

Special Report:

DIRTY WAR AGAINST CHILDREN

AFP and PNP grave violations
of children's rights and special protection
of children under international humanitarian law
(2020-2022)



November 20, 2022

Introduction

This special report of Ang Bayan features violations of the rights of the child and special protections under international humanitarian laws by the armed forces of the Government of the Republic of the Philippines (primarily the Armed Forces of the Philippines and the Philippine National Police.) Child rights violations have markedly increased and worsened as the AFP and PNP's dirty war intensified under the Duterte regime, and which continue to intensify under the Marcos regime.

The lack of documentation on child rights violations hobbled this report. To complete the data for this report, researchers had to review and thoroughly check all reports received and recorded in the pages of Ang Bayan or regional statements and publications. This report only focuses on 2020-2022 period, as we continue our efforts to complete information from past years. We will try to release this at the earliest time possible.

As the revolutionary war for national liberation and democracy advances, the Communist Party and the New People's Army recognize and promote the need to protect the interests, welfare and the rights of the child amid the ongoing war. In this regard, the National Democratic Front of the Philippines (NDFP) through the NDFP Human Rights Monitoring Committee, published its Declaration and Program of Action for the Rights, Protection and Welfare of the Child on July 1, 2012. The CPP and NPA fully support this declaration.

Ang Bayan is publishing this special report in time for the United Nation's World Children's Day on November 20 with the objective of drawing attention of local and international organizations, agencies and institutions promoting human rights and international humanitarian law, especially on the rights of children, to the grave situation of children amid the AFP and PNP's dirty war.

In the face of unmitigated fascist attacks on children's welfare, the people should unite and strengthen their voice to collectively defend and protect the rights of children, while advancing the war for their future.

AFP and PNP grave violations of children's rights and special protection of children under international humanitarian law

The Armed Forces of the Philippines and Philippine National Police respect no laws in its dirty counterinsurgency war against the revolutionary movement. In different parts of the country, soldiers and police target one of the most vulnerable sectors of society—babies, children and minors.

The violations worsened as the Covid-19 pandemic raged and a fascist lockdown was imposed on the country. State armed forces exploited the situation to occupy communities and launch extensive and intensive military operations. Ang Bayan reported scores of cases of children's rights violations since 2020 up to present. However, the list is far from complete as many of the cases of child rights violations are not documented or reported separately.

Children's rights and special protection under the international humanitarian law are widely violated. Serious violations include forced stoppage of classes, threats, arrests and detention, forced evacuation, forced surrenders, forced participation in combat operations, children being used as human shield, enslavement, sexual abuse and violence, physical abuse, torture and frustrated murder and murder. There are also cases of persecution, abduction and taking infants and toddlers as hostages in the guise of "rescuing" by the Department of Social Work and Development to force their parents, who are accused of being members of the NPA, to "surrender."

Murder and frustrated murder behind the veil of “encounters”

The most recent cases of killing of children involve separate attacks against civilians by soldiers in the provinces of Negros Oriental and Batangas. Everly Kee Jacolbe, 16, was killed after soldiers of the 62nd IB attacked the hut where she was staying with her pregnant mother Christine in Barangay Trinidad, Guihulngan City on July 26, 2022. In Batangas, the 59th IB shot and killed 9-year old Kyllene Casao while she was walking with her father towards their home in Barangay Guinhawa, Taysan on July 18, 2022. In both cases, the AFP claimed that the children and their adult companions were killed in fake encounters between units of the AFP and the NPA.

In Oriental Mindoro, a minor was shot and killed as 4th IB and PNP-SAF troops fired at the house of G. Inyab in Sitio Tauga Daka, Brgy. San Vicente, Roxas town on July 3, 2022. The police and soldiers strafed the house outrightly claiming that its occupants, who belonged to the Mangyan-Buhid minority community, were supporters of the NPA.

Two children, ages 9 and 12, were killed when soldiers of the 8th ID open fired in Barangay Roxas, Catubig, Northern Samar on February 8, 2022. The two were with a group of farmers who soldiers mistook for Red fighters. Instead of helping the wounded, the soldiers fled the area without ascertaining who they fired at. It took a while before residents reached the wounded children. Two did not make it to the hospital. Another child who was wounded was fortunately saved. To cover-up their crime, soldiers spread the lie that the children were victims of a crossfire of a AFP and NPA gunbattle, and that it was the Red fighters' bullets which hit them. According to the NPA's statement, they were not present in the place of incident and that an armed encounter which happened earlier was a few kilometers away from the area.

In Kabankalan City, Negros Occidental, soldiers also shot and killed a 15-year old resident of Barangay 1.

On June 15, 2021, elements of the 3rd Special Forces Battalion killed Angel Rivas, 12, and claimed that she was a "child soldier." Rivas was shot, along with five other hemp farmers, when they were spotted by soldiers who were combing the fields. Two others were killed in the incident, including Rivas' cousin.

In Maguindanao, 6-year old Saad Abdulkadir Tumbi died from an infection on February 14, 2021. He was hit with a mortar splinter which exploded outside their house in Barangay Sambulawan Datu Salibo, Maguindanao. The mortar came from a cannon fired by the 6th ID in their community on December 13, 2020. Another child was wounded from the said shelling.

At 3 p.m. of March 15, 2021, 17-year old Aldren Faburada was arrested, tortured and killed in Sitio Kansampo, Barangay Bagtic, La Libertad, Negros Oriental. Faburada was shot near the place where units of the AFP and the NPA clashed earlier. He passed by the area on his way from getting study modules from his teacher.

A 10-year old child was hit by a bullet in Barangay Indalasa, Malaybalay City, Bukidnon on October 16, 2020, as forces of the 88th IB indiscriminately fired their weapons. The child was with his parents harvesting corn. He was hit on the foot.

Two other children were almost hit during a strafing by the 3rd Special Forces Battalion at the houses in Barangay Buhisan, San Agustin, Surigao del Sur on October 28, 2020.

Target of combat operations

Tens of thousands of children are victims of the AFP's focused military operations to "crush" the armed movement. They are intentionally targeted, together with their parents, on suspicion of being NPA

"supporters." They are among those who are forced to stay in cramped evacuation centers, or hide in forests, to avoid the military's rampage.

In Bukidnon, seven teenagers fell victim to 16th IB combat operations on November 14-19, 2020. Among them was 17-year old Ruben Dano who soldiers accosted as he was tending to his carabao on November 19, 2020 at Sitio Dulapong, Barangay Balangigay in Kitaotao town. He was held at gunpoint and repeatedly mauled. He was forced by soldiers to serve as guide for combat operations for five days. He was able to return to his community only after his family demanded his release. Later, another teenager was mauled by soldiers.

In the same barangay, children suffered severe trauma after witnessing soldiers threatening and mauling their father Lolo Corales and uncle Archie on November 12, 2020. On the same day, two teenagers were held at gunpoint, threatened and subjected to interrogation by soldiers in Barangay Dalurong, Kitaotao. The teenagers fainted out of fear. Another teenager was kicked after he refused to give his cellphone to a soldier. These children carry the trauma to this day.

In Leyte, five children, including one suffering from meningitis, were forcefully taken by soldiers of the 93rd IB from their house in Carigara on November 13, 2020. Soldiers arrested their mother Nora Dionaldo, along with their older brother Ernie. Soldiers raided their house on suspicion that their father Edencio is a member of the NPA. The children were then brought to the office of the DSWD.

In a report from Southern Tagalog in 2020, not less than nine children aged 3 months to 17 years were forced to "retreat" to the forests together with their families. This was after they were targeted by soldiers who wanted to force the parents and relatives to "surrender". After repeatedly being forced to evacuate when news of military operations come in, children's fear are triggered when they hear the word "soldier." A 14-year old girl suffers from fears of being "courted" or "being made a wife" by soldiers.

Military rule in communities

AFP and PNP combat and psywar operations were exempted from the lockdown. In fact, the checkpoints and "stay-at-home" orders were exploited to quickly build detachments, control the population in the countryside and tighten further military control of occupied communities. Soldiers relentlessly used children in their operations in these areas.

