

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE RESOLUTION NO. 904



Introduced by **KABATAAN PARTY-LIST** Representative Sarah Jane I. Elago,
ACT TEACHERS PARTY-LIST Representative France L. Castro,
BAYAN MUNA PARTY-LIST Representatives Carlos Isagani T. Zarate,
Ferdinand Gaite and Eufemia C. Cullamat,
and **GABRIELA WOMEN'S PARTY** Representative Arlene D. Brosas

RESOLUTION

URGING THE HOUSE COMMITTEE ON HUMAN RIGHTS TO INVESTIGATE, IN AID OF LEGISLATION, THE HUMAN RIGHTS VIOLATIONS PERPETRATED DURING THE COMMUNITY QUARANTINE AND TO BRING THE PERPETRATORS TO JUSTICE

WHEREAS, on March 08, 2020, President Rodrigo Duterte signed Proclamation 922 which placed the whole Philippines under state of public health emergency because of the COVID-19 threat that is looming within the nation;

WHEREAS, the community quarantine of Metro Manila that start at 12 midnight on March 15 was announced on March 12, 2020 and has since been extended until May 15, 2020;

WHEREAS, on the second day of the community quarantine, the President declared a Luzon-wide "enhanced community quarantine" (ECQ) which took effect on March 17 that is still in effect on majority of Luzon areas;

WHEREAS, other non-Luzon local government units have also implemented quarantine procedures on their respective jurisdictions;

WHEREAS, due to the nature of the enhanced community quarantine of restricting the flow of people, uniformed personnel have increased in number to guard checkpoints along borders of local government units;

WHEREAS, various local government units have also placed their respective localities under the supervision of a combination of uniformed personnel and local peacekeepers to implement quarantine rules;

WHEREAS, several reports of human rights violations have surfaced on different online platforms and the press which often includes the involvement of state forces or local peacekeepers as perpetrators;

WHEREAS, in response to the statement made by Department of Interior and Local Government Undersecretary for Barangay Affairs Martin Diño in an interview last March 21 with DzBB that human rights “disappear” under a state of emergency, the Commission on Human Rights reminded the Duterte administration that suspension of human rights and the writ of habeas corpus are not suspended even during a pandemic;

WHEREAS, on March 21, 2020, Department of Interior and Local Government issued Memorandum Circular 2020-062 implying that human rights violations must not occur throughout the community quarantine;

WHEREAS, Presidential Spokesperson Harry Roque stated that the execution of the enhanced community quarantine (ECQ) is not a license to violate human rights while further claiming that the government is open for complaints of human rights violations amid the execution of the measure against the COVID-19 dated April 20, 2020;

WHEREAS, the Philippines was named by the United Nations Human Rights Council (UNHCR) as one of the countries who is allegedly taking advantage of the COVID-19 pandemic to curtail human rights of its people dated April 27, 2020;

WHEREAS, according to Human Rights Watch, the Philippines is using the COVID-19 pandemic and new public health measures as an excuse to charge criminal offenses at its political critics and activists dated April 22, 2020;

WHEREAS, according to United Nations High Commissioner for Human Rights Michelle Bachelet, “emergency powers should not be a weapon governments can wield to quash dissent, control the population, and even perpetuate their time in power.” Her office also said that the Philippines is one of the 15 out of 80 countries who declared emergencies due to COVID-19 whose allegations were deemed most troubling;

WHEREAS, Philippines topped list of countries arresting and detaining tens of thousands of people for violation of confinement measures linked to pandemic with 120,000 apprehensions for curfew violators within 30 days according to a Reuters report;

WHEREAS, the Philippine National Police revealed that during the 30-day execution of the Luzon-wide enhanced community quarantine, 29, 632 individuals were arrested of

which 6,616 have already underwent inquest procedures, 23, 016 were for regular filing and 4, 457 remain detained as of April 17, 2020;

WHEREAS, on May 1, 2020, Philippine National Police Chief Archie Gamboa said that he is open to conduct of an investigation of the alleged human rights violations committed by the PNP officers during the enforcement of the community quarantine;

WHEREAS, Jacqueline De Guia, Commission on Human Rights Spokesperson said that they have received 103 ECQ-related complaints running from March 16 to 31 and 136 from April 1 to 19;

WHEREAS, the following are just some of the reports of human rights violations perpetrated during the execution of community quarantine:

1. On March 13, 2020 around 12:00 AM near Ministop, Veterans Village, Project 7, an American national on his way home was suffering high temperature. He was checked at the checkpoint by a PNP officer. The Police officer intimidated the American and his cellular phone was confiscated. Police Officers demanded cash worth Php 20,000. The American national allegedly paid them with the only money he has for his freedom and belongings;¹
2. On March 14, 2020 around 11:00 PM, a Filipino who was mistaken as Half-Japanese was interrogated by a police officer. The random question went on and on until the Police officer realized he was Filipino. Police also aggressively accused the man that he was drunk to which he told them that maybe the smell is from the hand alcohol since he has been *"using it every (x) minutes"* and they replied *"Wag mo kaming pinagloloko. Alam namin amoy ng alak at yung sa kamay."* No temperature checking took place. He left the area frightened;²
3. Barangay captain Eric Ambrocio caged curfew violators in a small, mobile incarceration for dogs in Sta. Cruz, Laguna on March 20, 2020;
4. Around 12:19 PM of March 20, 2020, a barangay tanod from Brgy. Silangan, allegedly assaulted a person by hitting him with an 'arnis'. The netizen who reported the case was just buying from a nearby store in Barangay Bagong Silangan;³
5. Illegal detainment and punishment of curfew violators to sit under the sun in Barangay San Isidro, Parañaque on Tuesday morning, March 24, 2020;

¹ <https://twitter.com/mrlonelybuddy/status/1238306916968747008?s=21>

² <https://www.facebook.com/728060352/posts/10157659128460353/?d=n>

³ <https://www.facebook.com/100001182628030/posts/2843842105665182/?d=n>

6. Police Lt. Col. Reynaldo Magdaluyo, the head of Manila Police District Station 3, was caught on video threatening community quarantine violators to be shot, cursing and hitting a resident with a stick in Golden Mosque Compound in Quiapo last March 25, 2020;
7. Curfew violators from Malainin, Bago, Naic, Cavite were forcibly put in a coffin in the evening of March 26, 2020 by authorities;⁴
8. Arrest of Juliet Espinosa, teacher and her son of legal age without warrants last March 27, 2020 over "provoking" Facebook post. They face charges of inciting to sedition and disobedience to authority;
9. Killing of Ronaldo Cumayas, a barangay volunteer in Dove Street, Brgy. Bagong Silangan, Quezon City around 10:30 PM on April 1, 2020 by two riding-in-tandem;
10. Arrest of 21 individuals and harassment of Sitio San Roque, Barangay Pag-asa, Quezon City residents over their demand for food and mass testing around 11 AM of April 1, 2020;
11. A policeman from Pangasinan is caught in a video physically assaulting presumably a violator at the police station posted on April 3, 2020;⁵
12. In Agusan del Norte, a farmer was shot dead by police who allegedly refused to wear a mask on April 4, 2020;⁶
13. Christopher Bombing Punzalan, the barangay captain of Pandacaqui, forced the LGBT community quarantine violators to do lewd acts, such as doing a sexy dance in front of a minor on April 5, 2020;
14. The editor-in-chief of UE Dawn, the official student publication of the University of the East, was allegedly forced by Barangay officials to publicly apologize for criticizing the Duterte administration on social media on April 5, 2020;⁷
15. Deployment of 100 policemen, violent dispersal of people's barricade against the entry of oil tankers of OceanaGold Philippines, Inc., and illegal arrest of Rolando Pulido on April 6, 2020;
16. According to labor center Pagkakaisa ng Manggagawa ng Timog Katagalugan (PAMANTIK-KMU), Coca-Cola workers experienced harassment from the military and are being forced to surrender as members of the New People's Army (NPA) as reported last April 6, 2020;⁸

⁴ <https://www.facebook.com/440123109704253/posts/1065170980532793/?d=n>

⁵ <https://twitter.com/invinzxcnt/status/1245768000382197761?s=19>

⁶ <https://news.abs-cbn.com/news/04/04/20/lasing-na-magsasakang-nag-amok-sa-checkpoint-patay-matapos-mabari-ng-pulis>

