

## ***On Promoting Human Rights in the Philippines***

The Presbytery of San Diego respectfully overtures the 224<sup>th</sup> General Assembly (2020) of the Presbyterian Church (U.S.A.) to:

1. Direct the Stated Clerk, the Executive Director of the Presbyterian Mission Agency, and the (Co-)Moderator(s) of the 224<sup>th</sup> General Assembly (2020) to call upon the President of the United States, Congressional leaders, and related executive branch agencies to promote human rights in the Philippines by:
  - a. Urging the Philippine government to cease labelling the National Council of Churches in the Philippines (NCCP), United Church of Christ in the Philippines (UCCP), humanitarian organizations and other civil society organizations as “front organizations of local communist terrorist groups”;
  - b. Calling upon the Philippine government to live up to their duty to protect civil society and non-state actors, especially church leaders and human rights defenders;
  - c. Strongly urging the Philippine government, the National Democratic Front of the Philippines (NDFP) and related groups, to affirm the lives and human dignity of the urban poor, farmers, and Indigenous Peoples of the Philippines;
  - d. Supporting the National Council of Churches in the Philippines (NCCP) and United Church of Christ in the Philippines (UCCP) in their advocacy for the peace process between the Government of the Republic of the Philippines (GRP) and the National Democratic Front of the Philippines (NDFP);
  - e. Calling upon the Philippine government to uphold its obligations in agreements such as the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) and international human rights standards such as the United Nations International Covenant on Civil and Political Rights as well as the International Covenant on Economic, Social and Cultural Rights.
  
2. Direct the Presbyterian Mission Agency, through its Office of Public Witness, to:
  - a. Urge Congressional leaders and relevant Congressional committees to continue their investigations of how U.S. military spending is contributing to and supportive of the misuse of the Philippine Armed Forces in committing human rights violations
  - b. Support lobby-advocacy efforts of US-based organizations, such as the International Coalition for Human Rights in the Philippines – United States (ICHRP-US), with U.S. Congressional and Department of State offices
  - c. Support efforts between U.S. and Philippine legislators who seek to investigate human rights violations in the Philippines
  
3. Direct the Presbyterian Mission Agency, through the Presbyterian Ministry at the United Nations, the Asia-Pacific Office of Presbyterian World Mission, and the Presbyterian Peacemaking Program:
  - a. Affirm and participate in the international ecumenical solidarity programs and plans such as the World Council of Churches

- b. Support the National Council of Churches in the Philippines (NCCP) as co-convenor of the Ecumenical Voice for Human Rights and Peace in the Philippines (EcuVoice) and the Philippine Universal Periodic Review Watch (PUPRW)
  - c. Support the Office of the United Nations High Commissioner for Human Rights to fulfill its reporting obligations and any follow-up actions from Resolution No. 41/2 at the 44<sup>th</sup> Regular Session of the United Nations Human Rights Council (June 15 – July 3, 2020). The UN HRC resolution:
    - i. Urges the government of the Philippines to take all necessary measures to prevent extrajudicial killings and enforced disappearances, and to carry out impartial investigations to hold perpetrators accountable in accordance with due process and rule of law;
    - ii. Calls upon the Government of the Philippines to cooperate with the Office of the High Commission and mandates of the Human Rights Council, including by facilitating visits and preventing and refraining from all acts of intimidation or retaliation;
    - iii. Requests the High Commissioner to prepare a comprehensive written report on the human rights situation in the Philippines and to present it to the Human Rights Council at its forty-fourth session, to be followed by an enhanced interactive dialogue.
  - d. Affirm the efforts of the International Criminal Court (ICC) to investigate the extrajudicial killings related to the war on drugs
  - e. Resource lobbying-advocacy efforts and visits of Philippine organizations in the United States which advocate for addressing the human rights situation in the Philippines.
4. Urge PC(USA) national agencies, mid-councils, congregations and individual Presbyterians to:
    - a. Pray with and for the people of the Philippines;
    - b. Learn about the history of the Philippines, as well as its contemporary realities;
    - c. Support the ministry and witness of the National Council of Churches in the Philippines (NCCP) and United Church of Christ in the Philippines (UCCP), as well as PC(USA) mission co-workers and volunteers through the Presbyterian World Mission Office of Asia - Pacific
    - d. Engage in advocacy with their respective legislators to support human rights in the Philippines.
  5. Direct the Stated Clerk of the General Assembly to
    - a. Share this action with our partners in the National Council of Churches in the Philippines (NCCP), the United Church of Christ in the Philippines (UCCP), and other related ecumenical and interreligious partners and conciliar bodies.

