



PERMANENT MISSION OF THE REPUBLIC OF THE PHILIPPINES
TO THE UNITED NATIONS AND OTHER INTERNATIONAL
ORGANIZATIONS, GENEVA

NV-EPG-465-2020

The Permanent Mission of the Republic of the Philippines to the United Nations and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (Attn: Special Procedures Branch) and, with reference to SPMH joint communication UA PHL 2/2018 dated 26 February 2018 on the alleged extra-judicial killing of 28 individuals purportedly in the context of the counter-insurgency operations, has the honor to enclose the response from the Philippine government.

In its response, **the Philippine government establishes that there were no extrajudicial or arbitrary killings or enforced disappearances committed by military personnel**, and that there are strong indications that the killings of many of the victims were perpetrated by the New People's Army, the armed wing of the Communist Party of the Philippines (CPP), altogether referred to as the CPP-NPA, a listed terrorist organization by European Union, United States, United Kingdom, Australia, Canada, and New Zealand.

As a background on the political context in the Philippines, particularly with regard to the activities of the armed non-state actor and terrorist organization CPP-NPA-NDF in exploiting human rights issues and co-opting human rights and democratic platforms in advancing its violent political agenda, the Philippine government invites the attention of the concerned Special Procedures mandate holders to Section 3 (Political Context) of the Philippine Human Rights Situationer.¹

Section 7 (Agrarian Reform/ Protection of the Rights of Farmers) of the said Situationer provides detailed information on the background as well as government efforts with respect to farmers/ peasants. This context is useful in examining allegations being presented against the Philippines, particularly on alleged killings of farmers/peasants and environmental human rights defenders by state actors. Such allegations merit proper examination taking into account the political motivation of the sources, the country's long agrarian reform history, and the centrality of the Philippine peasantry and the countryside in the CPP-NPA-NDF's armed struggle.

The Permanent Mission of the Philippines requests the assistance of the OHCHR Special Procedures Branch in publishing the Philippine Government's response on to the SPMH communications website.

The Permanent Mission of the Republic of the Philippines to the United Nations and other International Organizations in Geneva avails itself of the opportunity to renew to the Office of the United Nations High Commissioner for Human Rights (Attn: Special Procedures Branch) the assurances of its highest consideration.

Geneva, 16 November 2020

OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS
(Attn: Special Procedures Branch)

Palais Wilson
52 Rue de Paquis
CH-1201 Geneva, Switzerland



Enclosure: The Philippine Government's Response to UA PHL 2/2018 dated 26 February 2020

¹ <https://www.officialgazette.gov.ph/downloads/2020/06jun/20200609-PH-Human-Rights-Situationer.pdf>

The Philippine Government's Response to SPMH Joint Communication UA PHL 2/2018 dated 26 February 2018 on information received concerning alleged extrajudicial or arbitrary killings of 28 individuals and the attempted killing of at least one other person, allegedly in the context of the intensifying counter-insurgency operations.

The Special Procedures' Joint Communication UA PHL 2/2018 cited information it received on the alleged extrajudicial or arbitrary killings of 28 individuals purportedly in the context of counter-insurgency operations.

The Philippine government provides herewith the facts of the case concerning 22 individuals based on reports from the Philippine Army. **The Philippine government establishes that there were no extrajudicial or arbitrary killings or enforced disappearances committed by military personnel**, and that there are strong indications that the killings of many of the victims were perpetrated by the New People's Army, the armed wing of the Communist Party of the Philippines (CPP), altogether referred to as the CPP-NPA, a listed terrorist organization by European Union, United States, United Kingdom, Australia, Canada, and New Zealand.

While the Philippine government appreciates the opportunity to be able to respond to the allegations and clarify the facts of the cases, it also expresses its serious concern over the hasty conclusion being established in the Joint Communication that the killings of the individuals were perpetrated by the Armed Forces, "paramilitaries", and individuals linked to the army. Even without the benefit of the response from the Philippine government, this conclusion would have been hasty and leading, at best, considering that the same Joint Communication initially identifies the alleged perpetrators of 17 of 27 killings to be "unknown."

