

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE RESOLUTION No. 832



Introduced by
BAYAN MUNA Representatives CARLOS ISAGANI T. ZARATE,
FERDINAND R. GAITE and EUFEMIA C. CULLAMAT,

RESOLUTION
URGING THE COMMITTEE ON HUMAN RIGHTS TO INVESTIGATE, IN AID
OF LEGISLATION, THE HUMAN RIGHTS VIOLATIONS PERPETRATED
DURING THE IMPLEMENTATION OF THE COMMUNITY QUARANTINE

WHEREAS, under the Memorandum from the Executive Secretary dated 16 March 2020, the entire Luzon was placed under community quarantine and guidelines for the management of Corona Virus Disease 2019 (COVID-19) situation were also provided. The memorandum, signed by Executive Secretary Salvador Medialdea became effective 0:00 (12 AM) as of March 17, 2020 and to expire at 00:00 (12 am) of 13 April 2020. However, it was extended, first until April 30, 2020 and further later to May 15, 2020, but only for some parts of Luzon, like the National Capitol Region;

WHEREAS, the memorandum states that there will be heightened police and military presence to strictly implement the quarantine or lockdown. Only frontline workers, authorized persons, media personnel and people conducting humanitarian missions will be allowed to pass through border checkpoints;

WHEREAS, the Commission on Human Rights reminded the Duterte administration that both human rights and the privilege of the writ of habeas corpus are not suspended even during a state of national health emergency due to the novel coronavirus outbreak in the country. The reminder was in reaction to the statement of Undersecretary for Barangay Affairs Martin Diño of the Department of Interior and Local Government in a March 21 radio interview that human rights “disappear” under the state of emergency;¹

WHEREAS, DILG issued Memorandum Circular 2020-062 dated March 21, 2020 that there should be no human rights violations during the enhanced community quarantine;²

WHEREAS, on April 20, 2020, Presidential Spokesperson Harry Roque said that the implementation of the enhanced community quarantine (ECQ) is not a license to violate human

¹ <https://www.rappler.com/nation/255552-chr-reminds-government-human-rights-not-suspended-fight-novel-coronavirus>

² https://dilg.gov.ph/PDF_File/issuances/memo_circulars/dilg-memocircular-2020322_28333f20aa.pdf

rights. He further claimed that the government is open for complaints of human rights violations amid the implementation of the measure against COVID-19;³

WHEREAS, last April 27, 2019 the United Nations Human Rights Council named Philippines as one of the countries reportedly taking advantage of the COVID-19 pandemic to curtail human rights of its people;

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

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

WHEREAS, as of April 17, 2020, reports from the Philippine National Police disclosed that there were 29,632 individuals arrested during the 30-day implementation of the Luzon-wide enhanced community quarantine or lockdown. Of this number, 6,616 underwent inquest proceedings, 23,016 were for regular filing, while 4,457 remain detained;⁴

WHEREAS, CHR Spokesperson Jacqueline De Guia said the commission received 103 ECQ-related complaints from March 16 to 31, and 136 from April 1 to 19;⁵

WHEREAS, in conjunction with the foregoing, several news reports show law enforcers committing human rights violations themselves, that range from threats, to physical injuries, to killings of “violators”, perpetrated during the implementation of the community quarantine. Some cases include the following:

1. The alleged killing of Bayan Muna Iloilo City Coordinator Jory Porquia by four unidentified gunmen at around 5 AM of April 30, 2020. News reports say 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. The PNP also allegedly spread false information that the food items he and his fellow activists serve were contaminated with the disease;
2. The alleged red-tagging and arrest of former Anakpawis Representative Ariel Casilao and eight other relief volunteers of Tulong Kabataan and Sagip Kanayunan in Norzagaray, Bulacan. At the checkpoint, the police refused to recognize their food pass with accreditation number BFAR-00-2020-22169, issued and signed by no less

³ https://www.gmanetwork.com/news/news/nation/734732/enhanced-quarantine-not-a-license-to-violate-human-rights-roque-says/story/?fbclid=IwAR3rJMigXKMTIPS9MKVtoi4uk29aMrH4NH65uZjCpAEcnu_I-f_2h1vNEg

⁴ <https://www.cnnphilippines.com/news/2020/4/18/quarantine-violators-arrested-coronavirus-lockdowns.html>

⁵ <https://www.gmanetwork.com/news/news/nation/734668/says-it-has-received-over-200-complaints-related-to-ecq/story/>

than the Bureau of Fisheries and Aquatic Resources National Director and Agriculture Undersecretary Eduardo B. Gongona;⁶

3. The alleged killing of retired military personnel Winston Ragos 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. Ragos was also suffering from a post-traumatic stress disorder;⁷
4. The alleged beating with a yantok stick of an allegedly mentally challenged fish vendor known as "Long Hair" for not wearing a face mask by Quezon City enforcer Joel Laurel;⁸
5. The alleged trespassing of Police Senior Master Sergeant Roland Von Madrona and attempt to forcibly arrest the resident Javier Parra. The tension broke out after the police allegedly imposed a fine of P1,000 against the maid who was not wearing a mask while watering the plants inside the resident's property;⁹
6. The alleged coercion by Pandacaqui Barangay Captain Christopher Bombing Punzalan upon quarantine violators who are members of the LGBT community to do lewd acts in front of a minor;¹⁰
7. The alleged caging of curfew violators in a small, mobile incarcerator for dogs by Barangay Captain Eric Ambrocio in Sta. Cruz, Laguna on March 20, 2020;¹¹
8. The alleged illegal detention and punishment of having to sit under the sun for a few hours upon curfew violators in Barangay San Isidro, Parañaque;¹²
9. The alleged arrest and harassment against 21 residents of Sitio San Roque, Barangay Pag-asa, Quezon City over their demand for food and mass testing;¹³
10. The alleged deployment of 100 policemen, the violent dispersal of a people's barricade against the entry of oil tankers of OceanaGold Philippines, Inc., and the illegal arrest of Rolando Pulido;¹⁴

⁶ <https://angpamalakaya.org/2020/04/20/dilg-refuses-to-recognize-food-pass-issued-by-bfar-director-gongona-pamalakaya/?fbclid=IwAR198LNLvSSX2Pvcs93A6aufm3FE65X8sg308OrA2VwLcdqgpg6BsDJuCu8>

⁷ <https://www.cnnphilippines.com/news/2020/4/24/Winston-Ragos-shooting-police-Daniel-Florendo-case.html>

⁸ <https://www.gmanetwork.com/news/news/metro/735983/with-yantok-enforcers-beat-up-and-drag-mentally-challenged-man-in-qc/story/>

⁹ <https://www.gmanetwork.com/news/news/metro/735728/cop-foreigner-clash-over-ecq-implementation-in-posh-makati-village/story/>

¹⁰ <https://www.rappler.com/nation/257292-barangay-captain-lgbtq-quarantine-violators-lewd-acts-punishment>

¹¹ <https://www.rappler.com/nation/255342-barangay-captain-cages-curfew-violators-sta-cruz-laguna>

¹² <https://www.rappler.com/nation/255645-barangay-san-isidro-paranaque-curfew-violators-punished-sit-under-sun-curfew>

¹³ <https://news.mb.com.ph/2020/04/01/lightning-rally-of-qc-residents-begging-for-food-lands-them-in-jail/>
<https://www.rappler.com/nation/257130-police-storm-community-kitchens-tear-down-protest-posters-quezon-city-april-6-2020>

¹⁴ <https://www.rappler.com/nation/257275-groups-decry-violent-dispersal-barricade-mining-firm>

- 1 11. The alleged killing of Ronaldo Cumayas, a barangay volunteer at Dove Street, Brgy.
2 Bagong Silangan, Quezon City, by motorcycle riding-in-tandem criminals;¹⁵
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- 4 12. The alleged arrest of teacher Juliet Espinosa and her son of legal age without warrants
5 on March 27, 2020 over a “provoking” Facebook post. They are facing charges of
6 inciting to sedition and disobedience to authority;¹⁶
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- 8 13. The alleged threats made against community quarantine violators by Police Lt. Col.
9 Reynaldo Magdaluyo, head of Manila Police District Station 3, that they will be shot.
10 Magdaluyo was caught on video threatening quarantine violators, and cursing and
11 hitting a resident with a stick at the Golden Mosque Compound in Quiapo on March
12 25, 2020;¹⁷
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- 14 14. The alleged harassment and trespassing into residents' compound in Diamond Kalaw,
15 Brgy. Batasan Hills, Quezon City, and attempt to forcibly arrest four residents made
16 by a certain Task Force from Quezon City Hall;¹⁸ and
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- 18 15. The alleged harassment against women at checkpoints by the police and military
19 personnel;¹⁹
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21 **WHEREAS**, the House of Representatives is mandated to pass laws to ensure that Constitutional
22 rights are upheld and that public officials or their agents are punished for violations of these rights.
23 Hence, Congress is duty-bound to conduct investigations to be able to craft appropriate laws that
24 will uphold justice and protect the people against abuses of public officials in extraordinary times
25 such as during the period of implementation of the ECQ.
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27 **NOW THEREFORE BE IT RESOLVED**, that the House of Representatives, through its
28 Committee on Human Rights, investigate, in aid of legislation, reported human rights violations
29 perpetrated during the implementation of the enhanced community quarantine or lockdown.

¹⁵ <https://newsinfo.inquirer.net/1252791/barangay-volunteer-dies-companion-hurt-in-qc-checkpoint>

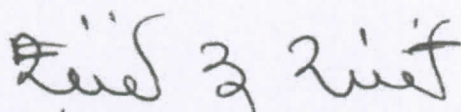
¹⁶ <https://www.rappler.com/nation/256157-teacher-son-arrested-without-warrant-general-santos-city-facebook-post-coronavirus>

¹⁷ <https://newsinfo.inquirer.net/1249136/manila-cop-enforcing-lockdown-hits-resident>

¹⁸ <https://www.facebook.com/tinignplaridel/videos/1048268538893310/>

¹⁹ <https://www.interaksyon.com/celebrities/2020/03/26/165098/reports-harassment-women-muslim-checkpoints-pnp-afp-bela-padilla/>

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9 **REP. CARLOS ISAGANI T. ZARATE**
10 *Bayan Muna Partylist*

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15 **REP. FERDINAND R. GAITE**
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18 **REP. EUFEMIA C. CULLAMAT**
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