



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

NV-EPG-10-2022

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 UN High Commissioner for Human Rights (Attention: Special Procedures Branch) and with reference to SPMH Joint Communication JAL PHL 5/2021 on alleged cyber-attacks against Bulatlat, Altermidya, and Karapatan, has the honor to convey the Philippine Government's response, as follows:

- 1) The Department of Science and Technology (DOST)- Advanced Science and Technology Institute informed Bulatlat and Altermidya that it had already furnished the Department of Information and Communications (DICT) with its Confidential Incident Report which will be a part of the overall thorough investigation of the DICT and that it was not in a position to discuss the details of the report pending the outcome of the official investigation by the DICT. DOST emphasized to Bulatlat and Altermidya that the DOST does not condone any illegal network activity which are against the mandate and principles of the Department. DOST Administrative Order no. 12 dated 25 November 2003, s. 2013 (DOST ICT Usage and Security Policy) under Section XII- Prohibited Acts and Uses of the ICT Resources provides the following:

b. The following uses and acts, discussed in the following paragraphs, are considered violations in the use of the DOST ICT facilities and resources:

- i. Uses contrary to laws, customs, mores and ethical behavior;*
- ii. Used for personal benefit, business, or partisan activities;*
- iii. Acts that damage the integrity, reliability, confidentiality, and efficiency of the ICT System;*
- iv. Acts that encroach on the rights of other users; and*
- v. Acts that violate privacy.*

- 2) The threat of cyber-crimes, computer hacking, and online predators was highlighted in 2016 as a consequence of the Bangladesh Bank cyber heist wherein computer hackers siphoned off an estimated USD 1 billion from the Federal Reserve Bank of New York and successfully transferred USD 81 million of the said amount to the Philippines. Acknowledging the possibility that such crimes within online platforms can also be harnessed to compromise the human rights landscape, the Philippine Government has endeavored to ensure a civic space that is resilient against online hacking and cyber-attacks.
- 3) The Philippines takes pride in an enabling and flourishing civic space that is home to 101,000 registered non-profit organizations operating under the protection of the State as duty-bearer of human rights. This space also includes 2,276 private media outlets (364 AM stations, 951 FM stations, 561 TV stations, and around 400 newspaper titles). The aforementioned thousands of civil society organizations and media outlets contribute diverse human rights perspectives.

- [REDACTED]
- 4) The State, in the spirit of inclusivity and in pursuit of the UN Joint Program on Human Rights, is currently engaging with marginalized and vulnerable non-aligned CSOs and human rights defenders (HRDs). An indication of the State's engagement with CSOs and HRDs in an enabling civic space is the roughly hundred CSOs and HRDs expressing their support for the Philippine Government and the UN Joint Program on Human Rights in the Philippines through the enclosed open letters/ communications addressed to UN High Commissioner for Human Rights Michelle Bachelet during the 48th Human Rights Council Session in September/ October 2021.
 - 5) The Philippine Government will always respect the varying views and perspectives expressed in all platforms, including dissenting voices: their freedom of expression shall always be protected, especially from such threats as online hacking and cyber-attacks. This is the State's commitment to further enable the flourishing civic space.
 - 6) Detailed information on the Philippine Government's efforts to further safeguard the Constitutionally-guaranteed media freedom including updates on convictions and status of the caseload of the Presidential Task Force on Media Security can be referred to in the [Philippine Human Rights Situationer](#)¹, specifically in Section V on Media Freedom.

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

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva provides the Office of the UN High Commissioner for Human Rights (Attention: Special Procedures Branch) the assurances of its highest consideration.

Geneva, 12 January 2022

OFFICE OF THE UN HIGH COMMISSIONER FOR HUMAN RIGHTS
Attention: SPECIAL PROCEDURES BRANCH

Human Rights Treaties Division

Palais Wilson

Rue des Pâquis 52

CH-1201 Geneva, Switzerland

E-mail : registry@ohchr.org, bbalbin@ohchr.org



Enclosure: Open letters/ communications from CSOs and human rights defenders in support of the Philippine Government.

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

September 9, 2021

Commissioner Michelle Bachelet
Office of the High Commissioner for Human Rights (OHCHR)
United Nations
Geneva, Switzerland

Dear Commissioner Bachelet:

Greetings from the Philippines!

We, associations of transport groups in Valenzuela City, in the Philippines, are writing to thank you for the UN-PHL Joint Program on Human Rights.

As ordinary drivers and operators, we are affected by the true situation in the streets of the Philippines.

Before the pandemic, our livelihood were largely affected by three things, which were: (1) illegal drugs and the (2) terrorists of the New People's Army (NPA) -both of which directly threaten the right to life, liberty, security of persons and property, and (3) corruption in the government

When Rodrigo Roa Duterte became our president, we are proud to say that the hardships connected to illegal drugs decreased because the drug pushers were being investigated and arrested. The corrupt officials, some of which were also enablers or coddlers of the drug pushers, became afraid because of the strong and decisive position on both drugs and corruption. The President has inspired the common Filipino to report such cases when before, the government did not listen and left ordinary citizens to endure these human rights threats like drug peddlers and the wayward policemen in cahoots with them.

