

Human rights abuses are not a new phenomenon for the Filipino people. They have fought against Spanish colonisation, American imperialism, Japanese occupation and the exploitative systems and structures that these foreign powers left as their legacies, now used by the Filipino elite for control of the economy and land. The result has been the ongoing oppression and exploitation of the poor majority of Filipino citizens.

The context of human and ecological rights abuses in the Philippines

In spite, or perhaps because of this, civil society in the Philippines is strong. The country holds the memory of centuries of activists who have called for the human rights and dignity of all people to be respected.² This includes, but is not limited to, the right to a fair trial, to freedom of religion and thought, to freedom of opinion and expression, to assemble, to work, to an education, to a basic standard of living and most fundamentally, to life³. Successive presidents have met this activism and criticism of dominant forms of exploitation with harsh repression, attempting to silence those already on the margins. Perhaps the most appalling recent example is President Marcos who governed from 1965 until 1986. Marcos used martial law from 1972-1981 to increase the detention, torture and murder of students, journalists, activists and the religious sector who spoke out against the government leading to a '...pyramid of terror with 3,257 killed, an estimated 35,000 tortured, and some 70,000 arrested.'⁴ This legacy of terror continued in varying degrees in the successive presidencies of Arroyo, 2001-2010⁵, and Aquino, 2010-2016⁶.

On 30 June 2016, President Rodrigo Duterte was elected to office and the already appalling human rights situation took a dramatic turn for the worse. Civil society has increasingly compared Duterte to Marcos⁷, describing him as 'cut from the same cloth as that of the late dictator Ferdinand Marcos, Duterte is now synonymous with killings and human rights atrocity'⁸. Duterte's attitude towards Marcos adds further chill to this comparison. Proud that his father '...stood by Marcos in his darkest hours' as a presidential candidate, Duterte noted that '...except [for] the time that he [refused] to step down, the brightest among the past presidents was Marcos...'⁹

According to the prominent Filipino human rights group Karapatan (the Alliance for the Advancement for People's Rights):



...the Duterte government is trying hard to surpass its predecessors in terms of political killings, torture, illegal arrests and detention, bombings, forced evacuations, and threats.¹⁰

An incitement to kill?

The number of individuals killed extra-judicially, illegally arrested, forcibly evacuated, tortured and harassed is deplorable. To make matters worse, the strong culture of impunity means that there is no justice for the victims or their families. Former President Duterte himself continually sanctioned and incited violence, promising impunity to those who kill in relation to the 'War on Drugs'¹², the Lumad schools¹³ and now, through the Anti-Terrorism Act, human rights defenders.¹⁴

For President Duterte, violence was a key political strategy and the capability to kill remains essential for future presidents:



It is my job to scare people, to intimidate people, and to kill people...¹⁵ if you're president and you don't know how to kill or you're afraid to die, don't be president. Nothing will happen to you, and nothing will happen to the country if all you do is give orders.¹⁶

As the gravity of the situation has worsened, civil society has increasingly reached out to the international community for support.



President Rodrigo Roa Duterte.

According to the rights group, between July 2016, when Duterte came into power, and December 2019, excluding killings and other violations in the anti-drug campaign, there have been:

- 293 killings
- 210 documented cases of torture
- 454,696 individuals displaced
- 97,362 individuals threatened, harassed and intimidated¹¹

The National Council of Churches in the Philippines notes that:



In light of the dismal human rights situation under the government of President Duterte, the NCCP, along with other human rights organisations, lobbied the United Nations Human Rights Council (UNHRC) and its member states vigorously because domestic remedies have failed and we are compelled to seek justice for victims and survivors as well as accountability from those responsible for such violations.¹⁷

The Icelandic resolution

On Thursday 11 July 2019, at its 41st session, the UNHRC adopted a resolution sponsored by the Icelandic government to launch an investigation into rights abuses in the Philippines. It appeared as though the strength, determination and bravery of civil society had increased awareness and augmented the international community's willingness to respond. There was jubilation amongst the international rights community, advocacy groups celebrated, religious groups gave thanks and civil society breathed a temporary sigh of relief. Their voices had been heard. Hope was in the air.

The Icelandic resolution resulted in a report, presented to the Council in June 2020, the summary of which states: *'...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.'*¹⁸



Anti-riot police officers block activists as they protest against the declaration of martial law in Mindanao.

The OHCHR report verified the killings of 208 human rights defenders, journalists and trade unionists between January 2015 and December 2019.¹⁹

The report made recommendations under the headings of the campaign against illegal drugs, national security laws and policies, accountability, civic space, Indigenous peoples, and cooperation with OHCHR and the UN human rights mechanisms, followed by recommendations to the international community. The report, and in particular Recommendation 87 (f, i) that called on the Filipino government to ‘*Invite special procedure mandate holders to monitor and report on specific human rights concerns and provide relevant technical assistance...*’ was welcomed by Philippine civil society. It provided a beacon of hope as the human rights situation worsened under the distraction of the Covid-19 pandemic.

Anti-terrorism or anti-dissent?

In 2020 the Duterte government proposed an Anti-Terrorism Act to replace the Human Security Act of 2007. Whilst the government framed the Act as a key tool in fighting terrorism, it

faced fierce criticism from civil society. Before the Act was passed the OHCHR’s report noted that: ‘*The proposed Anti-Terrorism Act, slated to replace the already problematic Human Security Act, dilutes human rights safeguards, broadens the definition of terrorism and expands the period of detention without a warrant from 3 to 14 days, which is then extendable by another 10 days. The vague definitions in the Anti-Terrorism Act may violate the principle of legality.*’

Despite opposition the President signed the Act and its vague and overly broad definition of terrorism into law on 3 July 2020, just days after the presentation of the High Commissioner’s report.

This law expands the definition of terrorism stating that:



“...terrorism is committed by any person who within or outside the Philippines, regardless of the stage of execution...Engages in acts intended to cause extensive interference with, damage or destruction to critical infrastructure...when the purpose of such act, by its nature and context, is to...seriously destabilize or destroy the fundamental political, economic and social structures of the country...”

By passing the bill into law, the government has shown complete disregard for the High Commissioner's Office and demonstrated that it has no intention of achieving 'clear and measurable outcomes from domestic mechanisms' in the absence of which the OHCHR calls on the international community to '...consider options for international accountability measures.'²⁰

One of the key challenges with the definition used in the Act is that terrorism can be claimed at any stage of execution and is dependent upon the purpose of an action, which is inherently subjective. This enables authorities to arrest a peaceful protester as a terrorist by defining the protest as the early stages of a larger action, the purpose of which is to cause damage or destruction. As long as the fundamental political, economic and social structures of the country are based on exploitation and oppression, this law places advocates for human, environmental and cultural rights at risk of life imprisonment as terrorists without parole.

Civil society has vehemently opposed this law with mass protests taking place in the weeks before the signing and #JunkTerrorLaw trending in the weeks that followed. The IFI were amongst those protesting with the head of the Church, Obispo Maximo Rhee Timbang stating:

“

*The newly-approved Anti-Terrorism Act has given the Duterte government and the state-security forces another means to weaponise the law, to stifle legal dissent and repress the liberties and freedom of the Filipino people, especially the sectors that struggle for justice, peace and freedom and the various individuals and groups - including the churches and their workers – that advocate for their cause and well-being. The IFI has positioned itself to oppose this law because it will further terrorise the Filipino people, shrink its decreasing democratic space, and violate certain provisions of our Constitution that enshrine protection of people's rights and human dignity.*²¹

Obispo Maximo, 2020

Whilst the new law instilled terror amongst the people of the Philippines, there was still some hope, particularly amongst those in the global human rights community, who believed that the imposition of this draconian law would be the catalyst that the international community needed to finally say 'no more' to impunity for human rights abuses in the Philippines. They hoped that at the very least, the imposition of this unlawful law would lead to the adoption of the recommendations made by the OHCHR at the 44th session of the HRC. At the time of writing, the people of the Philippines continue to press the Supreme Court to halt the implementation of the law.²²

The Supreme Court upheld the draconian Anti-Terrorism law, during its en banc session in Baguio City announced on April 26, 2022. The SC denied with finality the motion for reconsideration of the petitioners on the highly questioned provisions.