⁷ <https://twitter.com/inquirerdotnet/status/1246713683331280896?s=19>

⁸ <https://m.facebook.com/121446936336/posts/10163360553646337/?d=n>

17. A memorandum dated April 6, 2020 was issued by the Department of Environment and Natural Resources - Cagayan Valley Region directed to PENR Officers, CENR Officers and all Regional Office Division chiefs ordering them to advise all of their employees, including those under Contract of Service, not to comment or post in the social media against the government;⁹
18. A PWD man (27-year old) who was suffering from psychosocial disorder was beaten-up by Barangay officials on April 7, 2020 after complaining that he did not received any relief from the barangay, after he posted what happened on Facebook, barangay officials went into his house and brought him to their barangay hall-this is where the assault occurred. It was also reported that he was alone during the incident prompting him to document the aftermath of the harrasment live on Facebook. The Barangay captain also forced him to delete the video and to apologize in public to his officials;¹⁰
19. A facebook post from the Mindanao State University Main Supreme Student Government Facebook page on April 15, 2020 condemned the unnecessary and abusive arrest of their SSG Officers by members of the Armed Forces of the Philippines. They were brought to Marawi City Jail and were verbally abused when arrested. They were volunteers wearing masks after buying food for themselves as well as for the stranded students when the incident happened which happened at around 4:20 PM in Marawi City;¹¹
20. Red tagging and arrest of former Anakpawis Representative Ariel Casilao and eight other relief volunteers of Tulong Kabataan and Sagip Kanayunan in Norzagaray, Bulacan checkpoint around 10 AM of April 19, 2020. The police refused to recognize the food pass with accreditation number BFAR-00-2020-22169 issued and signed by no less than the Bureau of Fisheries and Aquatic Resources National Director and Agriculture Undersecretary Eduardo B. Gongona;
21. Killing of retired military personnel Winston Ragos, who is suffering a post-traumatic stress disorder, by Police Master Sergeant Daniel Florendo on April 21, 2020. Witnesses said he was not carrying a firearm, only identification cards and his quarantine pass. But police said they recovered a .38 caliber pistol from Ragos' bag;
22. Trespassing of Police Senior Master Sergeant Roland Von Madrona and an attempt to arrest the resident Javier Parra. The tension broke out after the police allegedly imposed a P1,000 fine to the maid watering the plants alone inside the

⁹ https://twitter.com/i_am_Mulawin/status/1247549337032249344?s=19

¹⁰ https://www.gmanetwork.com/news/balitambayan/promdi/733092/lalaking-pwd-na-umangal-dahil-di-raw-nabigyan-ng-relief-goods-ginulpi-ng-mga-opisyal-ng-barangay/story/?amp&_twitter_impression=true

¹¹ <https://www.facebook.com/105636550841010/posts/247659729972024/?d=n>

- resident's property for not wearing a face mask in Dasmariñas village, Makati City around 10 AM of April 27, 2020;
23. Beating of an allegedly mentally-challenged fish vendor known as "Long Hair" by the Quezon City enforcer Joel Laurel with a yantok stick for not wearing face mask which took place along Panay Avenue in Barangay South Triangle at around noon of April 29, 2020;
24. Killing of Bayan Muna Iloilo City Coordinator Jory Porquia by four unidentified gunmen around 5 AM of April 30, 2020. It is reported that Iloilo City PNP tried to stop his program of feeding hungry residents and educating them about COVID-19 even though the local government unit welcomed his initiative. PNP also allegedly spread false information that the food he and the activists serve was contaminated by the disease;
25. Four youth volunteers in Brgy. Central, Quezon City and 14 beneficiaries were illegally arrested by the authorities on May 1, 2020 after distributing relief goods;¹²
26. On an unidentified date and time, a freshman student of University of the Philippines was taken by a police officer to the police station for not wearing a mask in public. The police officer demanded Php 20,000 from the student. The report was not clear whether the student gave anything to the authorities. He was let go eventually;¹³
27. On an unidentified date and time, a barangay tanod from Brgy. Old Balara brandishes his gun while patrolling the street;¹⁴

WHEREAS, protecting human rights and upholding the constitution is the duty of the House of Representatives;

WHEREAS, measures and policies that are in contrast to exercising the rights of every human must be put to an end, and those who are behind it must be put to justice;

NOW THEREFORE BE IT RESOLVED, that the House of Representatives, through its House Committee on Human Rights, to investigate, in aid of legislation, human rights violations perpetrated during the community quarantine and to bring the perpetrators to justice.

¹² <https://www.rappler.com/nation/259670-relief-volunteers-residents-arrested-quezon-city-may-2020>

¹³ <https://twitter.com/KabataanPL/status/1239383122501701633?s=20>

¹⁴ <https://twitter.com/KabataanPL/status/1240127895953125376?s=20>

Adopted,



Rep. SARAH JANE I. ELAGO
Kabataan Party-list



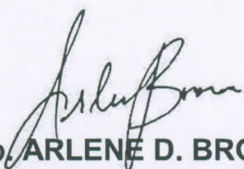
Rep. CARLOS ISAGANI T. ZARATE
Bayan Muna Party-list



Rep. FRANCE L. CASTRO
ACT Teachers Party-list



Rep. FERDINAND GAITE
Bayan Muna Party-list



Rep. ARLENE D. BROSAS
Gabriela Women's Party



Rep. EUFEMIA C. CULLAMAT
Bayan Muna Party-list