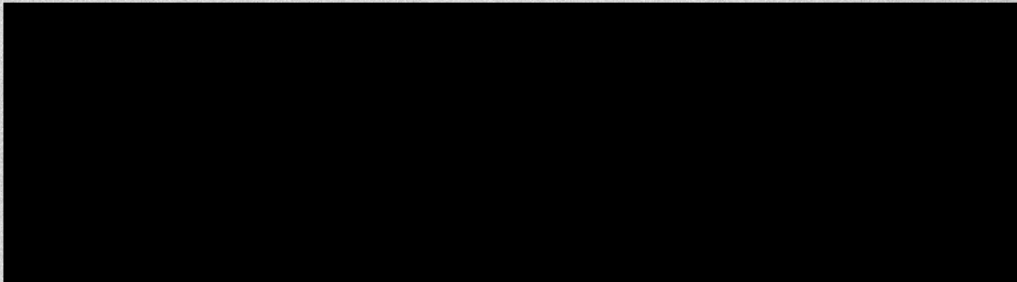
On top of this, the NPA, who would extort from us and gravely threaten us if we do not cooperate with them or give in to their demands, have also met their match in President Duterte through task force to end local communist conflict called the NTF-ELCAC, which has programs that include building and safeguarding schools, roads and developing smaller, poorer *barangays* so that the residents will have better quality of life and access to services.

We are grateful to the Duterte administration for making the streets and roads safer for us, which gives us peace of mind and helps our livelihoods. We are also grateful for its clear and strong stance against corruption, which restores our faith and gives us the confidence to believe we have allies in the government who truly care about our rights and wellbeing. Finally, we are glad to have a president who is brave enough to confront the decades-old problem that are the NPA and the Communist Party of the Philippines, the first to ever do so.

With the UN-PHL Joint Program, the Philippines will be better able to truly protect us, the citizens, and our human rights.

Thank you.

Very truly yours,



**OPEN LETTER RECOGNIZING THE UNITED NATIONS OFFICE OF THE
HIGH COMMISSIONER ON HUMAN RIGHTS AND THE PHL-UN JOINT
PROGRAM ON HUMAN RIGHTS**

Dear Honorable Commissioner Michelle Bachelet,

We are youth-centered organizations in the Philippines writing this letter to you as believers of the UN's mission to protect human rights, which has been a very controversial matter in our country in these past years.

We want to thank the UN for supporting the Philippines. We very much appreciate the UN-PHL Joint Program on Human Rights because the UN will be helping us improve how human rights are implemented here. We hold organizations like the UN in high regard because they have helped us discover our personal advocacies for the betterment of not only our individual selves, but also our country as a whole. We are inspired by the work that you do, and it saddens us that something that's supposed to be for the good of everyone like human rights has become such a polarizing topic among our peers and even our relatives.

With the COVID-19 pandemic, the welfare and safety of our families have become that much more important to us. We cannot imagine facing such hard times without them because they give us strength. We have also turned to social media to remain connected to our friends, but social media often terrifies us. We, the youth, are already anxious about our education and our future, but now we are also anxious about our loved ones getting hurt by groups like the New People's Army because we know now that terrorism is not all guns and bombs like what happened with [REDACTED]; that it can begin in spaces like our classrooms, and that minors like ourselves are usually targeted solely because our naiveté is exploitable.

It is through the government's anti-terrorism efforts, specifically the NTF-ELCAC's activities on social media, which we have come to know the truths about the NPA and their connection to advocacy groups, something that our elders have long shied away from because they say such things should not concern us.

When we watch tragic news about girls and boys around our age who have been recruited by the NPA, many of us understand that those minors could've easily been us. When we see videos of their crying parents, we are reminded that those heartbroken adults could've been our own parents. We do not want to see more of this news. We do not want more families destroyed. For these reasons, we must disagree that this matter should not concern us. Terrorism is something that has plagued generations before us, and we wish for nothing more but for it to end with ours.

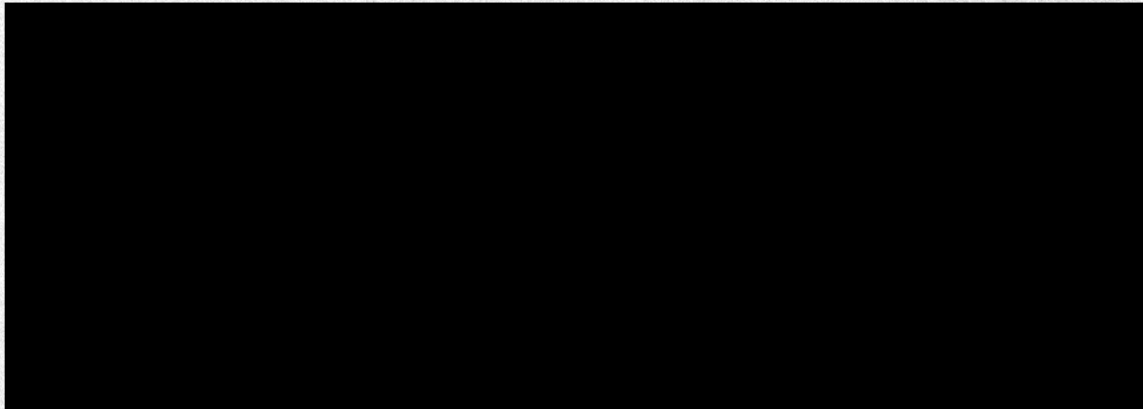
We are glad that we have a kind of government that pays attention to issues like this and listens to the worries of minors like us. We sincerely hope that the government is able to hold everyone who's brought so much suffering to my fellow Filipinos accountable. We wholeheartedly pray for the end of terrorism in our country and the whole world.