As a background on the political context in the Philippines, particularly with regard to the activities of the armed non-state actor and terrorist organization CPP-NPA-NDF in exploiting human rights issues and co-opting human rights and democratic platforms towards advancing its violent political agenda, the Philippine government invites the attention of the concerned Special Procedures mandate holders to Section 3 of the Philippine Human Rights Situationer.¹

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It must be emphasized that consistent with its ideology, the CPP-NPA-NDF maintains the role of the peasantry in the CPP's armed revolution, with its leader Jose Maria Sison convinced that the revolution must be waged from the countryside, owing to the agricultural nature of the Philippines.

The agrarian sector is salient in the armed struggle. The CPP-NPA-NDF for a long time has been preying on the vulnerability of Filipino farmers in remote and disadvantaged communities in the Philippines and has been exploiting this sector in pursuit of its violent political agenda.

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This situation above all highlights the duty of the State to complete the unfinished business of the agrarian reform to better anchor the future of tens of millions of Filipino farmers and their families, to uphold enduring social justice in the countryside, and to meet the challenge of ensuring the resilience of these communities to conflict and the machinations and duplicity of the CPP-NPA-NDF.

I. RESPONSE ON THE CASES OF 22 INDIVIDUALS

1. NADAL, Danilo

Resident of Barangay Tibagun, Pantukan, Compostela Valley. Member of Hugpong sa mga Mag-uugma sa Pantukan (HUMAPAN).

Alleged perpetrators per UA PHL 2/2018: Members of the 46th Infantry Battalion-Philippine Army.

Per Report of the 46th Infantry Battalion (IB), 8th Infantry Division (ID) of the Philippine Army dated 3 February 2018, the unit denies involvement of its troops. The killing of the victim by the Special Partisan Unit (SPARU) of the New People's Army (NPA) was in connection with the arrest of ██████████², former Commanding Officer of the NPA's Southern Mindanao Regional Command, wherein the victim was the former's driver. The victim might have been suspected as military asset who gave information for the arrest of ██████████.

2. TIMBOCO, Roger @TITING

Resident of Barangay Calabcab, Maco, Compostela Valley. Member of Kahugpungan sa mga Maguugma sa Maco ComVal (KAMMAO).

Alleged perpetrators per UA PHL 2/2018: Unknown.

Per Report from Mawab, Compostela Valley Municipal Police Station dated 23 August 2017, the CCTV could not establish the identity of the perpetrators due to deliberate concealment.

Per report from 46th Infantry Battalion (IB), 8th Infantry Division (ID) of the Philippine Army dated 3 February 2018, the unit denies involvement of the troops. The killing of the victim by the NPA's SPARU was in connection with the arrest of ██████████, former NPA Commanding Officer of the Southern Mindanao Regional Command, wherein the victim might have been suspected as military asset who gave information for the arrest of ██████████.

3. PUREZA, Elias

Resident of Barangay Mamangan, San Isidro, Davao Oriental. Member of Farmer's Association in San Isidro (FASI).

Alleged perpetrators per UA PHL 2/2018: Unknown.

Per Report from 60IB, 8ID of the Philippine Army dated 10 April 2017 the unit denies involvement of the troops.

² @= alias

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4. RIPDOS, Bernardo

Resident of Barangay Sangab, Maco, Compostela Valley. Member of Kahugpungan sa mga Mag-uuma sa Maco Compostela Valley (KAMAO).
Alleged perpetrators per UA PHL 2/2018: Unknown.

Per report from 46IB, 8ID of the Philippine Army dated 5 February 2018, the unit denies involvement of the troops. Maco Municipal Police Station report dated 10 April 2017 stated that the victim might have been suspected as government asset by the armed group, NPA, as revealed by the village captain during their conduct of the investigation.

5. PLAZA, Federico

Resident of Barangay Poblacion, Maragusan, Compostela Valley. Partner of Hugpong sa Mag-uuma sa Walog Compostela (HUMAWAC), a provincial chapter of the Kilusang Magbubukid ng Pilipinas (KMP).
Alleged perpetrators per UA PHL 2/2018: Unknown.

Per report from 66IB, 10ID of the Philippine Army dated 27 January 2018, the killing of the victim who was a Barangay Councilor in the area by the New People's Army might have been due to the delivery of basic services and programs of the government. Barangay Mahayhay is one of the targets for the delivery of government's basic services. The NPA is intent on sowing fear among other local government unit officials to prevent the entry of basic services in the area.