## **RATIONALE**

### ***I. Red-tagging of PC(USA) Partner Church and Ecumenical Council***

On November 5, 2019, the National Council of Churches in the Philippines (NCCP) was included on the list of “front organizations of local communist terrorist groups” by the Department of National Defense (DND). The NCCP was one among a number of humanitarian and civil society organizations in the list that was presented by Major General Reuben Basiao, Armed Forces of the Philippines (AFP) Deputy Chief of Staff for Intelligence during a committee meeting at the House of Representatives for the modernization of the armed forces. The presentation of Major General Basiao was in the context of the ongoing counterinsurgency program of the Philippines Government against the Communist Party of the Philippines -New People’s Army-National Democratic Front (CCP-NPA-NDF), its history, organizational flowchart and number of attacks nationwide. The front organizations were allegedly providing funds to the “Communist Terrorist Group” (CTG) through “International Solidarity Work”. While the NCCP decried its inclusion on the list, international partners rallied and supported the NCCP through statements of support and letters directly addressed to the Philippine president and to the Armed Forces of the Philippines.

This red tagging by the Philippine government is part of a nationwide militarized counterinsurgency campaign that is aimed against activists and progressives, under Executive Order 70. The NCCP member churches such as the United Church of Christ in the Philippines (UCCP), Iglesia Filipina Independiente (IFI) and the United Methodist Church (UMC) are targets of this campaign. Human rights and environmental defenders, as well as the communities and individuals that they serve, are also targets. The war on drugs is worsening the plight of the poor, resulting in the killing of thousands and leaving their surviving family members with few legal options in local and national courts. Meanwhile very few members of law enforcement and the Philippine National Police (PNP) have been investigated in their roles in this war on drugs. Those who are defending the lands, sometimes the ancestral domains of Indigenous Peoples, from the development of mines and dams, are having to deal with the Philippine military which uses their might to protect the interests of international companies. Farmers, who seek to provide food for their families during their low seasons while working in feudal systems, are imprisoned or killed, while the lawyers who seek to represent them are murdered. Meanwhile the Philippine government has ordered the additional deployment of both Philippine National Police (PNP) and the Armed Forces of the Philippines (AFP) to suppress the violence and terror in these agrarian communities.

In red tagging the NCCP, the Philippine government has implicated by association and membership its member churches including the United Church of Christ in the Philippines (UCCP). This is not the first red-tagging accusation for UCCP. This accusation defies the open lines of communication previously promoted through dialogues between UCCP and the Armed Forces of the Philippines (AFP) and Philippine National Police (PNP) leaders, under several previous Presidential administrations.

Under the current administration of Philippine President Rodrigo Duterte, this red tagging of churches and church leaders emboldens the government to silence dissent. Many UCCP church leaders have

already experienced threat, harassment and intimidation, as well as vilification, filing of trumped up cases and unlawful arrests.

## **II. *Ecumenical Solidarity***

The UCCP is a 72-year-old denomination with mission heritage from the Presbyterian Church (USA). The 217th<sup>t</sup> General Assembly (2006) of the Presbyterian Church (U.S.A.) adopted Commissioner Resolution 7-11 (see <https://www.pc-biz.org/#/search/1383>) recognized this denial of human rights in the Philippines through the crackdown and killing of UCCP church leaders. The 218<sup>th</sup> General Assembly (2008), in adopting Commissioner Resolution 11-31 (see <https://www.pc-biz.org/#/search/2123>), affirmed new measures of solidarity with Philippine church partners in light of numerous and well-documented human rights violations against church leaders and civil society groups. The global ecumenical community has expressed prayerful solidarity with Philippine church partners out of grave concern of human rights violations in the Philippines. The Central Committee of the World Council of Churches, meeting in Geneva, Switzerland on June 15-21, 2018, among several actions similar to what is being requested in this overture, adopted an action of solidarity, urging the government of the Philippines to “end the culture of impunity, order the investigation of all killings, and drop the Department of Justice’s petition to declare activists as terrorists” as well as the “resumption of formal peace talks between the Government of the Philippines and the National Democratic Front of the Philippines (NDFP).” (see document # GEN PUB 05.04 at : <https://www.oikoumene.org/en/resources/documents/central-committee/geneva-2018/situation-in-the-philippines>). The Executive Committee of the World Communion of Reformed Churches adopted actions in 2012, 2013, and 2015 urging that human rights be honored and justice and peace pursued in various focus areas in the world, including the Philippines. (see Minutes of the WCRC Executive Committee: 2012, p. 164; 2013, p. 151; 2015, pp. 15, 202)