Once more, we thank the UN for supporting the Philippines, and we hope you remember Filipinos like us as a struggling but peace-loving people.

Thank you.

Respectfully,

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**Multi-Sectoral Declaration of Support for the United Nations-
Philippines Joint Program on Human Rights**

**Addressed to
Her Excellency Michelle Bachelet
UN High Commissioner for Human Rights**

15 September 2021

We are writing this letter to express our sincerest appreciation for your office's efforts to pursue the programs on human rights under the UN-PHL Joint Program. We truly recognize the efforts of the United Nations to further strengthen the Philippine government in the continued fulfillment of its international human rights obligations. This program is meaningful to us since it enhances the promotion and protection of human rights.

We commend the efforts of the government in protecting the right to life, liberty, security of persons and property in its anti-illegal drugs campaign. The strategies used by the government to reduce drug supply and demand are effective. Apart from that, there are treatment and rehabilitation efforts that are continually monitored. These efforts are not only to eradicate illegal drugs but also to help drug dependents to start a new life.

Despite the negative statements of certain groups against this campaign, many still believe that the government is doing its best for the safety of all citizens. Law enforcement agencies implement operations to address the problems of illegal drugs. The government also showed that they do not tolerate human rights violations as they prosecuted the killers of victim  and dismissed cops who committed abusive behavior.

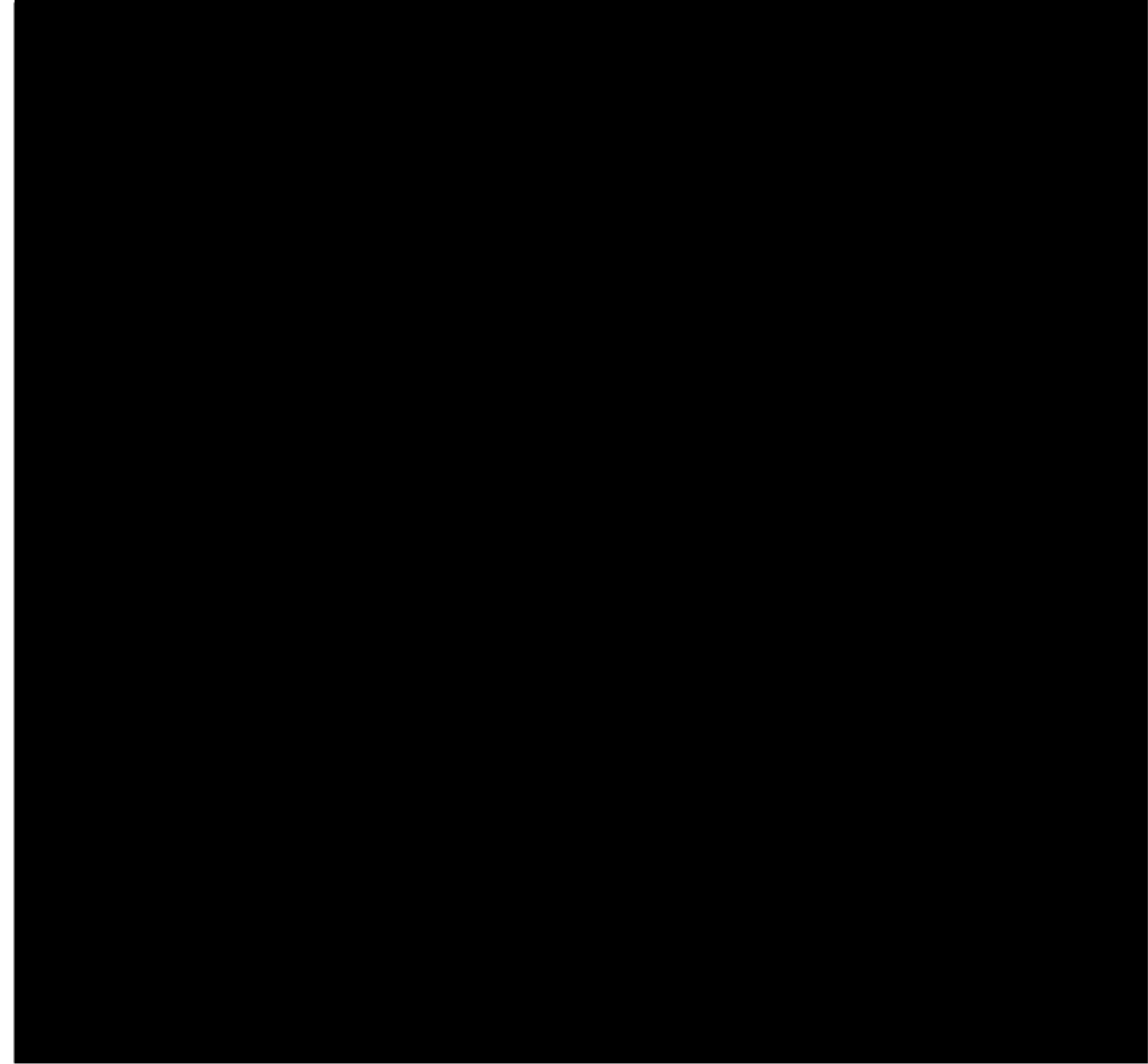
The outcomes of these efforts can be felt by citizens. Nowadays, Filipinos feel safer due to the positive effects of the anti-illegal drug campaign because activities involving illegal drugs are reduced by a great number. One of the programs is a drug abuse prevention program for the transport groups. This is helpful not only for groups like us, but it will ensure the safety of commuters by having drug-free transport personnel. This program also seeks to reduce vehicular accidents and promote safety on our streets. The anti-illegal drug campaign of the government resulted in safer communities nationwide.