“Worse than the lowest common denominator”

In October 2020, at the 45th session of the HRC, the Council adopted a resolution in response to the OHCHR's report. The people of the Philippines were once again let down by those entrusted to uphold and defend their rights. As drafts of the resolution began to circulate, a fervent panic built amongst civil society as they realised that the resolution was “worse than the lowest common denominator”²³ and came nowhere close to providing the accountability they so desperately needed. Despite efforts to amend the text and in spite of the adoption of the Anti-Terrorism Act and the worsening human rights situation, the HRC adopted a resolution advocating technical cooperation and capacity building for the promotion and protection of human rights in the Philippines.

Philippines Human Rights Commissioner Karen Gomez-Dumpit adds, 'No amount of technical assistance and capacity building can improve the situation on the ground if there is no change in policy. There has to be marked improvement on the ground with domestic accountability mechanisms.

The resolution fails to reflect the appalling human rights situation as outlined in the OHCHR's report. It places this detailed, independent report on par with the parallel report written by the Duterte government²⁴, simply taking note of both reports and encouraging a president, who sees the ability to kill as a key part of his job, to increase accountability for abuses of human rights²⁵. In its failure to call for an independent international investigation- which is both necessary and welcomed by the majority of the Philippine population²⁶- the resolution allows President Duterte and the authorities to continue using the 'War on Drugs' and the 'War on Terror' as excuses to silence dissent. Their impunity is maintained through their control over the inter-agency panels created to 'review' killings and other violations that to date do not involve the Commission on Human Rights in the Philippines (CHR) and are widely acknowledged to be a means of avoiding international scrutiny and action from the ICC.^{27, 28}

The resolution was a shock to Filipino civil society and the international human rights community as a whole.²⁹ Philippine Senator Leila de Lima called the resolution 'tantamount to absolving a murderous regime of its crimes against humanity.'³⁰

Justice for those who have lost their lives remains out of reach and the lives of the courageous rights defenders and media personnel who actively engaged with the OHCHR are at greater risk than ever.

Whilst the OHCHR's report is dangerously weak, it does commit the HRC to observing the situation over the next two years. The High Commissioner has been requested to provide an oral update during the 48th session of the Human Rights Council and a written report at the 51st session in September 2022.

In this context, we strongly contend that those countries who negotiated and agreed the resolution with the Philippines and those who occupy a position on the Human Rights Council have a responsibility to launch a full independent international investigation into the human rights abuses if the situation does not dramatically improve.

Whilst the commitment by the HRC to watch the situation provides some hope that, in the future, there may be some accountability for governments who blatantly disregard international human rights law, the situation continues to deteriorate. Between 4 June 2020 when the OHCHR presented their report and the adoption of the resolution on 7 October, the Anti-Terrorism Act was passed, and unwarranted arrests, illegal detentions, forced removals and extra-judicial killings have continued. On 17 August prominent rights activist Zara Alvarez became the 13th member of Karapatan to be murdered under the Duterte regime.³¹ In another example of abuse, the human rights defender and political prisoner Reina Mae Nasino was denied the chance of caring for her new-born baby who struggled to gain weight after birth. Despite recommendations from the hospital that the infant, named River, be kept with her mother so that she could be breastfed, Ms Nasino was deprived of contact even after the infant was admitted to hospital with pneumonia. Baby River took her final breath on the 24 September 2020 without the comfort of her mother's embrace.³²

Whilst the HRC watches these abuses take place, it is highly likely that the new death penalty will be passed into law over the next few years. This is a law that the OHCHR's says *'...risk[s] eroding constitutional and other legal protections,'* stating that it *'...would breach the obligations of the Philippines under international human rights law'.*³³

We must not simply wait and watch as the bloody wave of killings continues. It is imperative that the international community understands the ongoing abuse and persecution of marginalised communities and rights defenders. In representing the experiences of Lumad Indigenous communities and the IFI, this report contributes to this understanding and highlights the urgent need for action and targeted sanctions to halt the systemic abuse of the Filipino people.





PEOPLE AND PLANET OR PROFIT AND POWER

"... you need to run because your life is not two, it is just one, so you need to run."

Lumad leader

The situation of Lumad indigenous peoples in the Philippines

The Lumad indigenous peoples form part of the estimated 10 to 20 million indigenous people living in the Philippines.³⁴ They are a heterogeneous group of Austronesian indigenous people from the southern part of the Philippines (Mindanao) and the Caraga region, comprised of 18 ethnolinguistic groups and numerous sub-groups. In 1986, the term "Lumad" was adopted to reflect their collective identity and distinguish themselves from their Christian and Moro Muslim neighbours. Despite their diversity, Lumad tribes hold a common affinity with their ancestral lands, a unity with nature, and collective living practices that bind them together and foster understandings of success and development that are distinct from those found in the busy metropolitan cities of the archipelago.