6. DAGAHUYA JR., Rodolfo

Resident of Barangay Dominga, Calinan District, Davao City. Member of Dominga Farmers' Association.
Alleged perpetrators per UA PHL 2/2018: Members of the military.

Per report from 31IB, 7ID of the Philippine Army dated 3 February 2018, the victim died during an encounter with personnel of the Special Operations Command. The unit was not aware of any bombing incident that affected residents.

7. CABEZA, Jessie

Resident of Barangay Mascareg, Mabini, Compostela Valley. Member of Mag-uuma sa Mabini (HUMABIN).
Alleged perpetrators per UA PHL 2/2018: Unknown/ Members of the 46th Infantry Battalion-Philippine Army had been camping in a hill nearby his residence.

Per report from 46IB, 8ID of the Philippine Army, the unit denies any involvement of the troops.

8. ALYAWAN, Eddie

Resident of Barangay Pindasan, Mabini, Compostela Valley. Member of Panalipdan Youth.
Alleged perpetrators per UA PHL 2/2018: Members of the 46th Infantry Battalion-Philippine Army.

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Per report from 46IB, 8ID of the Philippine Army dated 3 February 2018, the unit denies any involvement of the troops. The victim had a good standing in the community but had a semblance to ██████████ who had earlier been warned by the NPA. The victim might have been a victim of mistaken identity by the NPA.

9. ARRABIS, Jezreel

10. ARRABIS, Dalia

Residents of Barangay Tamayong, Calinan District, Davao City. Members of Farmers Association in Davao City (FADC).

Alleged perpetrators per UA PHL 2/2018: Members of the 84th and 3rd Infantry Battalion-Philippine Army.

Per report from 3IB, 7ID of the Philippine Army based in Barangay Malagos, Baguio District, Davao City dated 5 September 2017, Mr. Arrabis, a barangay police of said barangay and his wife Ms. Arrabis, were shot to death by unidentified perpetrators. Per investigation conducted, the victim was identified as former NPA contact and food courier known as "Susing Masa". The victim's loyalty was allegedly questioned by the NPA when ██████████ surrendered to the government. It is likely that the victim was killed through the order of ██████████, Commanding Officer of PBC3 of the NPA who had once misunderstanding with ██████████ before his surrender.

11. BAY-AO, Obello

Resident of Barangay Palma Gil, Talaingod, Davao del Norte. A former student of the Salogpongan Ta Tanu Igkanogon Community Learning Center (Salugpungan).

Alleged perpetrators per UA PHL 2/2018: One member of Citizen Armed Force Geographical Unit (CAFGU).

It was alleged that Mr. Bay-ao was killed by on 5 September 2017 in Talaingod, Davao del Norte by ██████████ of the Citizen Armed Forces Geographical Unit (CAFGU). Per certification from Delta Company, 72IB, 10ID, of the Philippine Army, the alleged perpetrator Mr. ██████████ is not a member of the CAFGU nor in any way connected to the Delta Company of the Philippine Army.

12. ARADO, Carolina

Resident of Barangay Mascareg, Mabini, Compostela Valley. Member of Hugpong sa mga Mag-uuma sa Mabini (HUMABIN).

Alleged perpetrators per UA PHL 2/2018: Members of the 46th Infantry Battalion-Philippine Army.

Per report from 46IB, 8ID of the Philippine Army dated 3 February 2018, the suspects might have been victims of extortion activities of a certain ██████████) who is the head of the Militia ng Bayan operating in the area. The issue is also used to pull out Community Support Program troops in the area in order for the NPA to control and influence the mass base.

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13. TECSON, Alberto

Resident of Barangay Bulado, Guihulngan, Negros Oriental. Member of Nagkahiusang Mag-uuma ug Mangingisda sa Bulado (NAMABU).

Alleged perpetrators per UA PHL 2/2018: Unknown/ members of the military were looking for him prior to his death.

Per report from Central Command of the AFP dated 22 March 2018, the unit denies any involvement of its troops. Initial investigation disclosed that the victim was shot to death by five (5) unidentified suspects on 24 July 2017 at Barangay Bulado, Guihulngan City, Negros Oriental. The Philippine National Police in Guihulngan recovered three fired cartridges of caliber .45 and one slug of the same caliber.

14. ASILDO JR., Oscar

Resident of Barangay Poblacion, Guihulngan, Negros Oriental. Member of Bayan Muna in Guihulngan.

