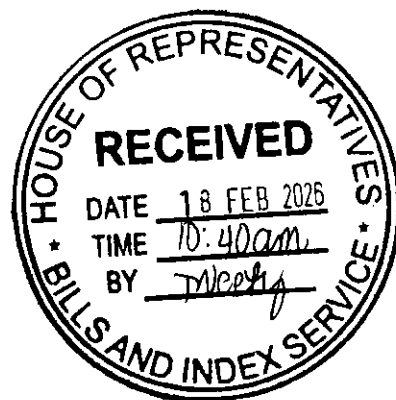


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session



HOUSE RESOLUTION No. 792

Introduced by Honorable Representatives
SARAH JANE I. ELAGO (Gabriela Women's Party)
RENEE LOUISE M. CO (Kabataan Partylist)
ANTONIO L. TINIO (ACT Teachers Partylist)

**A RESOLUTION URGING THE COMMITTEE ON HUMAN RIGHTS TO
IMMEDIATELY CONDUCT AN INVESTIGATION, IN AID OF
LEGISLATION, ON THE ESCALATING ATTACKS ON HUMANITARIAN
AND DEVELOPMENT NON-GOVERNMENTAL ORGANIZATIONS (NGO)
AND OTHER HUMAN RIGHTS DEFENDERS WHICH RESTRICT CIVIC
SPACES AND ERODE ECONOMIC, SOCIAL, AND CULTURAL RIGHTS OF
THE COMMUNITIES THEY SERVE**

WHEREAS, civic space is essential for non-governmental organizations (NGOs), people's organizations, and citizens to freely engage in essential components of democracy such as self-organization, advocacy, and even protest. Citizens have the right to freedom of assembly and association, to expression, as well as to participate in decisions that affect their lives and society;

WHEREAS, Section 11, Article II of the 1987 Philippine Constitution (the Constitution) declares that "[t]he State values the dignity of every human person and guarantees full respect for human rights";

WHEREAS, Section 23, Article II of the Constitution also requires the State to "...encourage non-governmental, community-based, or sectoral organizations that promote the welfare of the nation";

WHEREAS, Section 15 of Article XIII of the Constitution further says that "[t]he State shall respect the role of independent people's organizations to enable the people to pursue and protect, within the democratic framework, their legitimate and collective

interests and aspirations through peaceful and lawful means,” where “[p]eople’s organizations are bona fide associations of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership, and structure”;

WHEREAS, Section 16 of Article XIII of the Constitution states that “[t]he right of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged”, and that “[t]he State shall, by law, facilitate the establishment of adequate consultation mechanisms”;

WHEREAS, there are numerous restrictive laws and other executive and administrative issuances that are ostensibly against terrorism, terrorist financing, and terrorist activities imposing limitations on the actions, speech, or association of individuals and organizations;¹

WHEREAS, there are also increasing requirements, regulations, and restrictions on NGOs with the effect of narrowing and controlling civic spaces;²

WHEREAS, humanitarian and development non-government organizations (NGOs) and their staff are among those now being accused of supporting terrorism or tagged as terrorists and subjected to trumped-up charges;

WHEREAS, according to reports, at least fifty-nine (59) development workers from twenty-one (21) NGOs or networks in Luzon, Visayas, and Mindanao are being harassed with spurious charges related to terrorism. Fifty-five (55) individuals from nineteen (19) organizations are baselessly accused of financing or otherwise supporting terrorism and another four (4) NGO workers are absurdly claimed as having engaged government soldiers in firefights or ambushing a security guard;

WHEREAS, these have gravely disrupted the social and economic services the NGOs provide to people’s organizations and communities because, aside from the extreme

¹ These include Republic Act No. 114791, or the Anti-Terrorism Act of 2020, which had an unprecedented thirty-seven (37) petitions filed against it at the Supreme Court including one explicitly expressing concern about its impact on humanitarian work, Terrorism Financing Prevention and Suppression Act (TFPSA, RA 10168), Anti-Money Laundering Act of 2001 (AMLA, RA 9160), Executive Order No. 70 creating the National Task Force to End Local Communist Armed Conflict (NTF ELCAC), Department of Interior and Local Government (DILG) Memorandum Circular (MC) 2019-125 with guidelines for implementing EO 70, DILG MC 2019-116 on engaging CSOs and international agencies to prevent violent extremism, Philippine National Police (PNP) Cordillera Regional Office Memo of February 9, 2021 on “left-leaning [groups] supporting CPP-NPA”, Cordillera Regional Law Enforcement Coordinating Committee (RLECC) resolution of February 2021 on “Tokhang to known left-leaning personalities in govt, media and other entities,” among others.