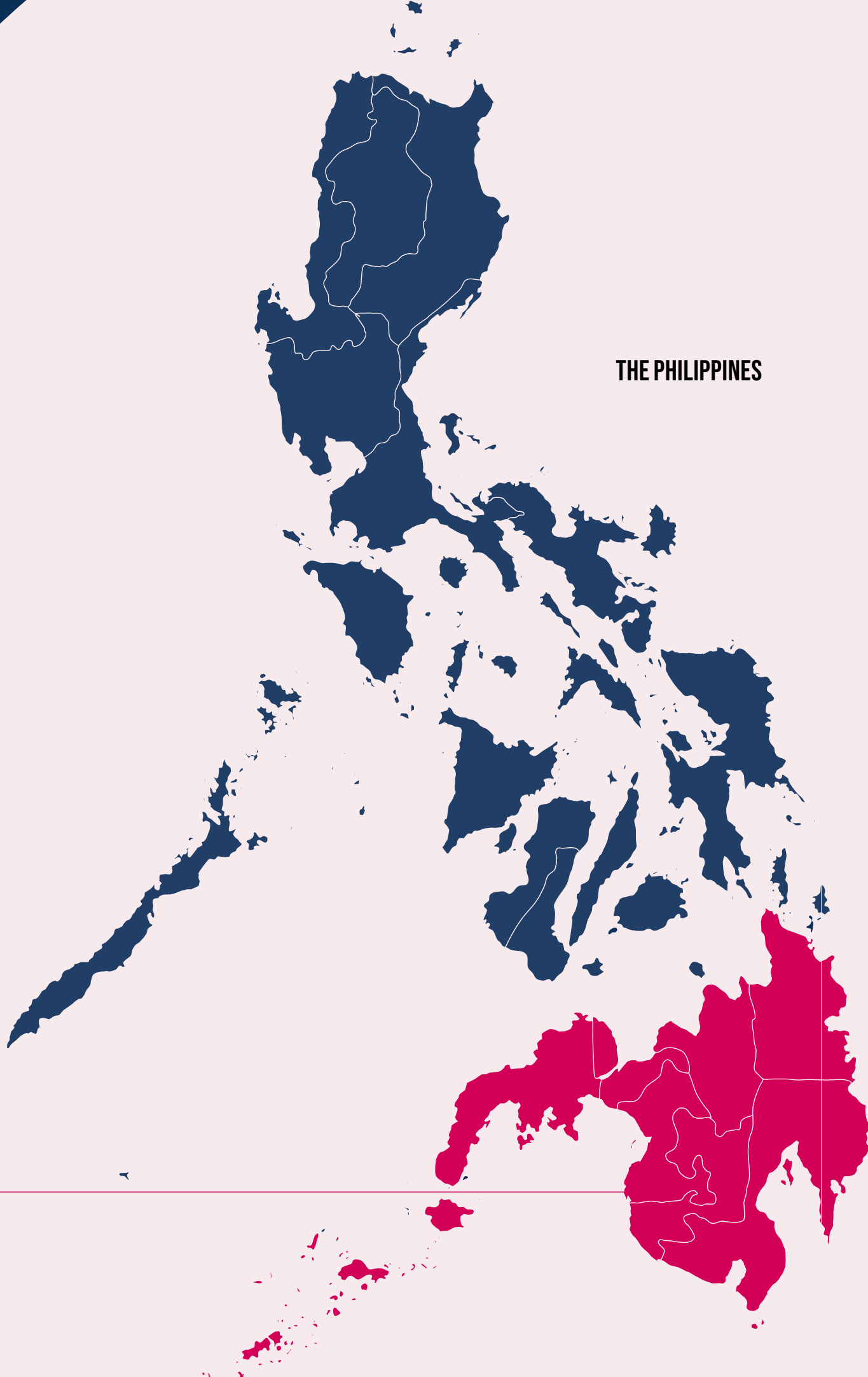


From Spanish colonisation to current exploitative economies, the natural beauty, biodiversity, and abundance of Lumad ancestral land has led successive rulers to prioritise profit and power above people and planet and forcibly remove Lumad communities from their land. The Lumad history is one of resistance and struggle for self-determination, for their right to remain on their ancestral lands and remain true to their cultures and spiritualities.

MINDANAO

The second-largest island in the Philippines after Luzon and seventh most populous island in the world. It is divided into six administrative regions

THE PHILIPPINES



Who are the real terrorists?

The ancestral lands of Lumad communities are rich with minerals, the soils fertile for large-scale plantations and the idyllic and unspoiled forests prime for the construction of “eco-retreats”.¹⁴ Consecutive governments have created and enabled policies that illegally dispossessed Lumad of their land, allowing companies to exploit natural resources. The repeated exploitation of Lumad ancestral lands has resulted in irreversible environmental damage from large open pit mining, mass deforestation and ecosystem destruction.

Under the Duterte government in particular, the presence of large national and foreign mining and agricultural corporations has led to the militarisation (including military encampment) and para-militarisation of Lumad communities, where heavily armed military personnel live at the centre of the community under the pretext of preventing communist insurgency. Armed battalions are stationed metres away from where children play and watch threateningly through school windows, guns always on display. This militarisation has led to numerous killings of Lumad people, the destruction of Lumad schools, and the forced removal of Lumad communities from their indigenous lands.

This abuse of the rights of Indigenous Persons, as recognised in the Philippines Indigenous Peoples’ Rights Act (IPRA) of 1997 and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) of 2007, is recognised through the manipulation of two instruments of national law: Free, Prior and Informed Consent and Executive Order 70.

Free, Prior and Informed Consent (FPIC), as enshrined in the IPRA and the UNDRIP, aims to protect the ancestral land of indigenous peoples and ensure that these human custodians of the land have sufficient information to enable them to approve or deny proposed development projects or changes in land ownership. Whilst FPIC is well intentioned, it has been the source of much controversy. In the Philippines, the National Commission on Indigenous Peoples (NCIP), which is responsible for issuing the documentation and approvals surrounding FPIC, has been accused of colluding against the Indigenous people and of taking the side of exploitative corporations. According to civil society organisations,



[The NCIP] continues to prove itself as nothing but a tool of the state to terrorise indigenous communities and sell ancestral lands to greedy corporations through violence in all forms. ‘In its 23 years of existence, the Commission has only exacerbated the challenges experienced by IP groups across the country.’³⁵

In addition to the failures of the NCIP, who authorise exploitative development and activities on ancestral lands without the approval of the true and legal custodians of the land, the Philippine authorities use deception to acquire the documentation needed to change legal land ownership from one party to another. In these situations, government officials present Lumad people with documents in legalistic language and in a dialect unfamiliar to them. It is then often only when forced evacuations occur that the truth of what they signed becomes clear to Lumad signatories.

The second way in which forced removals take place is through the manipulation of Executive Order 70. This order, also known as the Whole of the Nation Approach, aims to end local armed communist conflict by defeating the Communist Party of the Philippines (CPP), its armed group, the New People’s Army (NPA) and its political arm, the National Democratic Front (NDF)³⁶. Weaponising Executive Order 70 against indigenous peoples, government authorities red-tag (publicly label an individual, organisation or institution as a member of the New People’s Army) and falsely arrest indigenous peoples, specifically Lumad leaders, and falsely charge them with being members of the NPA, a group whom the government, and the United Nations, have labelled as terrorists.³⁷

According to the Filipino state, this labelling of individuals and organisations as members of the NPA or as communists makes them a legitimate target for arrest or extra-judicial killing despite a complete lack of evidence. In this way red-tagging violates the principles of ‘innocent until proven guilty’ and freedom of association whilst blurring the division between an active combatant, a legitimate activist and an ordinary person, thereby violating a key principle of distinction in international humanitarian law.

After these false arrests of Lumad peoples, the military uses fear and coercion to force Lumad leaders to barter their land for their life and freedom. For example, in the three months between December 2020 and February 2021, four members of this community were arrested, all of whom received degrading treatment and one of whom was tortured whilst in military custody. The fear incited by these events led the community to sign over 10,000 hectares of ancestral land to the military and provide them with 16,000 Filipino pesos from community savings to build a new military station on the land.

Forced removals and the labelling of Lumad as NPA violate Article 8, section 2 of the UNDRIP which states that, ‘States shall provide effective mechanisms for prevention of, and redress for:...(b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;...

(e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.'

The Philippine government's manipulation of these two instruments of national law in ways that abuse the fundamental rights of indigenous peoples makes evident the need for an independent international investigation. It is only through the application of this tool of the international community that a true picture of the systemic human rights abuses in the Philippines can be gleaned and peace, justice and the rights of the Philippine people restored.

In addition to violating article 8 of the UNDRIP, these forced removals are an affront to the Lumad's right to Freedom of Religion or Belief as enshrined in the Universal Declaration of Human Rights. Human Rights Council resolution 6/37 outlines the responsibility of states '*...to ensure that religious places, sites, shrines and symbols are fully respected and protected and to take additional measures in cases where they are vulnerable to desecration or destruction;*'. Article 18 recognises the rights of all people to manifest their religion or belief in a broad understanding of worship that includes the protection of worship space, rituals and ceremonies.

For Lumad communities, as with many other Indigenous communities around the world, the rivers, trees, land, rocks and sky that surround them and provide them with life are their places of worship. Their ancestors rest in their natural

surroundings; their spirits inhabit the elements. The entire natural world, both seen and unseen, is the space in which God dwells³⁸. As one Lumad leader shared:

“

...when we go to the forest we say excuse me or excuse us because we believe that there are persons who are staying there and we are being careful of holding this peace...so there should be no logging or speaking loudly because you might disturb who is there.