We are optimistic about the partnership between the UN and the government. We believe that this partnership will strengthen the existing programs to address our concerns.

Thank you.



In unity with your advocacies, we are,



Commissioner Veronica Michelle Bachelet
Office of the High Commissioner for Human Rights
United Nations
Geneva, Switzerland

Madam:

This is to express our gratitude to the Office of the High Commissioner for Human Rights and the pursuit for the success of the UN-PHL Joint Program on Human Rights (UNJPHR).

We inform the Commissioner of the positive effects of the joint program in that it has stimulated interest of grassroots-based human rights defenders and other multi-sectoral cause-oriented groups such as ours to access civic space and try to participate in human rights discourse.

This joint program gives our marginalized sector hope as we have been the constant victim of one of the gravest, if not the most heinous threats to the human rights to life, liberty, security of persons and/ or property. Specifically, extortion and the numerous bus bombings that result in the killings of innocent civilians, passengers, women, children and transport operators perpetrated by the New People's Army/ Communist Party of the Philippines (NPA/ CPP) terror group.

The European Union (EU) renewed the terror designation of the NPA/ CPP through EU Council Implementing Regulation No. 138 on 5 February 2021 while the UN Secretary General's Report on Children in Armed Conflict dated 20 June 2019 (A/73/907-S/2019/509) identified the NPA as gravely violating the rights of children together with other groups like ISIS, Daesh and Al-Qaeda.

It is in this context that we report updates in the promotion and protection of the human rights to life, liberty, security of persons and property.

Inclusive multi-sectoral efforts that include human rights defenders and other civil society actors were instrumental in Government efforts that rescued more than 400 child combatants taken by the NPA/ CPP to a life of terrorism while thousands other surrenderees have been granted reintegration peace programs.

This development has resulted in multi-sectoral human rights defenders and civil society organizations composed of child combatants rescued from terrorism, parents and families of rescued child combatants, former NPA/ CPP members that have accessed Government reintegration peace programs, indigenous cultural communities and/or indigenous peoples as well as other human rights victims of terrorism that are accessing civic space to peacefully promote and protect human rights through relevant efforts, such as warning the general public of the identity of front organizations used by the NPA/ CPP to take, abduct or recruit children. Often, these front organizations are disguised as groups promoting lofty advocacies like human rights, climate change, etc.

Since the beginning of the UNJPHR, the killings have momentarily stopped until recently when the NPAs burned a bus full of civilian passengers in 3 June 2021 in Tacurong City Sultan Kudarat Province. The NPA/ CPP even posted internet videos of this showing them enjoying the act of burning and killing the trapped passengers inside the burning bus.

Within a few days, on 7 June 2021, the NPAs also used a roadside improvised explosive device on a trade unionist and a student youth varsity soccer player in the Province of Masbate, they were both summarily executed after the explosion.

CHALLENGES - EXCLUSIVITY IN HUMAN RIGHTS ADVOCACY

Based on our recent consultations with grassroots based human rights defenders and civil society actors regarding the UNJPHR, there is a widely-accepted perception that the current human rights landscape in the Philippines is dominated by a few dozen organizations out of the more than 100 thousand registered civil society organizations in the Philippines.

It cannot be avoided that grassroots based human rights defenders and civil society actors interpret the actions of the national human rights institution (NHRI) - the Commission on Human Rights (CHR) as favoritism and bias towards groups that have a long history of foreign funding, media attention and trendy websites. In short, human rights has been passed off as an issue of the affluent elites having contacts with CHR and/ or donor funding that allows them to connect.

We wish your Offices' consideration in acknowledging the existence and humble observations of grassroots-based human rights defenders and civil society actors such as ours in further matters relating to the human rights situation in the Philippines.

Wising you the best.

Sincerely yours,

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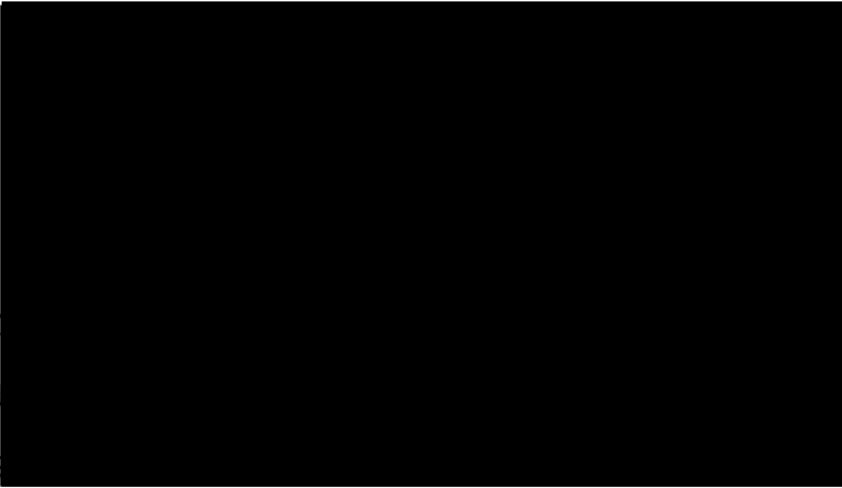
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Commissioner Michelle Bachelet

UN Office of the High Commissioner for Human Rights (OHCHR)
Palais des Nations
CH-1211 Geneva 10, Switzerland

Dear Commissioner Bachelet,

This is to recognize the efforts of the UN Office of the High Commissioner on Human Rights in the realization of the PH-UN Joint Program on Human Rights (UNJPHR).

