Republic of the Philippines

HOUSE OF REPRESENTATIVES

Quezon City

EIGHTEENTH CONGRESS

Second Regular Session

HOUSE RESOLUTION No. 1036

Introduced by
BAYAN MUNA Representatives EUFEMIA C. CULLAMAT,
CARLOS ISAGANI T. ZARATE and FERDINAND R. GAITÉ,
GABRIELA Women’s Party Representative ARLENE D. BROSAS,
ACT TEACHERS Party-List Representative FRANCE L. CASTRO,
and KABATAAN Party-List Representative SARAH JANE I. ELAGO

RESOLUTION

DIRECTING THE COMMITTEE ON HUMAN RIGHTS TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION, ON THE EXTRAJUDICIAL KILLINGS
AND HUMAN RIGHTS VIOLATIONS AGAINST FARMERS DURING THE
COMMUNITY QUARANTINE

WHEREAS, on March 16, 2020, the Executive Secretary released a Memorandum placing the
entire Luzon under community quarantine and providing guidelines for the management of the
Corona Virus Disease-19 (COVID-19). The Memorandum took effect on March 17, 2020 and
expired on April 13, 2020. It was then extended until April 30, 2020 and later to May 15, 2020 for
parts of Luzon. Varying levels of community quarantine have since been assigned for different
areas all over the country by the Inter-Agency Task Force for the Management of Emerging
Infectious Diseases;

WHEREAS, the memorandum issued by the Executive Secretary states heightened police and
military presence to strictly implement the quarantine, allowing only frontline workers, authorized
persons, media personnel and persons conducting humanitarian missions to pass through border
checkpoints;

WHEREAS, in a statement on March 22, the Commission on Human Rights reminded the
Duterte administration that both human rights and the privilege of the writ of habeas corpus are
not suspended even during a state of national health emergency due to the COVID-19 outbreak
in the country. The reminder was in response to the statement of DILG Undersecretary for
Barangay Affairs Martin Dino in a March 21 radio interview saying that human rights “disappear”
under the state of emergency;

WHEREAS, the DILG issued Memorandum Circular 2020-062 which reads: “LGUs are to
ensure that no violations of human rights are committed by any border patrol staff or any employee
or officer granted authority by it to perform tasks relative to the implementation and maintenance
of the enhanced community quarantine”;

WHEREAS, on April 20, Presidential Spokesperson Harry Roque said that the implementation
of the enhanced community quarantine (ECQ) is not a license to violate human rights, further
claiming that government is open for complaints of human rights violations amid the
implementation of measures against COVID-19;

WHEREAS, on April 27, the United Nations High Commissioner for Human Rights Michelle
Bachelet urged countries to refrain from rights violations under the guise of exceptional or
emergency measures amid the pandemic;

WHEREAS, since quarantine was first announced on March 16, there have been several reports
of killings, illegal arrests, and other human rights violations against farmers and members of
farmers’ organizations all over the country. These include the following:

1. On March 17, peasant advocate and artist Marlon Maldos was killed in broad daylight by
an unidentified motor-riding-in-tandem at Purok 4, Barangay Dela Paz in Cortes town,
Bohol. Prior to his killing, Maldos was subjected to constant red-tagging, vilification, and
harassment by elements of the 47th Infantry Battalion of the Philippine Army (IBPA).
Maldos, 25 years old, is a resident of Barangay Cantumocad in Loon town and the artistic
director of the Bol-anong Artista nga may Diwang Dagohoy (Bansiwag) cultural
organization.

2. On March 31, at around 7 PM, woman peasant leader Nora Apique, 66 years old, was
shot dead by armed men on board a motorcycle in Brgy. Patong, San Miguel, Surigao del
Sur. Apique was a peasant leader from the Kahupungan sa mga Mag-uuma sa Surigao
del Sur (KAMASS - KMP). Apique was with her relative at the time of the shooting.
Before the incident, Apique has been a constant victim of threats, red-tagging, and
harassment from elements of the Armed Forces of the Philippines and paramilitary
troops. Assigned in the area where Apique was killed is the 36th IBPA under the 401st
Infantry Brigade deployed in San Miguel, Surigao del Sur.