Alleged perpetrators per UA PHL 2/2018: Unknown.

Per report from Central Command of the AFP dated 22 March 2018, the unit denies any involvement of its troops. The victim was an Administrative Assistant III of the Department of Education, Division of Gulhulngan City, Negros Oriental. Initial investigation yielded that while the victim was going outside and walking towards his Nissan Frontier parked beside the school, with no apparent reason the suspect shot the victim several times. The two (2) unidentified assailants immediately rode on a car without plate number and fled away while the victim was rushed to Governor William Billy Villegas Memorial Hospital but was declared dead on arrival by the attending physician. Recovered from the crime scene were 10 empty shells of caliber .45 and 3 slugs of the same caliber.

15. YAC, Luciano Luardo

Resident of Barangay Poblacion, Guihulngan, Negros Oriental. Member of Kapanungan Alang sa Ugma sa Gagmayng Maguuma sa Oriental Negros (KAUGMAON).

Alleged perpetrators per UA PHL 2/2018: Unknown.

The victim while on board his Rusi motorcycle without plate number was shot to death by three (3) riding in tandem using Raider color black, XR color red and XRM motorcycles, wearing bonnets and helmets on 7 September 2017 at Barangay Lo-oc, Sibuan, Negros Oriental. Immediately, one team from Sibulan Philippine National Police conducted thorough investigation regarding the shooting incident at the said place.

16. BADAYOS, Elisa:

17. ELEUTERIO, Moises;

18. MATARLO, Carmen (Attempted killing)

Badayos- coordinator of Karapatan in Negros Oriental Province; Eleuterio- member of Mantapi Ebwan Farmers Association; Matarlo- provincial coordinator of Kabataan Youth in Cebu.

Alleged perpetrators per UA PHL 2/2018: Unknown.

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Per report of 303rd Brigade, 3ID of the Philippine Army, the shooting incident transpired at Sitio San Ramon, Barangay Poblacion Bayawan City, Negros Oriental. Before the incident, victims had visited the Office of the City Mayor and the Police Station of Bayawan to coordinate a proposed dialogue with residents in Sitio Mantapi and Sitio Ebwan, Barangay Nangka, Bayawan City.

They were riding in a *habal-habal* motorcycle going to Barangay Nangka. Suspects riding in two motorcycles overtook the *habal-habal* motorcycle and shot the victims in different parts of their bodies. Ms. Bayados and Mr. Mahinay were declared dead on arrival while Mr. Matarlo was referred to the hospital of Dumaguete for medical attention. Initial investigation conducted by the Bayawan City Philippine National Police revealed that said victims were all members of Karaptan, a known front organization of the CPP-NPA-NDF.

19. CATAMPUNGAN, Meliton Villagorda

Resident of Barangay Ouano, Alegria, Surigao del Norte. Chairperson of the Nagkahiusang Mag-uuma sa Surigao del Norte (NAMASUN)- KMP.
Alleged perpetrators per UA PHL 2/2018: Unknown.

Per report from 403rd Brigade, 4ID, of the Philippine Army dated 2 February 2018, the unit denies any involvement of the troops. Based on the victim's relatives, the motive behind the killing might have been related to the land dispute which he facilitated as the NAMASUN (Nakahiusang Mag-uuma sa Surigao del Norte) Chairperson and for which he had received threats from the other party.

20. MARATAS, Silvestre

Resident of San Miguel, Surigao. Vice-Chairperson of Kapunongan sa mga Mag-uuma sa Surigao del Sur (KAMASS-KMP).
Alleged perpetrators per UA PHL 2/2018: Unknown/ previously members of the military allegedly threatened and harassed Mr. Maratas.

Per report from the Special Operations Command of the Philippine Army dated 4 February 2018, the unit denies any involvement of the troops. The victim was a collector of the NPA's "revolutionary tax" extortion money in the area which might be one of the reasons for his killing for the belief or suspicion by the NPA that the collected money was not remitted to the NPA. The victim has a warrant of arrest for attempted murder per San Miguel Police Station, Surigao del Sur.

21. CASALLA, Lito

Resident of Balayan, Batangas Province. Member of Task Force Baha Talibayog (TFBT) and Samahan ng Magbubukid sa Batangas (SAMBAT).
Alleged perpetrators per UA PHL 2/2018: Unknown.

Per report from 710th Special Operations Wing, Colonel Ernesto Ravina Air Base, Crow Valley Military Reservation, Sta. Juliana, Capas, Tarlac dated 3 June 2017, the unit denies any involvement of the troops. The victim sustained gunshot wounds on different parts of the

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body. He was rushed to the hospital and declared dead on arrival. The motive behind the killing might have been related to a land dispute.

22. LATUAN, Ande

Resident of Cabanglasan, Bukidnon. Member of Pigyayungan Indigenous Tribal Association. Alleged perpetrators per UA PHL 2/2018: Alamara "paramilitary group"

Per report from 403rd Brigade, 11D of the Philippine Army dated 2 February 2018, cases were already filed before the Office of the Provincial Prosecutor in Malaybalay, Bukidnon against the perpetrators namely [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED], all residents of Barangay Canangaan, Cabanglasan, Bukidnon. #

II. ENSURING THE PROTECTION OF THE RIGHTS OF FARMERS/ PEASANTS

With nearly half of the country's total land area of 300,000 square kilometers being classified as agricultural. The equitable and sustainable development of this sector is one of the pillars of the government's development agenda.

Fundamental to this is the completion of the Philippines' Comprehensive Agrarian Reform Program (CARP), a radical and encompassing program redistributing land ownership to landless peasants and farmers. The Duterte administration has aggressively pursued this program and is fully committed to hastening the allocation of lands in the remaining years of the administration.

This program is key to realizing inclusive development and economic empowerment of tens of millions of Filipino farmers and their families, but also in addressing agrarian issues and landlessness, the last remaining drivers of insurgency in the Philippines.

History of the Philippine agrarian reform

Agrarian reform spans a long history extending back to the Spanish colonial period (1521 to 1898) where the feudal-like political system "*encomienda*" gave rise to class struggles, rural unrests, and stark inequalities particularly in the Philippine countryside. Under the system, vast tracts of lands were distributed as rewards to conquerors and friars, among others, who were further entitled to extract labor and tribute from the indigenous/ local population. The American colonial period (1898 to 1946) introduced legislations on the homestead system and the registration of land titles under the Torrens system.

From the commonwealth period to the new Philippine republic, efforts to redistribute land ownership to landless peasants and agricultural workers were consistently pursued across political administration. Recognizing the necessity of agrarian reform for rural development and poverty alleviation, measures and programs were pursued in the areas of addressing social justice issues attendant to land reform, land tenure improvement, support services for farmers (e.g. credit assistance), infrastructure projects, agrarian justice, among others.

In 1988, the Comprehensive Agrarian Reform Program (CARP) was created through Republic Act no. 6657 as a national program *for* poverty alleviation, ensuring food security, and empowering people. It provides for *the just* and equitable distribution of agricultural

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lands, paying due regard to the welfare of the landless farmers and farmworkers. Under CARP, measures were pursued with a view to ending long-standing conflicts regarding land ownership, including: Land Tenure Improvement, Land Acquisition and Distribution, Leasehold Operations, Program Beneficiaries Development, Agrarian Justice Delivery, Agrarian Legal Assistance, Adjudication of Cases, among others.

CARP, which has subjected all private and public agricultural lands to agrarian reform with very few exemptions, is considered as the most radical and comprehensive agrarian reform measure in the Philippines to-date. Under the agrarian reform program, the government is mandated to distribute to landless farmers 5.33 million hectares of agrarian land. From 1972 to June 2016, the government distributed 4.72 million hectares under the Land Acquisition and Distribution program to 2.79 million agrarian reform beneficiaries. As of July 2016, 613,327 hectares remained for distribution.

The implementation of CARP across the years has benefited a significant portion of the rural population. Studies on the impact of CARP which had been undertaken with support from the UNDP, Asian Development Bank, Food and Agriculture Organization, and the European Union, among others cited positive findings including: significant increase in owner cultivatorship, significant decline in share tenancy leaseholding, improvement in the economic and social conditions of beneficiaries, improvement in the living conditions of rural households, increase in per capita incomes, and decline in poverty incidence. Various studies also affirmed the contribution of the agrarian reform to the reduction of social conflicts and promotion of peace and order in the areas studied.

Programs on agrarian reform are also pursued with international partners including under the Italian Assistance to the Agrarian Reform Community Development Support Program (IARCDSP) and Japan's Mindanao Sustainable Agrarian and Agriculture Development Project (MINSAAD), among others.