The efforts of your office has stimulated the interest of a wider sector of Philippine society to participate in human rights discourse, sectors which in the past frowned upon human rights issues.

We recently observed the recent developments and challenges in the Philippines human rights landscape after the commencement of the UNJPHR, namely, human rights advocacies coming from the ranks of vulnerable and marginalized sectors such as former child combatants, families of disappeared child combatants, former NPA-CPP members (that include even those that were recruiters targeting child combatants) and the enabling civic space within which these human rights defenders are promoting and protecting human rights by identifying front organizations instrumental in radicalizing the minds of children, purveying extremist hate violence and/ or taking, abducting or recruiting children to the terror group.

Their advocacies and passion to prevent the abduction, taking and recruitment of children into a life of terrorism has resulted in the identification of front organizations that only recently, has been monopolizing human rights discourse in the Philippines. This advocacy has been vilified or judged to be red-tagging/ terror-tagging.

The general public in the Philippines does not take terrorism lightly as the Philippines as a whole has been a victim of terror with the ruins of Marawi City and the numerous summary executions such as the killing of trade unionist [REDACTED] and his student youth varsity soccer player cousin [REDACTED] his June 2021 as a constant reminder.

The Communist Party of the Philippines and the New People's Army (CPP-NPA) are terror groups designated by the United States of America through US State Department Executive Order (EO) no. 132244 and the European Union through Council Implementing Regulation No. 138 dated 5 February 2021

In the light of the UN Secretary General's Report on Children in Armed Conflict dated 20 June 2019 identifying the New People's Army (NPA) together with Daesh, ISIS and Al-Qaeda in the use of child combatants and the UNJPHR's concerns in anti-terror legislation, our organization would like to report the following:

1. The rescue of 404 child combatants from the hands of the CPP-NPA and the enabling civic space that allows for these former child combatants and families of other disappeared child combatants to promote and protect human rights by conveying messages that warn other children, the youth and families on front

[REDACTED]

organizations that recruit children on to terrorism through lofty advocacies such as human rights and climate change

2. The recent legislation of an anti-terror law that has pioneering human rights provisions inserted by human rights defenders that participated in its drafting that ensure the role of the National Human Rights Institution (the Commission on Human Rights) in its implementation and specifically declaring the legitimate practice of human rights advocacy as excluded in the definition of punishable acts under the law.

Confusion because of two disputing groups of human rights defenders inside civic space with conflicting claims on human rights

Our Civic space has been overly plural and democratic that it presents two disputing groups both alleging to promote and protect human rights, organization has the same perception of the general public in that:

1. The composition or membership within advocacy groups is a significant factor (if not the most significant factor) in the Philippines

It may be noted that groups that have been monopolizing human rights discourse in the Philippines for some time are being alleged as front organizations by a different set of groups within civic space while both groups assert that they are promoting and protecting human rights. Alleged front organizations for their part consistently exhibiting placards directly urging the youth to join the CPP-NPA terror group in protest rallies (*Sumapi sa NPA*¹) while at the same time displaying hate and extremism by imploring everyone to engage in a violent upheaval (*Digmaan Bayan*²). These groups are keen in representing themselves as activist/ protesters, human rights defenders or climate change warriors engaged in the peaceful practice of activism.

Another group of human rights defenders are composed of former members of the above organizations pushing back and calling them out as merely front organizations, they are supported by groups composed of former child combatants, organizations of families of disappeared child combatants who have not yet resurfaced and former NPA combatants who have since surrendered and are now advocating human rights and peace.

Philippine society observes these two disputing groups engaged in disputes inside civic space giving rise to allegations of red-tagging or terror-tagging, in cases where one group seeks to avoid accountability for abducting children as mentioned in the UN Secretary General's Report on Children in Armed Conflict.

2. NHRI -CHR favoritism towards celebrity civil society actors that have been dominating the human rights landscape in the Philippines and bias against victims and organizations that promote and protect the rights of child combatants and their parents/ families adds to a climate of impunity

¹ Join the NPA


² Wage National War

Family is one of the most relevant issues in Philippine society, some civil society actors would even declare that family issues take precedence over human rights. Organizations are identifying other front organizations taking, abducting and recruiting children from their families through extremist hate and violence while espousing climate change and human rights. Philippine society as a whole, especially grassroots organizations consider this as a direct attack on the sanctity of the Filipino family.

