‌

**Methods‌ ‌of‌ ‌Political‌ ‌Repression‌ ‌in‌ ‌the‌ ‌Philippines‌ ‌**

 ‌

 ‌

The‌‌ Philippines‌ has‌ a‌ long long history of repression of social activists, beginning under Spanish colonialism, and continuing through American colonial control, Japanese wartime occupation, and the neo-colonial governments that followed WW2. The most notorious period of repression was during martial law, under the dictatorship of Ferdinand Marcos. However, human rights organizations such as KARAPATAN have increasingly drawn comparisons between the experiences of activists under Marcos and the increasing repression under current President Rodrigo Duterte.

With so many forms of repression used in the Philippines, it is necessary to focus on a few of the primary methods. These include the use by the Armed Forces of the Philippines (AFP) and Philippine National Police (PNP) of trumped-up charges; “red-tagging” of activists, lawyers, feminists, and others; and extra-judicial killings by paramilitaries, the AFP, and PNP. These tactics are designed to silence perceived critics of the government and eliminate those who resist its political and economic agendas. Violent and repressive measures are perpetrated across the country against peasants and indigenous communities resisting corporate mining, workers striking for safe workplaces and just wages, urban poor asserting their right to decent housing, church people, lawyers and human rights workers speaking out about human rights violations, and many others.

The new Anti-Terror Law promises to exacerbate all of these issues, allowing the government to essentially declare any person or organization an enemy of the state and a legitimate target for arrest or killing.

**Trumped-Up Charges**

By far the most common charge against political prisoners is the illegal possession of firearms and explosives. Private possession of firearms is illegal in almost all circumstances in the Philippines, and so the possession of firearms labels someone as a member of the AFP/PNP, a paramilitary, a criminal, or a member of an armed rebel group. As a charge used for political repression, it has two purposes. Firstly, possession of explosives is not a bailable offense, allowing the state to keep activists or other targets in jail throughout the entire lengthy pre-trial period. Secondly, the charges require no witnesses or evidence aside from the AFP/PNP officers themselves, and the presence of firearms (typically the .45 Colt pistols and M-16 rifles used by the AFP as older service weapons) and explosives (typically one or more hand grenades). It is widely known that such weapons, found in large quantities and in open view by police forces engaged in pre-dawn raids of the offices of trade unions, NGOs, and the homes of consultants to the peace process in the Philippines, are planted. This practice has reached a point where student groups, human rights groups, and similar organizations have requested public searches of their offices by third-party organizations in an attempt to protect themselves from these trumped-up weapons charges.

Kidnapping is also another common charge, particularly against activists among the Lumad (Indigenous) peoples of Mindanao. Many such communities have responded to government neglect of rural areas by opening their own schools, which teach basic academics, sustainable agriculture techniques, and local cultural knowledge. But because such schools also teach literacy and legal principles, including those respecting the rights of Indigenous Peoples, they have become a target for the government and paramilitaries who act on behalf of large agribusinesses, mining, and logging companies. By accusing the schools of recruiting for the NPA (New People’s Army), the government tries to prevent the development of new generations of Indigenous land defenders. This has meant military occupations and bombings of Lumad schools and communities, as well as public killings of local Lumad leaders. Students, teachers, and community members are often forced to flee to nearby cities for safety, becoming “bakwit” (evacuees) in temporary camps and shelters. Teachers and activists are then charged by the government with kidnapping the students, as in the case of nearly 400 activists and Lumad leaders in eastern Mindanao in 2018.

**Red-Tagging**

One of the most common repressive tactics in the Philippines is so-called “red-tagging” in which activists or social leaders of all kinds are accused of being members of the CPP (Communist Party of the Philippines) or NPA (New People’s Army), organizations which have been engaged in an armed struggle with the government of the Philippines over issues of land reform and national sovereignty since the late 1960s.

The goal of this practice was described by Associate Justice Marvic Leonen in his dissenting opinion in Zarate, *et al*. vs. Aquino, *et al*., as “mak[ing] it easy for military and paramilitary units to silence or cause untold human rights abuses on vocal dissenters, government agents usually resort to stereotyping or caricaturing individuals.”

As described by National Union of People’s Lawyers attorney Edre Olalia:

“Red-tagging violates the principle of presumption of innocence, of the freedom of association and is equivalent to guilt by mere association. In essence, it is a “done process” instead of “due process” because red-tagging condemns before it hears and is based on “evidence” that is not credible, competent or admissible & even on no evidence at all. And aside from these constitutional grounds also recognized in international human rights instruments, it is contrary to the principle in international humanitarian law that civilians and non-combatants are not legitimate objects of attack or should not be targets of reprisal.”