Accelerated agrarian reform under the Duterte administration

The administration of President Duterte is deeply conscious that much of the administration's success in ending the 51-year communist insurgency rests on the government's ability to address persistent issues on agrarian reform based on a social justice agenda.

In this context, allegations of State-sponsored killings of farmers do not provide any credible motive to State in whose every interest has it been to provide redress to agrarian reform grievance.

In his Mid-Term Report, the President highlighted his administration's political will to fully implement CARP notwithstanding the interests of the landed elite. CPP-NPA-NDF has seen the government's distribution of lands and delivery of services, including the aggressive grant of land ownership certificates to rebel surrenderers/ returnees particularly in insurgency hotspots, as a threat that would render insignificant their call to arms in the countryside.

Under the Philippine Development Plan (PDP) 2017-2022, the agrarian reform agenda features as a priority in the pursuit of inequality-reducing transformation or *pagbabago*. The PDP provides for the fast-tracking of resolution of agrarian-related cases and ensuring and protecting the land tenure security of agrarian reform beneficiaries.

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Upon his assumption of office, the President directed the launch the second phase of agrarian reform where landless farmers would be awarded with undistributed lands under CARP. To strengthen accountability, an anti-corruption task force was created to investigate and handle reports on alleged anomalous activities by government officials with jurisdiction over the agrarian reform program. With a firm directive from the President, the Department of Agrarian Reform ensures the implementation of a zero-backlog policy in the resolution of cases in relation to agrarian justice delivery to fast-track the implementation of CARP.

Following are some of the accomplishments of the administration in the last three years in the area of agrarian reform:

- **Executive Order no. 75** (February 2019)- mandated all government agencies to identify government-owned lands suitable for agriculture, including sugar and coconut lands, for distribution to qualified beneficiaries under the agrarian reform program.
- Distribution of **120,889** hectares to **77,275** agrarian reform beneficiaries
- Training of **1.71 million** agrarian reform beneficiaries
- Facilitated access to credit and microfinance services of **551,061** beneficiaries
- Assisted **494** agrarian reform beneficiary organizations with the distribution of agricultural machinery equipment and facilities for production, postharvest, irrigation, seedlings/ planting materials, farm animals, etc.

Terrorist challenge to advancing social justice in the countryside

In the past couple of years, allegations were made about the administration's "new war" against farmers and activists in Negros citing varying and unsubstantiated figures of casualties from 80 to 400 and even thousands. Sources of allegations include groups comprising of Karapatan, Kilusang Magbubukid ng Pilipinas (KMP), Unyon ng Manggagawa sa Agrikultura (UMA), Rural Missionaries of the Philippines (RMP), National Union of People's Lawyers (NUPL), Promotion for Church People's Response (PCPR), GABRIELA, Kabataan Party-list, among others. The role of these groups in the organizational history of the CPP is well-known, easily verifiable from the wealth of literature in open sources and is common knowledge among locals on the ground.

Where social justice serves as the government's key strategy in eliminating the scourge of insurgency and all relevant institutions of government strongly directed to address grievances of farmers on the ground, such allegation of state-sanctioned killing of farmers is unfounded if not implausible.

The situation in Negros Island reveals the deeply-vested interest of the CPP-NPA-NDF in preserving, if not creating, causes for public grievance. CPP-NPA-NDF armed operations rely on the continuous recruitment of members from the peasant sector. Land conflicts and agrarian issues are the remaining drivers of recruitment and the armed revolution of the CPP-NPA-NDF in pockets of the Philippine countryside.

To sow and perpetuate local conflicts and land disputes especially in the disadvantaged and remote communities is crucial to the existence of the CPP-NPA-NDF, especially with the progress in the successful and transformative

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implementation of the government's comprehensive agrarian reform and related programs.