3. On April 11, in Northern Samar, elements of the 20th IBPA burned the hut of Lando
Sacay, a farmer in Deit de Turag, Silvino Lobos. The next day on April 12, five (5)
farmers, from the boundaries of barangays Deit de Turag, Silvino Lobos and
Ynaguingayan, Pambujan, were forcibly taken as captives and interrogated by elements of
the 20th IBPA.

4. On April 11, in Butuan City, peasant leader Francisco ‘Sisoy” Torralba, 71 years old, was
arrested at his residence in Barangay Bonbon, Butuan City. Torralba is a long-time leader
of the Unyon sa mga Mag-uuma sa Agusan del Norte. He was falsely charged with
kidnapping and illegal possession of firearms. Torralba was jailed on false charges despite
his advanced age and various ailments including Chronic Obstructive Pulmonary
Disease, asthma and ischemic heart ailment, making him even more vulnerable to
COVID-19 transmission.

5. On April 13, in General Luna, Quezon, farmer Nomeriano Fuerte, 43 years old, was
arrested and forcibly taken by armed 85th IBPA soldiers. Fuerte was at the house of
farmer Barok Perlas in Sito Tagbakin, Barangay Magsaysay, General Luna town in
Quezon when he was arrested. The soldiers did not present any warrant to the victim
when he was accosted and forcibly taken to the battalion camp in San Nicolas,
Macalelon, Quezon. On April 14, the soldiers “invited” Fuerte’s wife, Amalia, who was
brought to the military camp to see her husband. While at the camp, the soldiers advised
the couple to “change their ways and go back to the folds of the government.” Later on,
Fuerte was falsely presented by the 85th IBPA as a leader of the New People’s Army (NPA).

6. On April 15, at around 6:30 AM, the home of Quintin Palay and other members of the kin in Sitio Odiiong, Barangay Bandila, Toboso, Negros Occidental was ransacked by joint forces of the 79th IBPA and Special Action Force. Reports from the Northern Negros Alliance of Human Rights (NNAHRA) state that a 12-year-old minor fainted due to intense pressure after military forces threatened and interrogated the child who was in the house while other family members were working on the fields. NNAHRA reported that military operations have continued in the rural areas of Escalante City, Calatrava and Toboso despite the province-wide lockdown, with troops forcing civilians and farmers to surrender as members of NPA, breaking up their cooperatives and giving farmers’ lands back to landlords.

7. On April 18, 2020, peasant leader John Farochilin was killed by the 61st Infantry (Hunter) Battalion in Barangay Cabalaunan, Miag-ao, Iloilo. Eleven (11) other farmers and residents were arrested and detained after they were tagged as NPA members by the military. The military claimed that Farochilin is a member of the New People’s Army but peasant organization PAMANGGAS attested that Farochilin is a farmer-leader, the chairperson of Alyansa sang mga Mangunguma sa Miag-ao and not a combatant. Farochilin is also a member of the Sangguniang Barangay of Onop, Miag-ao.

8. On April 19, at around 10:15 AM, six (6) volunteers of Sagip Kanayunan and Tulong Anakpawis relief drive were apprehended at the checkpoint in the boundaries of San Jose Del Monte City and Norzagaray in Bulacan. The relief volunteers were on a humanitarian relief mission and scheduled to deliver food packs to residents of Sitio Kalye Onse, Barangay Bigte in Norzagaray, Bulacan. The relief volunteers were wearing face masks and were observing physical distancing. They also had a food pass and permits to deliver the relief goods. Former Anakpawis Rep. Ariel Casilao who came to their aid was also apprehended by the police. The relief volunteers were detained at the Norzagaray Police Station and were charged with violation of RA 11332, inciting to sedition and usurpation of authority. They were released on bail on April 21, 2020.