Whilst these beliefs and forms of worship differ between groups, what is common amongst them is that, '*We are worshipping the spirit of water, land and trees and the sea.*' (Lumad Backwit School (LBS) student). The authorities' forced removal of Lumad communities from their land does not just affect their ability to provide themselves with housing, food and medicine; it also rips them from the core of their spirit and being. It is an abuse of their Freedom of Religion or Belief.



Karapatan reports that there were 454,695 forced evacuations under the Duterte government between July 2016 and December 2019.

Photo: Kalikasan PNE together with Mindanao Indigenous federation KALUMARAN and other Mindanao-based people's organisations hold a protest in front of Department of Environment and Natural Resources.

Who do the military protect?

To enable the ‘economic development’ of Lumad ancestral land and the forced removal of tribes, the government supported a process of ‘militarisation’ within Lumad communities. These armed battalions are intent on instilling fear in Lumad communities in order to corroborate claims that they are NPA, ensuring ease of access for national and international companies. These companies are looking to test the land or expand the dirt roads to allow trucks to enter and eventually remove Lumad communities from their land. Lumad communities know the risks the military pose. They know of the murders, the forced disappearances, the torching of schools and the life-changing way in which, at any given moment, one can be accused of being a member of the NPA.

In addition to instilling terror, this militarisation disturbs cultural practices. For example, for one Lumad tribe, there is a native frog that only comes out at night, and which plays an important part in their religious sacraments. The week before we visited this community, the military living within it had held two boys and two young men face down at gunpoint and accused them of collaborating with the NPA because they were found outside their homes at night. The young men were simply searching for frogs. The lack of cultural understanding and sensitivity in such a highly-militarised environment places the lives of Lumad individuals and communities at even greater risk.

To reduce resistance to militarisation and forced evacuations, the armed battalions use paramilitaries, expanding their network of fear and abdicating themselves (and the process of militarisation) from any responsibility for violence. This process divides the tribe, when through fear or desire for the economic incentives provided, some members take up arms alongside the military. The result is that:



...the people who are in the community are being recruited by the military right now so they are the ones who are helping the military to vacate the community for the mining so the ones who are staying there are the paramilitaries.’ (Lumad leader). ‘...they [the military] use them [the paramilitary] so that if there is a crime the government will say it is what they call tribal war. SOS leadership

One prominent example of a paramilitary group is the Alamara. In the last four years alone, the Alamara have been responsible for the deaths of 15-year-old student Alibando Tingkas in 2016³⁹, Lumad leader Hermie Alegre in 2016⁴⁰, 19-year-old student Obello Bay-ao in 2017⁴¹, the forced closure of Lumad schools in 2018⁴² and the raiding of the evacuation centre in Harran in 2020⁴³.

Military support for the forced removal of indigenous ecological custodians from their ancestral lands to make way for economic development demonstrates a clear prioritisation of profit and power over people and planet. The Pantaron Mountains encompass the last virgin forest in Mindanao. They include the headwaters of three major rivers that supply water across the populations of Mindanao and are home to an incredible biodiversity of flora and fauna, the Manobo, Higaonon, Talaandig, and Agusanon Lumad tribes, and 17 Lumad schools.

According to the Confederation of Lumad Organisations (PASAKA), the government has already approved three mining tenements and the refusal of two more is being appealed against. These three tenements alone would allow for the mining of around 17,000 hectares in the Davao del Norte section of the Pantaron range. The results of these planned mining activities to date includes the death of 43 environmental activists, further red-tagging of Lumad peoples, forced school closures and mass evacuations. All of this violence has taken place prior to the destructive activity and its devastating environmental impacts.

The impact extends beyond the Lumad to the majority of citizens of Mindanao, for example, by threatening their water supply. Furthermore, at a wider scale, these forced removals and the ecological destruction that follows negatively impacts upon our increasingly fragile global ecosystem.

‘The Lumad School is a symbol of our resistance’

In the 1980s, formal literacy and numeracy programmes were introduced within Lumad communities. In 2003, Lumad communities built their own schools with the help of the Rural Missionary of the Philippines (RMP). In 2012, the Department of Education (DepEd) recognised and formalised Lumad community schools and drew from the Lumad schools’ expertise in forming DepEd’s Indigenous Peoples Education Curriculum Framework (IPEd).

The creation of Lumad community schools was a response to the lack of government services within Lumad rural communities, cultural insensitivity, and the marginalisation of indigenous people experienced by Lumad children in public schools⁴⁴. Through these schools, Lumad leaders were determined that their children would receive an education that allowed for the flourishing and continuation of Lumad culture and language, where children can understand their history, how to preserve the land for future generations and their individual and collective rights as Lumad indigenous peoples and citizens of the Philippines.

Whilst there were abuses during the Aquino regime, best summarised by a letter written from Lumad students to the President, the situation worsened under Duterte, who threatened to bomb Lumad schools:

“Leave. I’m telling those in the Lumad schools now, get out. I will bomb you. I will bomb your communities and your schools”.

These Lumad schools were collectively registered as private schools under the non-profit Salugpongan Ta’ Tanu Igkanogon Community Learning Center Inc.

The achievements made by these schools were quickly evident. One school, known as the Alternative Learning Center for Agricultural and Livelihood Development or ALCADDEV, won the National Literacy Award in 2001 and 2005, and rice harvests increased fourfold through the introduction of communal eco-agriculture⁴⁵. In theory, national law should have supported their existence: the Philippines IPRA states that children who are members of indigenous groups have the right to an ‘integrated system of education, relevant to the needs of the children and young people of ICCs/lps’ (Article V Section 28 & Article VI Section 31). This is supported by the Indigenous Peoples Education Policy (IPEd) Framework, (by DepEd Order no. 62, s. 2011), which supposedly assures indigenous children a ‘culture-responsive basic education,’ that is contextually specific and promotes their cultural heritage. Furthermore, the right to control one’s own culturally and linguistically appropriate educational systems and pursue one’s own understanding of community development is enshrined in UNDRIP, Article 14.1.

Initially, the Department of Social Welfare and Development and the Department of Education provided some support for the schools.⁴⁶ This changed dramatically in 2015, when the schools were falsely accused of teaching communist ideologies and encouraging students to rebel against the government. In addition, the government has accused those supporting them, such as the aforementioned Rural Missionary of the Philippines

(RMP), of being terrorists, resulting in their bank accounts being frozen and death threats against their leadership that have forced them to seek sanctuary outside the Philippines.⁴⁷

Under the Duterte administration, DepEd became increasingly controlled by the military, a move that was challenged by civil society including the Alliance of Concerned Teachers, whose secretary general stated: ‘We challenge [the] DepEd to stand by its duty to civilians and resist the creeping takeover by military command over the bureaucracy’.⁴⁸

However, by July 2019, DepEd had suspended the permits of 55 Lumad schools, accusing them of teaching ‘left-leaning ideologies’. The report on which this decision was made claimed that students were taught ‘ideologies that advocate against the government’. Given the continued abuse of the Lumad communities, it is hard to see how any ideology that teaches the students their nationally and internationally enshrined rights, particularly as indigenous peoples, would not lead them to advocate against a government which systematically abuses their rights.

The education in Lumad schools is neither communist nor capitalist but its mere existence poses a threat to imperialist expansion that is dependent on the marginalisation and oppression of alternative knowledge for its continued existence.⁴⁹ According to one SOS volunteer:

“

[W]e study for the benefits of the community, not for the other country, because the mind of the mainstream universities and schools is they study to gain more money to become rich because you know dollar is so big when converted into peso so they want to go abroad. In our school, the concept of the students, they want to learn to defend their rights. They want to graduate for the benefit of the other children who are not in school.

Studying for the collective benefit is an important part of the cultural specificity of this education. For example, in economics, concepts such as scarcity are taught in a way that prioritises the needs of the community rather than the benefit to the individual and which criticises the inequity of the current profit-oriented system that contributes to the poverty of the masses.⁵⁰

In addition, the contextually specific syllabus teaches the students to understand the legalistic jargon in FPIC and related documents and their rights to remain on their land, as enshrined in national and international law. As one student explained, ‘That is the main reason that the tribal leaders put up our own schools; so that we will not be tricked and cheated by the capitalists and landlords and land grabbers.’

For the Lumad, their schools are their highest form of resistance against the persistent abuse of consecutive governments. However, this education poses a threat to elites. To exterminate this threat, accusations that the schools teach ‘left-leaning ideologies’ are expanded and Lumad schools are labelled as supporters or members of the NPA. They are accused of teaching ‘...the communist New People’s Army (NPA), firearm instruction, and ambushing military troops.’

Whilst there were abuses during the Aquino regime, best summarised by a letter written from Lumad students to the President⁵¹, the situation worsened under Duterte, who threatened to bomb Lumad schools: ‘Leave. I’m telling those in the Lumad schools now, get out. I will bomb you. I will bomb your communities and your schools.’⁵²

Since Duterte has been in office, the DepEd has removed the majority of Lumad schools’ permits; the military and paramilitary have torched schools or held the students at gunpoint; and teachers and head teachers have been killed and students terrorised, traumatised and threatened. Another Lumad student explained the impact:

“

What the government did was they got one person from the tribal community and they used him or her, they use them and they tell the tribal leaders if they don’t want to close the schools they might be killed or the military will kill them. If the family will not or the leaders do not want to close the school, they are threatened that they will be killed, and their families will be massacred. So now, we Lumad students are here in Manila to expose the violence we face to the world.

Threats against Lumad schools have escalated since May 2017 when peace talks between the government and the CPP-NPA-NDF failed and martial law was declared in Mindanao.⁵³ Violations against Lumad schools under President Duterte include the following events:

- **September 2017:** at least 30 schools have been closed down and 1,300 students displaced in the military’s continuing assault on Lumad schools.⁵⁴
- **June 2018:** human rights monitors in Mindanao announce 532 attacks on Lumad schools since Duterte’s inauguration.⁵⁵



SOS - Lumad schools protest.

- **July 2018:** a total of at least 33 schools have been closed down and at least 4,600 students displaced.⁵⁶
- **March 2019:** a total of at least 70 Lumad schools have been closed down, there have been 284 attacks on Lumad schools, and 26 have been seized and used as military camps.⁵⁷
- **May 2020:** a total of at least 178 of 228 Lumad schools have been forcibly closed, many of which were violently destroyed by military and paramilitary forces.⁵⁸

The alternative motives that the government has for its persecution of Lumad communities and their schools have been well articulated by a range of individuals and organisations. Bayan Muna Congressional Representative and Lumad community leader Eufemia Cullamat comments, *‘[The] DepEd wants the Lumad not to wake up to realities and to keep them fooled, victimised and deprived of their rights so it will be easier to rob them of their ancestral land, which is their life.’*

Teachers and students at Bakwit schools both recognise this motivation to take ancestral lands away from the Lumad. A student notes, *‘And the state forces and even the government, they forcibly close the schools, the Lumad schools because they want to grab and own their ancestral land. They want to close the schools because they want to establish plantation and mining sites within the Lumad ancestral lands. The government, with these corporations, does not want to provide education to the Lumad people, so they can continue to easily trick and cheat the Lumad into handing over their ancestral lands.’* A teacher adds, *‘Education is not their real target, but the lands’⁵⁹...They attack the schools because they know that education will be a strong weapon for the Lumad’s resistance against these oppressors.’*

Clergy in the IFI and members of the Save Our Schools network also outline why schools are so important to the struggle for Lumad land. A priest states, *‘The government don’t want the Lumad to know about the law. Because if the Lumad will understand, will learn about the law of the land, then the government, they cannot go through the land of the Lumad. Because the Lumad themselves have their own defence. So that is why they are red-tagged, the school that the Lumad have.’*

A volunteer for the SOS network adds,



The Lumad School is a symbol of our resistance against those who try to take our lands and our cultural identity. Because we want to protect our indigenous rights, the government wants us to leave our own community... Our teachers taught all students why they have to protect their lands. That is the reason why they shut down all the Salugpungan schools.

SOS volunteer

Continuing education in the face of violent persecution

In their efforts to ensure their continuing education amidst this persecution, Lumad communities have formed Bakwit, or evacuation schools in Mindanao, Manila and Cebu. Whilst economic greed has uprooted these students from their ethnic communities, family units and their spiritual connection to the land, Lumad students continue to see education as the highest form of resistance to the abuse of their rights. The formation of Bakwit schools enables Lumad youth who have been forcibly removed from their ancestral lands to continue their education and raise awareness of their situation.

Whilst these schools provide an essential service and form of resistance, the students and teachers within them are confronted with a myriad of challenges. For example, whilst the University of the Philippines agreed to host the Bakwit school in Manila, which consists of approximately 72 students and nine Lumad teachers, students are regularly moved from one department to another, are currently living and learning in one of the university basements with little outside space and are not able to farm. This makes them entirely dependent on donations for their survival. Furthermore, life in the city poses challenges for the maintenance of Lumad culture where *‘[The city] will make your culture divert into bourgeoisie culture like the western culture. It is so hard. But, we continue our educational discussions about cultural traditions’* (SOS teacher).

In addition to these spatial and cultural challenges faced by the Bakwit schools, government persecution persists. For example, in July 2015, the Bakwit School in Mindanao, which is hosted at the United Church of Christ in the Philippines (UCCP) in Haran, Davao City, was set on fire, injuring seven, including five children who suffered first and second-degree burns. Then in 2020 military and paramilitary forces destroyed the school premises.



On the morning of January 25 [2020], members of the paramilitary group Alamara and suspected State agents in civilian clothes broke into the UCCP Haran Mission Center, which is accommodating at least 500 Manobo Lumad evacuees including 236 children and infants, and tore down its walls.⁶⁰

The perpetrators also used placards to link the UCCP to the NPA during this attack and ‘...despite the attacks, intimidation, and destruction of property, the PNP did not arrest the perpetrators.’⁶¹



The ancestral lands of Lumad communities are rich with minerals, the soils fertile for large-scale plantations and the idyllic and unspoiled forests prime for the construction of “eco-retreats”. Subsequent governments have created and enabled policies that illegally dispossessed Lumad of their land, allowing companies to exploit natural resources.

Examples of the persistent persecution of Lumad for pursuing their right to education continued into 2021. On the 15 January, the Department of Defence ended an accord with the University of the Philippines in Manila, signed in 1989, which had prohibited state forces from entering the campus without prior notice.⁶² Whilst this development is of concern to all students, many Lumad students have already experienced military violence and the ever-present trauma, making the end of this accord even more troubling. This was particularly true for those who have recently been red-tagged such as Teacher Rose who was red-tagged as a terrorist on 11 November 2020 and must now live with armed military stationed outside what was supposed to be their educational sanctuary (Appendix 1). On 14 February 2021 police, military and paramilitary forces entered the Bakwit School hosted at the University of San Carlos in Cebu, and arrested 22 students, two teachers and two Datus (Lumad community leaders).⁶³

Where do we go from here? Conclusion on the situation of Lumad indigenous peoples

The abuses of Lumad indigenous peoples in the Philippines amount to attempted cultural genocide through extra-judicial killings and forced removal of communities from their ways of life, belief, spirituality, access to food, medicine and culturally and contextually appropriate education. Lumad are not the only indigenous people affected by this systemic abuse.⁶⁴ In this context, the ICC must expand its investigation to include the systematic and persistent illegal dispossession and destruction of the environment overseen and encouraged by Duterte himself.