The 2019 Global Terrorism Index where the Philippines was ranked among the top ten countries most impacted by terrorism, establishes the provinces of Negros Oriental and Negros Occidental as the hotspots of attacks and atrocities of the NPA. The Index cited:

*"In 2018, the NPA conducted attacks across 39 provinces. The group was most active in the provinces of **Negros Oriental** and **Negros Occidental**, causing 36 deaths collectively. NPA attacks on the **island of Negros** increased by 111 per cent since 2017, with a surge in violence attributed to land rights issues. Approximately 53 per cent of NPA attacks on the **island of Negros** were against police, military and government targets... Attacks on government targets increased by 45 per cent between 2017 and 2018, causing 139 deaths. This was primarily driven by an 83 per cent increase in NPA attacks on government targets, mainly in **Negros Oriental**."*

CPP-NPA-NDF's main activities in the rural communities is the implementation of its program called Agrarian Revolution or AGREV which is pursued mainly by the armed units of the NPA. AGREV encompasses a range of activities from land confiscation to forcible land occupation of both public and privately-owned land tracks.

Bungkalan and *Okupasyon* or "till and occupy" is the illegal and forced occupation of lands under AGREV. This is a nationwide campaign of the CPP-NPA-NDF among the farmers which put the farmers and farm workers in harm's way as they are forced to commit illegal acts and are put in direct confrontation with landowners.

Consistent with the government's determination to address the land-related drivers of insurgency, President Duterte had been visiting many areas affected by CPP-NPA-NDF terrorist influence in recent years in order to distribute Certificates of Land Ownership Awards (CLOAs). In March 2019 in Sagay City, Negros Occidental, the President led the distribution of 3,423 CLOAs to 2,495 beneficiaries. The administration distributed over 1,600 hectares of private agricultural land in 8 cities and 11 municipalities in Negros Occidental. Negros Occidental is one of the provinces nationwide that covers vast private agricultural lands.

With social justice underpinning the administration's framework for ending communist insurgency, the Duterte administration is fully committed to hastening the allocation of lands in the remaining years of the administration.

While preliminary investigation on specific cases of killings involving farmers are ongoing, the Philippine government wishes to highlight that **the broader and deeper political and historical context of agrarian reform and CPP-NPA-NDF entrenchment in Negros and other provinces should be taken into consideration in assessing sweeping allegations of human rights violations involving farmers and environmental defenders.** There are attempts of the CPP-NPA-NDF to attribute to State the killings of farmers, but this does not reconcile with government actions of aggressive distribution of lands to address agrarian justice issues which in turn are delivering a blow on CPP-NPA-NDF's operations. The motivations of the sources of allegations should be properly examined in this light.

The Philippine Government's Response to SPMH Joint Communication UA PHL 2/2018 dated 26 February 2018 on information received concerning alleged extrajudicial or arbitrary killings of 28 individuals and the attempted killing of at least one other person, allegedly in the context of the intensifying counter-insurgency operations.

Recruitment of minors for armed conflict: Qualified cases of human trafficking vs. CPP-NPA-NDF personalities in Negros

The cities of Bacolod, La Carlota, and Bago, in Negros Occidental and Miagao in Iloilo, among others, have been registering significant number of reports/complaints from parents over the recruitment of their minor children for armed combat by the CPP-NPA-NDF. The rescued minors recounted how they were made to pledge to a red flag, a red book, and a gun as they underwent rigorous training on the CPP-NPA-NDF ideologies and to become organizers to recruit out-of-school youth to join the armed movement. Testaments of the victims referred to the complicity of the National Federation of Sugar Workers, Anakbayan, Bayan Muna, Kilusang Mangbubukid ng Pilipinas (KMP), among others, in the recruitment of minors for armed conflict.

Testimonies state that these groups recruited, harboured and transported the minor/children victims by way of deception, taking advantage of the vulnerability of the latter and by promising benefits for the exploitative purpose of using them for armed conflict. In February 2020, the Office of the City Prosecutor in Bacolod City, after judicious examination and assiduous evaluation of the evidence on record, found probable cause to indict six personalities for the crime of Qualified Trafficking in Persons, pursuant to Republic Act no. 10364, while dismissing the charge against four personalities for lack of probable cause.

A component of the CPP-NPA-NDF's youth-organizing curriculum teaches about inciting youth to hate the government toward gradually leading them to join combat. The long history of extortionism, deception, atrocities and terrorism by the CPP-NPA-NDF in Negros has already led many cities in the province to pass resolutions condemning and declaring the CPP-NPA as *persona non grata*. Among these cities are Escalante, San Carlos, La Carlota, and Bacolod City. Vigorous awareness-raising campaigns are being undertaken by many local governments and civil society organizations to prevent the recruitment of children and minors by the CPP-NPA-NDF for armed combat.#