9. On April 17, 2020 troops of the 203rd Brigade of the 2nd Infantry Division allegedly encountered NPA members at Brgy. Buong Lupa, Gloria, Oriental Mindoro. After which, farmer Lordan Malcon was arrested and detained by elements of the police and military on suspicion of being a member of the New People’s Army.

10. On April 20, the home of farmers Romeo and Helen Llagas were ransacked by elements of 85th IBPA in Mulanay, Quezon.

11. On April 28, Rodrigo Buajon, 56 years old, a poor farmer and married with 3 children was arrested in his house last April 28, 2020 and is still detained at the PNP Cordon police station due to the delay of court proceedings during the COVID-19 quarantine. The next day, On April 29, Virgilio Nievera Jr., 50 years old, married with 4 children and his brother Marlon Nievera, 37 years old, both poor farmers were arrested in a hut in Brgy. Capiripirvan, Cordon and are also detained at the PNP Cordon. Virgilio Nievera tills a 1-hectare cornland which was mortgaged to another farmer years back due to financial constraints. Meanwhile Marlon Nievera has already mortgaged his 1.5-hectare farm lot to be able to pay for his legal fees. Rodrigo and Virgilio were among the 16
farmers illegally charged with arson in 2002 related to their land dispute with the Roque- Villaluz landlord clan.

12. On May 4, Leoben Holeto, 19 years old, a farmer in Quezon province was arrested while on his way home after being discharged from a hospital in Lucena. He was on his way home to Lopez, Quezon after undergoing a successful appendectomy. However, Holeto, along with his mother, were barred from passing a military checkpoint manned by the 85th IBPA. Holeto was accused of being a member of the New People’s Army and was arrested and taken to a TESDA Training Center in Lucena where he was detained. A report from Karapatan Quezon also stated that Holeto and his mother were forced to cooperate, threatened with being charged of murder and rebellion.

13. On May 8, five (5) farmers were massacred in Bulan, Sorsogon. The farmers slain by state forces were identified as Jerie Vuno, Jerry Palanca, Robert Villafuerte, Raymundo Tañada, and Jaime Tañada residents of Dolos village in Bulan, Sorsogon province, 600 kilometres south of Manila. According to local reports, the victims were forcibly taken from their homes and executed at around 5 AM. The massacre was denied by authorities, who instead claimed that the farmers were rebels. However, reports say that it was the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) who arrived that day and summarily executed the residents including Robert Villafuerte, who according to locals, suffers from a mental health problem. The soldiers allegedly brought five (5) victims to the backyard where they were shot, with cadavers of the victims bearing marks of torture. The massacre was allegedly perpetrated by the 31st IB, 9th Special Action Force Battalion, Provincial Mobile Force Company of PNP Sorsogon and intelligence units.

14. On May 10, combined forces of the Philippine National Police (PNP), Special Weapons and Tactics (SWAT), Philippine Air Force, and Armed Forces of the Philippines’ 202nd Brigade arrested six farmers and leaders of local peasant organization in Brgy. Coral ni Lopez in Calaca, Batangas which was then under the Enhanced Community Quarantine (ECQ). The arrest transpired after successive raids in the village from 1 AM until 10 AM. According to reports, even households that were not included in the search warrant were raided with authorities raiding the residence of barangay’s secretary Virgilio Vidal while his children were sleeping. Victims were then made to lie down on their stomachs at gunpoint. The arresting team showed the search warrant only after the raid.

15. On May 26, Allan ‘Mano Boy’ Aguilandio, 42 years old and peasant leader of Northern Samar Small Farmers Association (NSSFA) was gunned down on the morning of May 26, in Barangay New Rizal, Catarman, Northern Samar by elements of the 43rd IB in an alleged encounter. According to KATUNGOD – Sinirangan Bisayas (KARAPATAN Eastern Visayas), the AFP tagged Aguilandio as a New People’s Army leader to justify his brutal killing.