The Human Rights Council has been asked to evaluate any improvement in the human rights situation in the Philippines over the coming two years. Those states that tabled the declaration and those on the Human Rights Council have a responsibility to ensure that there is an improvement in the situation of all indigenous peoples of the Philippines. For Lumad communities in particular this can be exemplified by the reopening of their schools, the cessation of militarisation and paramilitarisation of their communities, the return of their stolen lands, the removal of extractive industries from their land and assurances of security of tenure for all Lumad lands in the future.

The resumption of peace talks is essential to this process. The international community must support civil society’s call for the resumption of formal talks to prevent further bloodshed, halt the use of red-tagging as a mechanism to silence legitimate dissent and provide a space to address the roots of conflict and widespread poverty among indigenous communities. Furthermore, resuming these formal talks will contribute to the legitimisation of the work of those who stand in solidarity and defend human and ecological rights such as the IFI and the role that they have played in peace processes to date.



SOLIDARITY AS MISSION OR TERRORISM?

‘When does commitment to the gospel and passion for justice and peace become a crime? When does fidelity to ordination vows and mission to the Church become wrong? When does becoming a good and responsible minister of the Church become a ground for imprisonment?’

Obispo Maximo, 2020

The situation of Iglesia Filipina Independiente

The IFI is an independent nationalist church that formed in 1902 as a tangible outcome of the 1896 people’s revolution, which led to the end of Spanish colonial rule in the archipelago. Whilst proud of its independence, the IFI has strong relationships with the worldwide Anglican Communion, the US-based Episcopal Church, the Church of Sweden and the Old Catholic Church and it is also a member of the World Council of Churches.

The IFI self-identify as a church *‘Pro Deo Et Patria’* (for God and for country) where their interpretation of country centres on the people of the Philippines, the poor and marginalised in particular, regardless of religion, ethnicity, class, age, gender or sexuality.



...we believe that Christ came to serve and not to be served. The church is doing what Christ was doing when he was still in this world. So, we are just continuing the legacy and we’re just following the footsteps of Jesus as he is here. And giving service to the poor, the needy, the oppressed and the marginalised sector of the society.

IFI leader

This theological standpoint has led to the persistent harassment and persecution of the Church at the hands of the state. The experiences of the IFI leadership call attention to the plight of religious leaders and rights defenders in the Philippines.

Enemies of the state?

In a video circulated during the time of President Arroyo the IFI (alongside UCCP, the United Methodist Church and certain Roman Catholic Church religious organisations) were labelled

as ‘Enemies of the State’⁶⁵. In the present dispensation, this persecution manifests in the form of red-tagging, which is undertaken by the authorities in an attempt to intimidate rights defenders and critics of the state into silence. This red-tagging involves publicly labelling an individual, organisation or institution as a member of the New People’s Army or communist and thereby legitimising them as a target of state oppression, including extra-judicial killings.

When discussing the state’s motives for red-tagging, the Obispo Maximo of the IFI, Rhee Timbang, shared, *‘For the victim it is intended to stop whatever she or he is doing. Otherwise, she or he shall face dire consequences not only for life but that of his or her family and colleagues. For the public it is intended to sow distrust so as not to follow or listen anymore to the victims as they are now categorised or classified or known as enemies of the state.’*

The IFI and countless individual leaders have been red-tagged. This impacts individual families as well as the ability of the Church as a whole to carry out its prophetic ministry. At an individual level, red-tagging discourages people from caring and being concerned about each other. Obispo Maximo explains, *‘Red-tagging separates a person from his or her neighbour...people may think twice to speak up on injustice or support legitimate cause or assert one’s legitimate rights for fear of repercussion from the state security forces or from the government itself.’*

For many of the IFI leadership however, the fear of being red-tagged is not sufficient to deter them from their calling. When asked why he continued despite being a leader of a red-tagged Church and having been red-tagged as an individual, one priest disclosed that *‘...it would have been better if we can stop, but our commitment is not with men, our commitment is with God, so stopping is not an option.’*

No one who pursues the prophetic ministry of the IFI is safe, even the Obispo Maximo is a target. The most prominent historical example of this persecution of the highest level of Church leadership is the fatal stabbing of Obispo Maximo Alberto Ramento on 3rd October 2006, a murder for which the perpetrators have never been called to justice. The most recent example is the public red-tagging of the current Obispo Maximo, Rhee Timbang, as a terrorist on 11 November, 2020 (Appendix 1).

Obispo Maximo Timbang articulated the challenge in a series of questions:

“

Why make our work, why make our advocacy incriminating for us? Because that's our mission. That's our natural way of looking at things as a church. Then why make it so incriminating for us to the point that our clergy, our bishops and leaders are tagged, are red-tagged, are labelled as working against the government? But in fact helping the poor, assisting them to improve, to make, obtain a better life, it's part of the work of the church... ever since the IFI was established it was like that, its heart, its work was advocating for the struggling people.

Obispo Maximo, 2020

Implications of trumped up charges

In the past decade, the red-tagging and persecution of the IFI has led to the following deaths:

- Brother Benjamin Bayles on 14 June 2010.
- Brother Jovelito Agustin on 15 June, 2010.

- Father William Tadena in 2014
- Brother Meliton Catampongan in 2017
- Brother Erning Aykid in 2017

Whilst, thankfully, none of the IFI leadership have been extra-judicially killed in the past three years, there has been an increase in other rights abuses perpetrated by the state as exemplified by the arrest of Bishop Carlo Morales and the persistent death threats against Bishop Antonio Ablon.

Whilst this report aims to acknowledge the rights abuses against IFI leadership across the archipelago, short case studies of the experiences of Bishop Morales and Bishop Ablon are used to demonstrate the consequences of standing in solidarity with the struggle of Lumad indigenous communities in Mindanao.

Given their respective histories of struggle and steadfast determination to work for the human rights and dignity of all, it is unsurprising that Lumad communities and the IFI have formed strong relationships of solidarity and support, working alongside other defenders of human and land rights, to resist the tyranny and oppression of the Duterte regime.

On Thursday 11 May 2017, Bishop Morales was arrested whilst doing his ministry and advocacy for the Peace Process that supported talks between the government and the NPA with the ambition of ending armed hostilities between the two. At the time of his detention, Bishop Morales was with his driver, his wife and Rommel Salinas, whom the authorities described as the 'most wanted' New People's Army commander in Western Mindanao. Under the conditions of the Peace Process, Salinas



Lumad Bakwits sanctuary at University of the Philippines IFI Parish year 2018.



was 'a duly accredited person under the JASIG (Joint Agreement on Safety and Immunity Guarantees).