In addition to the solidarity through PC(USA) General Assembly actions, the Presbyterian Ministry at the United Nations (PMUN) can provide support by including the Philippines in its reporting mechanisms and facilitating Philippine delegations. At the upcoming 44<sup>th</sup> Regular Session of the United Nations Human Rights Council meeting in June 2020, for Resolution No. 41/2, the Office of the High Commissioner for Human Rights will prepare a report based on data submitted by various organizations. Starting with this overture, the PMUN draws attention to the National Council of Churches in the Philippines (NCCP) report that was already submitted to the Office of the High Commissioner of Human Rights. The NCCP report included examples about these UCCP church leaders:

## **III. *Real-Life Examples of Christian Leaders Experiencing Violence and Harassment***

Bishop Modesto Villasanta, Bishop Emeritus of the UCCP, has been harassed by the military on various instances for his ministry and advocacy for the Lumad (collective term for indigenous people of the island of Mindanao). In November 2017, Bp. Villasanta along with Fr. Raymond Ambray and other members of the Friends of the Lumad in Caraga were subjected to threat, harassment, and intimidation by Col. Andres Centino, Brigade Commander of the 401<sup>st</sup> Brigade of the Philippine Army during a meeting of the Municipal Peace and Order Council (MPOC).

In November 2017, Perfecto Hoyle, a lay pastor for the UCCP, was shot by two masked men in his front yard. This incident occurred in a village in Kicharao, Agusan del Norte, where the 29<sup>th</sup> Infantry Battalion of the Philippine Army was encamped at the time of the shooting. Hoyle was known to be a staunch advocate of peasant rights, advancing the interests of the farmers in their area. He was a member of a peasant organization, UMAN (Peasant Union of Agusan Del Norte).

In September 2018, Rachel Mariano, wife of UCCP Pastor Bill Mariano, handed herself over to the court to prove her innocence of the charges levelled against her. Rachel was charged with different counts of murder related to an encounter between the AFP and NPA in Quirino, Ilocos Sur in October 2017. The trumped-up charges were filed by the 81st Infantry Battalion of the 7th Infantry Division of the AFP based in Ilocos Sur. Since the fabricated charges were non-bailable, she was incarcerated in the provincial jail for close to a year and was only freed after a year had passed. Rachel is a human rights defender working as the health program desk coordinator of Community Health, Education, Services and Training in the Cordillera Region (CHESTCORE).

There was also the unlawful arrest in June 2019 of seven civilians some of whom are members of the UCCP and IFI in the remote area of Buenavista Himamaylan, Negros. Included was Pastor Jimmy Teves, UCCP Licentiate Pastor who together with a co-pastor has been serving 17 UCCP local churches. According to verified reports from the UCCP Office of the Bishop of West Visayas Jurisdiction, the seven were arrested on trumped-up charges of murder and frustrated murder. They were arrested without the benefit of a genuine preliminary investigation which is required by law. Their arrest happened within months of the killings of other activists, including 14 killings on one day and 17 killings over 6 days. The Negros Occidental and Oriental regions are included in a memorandum order that supports the “immediate deployment of additional forces of both PNP and AFP, to suppress violence and acts of terror.”

In addition to those situations, the United Church of Christ in the Philippines (UCCP) is aware of and responding to these specific cases:

Although Rachel Mariano was released from prison, her family continues to fear for their lives because of red tagging. Members of the 2<sup>nd</sup> Civil – Military Operations Company under the 7<sup>th</sup> Infantry Division of the Philippine Army made regular unannounced visits to Rev. Mariano. A soldier claiming to serve with the 81<sup>st</sup> Infantry Battalion has asked for his home address. This same individual has accused him of being a member of the New People’s Army. Rev. Mariano is very involved in a community organization called Defend Ilocos, known for its campaigns against destructive mining. Their daughter Jennybeth has also experienced red tagging on social media. She is the secretary-general of Anakbayan Ilocos, a regional student-led progressive organization.

In September 2019, UCCP Bishop Hamuel Tequis of the Southeast Mindanao Jurisdictional Area received a charge of human trafficking of Lumad children, based on a complaint issued by the Philippine National Police (PNP) and Department of Social Welfare and Development (DSWD). Along with two colleagues from Save our Schools Network, they accompanied the children from UCCP Haran to the General Santos City Airport. Under the custody of the DSWD, the children were subject to intimidation and harassment by police authorities for three days. Authorities also prevented their parents from securing their children and subjected these parents to harassment. Save our Schools Network provides an alternative school environment for Lumad (a collective word for Indigenous

Peoples in Mindanao) students who have been forcibly displaced from their communities because of militarized violence. For many years now, UCCP Haran provided a venue for the schooling of some hundreds of Lumad children and a home for displaced Lumads.