16. On June 1, two (2) farmers and one minor were arrested by 803rd Infantry (Peacemaker) Brigade in Las Navas, Northern Samar. The victims were identified as farmers Carlos Baluyot and Alvinoc Lucapa and a minor named Jake Dela Cruz. Baluyot is the Chairman of the local peasant organization Alyansa san mga Parag-uma Kontra-Kagutom san Las Navasion (APKLAS), a local affiliate of the Northern Samar Small Farmers Association (NSSFA). The soldiers allegedly planted evidence on the apprehended victims before taking them to the Northern Samar Provincial Police Office.
17. On June 11, Gaspar Davao, local leader of the National Federation of Sugar Workers (NFSW) in Northern Negros was illegally arrested by police officers and subsequently trumped-up charges were filed against him.

18. On June 13, Elena “Lina” Tijano, program coordinator of Farmer’s Development Center (FARDEC), was forcibly taken from her house in Brgy. Kampiggonon, Bantayan, Cebu by 4 men and 2 women wearing masks and black clothes. Until today, her whereabouts are still unknown. Farmers organizations are calling to surface Tijano who has served as the head of FARDEC’s Sustainable Agriculture program for 17 years, providing water programs and legal services to farming communities.

19. On June 20 at around 7 PM, former peasant organizer and incumbent barangay kagawad Harold Tablazon, aka Bornok of Brgy. Agno and his colleague, Glenn Bunda of Brgy. Tabungan, an SK chairman, were gunned down by suspected state agents in Brgy. Mayang, Tabungan, Iloilo. Tablazon was active for years in the peasant organization Federation of Iloilo Farmers Association (FIFA), an affiliate of Pamanggas-KMP before workings as an installer of solar panels around Panay island together with Bunda. Thirty-two (32) 9mm empty shell bullets and six .45 caliber bullets were recovered from the crime scene. According to Tablazon’s family, the incident was related to the recent killing of PMSgt. Arnel Paurillo who was sentenced to death by the New People’s Army last June 15.

20. On June 22, at around 10 AM, combined elements of the 20th IBPA and Northern Samar Police Mobile Force Company strafed the house of farmer Zaldy Meraya in Barangay Bagacay, Palapag Northern Samar. Meraya along with his companion Bebe Tobino, were killed in the attack. Also injured in the attack were Meraya’s wife and two children including his daughter, Jolina Calot, a student of the University of Eastern Philippines and a member of the League of Filipino Students.

21. On June 23, agricultural worker and peasant leader, Jose Jerry Catalogo was killed by suspected state agents while he was feeding his carabao at 5 AM. Prior to the incident, he reported being followed by unidentified individuals. Catalogo is an officer of the local farmers’ association under the National Federation of Sugar Workers (NFSW).

22. On June 24, at around 6:45 PM, men on motorcycle shot dead Elder Moina, 57 years old, barangay treasurer of Brgy. San Isidro, Jovellar, Albay. A few minutes after, at around 7 PM, men riding-in-tandem shot dead Jose Arthur Clemente, 41 years old, who served as a barangay kagawad. Both Moina and Clemente were members of peasant group Organisasyon ng Magsasaka sa Albay (OMA). Before the incident, Clemente received death threats through his mobile phone.

WHEREAS, it is imperative for members of Congress, as representatives of our people, to defend the rights of our people and check on excesses and violations committed against them. Laws and rules should serve the interest of our people and abuses against it should be held to account. Congress is duty-bound to conduct investigations to be able to uphold justice and protect the people against abuses especially during extraordinary times such as the COVID-19 pandemic.

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, that the Committee on Human Rights conduct an inquiry, in aid of legislation, on the Extrajudicial Killings and Human Rights Violations Against Farmers During the Community Quarantine.
Approved,

REP. EUPHEMIA C. CULLAMAT
Bayan Muna Partylist

REP. CARLOS ISAGANI T. ZARATE
Bayan Muna Partylist

REP. ARLENE D. BROSAS
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REP. FERNANDO R. GAITE
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