The JASIG granted protection from surveillance, arrest and prosecution to the members, consultants, staff and security personnel during the talks and should have protected both Salinas and Bishop Morales. Despite this agreement and the identification documents presented by Salinas when the vehicle was stopped, both Bishop Morales and Salinas were arrested, and the military falsely claimed to have found explosives in the vehicle.⁶⁶

In a statement released by the Obispo Maximo, he described Bishop Morales' '...love to preach the gospel [that] blended well with his passion for peace and justice.' He went to lament that '...[Morales] continues to languish in jail for the ridiculous, baseless, trumped-up charges of illegal possession of explosives' and called for his immediate release.

Bishop Morales was imprisoned for 10 months, before being released on bail.

Whilst Bishop Morales knew that there were risks associated

with his work, he saw the Peace Process between the government and the CPP-NPA-NDF⁶⁷ as a necessary step in the pursuit of human dignity for Lumad communities and all citizens of Mindanao who have too long suffered the impact of lockdowns and martial law. Speaking of his experience Bishop Morales said:

“

Our ministries are mandated by our faith. My past experience was just a product of my conviction...My experience of being incarcerated was just a product of protecting life. For I know so much that life is sacred. To me, those people who look for peace, we should be with them and that's the reason why I am incarcerated.

As of December 2019, there were 604 political prisoners in the Philippines, 362 of whom were arrested under the Duterte government between July 2016 and December 2019.⁶⁸

In 2019, another bishop of the IFI, Bishop Antonio Ablon, was forced to leave his family and his diocese to seek political asylum owing to the increasing death threats he received in response to his advocacy and solidarity with the struggle of Lumad communities.

Obispo Maximo notes, *'Bishop Ablon has been the favourite subject of this red-tagging in order to silence him in his prophetic witness, to dissuade him from his social advocacy, and to bar him from pursuing his pastoral presence among the struggling sectors of the Filipino people.'*

Bishop Ablon had long been vocal about the oppression of the Lumad and farmers in Western Mindanao and was warmly known in his diocese as the 'People's Bishop'. Whilst he laments his inability to return to his own country, Bishop Ablon describes his current situation as *'...a breather from all the red-tagging, vilification, threats, harassments and intimidation I experienced for serving the victims of human rights violations in Western Mindanao especially the Lumad and the poor farmers who are constantly oppressed by the powers that be through the armed agents of state – the police and the Armed Forces of the Philippines.'*⁶⁹

Despite being exiled far from home, Bishop Ablon's advocacy continues in the form of media appearances in his host country, meeting European governments and the United Nations to share about the Filipino situation and, particularly during the Covid-19 pandemic, running online protests and awareness raising campaigns. He said:

“

*...I will continue to boldly proclaim and interpret the Gospel of Christ. I will continue to serve the people who are in need – the least, the last and the lost with God being my helper, the people's situation being my reason and the enlightened ones being my comrades.*⁷⁰

His refusal to be silenced has however come at a cost. The latest red-tagging of Bishop Ablon for his online activities officially labels him as an international, or foreign terrorist under section 11 of the Anti-Terrorism Act (Appendix 2). Whilst the tyranny of the present government is allowed to continue, this label makes the bishop's safe return to his family and homeland an impossibility.

In addition to these two high profile cases, hundreds of other IFI leaders have been harassed and threatened as they stand alongside and in solidarity with those who defend peace, human rights and human dignity. One recent example is the arrest of Rev'd Sulayao, on 1 May 2020, for participating in a protest caravan to demand justice for the killing of Jose Reynaldo Porquia, the coordinator of the Bayan Muna party-list that forms part of the leftist political party Makabayan.

Hundreds of IFI leaders have been harassed and threatened as they stand alongside and in solidarity with those who defend peace, human rights and human dignity. Clergy's ability actively to live out their faith is impeded through the fear that red-tagging instils in them; their mission simply becomes too dangerous.

The effect of persistent persecution on mission

In addition to the devastating impact of these trumped-up charges on the individuals, their families and their diocese, this persecution affects the functioning of the IFI as a whole. Clergy's ability actively to live out their faith is impeded through the fear that red-tagging instils in them; their mission simply becomes too dangerous.

For example, after the assassination of Lumad leaders in his diocese, a priest shared how he felt unable to respond in person: *'...unfortunately from that particular time [...], we did not really respond. But in our reflections, in our homilies and on our social media accounts, Facebook, we really give voice to the Lumad there.'*

This is a radical departure from the three-month Lumad Ministry immersion programme in which the priest had previously participated which focused on developing understanding and relationships of deep solidarity that led to in-person activism, including patrolling Lumad communities to ward off military threats and participating in harvests to stop the theft of crops. The youth of the IFI are particularly aware of the limitations placed on their ministry and as one young clergy member shared *'For me being a leader, a youth leader in this church, red-tagging is really unfair....the moment that we are already working on helping the Lumad then we are red-tagged. Instead of [the government] helping us, supporting us.'*

Through tireless red-tagging the authorities impose a choice upon the IFI: the security of their own lives or their ability to

live out their faith in a way that protects and promotes human dignity. This forced choice is an abuse of their Freedom of Religion or Belief.

The Universal Declaration of Human Rights. Article 18 states: *'Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.'*

In addition, the IFI have a right *'[t]o establish and maintain appropriate charitable or humanitarian institutions'. And the right to 'solicit and receive voluntary financial and other contributions from individuals and institutions.'*

Further to their right to pursue their mission, which does not inhibit the rights or freedoms of others, the IFI have a right *'[t]o teach a religion or belief in places suitable for these purposes'* and *'[t]o train, appoint, elect or designate by succession appropriate leaders called for by the requirements and standards of any religion or belief'*. These rights are in accordance with the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981).

This right was abused on 10 November 2020 when the Aglipay Central Theological Seminary (ACTS) was intruded by five police officers, three of whom were armed. They took photos, asked about relief work, youth activities and the subjects being taught in the seminary. ACTS is a recognised and registered theological college and the attempt of the authorities to interrupt teaching and instil fear in the seminarians is an abuse of the freedoms enshrined in the aforementioned declaration. This abuse came one day after Brother Raffy Bayudan, an IFI

seminarian, was red-tagged for his opposition to a coal plant that will detrimentally affect human life and the environment (Appendix 3).

As well as limiting their ability to live out their faith, the public labelling of the IFI as members of the NPA, through graffiti on the outside of the churches, large tarpaulins publicly hung, and widely circulated flyers, affects their reputation in the community and even amongst their own members. For example, a clergy member in the diocese where Bishop Ablon served before he was forced to flee noted *'...many of our congregations leave this church [the IFI] because we are called as NPA.'*

The red-tagging of Lumad communities has, in addition, led congregation members to question the legitimacy of the IFI's mission to stand in solidarity with and support the Lumad struggle for self-determination. A member of the IFI clergy explained that *'in [the congregation's] minds, the Lumads, will support the NPA. That is incorrect. That is why we have our education, input; with regard to these Lumad's, that these Lumad's are not NPA.'* Congregation members are faced with a choice; believe government propaganda or the word of the Church.

Despite these challenges the leadership of the IFI remain steadfast in their commitment to peace and justice and have intensified efforts to educate their members on the abuses of the Duterte government, the false allegations being made against the Church and attacks on its leadership.

Conclusion on the situation of the IFI

The systematic abuse of human rights under President Rodrigo Duterte make it clear that, unless held to account, this government will continue to persecute all of those who pose a challenge to its pursuit of power at the expense of the people of the Philippines.