² These include Securities and Exchange Commission (SEC) MC 15 series of 2019 on the disclosure of beneficial ownership of corporations and organizations; SEC MC 25 series of 2019 on money laundering and terrorist financing abuses; DILG MC 2021-72 requiring the inventory of “all existing CSOs operating within LGU”

distress and tension on staff, organizational and personal bank accounts have been frozen by the Anti-Money Laundering Council (AMLC). There are also instances when even the bank accounts of commercial establishments they transacted with have been frozen;

WHEREAS, there have been reported seven (7) cases of terrorist designations and six (6) cases of criminal charges of NGOs under Republic Act (RA) No. 11479, or the Anti-Terrorism Act of 2020, as well as forty-nine (49) criminal charges and forty-one (41) bank accounts frozen under RA No. 10168, or the Terrorism Financing Prevention and Suppression Act of 2012;

WHEREAS, among the NGOs targeted recently is the Leyte Center for Development (LCDe), which has played a crucial role in Disaster Risk Reduction (DRR) programs and emergency response in Eastern Visayas for almost thirty-eight (38) years. LCDe's relief and medical missions, livelihood and early recovery, and disaster risk reduction capacity-building services have benefited at least two hundred seventy thousand (270,000) families or over 1.35 million individuals from three hundred seventy-three (373) barangays in forty-one (41) municipalities in the six (6) provinces of Region VIII. LCDe has partnerships with at least twenty-three (23) municipal government units in Samar and Leyte provinces and collaborates with international non-governmental organizations (INGOs) from at least seven countries;

WHEREAS, LCDe's extensive impact and commitment to humanitarian work have been widely recognized through various awards, such as the Salamat Po Award (2003) and the National Gawad Kalasag Award (2006) from the Philippine government, and the Most Outstanding NGO in Voluntary Work (2015) from the Philippine National Volunteers Association;

WHEREAS, LCDe's emergency response services benefit sixty thousand (60,000) beneficiaries annually, while their health programs benefit thirty-five thousand (35,000) beneficiaries annually;

WHEREAS, due to the freezing of LCDe's bank accounts, its ongoing health project is stalled and, as a result, about sixteen thousand (16,000) individuals from two thousand eight hundred (2,800) families from eleven (11) beneficiary barangays are denied health services under the disrupted project;

WHEREAS, bank accounts of LCDe's national network, the Citizen's Disaster Response Center (CDRC), which is the country's oldest development-oriented NGO

disaster network and a partner of the United Nations Office for the Coordination of Humanitarian Affairs in the Philippines (UN OCHA Philippines), were also frozen;

WHEREAS, another NGO attacked recently is the Community Empowerment Resource Network (CERNET), a consortium of ten (10) NGOs in Cebu, Leyte, Samar, and Negros that has been providing sustainable development, capacity building and trainings of people's organizations, and special support services such as relief and rehabilitation programs for twenty-two (22) years;

WHEREAS, CERNET's programs benefit two hundred (200) people's organizations with twenty thousand (20,000) members in Bohol, Leyte, Negros Oriental, Cebu, Negros Occidental, Siquijor, and Biliran;

WHEREAS, CERNET staff have been surveilled, harassed, abducted, and falsely accused of supporting terrorism;

WHEREAS, members of CERNET's network organizations have faced trumped-up charges and been extrajudicially killed. The freezing of its accounts has affected its ongoing 3-year project to benefit twenty-four (24) people's organizations with around three thousand three hundred (3,300) members;

WHEREAS, another NGO targeted is the Paghidaet sa Kauswagan Development Group (PDG), which has been providing services to poor farmers, farmworkers, and small fisherfolk in central and southern Negros Occidental for thirty-eight (38) years;

WHEREAS, PDG's Executive Director Atty. Benjamin Ramos Jr. was extrajudicially killed in 2018, while the staff and volunteers have been under constant harassment, surveillance, and intimidation since then. The PDG's services to four thousand (4,000) beneficiaries from seven hundred (700) poor families in thirty-five (35) partner communities in seven (7) municipalities have been disrupted;

WHEREAS, the Katinnulong Daguiti Umili iti Amianan, Inc. or KADUAMI, which is an NGO based in Baguio City, Cordillera Administrative Region, has a wide range and long-term experience in implementing projects in Northern Luzon, Philippines for over 37 years. KADUAMI's work covers three (3) regions in Northern Luzon, namely: Cagayan Valley Region or Region II, Ilocos Region or Region I, and the Cordillera Administrative Region.

WHEREAS, KADUAMI's board member and staff have been charged with terrorism financing and have been repeatedly red-tagged by the government or have repeatedly

been tried to be linked to the communist-led revolutionary movement. Their officers and staff have been charged multiple times, suggesting involvement in rebel attacks on government forces. The courts either acquitted them or dismissed the charges for lack of evidence;

WHEREAS, these systematic attacks that misuse or abuse laws, judicial processes, and the legal system prevent the delivery of relief, livelihood, and social services to tens of thousands of beneficiaries nationwide, threaten the life, liberty, and security of NGO staff and supporters, and violate their rights to freedom of peaceful assembly and association. These resulted in huge adverse impacts on the right of the people to development and on civil and political rights and democracy;

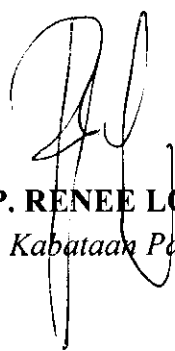
NOW THEREFORE BE IT RESOLVED, that the Committee on Human Rights, immediately conduct a thorough investigation, in aid of legislation, on the escalating attacks on humanitarian and development non-governmental organizations (NGOs) and other human rights defenders which restrict civic spaces and erode economic, social, and cultural rights of the communities they serve.

Adopted.



REP. SARAH JANE I. ELAGO

Gabriela Women's Party



REP. RENEE LOUISE M. CO

Kabataan Partylist



REP. ANTONIO L. TINIO

ACT Teachers Partylist