Red-tagging can range from public comments on social media, to public statements or warnings by government officials, explicit targeting with posters or leaflets tagging the individual as a communist or terrorist and even death threat text messages. Red-tagging is extremely dangerous because it has resulted in arrests, disappearances and assassinations of red-tagged individuals.

Related actions can include the fake/forced surrenders of alleged rebel returnees and the false implications that these individuals are armed combatants or were involved in armed operations of the rebels.

A more recent form of red-tagging has consisted of government officials, media, or other figures drawing spurious connections between targeted individuals and organizations that are maliciously labelled as "communist fronts." This is usually part of an accusation of "indoctrinating" or recruiting youth and students to underground organizations.

Recent targets of red-tagging include opposition lawmakers like Neri Colmenares, Carlos Zarate, and Eufemia Cullamat (the first Lumad member of the House of Representatives); popular actresses like Angel Locsin and Liza Soberano (for speaking at an event organized by women’s group GABRIELA), and even bishops of the Catholic and Aglipayan churches.

**Extrajudicial Killings**

The final form of political repression is the killing of activists. While these killings are sometimes perpetuated openly by the AFP/PNP, human rights defenders typically label these killings as “extrajudicial” regardless of the specific circumstances because they a) target civilians, and b) lack prior judicial sanction.

Human rights organization KARAPATAN lists 308 extrajudicial killings between July 2016 and April 2020, in addition to 439 frustrated extrajudicial killings in the same period. This does not include cases of forced disappearances, assault, torture, indiscriminate firing by soldiers/police, or military bombings. Victims of these killings include peasants, Indigenous Peoples, Moro (Muslim peoples from Mindanao), government employees, human rights workers, and members of other sectors, including church people and environmentalists.

Peasants have borne the brunt of the Duterte government’s armed repression. Nine farmers were massacred in October 2018 near Sagay City, on Negros Island, while carrying out *bungkalan*, the practice of planting crops on idle commercial agricultural lands after harvest season. After the massacre Duterte said “Do not do it ever again because I have issued an order to the police and to the Armed Forces. If you continue to occupy a property just what happened in Bacolod, I said, this time I will order your arrest.” He added “My orders to the police and the soldiers, shoot them. If they resist violently, shoot them. If they die, I do not care.”

Among the victims of extrajudicial killings are former political prisoners. Zara Alvarez, a human rights worker who catalogued abuses on Negros Island was shot by unknown assailants in August 2020, had been a political prisoner from 2012-2014 on false charges of murder (she was acquitted in March 2020). Her murder came a week after the torture-slaying of peasant leader and consultant to the peace process Randy Echanis, and less than two years after the murder of her colleague, human rights lawyer Ben Ramos in November 2018. For political prisoners, not even release and acquittal can ensure their safety if they continue to struggle for social change or government accountability.

One concerning overlap between political prisoners and victims of extrajudicial killings are consultants to the peace process between the government and National Democratic Front of the Philippines. The government of the Philippines is a signatory to the Joint Agreement on Safety and Immunity Guarantees, which guarantees freedom from violence and harassment to consultants of both belligerent parties. Since Duterte unilaterally ended peace talks in 2017, his government has openly persecuted peace consultants. At least 11 peace consultants are currently imprisoned in the Marcos-era Bagong Diwa prison in Manila. Since the beginning of 2020, four peace consultants have been murdered, including Julius Giron (alongside his medical doctor, Maria Tangco, and an aide, Arvie Reyes), Randy Echanis, and elderly couple Eugenia Magpantay and Agaton Topacio.

**Anti-Terror Act**

The new Anti-Terrorism Act in the Philippines replaced the previous Human Security Act of 2007. The bill creates an Anti-Terror Council appointed by the President and empowered, without judicial oversight, to label organizations or individuals as terrorists. This includes organizations or enterprises it alleges are owned by a “terrorist” organization or individual, or which act on behalf of / are directed by such an organization or individual. Human rights organizations have said the bill appears to allow the government to apply the terrorist label even to organizations that it claims have any connection or common goal with a labelled organization or individual.

Labelled organizations or individuals only have 15 days to contest being placed on a terror list, with few grounds open for removal. The bill places the burden of proof on organizations and individuals to prove they are not terrorists, rather than the government needing to demonstrate this in any court of law.

Police and the military are empowered under the Act to conduct warrantless arrests and surveillance, while removing or reducing penalties for the violation of political and civil rights. The Act allows the seizure of assets from organizations and individuals labelled by the Anti-Terror Council and allows the Council to hand down sentences, including up to life in prison without parole.

The Act enables the wholesale disregard of the political and civil rights enshrined in the post-Marcos 1987 constitution, and represents in most respects a *de facto* return to martial law.