Since 2007, United Nations Human Rights mechanisms have been raising concerns about the safety of human rights defenders in the Philippines.⁷¹ In 2018, Global Witness data rated the Philippines as the most dangerous place in the world to be a land and environmental rights defender.⁷² In 2020, the UNOHCHR verified the killings of 208 human rights defenders, journalists and trade unionists.⁷³ In addition to these deaths the fear of red-tagging and the stigma that has been attached to it *'...denies people of their very humanity, to be concerned for each other, to care for each other.'*

The Human Rights Council relies on the government responsible for the violations and culture of impunity to address these issues, ensure accountability and prosecute

Through tireless red-tagging the authorities impose a choice upon the IFI: the security of their own lives or their ability to live out their faith in a way that protects and promotes human dignity. This forced choice is an abuse of their Freedom of Religion or Belief.

individuals. To fail to put pressure on the government for the Council to turn their backs on those willing to give their lives for the defence of the very rights the HRC are entrusted to protect. It demonstrates the failure of the Council, and those who drafted the resolution alongside the Philippine government, to understand and recognise the systemic nature of the abuses taking place.

Over the next few months, whilst the HRC waits for the High Commissioner's written report at the 51st session in September 2022, national governments must support those who steadfastly pursue the recognition of basic human rights.

At the very least, whilst acknowledging that this is woefully inadequate, members of the international community must support these individuals and organisations through training for rights defenders. Furthermore, it is essential that they place pressure on Marcos to resume the peace talks between the government and the CPP-NPA-NDF as a means of supporting and legitimising the work of those advocating for the Peace Process. Furthermore, nations should consider mechanisms such as sanctions to demonstrate to the Marcos government, and whoever which succeeds him, that such gross and blatant human rights abuses across the country will not be tolerated.

Marcos time

The Philippines concluded its national elections on May 9, 2022. This election was built on lies, deception, historical revisionism, fake news, red tagging and brings the notorious human rights violators and plunderers back into power. The son of the late dictator president, Ferdinand Marcos Jr, won the presidency and the daughter of the incumbent macho-fascist president, Sara Duterte-Carpio won the vice presidency along with their allies in the senate and congress. The Marcoses with their remorseless history of civil and political rights violations, will bring back plunder, development, aggression and indigenous people's repression through Marcos Jr. The rights groups claimed that the Marcos-Duterte tandem of leadership is nothing but a continuity of the Rodrigo Duterte's legacy- reign of terror, human rights abuse, and plunder. These are the political forecasts that will affect the people's right to live harmoniously for the next 6 years.



Lumad Bakwit School students by Save Our School.





WHERE DO WE GO FROM HERE?

The plethora of publications on the human rights situation in the Philippines make the current lack of action from the international community and the UNOHCHR's resolution, which encourages those responsible for human rights abuses to improve the situation, incomprehensible.

Conclusions and recommendations

The international community must hold Duterte accountable through the mechanisms of the Human Rights Council and the International Criminal Court. It must be made clear to Marcos, as Duterte's successor, that human rights violations will not be tolerated and that the ability to work towards peace and justice, rather than the ability to kill and control, is an essential capability for a President.

We stand with grassroots, national and international human rights organisations in calling on the Philippines government to:

- **Immediately cease all action that violates international law**
- **Provide access to international human rights monitoring**
- **Investigate the conduct of law enforcement and ensure prosecution when necessary.**

We reinforce the call to end “red-tagging”; stop the harassment of rights defenders and government critics and stand in solidarity with those calling on the Human Rights Council to do more; to take action. We will work to ensure that the Philippines remains on the agenda of the Council and strongly endorse the call of the OHCHR's report to ‘*establish an independent investigative mechanism, mandated to conduct an in-depth investigation into human rights violations and abuses in the Philippines*’.

Photo: A Lumad girl in Malaybalay, Bukidnon. Photo by Stephanie Ecart.

IN ADDITION, AND SPECIFICALLY IN RELATION TO THE ISSUES RAISED THROUGHOUT THIS REPORT:

We call on the Philippines authorities to:

- Recognise and re-open Lumad schools, providing accreditation and support for teachers.
- De-militarise Lumad communities and schools whilst ceasing to fund paramilitaries.
- Stop the exploitation of Lumad ancestral lands, repatriate Lumad communities with their stolen lands and provide compensation for the damage done to the land and to the Lumad themselves.
- Resume peace talks between the government and the CPP-NPA-NDF.
- Stop the red-tagging and the vilification of Indigenous people, church workers such as the IFI, and rights defenders.
- Undertake religious literacy training so that the difference between the mission of the church and 'communist activity' is more widely understood.
- Provide amnesty for all political prisoners as part of a sustained and substantial commitment to bring peace to the region.

We call on foreign national governments to:

- Support civil society at the UNHRC in their call for independent investigative mechanisms and monitoring.
- Work with the Commission on Human Rights in the Philippines to provide online training to all rights defenders, with in person training considered when the situation allows.
- Immediately cease the sale of all surveillance and war related equipment to the Philippines until such a time that any nation can be certain that this equipment will not be used in the abuse of human rights.
- Consider placing targeted sanctions on the Marcos government if there is not an immediate and dramatic improvement in the human rights situation.
- Support the resumption of peace talks to prevent further bloodshed and halt the use of red-tagging as a mechanism to silence legitimate dissent.
- Closely monitor the actions of national and foreign companies within the extractives industry operating in the Philippines, specifically within indigenous lands.



We call on the United Nations Human Rights Council to:

Ensure adequate time and weight are given to civil society testimonies during the 48th and 51st sessions of the Human Rights Council and that these are used to inform decision-making.

We call on the International Criminal Court to:

Expand the scope of the investigation into the “war on drugs” to include the war against Indigenous persons and the subsequent destruction of the environment, exploitation of natural resources and illegal dispossession of land.

This report examined the local and national impact of the systemic human rights abuses in the Philippines and the impunity under which they are conducted with incitement from the president himself. In doing so it illuminated the multi-scale approach of the government, encouraging understanding and reflection on the personal and institutional terror that is ensuing. Such gross and systemic human rights abuses demand urgent international action.



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- ¹ OHCHR (2020), Situation of human rights in the Philippines, Report of the United Nations High Commissioner for Human Rights. Available from: <https://www.ohchr.org/Documents/Countries/PH/Philippines-HRC44-AEV.pdf>
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APPENDIX 1

Wednesday 11th November 2020

Mga Teroristang ayaw pang aminin ang katutuhanan na sila ay kulay pula
Terrorists who don't want to admit the fact that they are red



WANTED: MGA BERDUGO NPA TERRORISTA
NAG TAGO SA LEGAL NGA ORGANISASYON SA AGUSAN UG SURIGAO
MANGINGILAD SA LUMAD, MAG-UUMA UG KABATAAN



 DECEJON ALIPAO CEGP	 GILBERT LIBORA IFS	 ALLAN JAMES AMANTE - KMU	 DR. NATY CAMPOS KARAPATAN	 MARICRES PAGARAN ALCADEV	 FR. RAYMUND AMBRAY ALCADEV/MAPASU
 SIS. HELEN MAKILING ALCADEV	 RHEE TIMBANG OBISPO MAX - I.F.I.	 ALVIN YGOT CEGP	 IMELDA BELANDRES KMP - MAPASU	 EUFEMIA CULLAMAT BAYAN MUNA	
 KENNETH CADIANG ALCADEV	 MARIFE MAGBANUA ALCADEV	 MODESTO VILLASANTA FRIENDS OF LUMADS	 NORMA AMPIS TRIPFSS	 ROSE HAYAHAY ALCADEV	 SAMMY DOLLANO LIANGA SB

MOVEMENT AGAINST TERRORISM (MAT) - SURIGAO CHAPTER

APPENDIX 2

25 September 2020



APPENDIX 3



Please contact us for further details about
any of the material contained in this report.

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