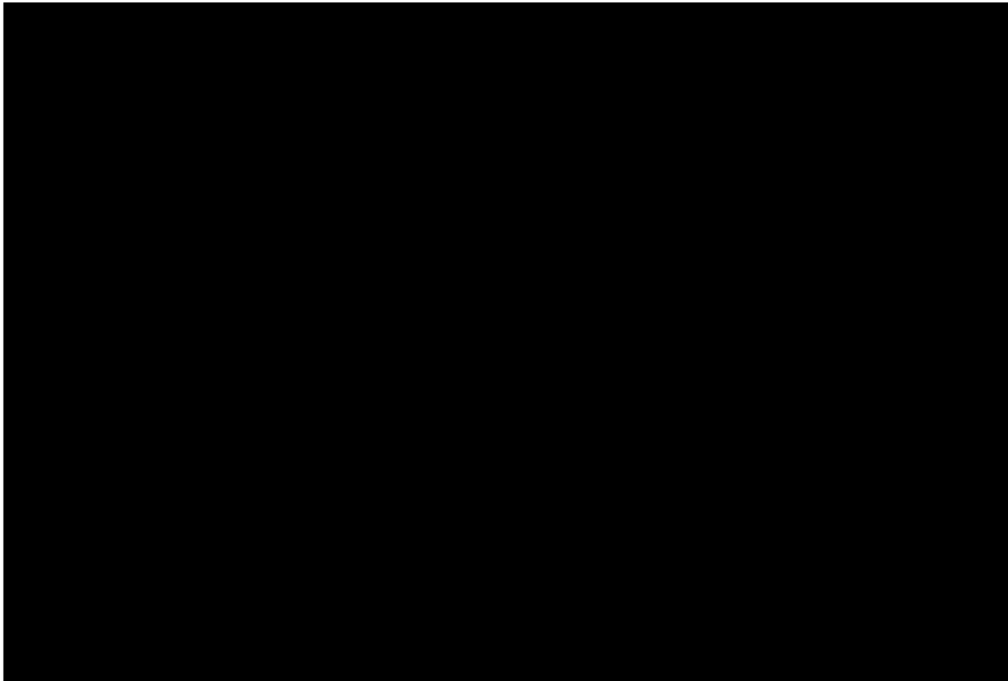
There are numerous human rights organizations protesting and advocating for the return of children taken by the CPP-NPA implicating front organizations that are currently monopolizing human rights discourse.

The CHR is seen as a downplaying the efforts of families and parents trying to recover children taken by the NPA terror group while displaying their closeness with front organizations already identified by rescued children and their families as responsible for their abduction and/or recruitment to the terror group, thus conveying a culture of impunity to favor terror groups that threaten human rights.

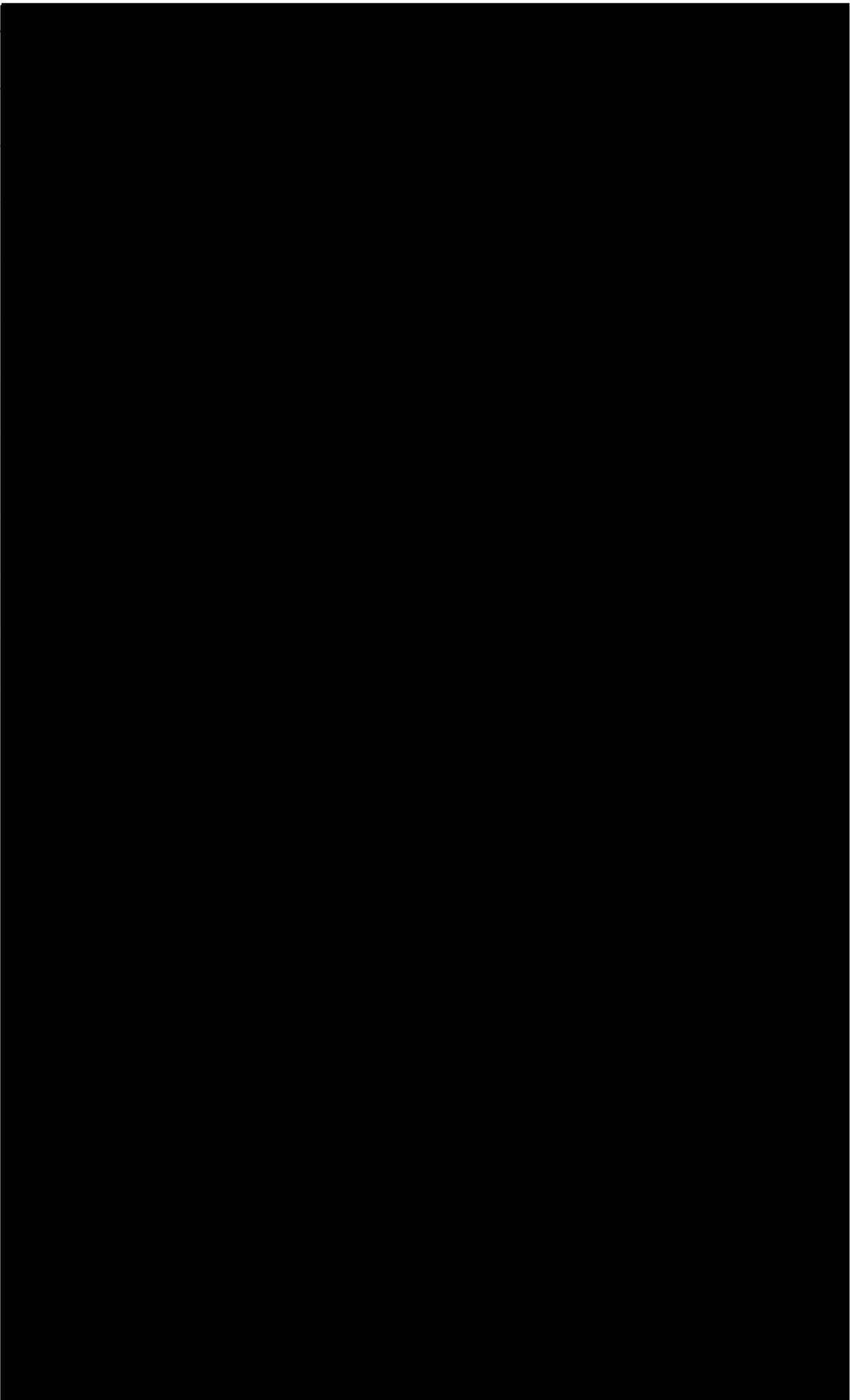
We notice that the other government mechanisms engaging marginalized and vulnerable civil society actors like child combatants and their parents/ families inside civic space and suggests for your office to urge the NHRI/ CHR to consider us in human rights discourse.