Both Rev. Rosing Doydora and her husband Reynaldo are facing separate charges of murder, and her husband is in jail. She is a UCCP church worker from the Bukidnon Area Conference. Since 2010, they have been active with a farmer's organization NAMAKA, with anti-illegal logging and anti-quarry campaigns focused on protecting human rights and the environment. Due to military operations in the same region as NAMAKA, the couple has been implicated for supporting the New People's Army (NPA).

In eastern Visayas, UCCP church workers and their ecumenical colleagues are investigating the impact of climate change on their human rights. El Niño has replaced harvests of rice, abaca, corn and coconut, with drought, disease and displacement. Las Navas located in Northern Samar now suffers from zero abaca production. Farmers who only knew this livelihood, are left with little or no government assistance in seeking alternative sources of income. In November 2019, there were reports of a bomb in Las Navas, as well as forced entry and strafing of homes. School has also been suspended. The military claims that one specific farmer was a commander of the New People's Army, the armed counterpart of the Communist Party of the Philippines.

In the UCCP South Luzon Jurisdictional Area, several church workers who are actively serving as pastors of local churches, face trumped-up charges. The Rev. Dan P. San Andres currently serves as an administrative pastor and chairperson of the Christian Witness and Service of the UCCP North Bicol conference. He has been accused of double murder charges in Ragay, Camarines Sur. The Rev. Elena Del Valle serves as an administrative pastor in Palawan. She has been tagged as a supporter of the CPP-NPA-NDF. The Rev. Luisito Saliendra is an administrative pastor and chairperson of the Evangelism and Church Development Committee, of the Southern Tagalog Conference. He was charged with attempted murder. The Rev. Edwin Egar is an administrative pastor and chairperson of the Christian Witness and Service committee of the Batangas Associate Conference. He was charged with attempted murder.

The common denominator for these UCCP church leaders is their commitment to serving vulnerable communities, such as farmers and Lumads, in their vision for a society that is centered on human rights, peace and justice. Such acts are not only out of their sense of welfare and patriotism but are deeds inspired by and integral to their Christian faith. They are expressions of their faithfulness to the UCCP's Statement of Faith. And these very communities are the ones who stand to benefit from sustainable livelihoods and adequate social services such as health care and education. These concerns are the core of the ongoing peace process between the Philippine government and the Communist Party of the Philippines. Both UCCP and NCCP leaders also actively support these peace talks.

#### ***IV. International Response***

International governments, non-governmental organizations, and faith institutions alike have called attention to the human rights violations occurring in the Philippines. On February 28, 2019, members of the House Foreign Affairs committee called on the US Secretary of State, Mike Pompeo, to raise human rights concerns with the Government of President Duterte around the Philippine government's assault on civil society, media freedom and human rights. The letter concluded, "the United States must not be silent in the face of democratic regression in the Philippines." Later that year, US Senators brought to light a portion of the Philippines government's injustices through proposing Senate resolution 142 to employ the Global Magnitsky Act in order to place sanctions on those in the Philippine government and security forces responsible for the arrest and continued detention of Philippine Senator Leila De Lima. De Lima, an internationally recognized human rights defender and vocal critic against the extrajudicial killings of Duterte's War on Drugs, was arrested in 2017 on trumped-up drug-trafficking charges. However, these sanctions would barely scratch the surface of the government-sponsored injustices occurring throughout the nation.

The Philippine military and state forces insist on cracking down on church leaders and human rights defenders for their work. Backing up those who support this crackdown is the United States military who also provides the training and ammunition. Since 2016 the US Department of State and Department of Defense have provided close to \$550 million in defense funding to the Philippines and have increased joint military exercises with the nation's armed forces. When this information is viewed in tandem with the reality that many of these extrajudicial killings, including those cited above, occur by the Armed Forces of the Philippines, the US is condoning and even supporting these actions.

#### ***V. Final Word***

Previous General Assemblies of the Presbyterian Church (U.S.A.) have acknowledged and resolved to take action regarding the human rights violations in the Philippines. These critical issues cannot be meaningfully resolved in a mere decade or two. The PC(USA) must continue what it started by advocating for the US Government to cease funding the violent actions of the Philippine Armed Forces and by standing alongside the Church's siblings of faith in the Philippines as they fight for the rights and dignity of themselves and the people of their country.

Presbyteries concurring: