



December 2013

**2013 Report
On the Human Rights Situation in the Cordillera Region**

By the Cordillera Human Rights Alliance-KARAPATAN

“Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,” (preamble, The Universal Declaration on Human Rights, December 10, 1948)

The continuing development aggression against indigenous peoples in the Cordillera Region has been compounded by aggression trampling on the civil and political rights of development workers, human rights defenders and communities. In the course of asserting right to ancestral land, natural resources and self-determined development, the Cordillera peoples are subjected to various forms of persecution, with a noticeable systematic attack against development workers and human rights defenders and major military combat operations that have affected communities.

The systematic persecution against development workers and human rights defenders and use of civilians, especially women and children, in military combat operations are viewed as components of the counter-insurgency program of the Benigno Aquino III administration, named **Oplan Bayanihan**. It is patterned from the US Counter Insurgency Guide of combining combat/military actions with psychological warfare and civilian action in dealing with insurgencies.

Oplan Bayanihan purports to turn AFP (Armed Forces of the Philippines) troops into so-called “Peace and Development Teams-PDTs.” Towards this end, AFP troops are programmed to conduct civic actions such as medical and dental missions, construction of schools, toilets, clearing pathways and others. But due to violations experienced by community members, they have assigned meanings to the PDT: “P” for “panagtakaw, panagbabbai, panag--- inom, panag-allilaw ken daduma pay” (stealing, womanizing, liquor drinking, deception, etc.) and “D” for “didigra” (destruction of property, livelihood, etc). Oplan Bayanihan, true to its intent to redefine development, continues to unmask itself from its package of Peace and Development Plan.

But militarization is now not just in terms of how State security forces implement Oplan Bayanihan through military presence in villages and military combat operations. This so-called “peace and development policy” is translated into the work of different government line agencies and departments. It uses the functions of agencies, departments, local government units for its counter-insurgency purposes. As an example, throughout the Cordillera region, the AFP had forged Memorandum of Agreement (MOA) with LGUs in the name of peace, security, progress and development. The MOA involves top

level signing, usually signed by the commanding officer of brigades and battalions and the local government units represented by governors and mayors. The phenomenon of MOAs between AFP and LGUs is indicative of placing greater role and leadership of the AFP in social welfare and development programs which are civilian functions. The act of placing leadership and involvement of AFP in civilian functions is leading to militarization of development services and programs and subsequently militarization of government bureaucracy. In essence, the MOA is blurring development missions and introduces no distinction of civilian functions from military functions.¹

Instead of the State using all its means to protect, fulfill and uphold the rights of the people, it has used all its means for repression and plunder.

Oplan Bayanihan Fund

Agencies	2014 (proposed budget)
Department of National Defense (DND)	82,195,121,000
Philippine National Police (DILG)	71,945,660,000
Support for Peace and Order Councils (DILG)	33,830,000
Comprehensive Local Integration Program (DILG)	74,036,000
National Intelligence Coordinating Agency (NICA)	590,956,000
Office of the Presidential Adviser on the Peace Process (OPAPP)	351,547,000
National Security Council (NSC)	88,584,000
PAMANA (Payapa at Masaganang Pamayanan allocated in various government line agencies)	7,217,664,000
Intelligence Funds (allocated in various line agencies)	250,026,000 (except PNP-DILG,DND and NICA allocations)
TOTAL	P162,747,424,000

Corruption from the nation's coffers denies the people of their rights. The allocations in the national budget for the Disbursement Acceleration Program (DAP) under the discretion of the President and the already exposed pork barrel fund has taken away much-needed budget to alleviate poverty and to provide access to basic needs.

Basic social services like health, education, water, electricity, communication and transportation and also agricultural services are direly inadequate in the Cordillera region due to a long history of government neglect. These basic needs receive a minuscule share of the government budget compared to the

¹ Militarizing Development and Humanitarian Services Cordillera Experience Paper presented by the Cordillera Human Rights Alliance (CHRA) and Cordillera Indigenous Peoples Legal Center (DINTEG) on the occasion of Cordillera Peoples Development Conference on November 7-9, 2013 at Hotel Henrico, Baguio City.

allocations for defense and debt servicing. Strikingly, or as perpetuation of government neglect and institutionalized discrimination, the Cordillera region has the smallest share of the budget among all the regions in the country despite its resources having been long exploited for the benefit of those in power and foreign interests.

PAMANA (Payapa at Masaganang Pamayanan) is supposed to be the national government's peace and development program in areas of armed conflict in the country. PAMANA is a deceptive program as well as being totally bankrupt and misdirected as it persists in giving exclusive favor to an armed paramilitary force such as the Cordillera People's Liberation Army (CPLA). The CPLA was rewarded by government with more than P200 million worth of projects, while arbitrarily discontinuing the peace negotiations with the Communist Party of the Philippines – New People's Army – National Democratic Front (CPP-NPA-NDF). Obviously, PAMANA is meant to prop up the counter-insurgency strategy of Oplan Bayanihan, rather than to seriously address the roots of the armed conflict in the Philippines.

The people are outraged at the blatant violation of rights and and the injustice that continues within the unchanged pyramid social structure of Philippine society.²

I. Violation of Right to Ancestral Land and Self-Determination

As indigenous peoples, the Cordillera peoples have the right to freely determine their political status and freely pursue their economic, social and cultural development. This right of self-determination is guaranteed in the Indigenous Peoples Rights Act of 1997 and the United Nations Declaration on the Rights of Indigenous Peoples. But that right remains buried in LAW. The right of self-determination is a very important human right for the Cordillera peoples, having been historically and institutionally discriminated, marginalized, exploited and oppressed. But, by all indications, the rights and welfare of indigenous peoples is not a priority of the US-Aquino II regime, to say the least. At worst, the Cordillera peoples bear witness to several accounts of denial and blatant violations of their right of self-determination.

The most apparent violation of the right of self-determination is the non-recognition, coercion and manipulation of decision-making processes in relation to ancestral territory and the natural resources thereat. Such blatant disregard of right to freely determine issues related to the exploitation of natural resources is a manifestation of the government's refusal to acknowledge the inherent ownership of the indigenous peoples of the Cordillera to their ancestral territory. Their natural resources – minerals, water, geothermal, windpower - continues to be exploited not for the benefit of the Cordillera peoples but for commercial purposes by foreign and local big business, apart from the utter disregard of social cost and environmental destruction.

Major cases for the year are as follows:

- Instead of protecting and fulfilling the aspiration of indigenous peoples to sustainably utilize, manage and be in control of their mineral resources for their own development, the government insists in offering the mineral resources to big business corporations, notwithstanding popular opposition. “In the data of the Mining and Geosciences Bureau in mid-2013, of the 1.8 million hectares approximate land area of the Cordillera, 1.86% or 32, 623. 6 hectares are covered by Exploration Permits, Mineral Production Sharing Agreements (MPSAs) and other Mining Permits, while 40.89% or 773, 570.46 hectares are covered by applications still under process. On top of

² Declaration of the Cordillera People's Development Conference, Nov. 7-9, 2013, in Baguio City

these mining applications are 50 old mining lease contracts and 177 patented mining claims covering a total land area of 1,335.5511 in the municipalities of Mankayan, Tuba and Itogon in Benguet province”.³

- Around 60 heavily armed security guards commissioned by Gold Creek broke in in the human barricade set up by local residents in Itogon, Benguet in an attempt to stop the mining company from resurrecting its mining patent. Gold Creek has closed down its mining operation in the 80’s. It embarked on a land survey in October 2012 but was opposed through the human barricade.
- Instead of decommissioning the tailings dam of Philex Mining Corporation in the aftermath of its collapse in 2012, this mining company resumed its operations after settlement of penalties with no regard to the economic and socio-cultural costs borne by the affected communities upstream of the mining site and down to Lingayen, Pangasinan. Adding insult to injury, Philex Mining Company is deemed not bound by the IPRA requirement of securing Free Prior and Informed Consent of impacted communities, accordingly because its mining patent was granted before the effectivity of the IPRA law.
- Meanwhile, 97 residents who set up a barricade to stop the drilling operation, including their lawyer continue to hurdle the civil and criminal charges lodged against them by the Far South East-Lepanto Consolidated Mining Company. The criminal and civil charges – violation of mining act of 1995 - were filed after the residents defied in 2012 a ruling by the Regional Trial Court and NCIP decision that their barricade was illegal. On the one hand, the affected residents assert that more than a year of barricade constitutes a position of NO CONSENT. In the first place, the conduct of FPIC has been manipulated from the on set: NCIP has been dealing with newly established “traditional elders” undermining the genuine elders; LCMC mine workers have been ferried by the mining company during FPIC processes, to the effect that legitimate ancestral land owners and original residents were outnumbered; many original residents who arrived later in the day of the voting were not allowed to enter the voting center. The NCIP and LCMC have been working in tandem in refusing to recognize the opposition of a broad section of ancestral land owners against the expansion of LCMC.

Lepanto claims to have bought the property from a certain elder in the 1960’s for an amount and process unknown to the community. For the indigenous groups who have occupied, utilized, managed, protected the area since time immemorial, the property forms part of what is now being referred to as collective ancestral territory.

- Mounting pressure is being confronted by peoples of Buguias and Kabayan of Benguet and Tinoc and Hungduan of Ifugao over Chevron’s exploration of geothermal energy production.
- The government has not only abandoned its obligation to assist the commercial vegetable farmers, it has allowed entry of vegetables from other countries. Commercial vegetable producers of the region are debilitated by the government’s persistence in subscribing to the liberalization of agriculture as dictated by multinational corporations and the World Trade Organization.

II. Violation of Civil and Political Rights

Persecution of Development Workers and Human Rights Defenders

³ Paper presented by Santos Mero, deputy secretary general of the Cordillera Peoples Alliance on the occasion on Cordillera Development Conference, Nov. 7-9, 2013, in Baguio City.

Recent incidents of persecution of development workers and human rights defenders indicate an evident trend of the AFP's dual approach in using development workers in countering insurgency while making attempts to weaken their psychological will by sowing fear and bribery. These incidents are:

Jude Baggo. In November 2012, Jude Baggo, the Secretary-General of the Cordillera Human Rights Alliance (CHRA), was among the 28 human rights defenders and development workers listed in the 86th IB's document entitled "Municipality of Tinoc, Target Persons." This two-page document bears the logo of 86th IB and 5th ID and directly identified those in the list as supporters of the New People's Army (NPA). Mr. Baggo and Mr. William Bugatti, the Ifugao provincial human rights focal person of the CHRA, were both marked as "Utak ng NPA" (Brains of the NPA). Also listed as supporters of NPA are 3 personnel from the Center for Development Programs in the Cordillera, Montanosa Research and Development Center and the Ifugao Resources and Development Center. A government employee of the Community Environment and Natural Resource Office (CENRO) was also in the list.

In one text message received, Mr. Baggo was accused of being part of the WACOM⁴ Ifugao and that he facilitated one meeting.

Evelyn Bedana, 64 y/o. Ms. Bedana, from the Ilocos Center for Research, Education and Development (ICRED) and Solidarity of Peasants against Exploitation (STOP-EX) experienced intensive surveillance from April to June 2013. By the end of June, a certain Paul approached her offering cash, employment at the Department of Social Welfare and Development and "business partnership" for her to facilitate local peace talks between the government and local NPA units. It is important to note that the government has terminated the national level peace negotiations with the National Democratic Front of the Philippines and instead announced to pursue local peace negotiations. The offer to Ms. Bedana is viewed by her co-development workers as a move of the AFP to bribe development workers to seek cooperation in its plan to pursue local peace talks. It is further understood as a form of psychological warfare - a form of sowing fear and panic among development workers to weaken their political will and drift away from the struggles of the poor, deprived and oppressed.

Rene Boy Abiva and Virgilio Corpuz. Mr. Abiva is a government employee from the Department of Social Welfare and Development (DSWD-Cagayan) while Mr. Corpuz is a development worker of KADUAMI-NL in the Cagayan Valley Region. The two were arrested in Cagayan Valley in December 2012 and incarcerated in the Ifugao provincial jail for several counts of murder, related to an ambush of the NPA against an AFP unit in combat operation in Tinoc, Ifugao.

Ofelia Inong and Rey Busania. Ms. Inong and Mr. Busania are community organizers in Cagayan Valley. They were arrested in Sagada in September 10, 2013 by a joint operatives of fully armed in more than 10 vehicles from the Regional SWAT (Special Weapons and Tactics), Philippine National Police (PNP) led by Senior Supt. Ulysses J. Abellera together with the Armed Forces of the Philippines (AFP). The arresting group were looking for Simon Naogsan, the spokesperson of the revolutionary Cordillera Peoples Democratic Front. As no Naogsan was found in the Inn, Ms. Inong and Mr. Busania were arrested, **for vacationing in the wrong place at the wrong time.** Ms. Inong is now jailed at the Bontoc provincial jail for charges of multiple murder on the NPA ambush in Talubin, Bontoc in 2003 while Mr. Busania was transferred at a jail in Quirino Province facing a different set of murder charges.

KADUAMI-NL has been subjected to many forms of harassment since 2007, when it was listed in the 'enemies of the state' of the AFP's Trinity of War. Some of its staff experienced various threats, arrests, detentions and are victims of trumped-up charges.

⁴ WACOM is referred to as the White Area Committee of the Communist Party of the Philippines.

This year, KADUAMI-NL reported two incidents of attempted robbery. In the second attempt, the robbers tossed tear gas at the KADUAMI-NL office. Aside from Virgilio Corpuz' detention, other KADUAMI development workers also faced harassments from AFP elements like in the case of Willy Kuan, Angelita Bulseco and Isabelo Adviento.

Center for Development Programs in the Cordillera (CDPC) development workers Blessy Jane Eslao and Neil Jake Simeon while on project mission were harassed on June 25 by the 17th IB in Asibanglan, Kalinga. The soldiers asked for their IDs, cellphone numbers and home addresses. The soldiers also got their photos while a certain Sgt. Jessica De la Paz interrogated them and insinuating that Ms. Eslao, Mr. Simeon and their colleagues were in Kalinga for a different purpose and not because of community research and project implementation.

Unabated and Systematic Use of Children in Countering Insurgency

Through the years, there has been an observable trend of utilization of children in counter-insurgency through the following forms: (a) short term encampment in schools and other children's facilities by AFP troops especially during military combat operations; (b) permanent detachments close to school facilities; (c) use of children as guides, sources of information on both activities and whereabouts of New People's Army (NPA), National Democratic Front of the Philippines (NDFP) and including open legal organizations; (d) use of children of revolutionaries to track, harass or "win over" their parents; (f) hasty labeling of children victims of human rights violations as NPA child soldiers.

In the graduation ceremony of the child of a member of the revolutionary Cordillera Peoples Democratic Front (CPDF), the entire family was intimidated by a suspected group of military intelligence closely stalking and tailgating them for days - in school, in malls, and in their residence.

The almost permanent and occasional encampment in schools endangers children, apart from exposing them to various vices of soldiers such as watching pornographic shows, gambling, marijuana, smoking, drinking liquor and others.

Meanwhile there are no effective mechanism of complaint and access to justice especially designed for children victims of human rights violations.

AFP Encampment in Villages Endangering Civilians

Encampment within communities as a form of human shield remains to be the practice of the AFP. The encampment within residential areas endangers civilians in their own homes and villages. In sitio Bantugo, Lacub, Abra, the 41st Infantry Battalion headed by Lt. Elmer Totoy uses the municipal police station as a military detachment. The military detachment is situated near a birthing clinic/municipal health clinic, the Poblacion Lacub Elementary School and is at the center of a cluster of residential houses. On the first week of April, residents complained of the soldiers' indiscriminate firing during the night. Residents were afraid that stray bullets might hit their houses and injure or kill people.

Earlier this year, on February 20, two farmers were shot at three times by soldiers who were at the grounds between the detachment and the birthing clinic. The farmers were gathering firewood across the river from the soldiers. The victims claim that the soldiers were clearly aiming at them, with one almost getting hit at the right side of the body and both of them almost getting shot at the head had they not scampered to safety.

Another unit of the 41st IB detachment is stationed in Mataragan, Abra which is also close to a school.

In Mountain Province detachments of 54th IB are located near the schools and/or residential areas in Guinaang, Bontoc; Kin-iway, Besao; Butigue, Paracelis; Kadaclan, Barlig; and Poblacion, Sadanga.

Fully armed soldiers of the 50th IB Sagada's are stationed currently at Lake Danum. Tourist Guides and farmers have also reported that a "cannon" is mounted on the hill above the lake facing towards Besao.

Since the 1st week of July 2013 as well, the 54th IB made use of the barangay hall and rural health unit facility of Barangay Gumhang, Tinoc, Ifugao as a military detachment.

Divestment, Strafing and Burning

On November 20, 2013, the 54th IB unit led by Capt. Edward Ian Recablanca strafed the home of Manuel Gitob in sitio Camandag, Asipulo, Ifugao. The unit forcibly entered the house, took all blankets, clothes and even groceries and burned these, leaving the Guitob family with just an old mat. A soldier took a bundle of money which he found tucked in the Guitob's clothings. He gave P100.00 to the child who saw him stealing.

Use of Civilians as AFP Guides in Combat Operations

- At 7:00 AM of November 13, a group of 9 residents of Northern Sagada, including a foreigner and two minors, were held against their will by battle-ready soldiers of the AFP and Philippine National Police (PNP) at Lesnadan, Palidan, Sagada. The victims were on their way to get charcoal, firewood, to pasture their cattle and tend their "uma" or swidden farms.

While on the way, the AFP and PNP encircled and interrogated them, at gun point, on where the New People's Army (NPA) camp is located. Those in rain boots were asked to take these off and were even questioned why they did not have socks on.

They were asked their names and Identification cards. The AFP and PNP also took their cellphones and bolos.

After an hour, the group was released when a mother of the a minor reached the group.

- Two (2) high school students of Bangaan, Sagada were also held against their will again by the AFP operating in the area. The two minors were out early in the morning to gather wild tea. They met the AFP and were interrogated. They were suspected as NPA because each had two phones and extra batteries. Their cellphones were confiscated by the AFP.
- Two civilians who were at sitio Taleb, Tubo, Abra in the boundary of Besao were held by the AFP and forcibly used as guides and human shield on November 16. The two civilians were made to walk with the AFP troop line with one in front and the other at the end. While resting in the middle of the forest, an armed encounter with the New People's Army ensued where one of the civilians was wounded.

Torture

In Lagangilang, Abra, charcoal-maker Maymar Alcantara was tortured by elements of the 41st IB while he was gathering firewood. He was accused of being a member of the NPA. Three soldiers in camouflage uniform, without nameplates and with their faces covered assaulted him on January 29 in Barangay Cayapa, Lagangilang while he was gathering firewood. They kicked him, restrained his hands and then punched him repeatedly on his face. They took off his shirt and with a knife, one of the soldiers carved an x mark on both sides of his chest. They stopped inflicting physical harm on him only after they saw his voter's identification card. He was subjected to surveillance for almost a week after the incident even after he reported the case to the barangay officials.

Aerial strikes/Bombing

In 2013, two bombing incidents in close proximity with residential and agricultural areas were reported.

On May 31, 2013, the 503rd Brigade, through air strikes, indiscriminately bombed barangays Lat-ey and Duldulao, Malibcong, Abra in their combat operations. The bomb exploded approximately 40 meters away from two minors - girls at the age of 14 years old and 16 years old who were almost hurt and 170 meters from the micro-hydroelectric power plant, the community's main source of power. Immediately rescued by the people in the community, these two children were subjected to undue alarm and fear, if unattended can suffer from long term psychological distress. To make matters worse, the statement released by the Presidential Adviser on the Peace Process Teresita Deles in response to the incident insinuated that the two minors were "child soldiers". This was from a statement of Malibcong Mayor Benito Bacuyag that if there were children casualties in the incident, they might be "child soldiers".

In August 30, 2103, members of the 1st Division Strike Wing of the Air Force, Armed Forces of the Philippines (AFP), and Regional Public safety Battalion of the Philippine National Police bombed the areas forest of Aguid and Upland Bontoc.

This took place within the Demang mountain ranges. The incident has affected the municipalities of Sagada, Besao, Sadanga and Bontoc in Mountain Province and Tubo, Abra. The main affected tribes of the bombings and strafing are the Fidelisan, Dallic and Bontoc tribes. The said area covers the communal hunting grounds, forest area, coffee and swidden farm and watershed of the 5 municipalities.

As result of the military operation, the elementary schools in Northern Sagada and Upland Bontoc suspended their classes. Specifically in Aguid, school buildings were used by the operating units of the AFP and PNP

After the airstrikes, the AFP did not conduct any sweeping operation for any unexploded bomb. This poses a danger to the people in the communities affected as the areas where the bombings were conducted are areas of farming and hunting. In rules of war, the AFP is obliged to clear the area of unexploded ordinance.

Arrest and Detention of Revolutionary Political Dissenters and Hors de Combat

Kennedy Bangibang. Mr. Bangibang of the Cordillere Peoples Democratic Front (CPDF) is a consultant of the National Democratic Front of the Philippines on Cordillera affairs. He was arrested on trumped up charges on February 23, 2013 and is now facing multiple charges of murder. He was incarcerated in the

Kalinga provincial jail but was transferred to the Baguio City Jail last July 25 without due notice and without respect for procedure and his rights as a prisoner. He was taken by force by elements of the Bureau of Jail Management and Penology (BJMP) into an unofficial vehicle for the transfer to Baguio. His legal counsels were provided the orders for this only an hour after he was taken.

Grayson Naogsan. Mr. Naogsan, son of the spokesperson of the CPDF has been incarcerated in the Ifugao provincial jail since November 2012. He is facing multiple murder and rebellion charges in Ifugao, Mountain Province and Abra. He has long been inactive from revolutionary involvement due to medical reasons and by all indications should be granted hors d combat status, a right protected under the Geneva conventions.

Jovencio Baluga. Mr. Baluga is a former member of the NPA's militia. After years of inactive service he was issued a warrant of arrest for murder charges. He is now incarcerated in the provincial jail of Kalinga. He was arrested when he went to have his name "cleared" at the Balbalan Municipal Police Station.

The cases against Mr. Baluga were dismissed last August.

While the 3 were detained under different circumstances, what is common is that they were incarcerated on acts pertaining to combat actions of parties involved in the civil war (National Democratic Front of the Philippines and the Government of the Republic of the Philippines).

The arrests and illegal detention not just of these three but also of civilian dissenters are motivated by the bounty of P466 million reward for those who can provide information that could lead to the arrest of 235 wanted individuals listed as "communists". This is allotted by the Aquino government as part of Oplan Bayanihan and is provided for under the joint DILG-DND memorandum 14, announced by Roxas in November 2012. Allegedly, arresting units in the cases of Kennedy Bangibang, Grayson Naogsan, Jovencio Baluga and Ofelia Inong earned PHP 2.5 M, PHP 3.7 M, PHP 400,000 and PHP 2.4 M. The bounty only further fuels the corruption within the ranks of State security forces and the government as they trample on human rights.

Benigno Aquino's Strengthening the Cordillera Peoples Liberation Army (CPLA)

While the US-Aquino regime unilaterally discontinued the peace negotiation with the National Democratic Front of the Philippines which is scheduled to deliberate on the Comprehensive Agreement on Socio-Economic Reforms, it shifted its effort to what it calls as peace and development program in conflict-affected areas and communities with existing "peace agreements" through the Payapa at Masaganang Pamayanan (PAMANA). Under PAMANA, billions of pesos are allocated for socio-economic projects in 48 provinces for the period 2011-2016; including 57 barangays in 27 municipalities in the Cordillera region. A core component of the PAMANA is the "closure agreement" with break-away groups of the New Peoples Army turned paramilitary and private armed groups such as the Rebolusyonaryong Partido ng Manggagawa/Revolutionary Proletarian Army/Alex Boncayao Brigade in the Visayas and the Cordillera Peoples Liberation Army (CPLA) in the region. For this year alone, P211.8 million was allocated for 13 projects with the CPLA as implementer. A total of 133.8 million was already released since last year. This scheme of allocating socio-economic projects to paramilitary and private armed groups serves to empower them instead of paving their "closure". Further, the act constitute a form of "executive clemency" for strings of human rights violations committed against human rights defenders as well as ordinary citizens such as extortion, land grabbing, squatting and killing.

It is public knowledge that the CPLA serves as hired goons, most notable of fake ancestral land claimants in Baguio City. A leader of the CPLA publicly disclosed their involvement in the Carino property in Baguio City wrongly granted by the NCIP to the Paus⁵. The same leader disclosed the involvement of the CPLA in the extortion of what they call ‘revolutionary taxes.’

Under the pretext of transforming the CPLA as socio-economic force, this act by the President serves to consolidate this paramilitary group in the region. In fact, strengthening the CPLA has a nation-wide implication. President Aquino is legitimizing the use of paramilitary groups and private armed groups in counter-insurgency and as hired security forces/goons in the entire country. This move forms part of the Investment Defense Force allowing mining firms to utilize paramilitary forces to beef up their security.

Tolerating Notoriety of the 86th IB Special Force 5th ID

According to the AFP’s website, “the 86th Infantry Battalion of the 5th ID, named *Highlander*, was organized on February 2010 to fill in the lack of troops in the different infantry divisions of the AFP.” It is composed of integrees of the CPLA and officers and men of the Philippine contingent in the UN Peace Keeping Force in Israel and Syria. Its permanent unit is the 5th ID in Gamu, Isabela, the AFP unit operating in Northern Luzon. The 86thIB was first deployed in the entire province of Ifugao and parts of Nueva Vizcaya.

In its almost 3-year operations, the 86th IB has been implicated in the extrajudicial killings of Elmer Valdez of Sta. Lucia, Ilocos Sur and couple Vic and Rosario Valenzuela of Echague, Isabela.

CPLA integree and officer of the 86th IB Capt. Danilo Lalin remains a suspect in the rape of ‘Isabel’, a 16 year-old high school student from Mankayan, Benguet. Isabel suffered from dissociative amnesia and is now under temporary custody and rehabilitation. An administrative case has been filed against Capt. Lalin with the military Ombudsman.

Trumped-up charges of murder and frustrated murder were also filed against student-leader Mildred Salang-ey by the 86th IB but the complaint did not prosper due to the absence of probable cause. While not incarcerated, Mildred suffered dislocation from her studies, apart from the psychological impact of an impending arrest and detention. Her sister suffered psychological disorder in the aftermath of the incident.

It can be recalled that in July 2012, a case of torture and various incidents of divestment and destruction of properties by the 86th IB was documented in Tinoc and Asipulo, Ifugao.

The 86th IBPA has been reportedly sent back to barracks at the 5th ID in Gamu, Isabela for retraining. They have not yet been held accountable for their violations. The silence of President Aquino on these fully documented and reported practices of notoriety is sending a message that these grave misconducts constitute legitimate part of the AFP’s combat actions.

III. People’s Response: Hold the US-Aquino government accountable for its human rights violations

Oplan Bayanihan’s real character has endangered the lives and security of civilians working in neglected villages in the region where social services are unjustly inaccessible. Its deceptive nature was not able to

hide the real targets of the Oplan and whose interests it serves. The targets are those tagged as critiques of government policies and programs. The Oplan only serves the interests of the Aquino government to consolidate its power so it can enforce further development aggression against the people. It is irresponsible and condemnable for a State that abandons the people's rights to basic services and infrastructures to even have the nerve to politically vilify those who bring these services to the marginalized sectors and communities as its 'enemies'.

Indigenous peoples facing development aggression have known that military and paramilitary groups are now serving the corporations as de-facto defense and security force further legitimizing attacks against defenders of ancestral lands, natural resources and human rights. The historical struggle for land and life persists amid intensifying repression of a state that values investments and monetary benefits more than the land and resources that nurture generations and indigenous culture.

The human rights situation in the region, with unmasked Oplan Bayanihan, transforms the military's real plan from deception to direct assaults against unarmed civilians from all political inclinations. Be it ordinary indigenous peoples, farmers, residents, workers, housewives, children, community officials, development workers, human rights workers-nobody is saved from the vicious political vilification perpetrated by a desperate and crumbling government who doesn't have anything to be proud of but an 'image'. The image of peace and development now exposed is only used as propaganda capital of those banking in rhetorical democracy amid impunity.

This impunity was evident in the April 2013 report of the Benguet Regional Trial Court regarding the case of Desaparecido's James Balao stating that; "the investigative reports yielded zero results and inconclusive findings." After 5 years of investigation, the court is disappointed by the investigation conducted and being conducted by the AFP and PNP thus called for parallel investigations from the National Bureau of Investigation (NBI) and the Commission on Human Rights (CHR). The recommendations by Judge Humiding were upheld by an en banc resolution of the Supreme Court last October 22, 2013.

Amid impunity, freedom loving people and advocates of human rights are called to take concrete actions to help victims of human rights violations in their assertion of rights and the pursuit for justice. Together with the victims we should muster the strength to make the violators of human rights accountable. We should demand for the dismantling of military troops and pull-out of detachments of those proven violators who continue to sow fear and terror in the communities.

The peace negotiations between the Government of the Philippines (GPH/GRP) and the National Democratic Front of the Philippines (NDFP) should resume. This is among the important venues where the indigenous peoples development agenda in the Comprehensive Agreement on Socio-Economic Reforms (CASER) should be discussed. The Comprehensive Agreement on the Respect of Human Rights and International Humanitarian Laws (CARHRIHL) should also be sincerely implemented.

Despite the repression, the communities, development workers and human rights workers will persist in defending human rights.

We will pursue the call for the just allocation of government funds for basic social services. No cent should be allotted for plunder and repression.

We will persevere with the struggle for self-determined and human rights-based development.

We will continue to resist development aggression!

We will continue to demand the following:

Stop using children and children facilities in countering insurgency!

Stop using residential areas for military purposes!

End the use of aerial strikes in combat operations!

Dismantle the 86th IB and the Cordillera Peoples Liberation Army!

Respect the right to political dissent!

Prosecute the perpetrators of human rights violations!

We will persist in resisting OPLAN BAYANIHAN!

We will hold the US - Aquino regime accountable for its human rights violations!