Hoping for the success of the UNJPHR. 

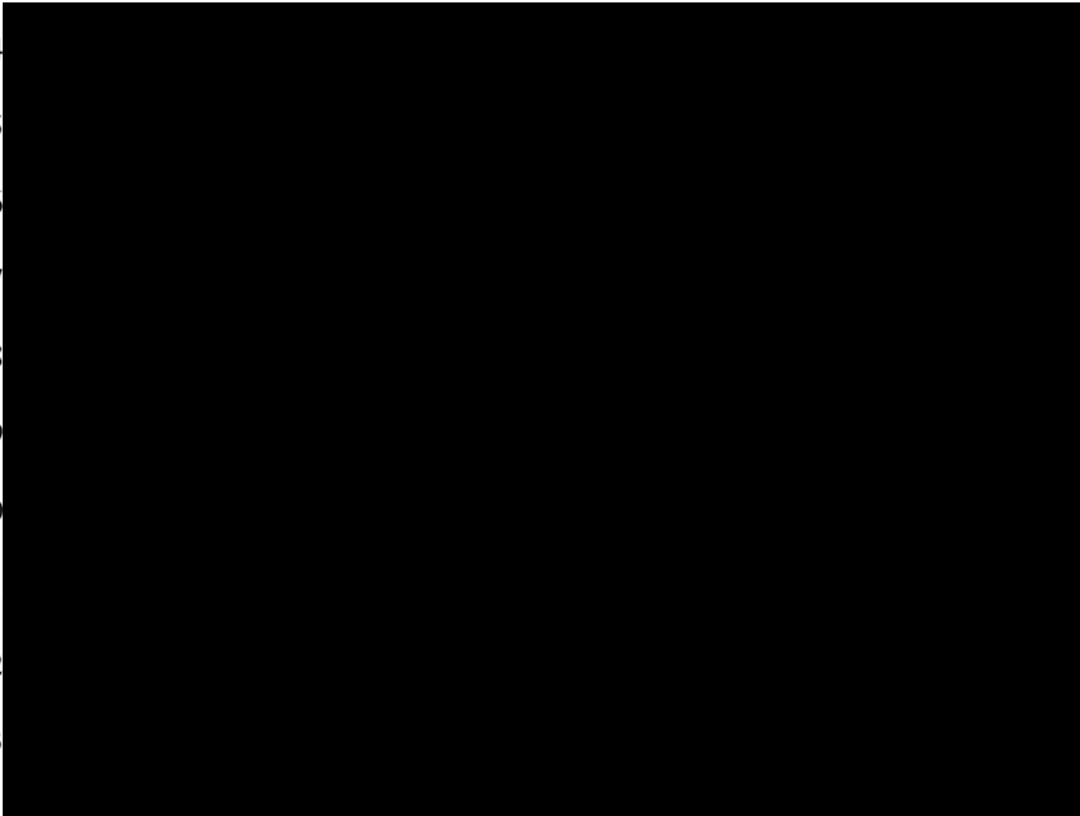
Warm regards,

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Commissioner Michelle Bachelet
Office of the High Commissioner for Human Rights (OHCHR)
United Nations
Geneva, Switzerland

Dear Commissioner 

Greetings from the Philippines!

We are a transport group writing to thank you for the UN-PHL Joint Program on Human Rights.

As *ordinary drivers and operators*, we are affected by the true situation in the streets of the Philippines.

Before the pandemic, our livelihood were largely affected by three things, which were: (1) illegal drugs and the (2) terrorists of the New People's Army (NPA) -both of which directly threaten the right to life, liberty, security of persons and property, and (3) corruption in the government

When Rodrigo Roa Duterte became our president, we are proud to say that the hardships connected to illegal drugs decreased because the drug pushers were being investigated and arrested. The corrupt officials, some of which were also enablers or coddlers of the drug pushers, became afraid because of the strong and decisive position on both drugs and corruption. The President has inspired the common Filipino to report such cases when before, the government did not listen and left ordinary citizens to endure these human rights threats like drug peddlers and the wayward policemen in cahoots with them.

On top of this, the NPA, who would extort from us and gravely threaten us if we do not cooperate with them or give in to their demands, have also met their match in President Duterte through task force to end local communist conflict called the NTF-ELCAC, which has programs that include building and safeguarding schools, roads and developing smaller, poorer *barangays* so that the residents will have better quality of life and access to services.

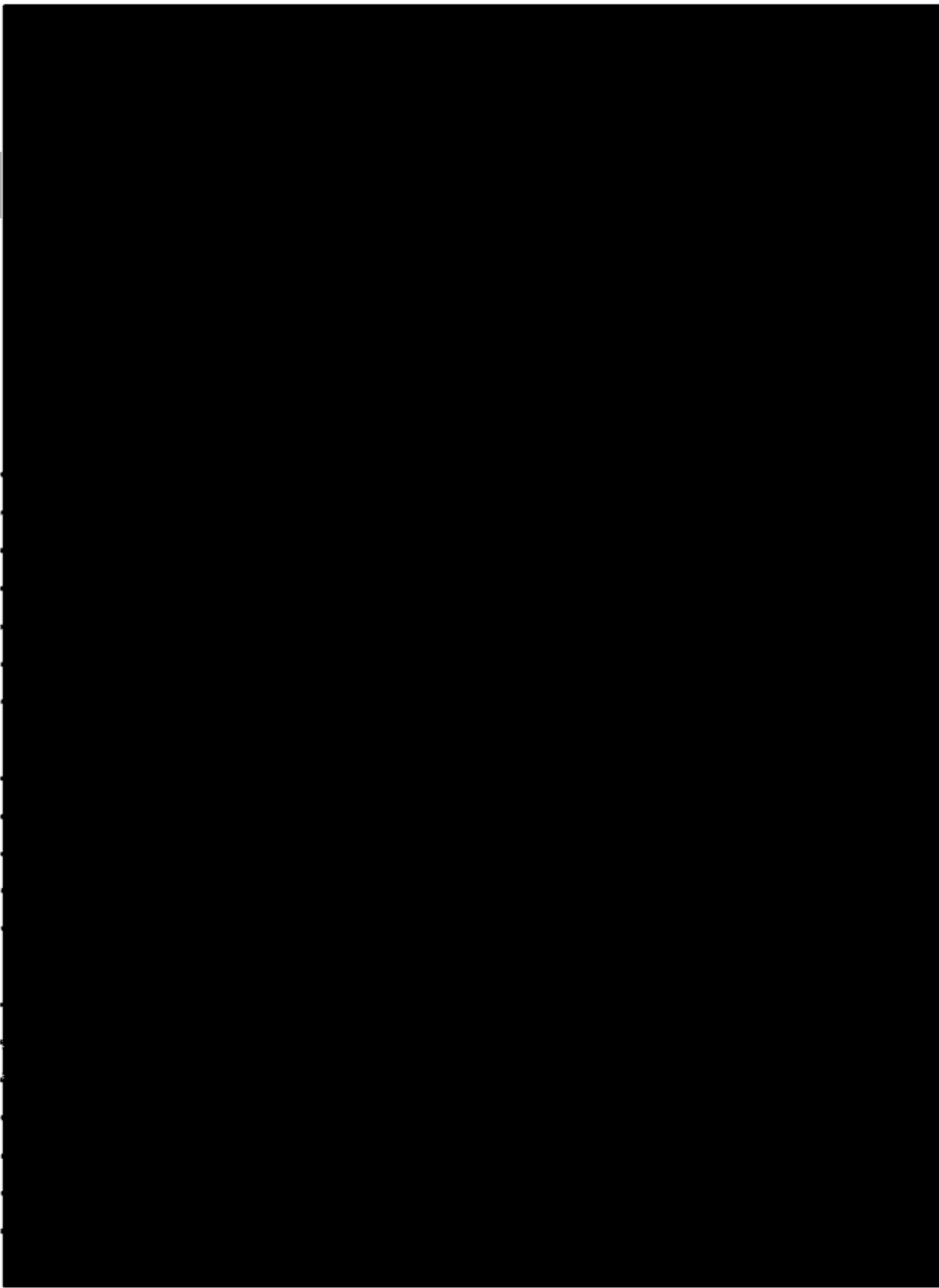
We are grateful to the Duterte administration for making the streets and roads safer for us, which gives us peace of mind and helps our livelihoods. We are also grateful for its clear and strong stance against corruption, which restores our faith and gives us the confidence to believe we have allies in the government who truly care about our rights and wellbeing. Finally, we are glad to have a president who's brave enough to confront the decades-old problem that are the NPA and the Communist Party of the Philippines, the first to ever do so.

With the UN-PHL Joint Program, the Philippines will be better able to truly protect us, the citizens, and our human rights.

Thank you.

Very truly yours,

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September 9, 2021

Commissioner Michelle Bachelet

Office of the High Commissioner for Human Rights (OHCHR)
United Nations
Geneva, Switzerland

Dear Commissioner Bachelet:

Greetings from the Philippines!

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As ordinary bus drivers and conductors, we are affected by the true situation in the streets of the Philippines.

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We are grateful to the Duterte administration for making the streets and roads safer for us, which gives us peace of mind and helps our livelihoods. We are also grateful for its clear and strong stance against corruption, which restores our faith and gives us the confidence to believe we have allies in the government who truly care about our rights and wellbeing. Agencies of government helped enforce our rights as workers on decent wage, security of tenure, and right to self-organization.

Finally, we are glad to have a president who is brave enough to confront the decades-old problem that are the NPA and the Communist Party of the Philippines, the first to ever do so.

With the UN-PHL Joint Program, the Philippines will be better able to truly protect us, the citizens, and our human rights.

Thank you.

Very truly yours,

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