This year, the National Democratic Front in Eastern Visayas reported that children are being used in psywar operations by soldiers who are permanently stationed in different villages in Catubig and nearby town of Las Navas. They lure children with candies, junk food, money, toys and others, in exchange for "spying" against residents who are targets of suppression or liquidation. They intentionally bring along children as human shields while patrolling around communities. They encamp in schools, day care centers, health centers, barangay halls and other civilian structures frequented by children .

In Bicol, the PNP-Bicol implemented the Batang Iwas Droga Advocates, a thin veil to its counterinsurgency program in the region. Under this program, police and soldiers inveigle children to tell on their friends and relatives who are suspected of being part of the revolutionary movement. They use children in their drive to force people to surrender.

Worse, children themselves are forced to surrender by the AFP.

In July this year, children were among those declared by the 94th IB as "surrenderdees" in Barangay Carabalan, Himamaylan City, Negros Occidental.

In Masbate, 18 children were included in the 500 "members of the NPA" who "surrendered" as claimed by the 2nd IB on July 19, 2021.

Even children in cities are not exempt. In Caloocan City, 150 children and youth were paraded on September 21, 2022 as members of "left-

leaning" organizations who "surrendered" and wanted to "repent" and "return to the fold." The activity was conducted by the local government, police and other government agencies. The participants were each given a sack of rice in exchange for their cooperation.

There are also cases of individual "surrenderees." In Bicol, a 16-year old was abducted by the 83rd IB on February 1, 2021 in Barangay Toytoy, Garchitorena, Camarines Sur and later presented on social media as a "child soldier" who "surrendered." The victim was kept by soldiers away from his/her family and held hostage in the DSWD office for several weeks. Another child was abducted by the soldiers in the said town.

On June 28, 2021, the 22nd IB arrested 2-year old Althea, and 13-year old Janrex together with their uncle Alvin Mapula in Barangay Bulawan, Bulan, Sorsogon. Soldiers then arrested all their relatives who went to the military camp to look for them, including four other children, ages 4 to 13 years old.

In Pinamalayan, Oriental Mindoro, Karla May Rivera and the Andal family who she was working for were held hostage for five days. The 203rd IBde and the police tried to force Rivera, a 17-year old senior high school student, to "surrender."

Hunting "NPA children"

In Himamaylan City, the 94th IB arrested and interrogated 16-year old Jelca Ariola on November 14, 2022 at Sitio Suba-Suay, Barangay Mahalang on accusation that her parents are NPA members. She was on her way home from school when 94th IB soldiers apprehended and brought her to the detachment. She was released after hours of threats which caused her severe trauma.

On April 22, 2022, 100 soldiers of the 94th IB hunted for two children, ages 2-months and 2-years old, in Barangay Carabalan and Barangay Buenavista, Himamaylan City, Negros Occidental in their attempt to capture and use them as hostages to force their parents, accused of being Red fighters, to surrender. Soldiers ransacked four houses in the said

operation. Twenty-one other children were also victimized as they were forced to evacuate from the said barangays after being threatened.

On May 12, 2021, 10 soldiers of the 203rd IBde and 41st IB forcefully abducted 4-year old "MJ" from his guardians in Sitio Ambuyan, Barangay Pitogo, Rizal, Occidental Mindoro. The child was forcefully taken to an SUV while crying and struggling while his guardians were held at gunpoint. "MJ" is the son of Emilia Marquez, a health worker, who was arrested in 2017 while having her child (who was the a month old) treated for meningitis.

In some cases, the soldier's cruelty to children resulted in death. This includes the case of Baby Carlen, a one month old baby of political detainee Nona Espina, who died due to lung complications and blood infection. Espina's child was taken away from her three days after birth. Espina and eight others were illegally arrested in September 2020 in Guihulngan, Negros Oriental.

Focus: Rape and intimidation

On February 19, 2020, the NPA-Ifugao reported a case of rape of a teenage girl by a soldier in Ifugao. The first incident happened in November 2018 with the girl who was then 15-year old. The perpetrator was identified as Paul Tamang, a soldier of the 54th IB. In March 2019, Tamang again visited the girl's house to rape her. A few months later, elements of the 54th IB who were identified as "Wali" and "Bolsan" went to the family's house to offer ₱70,000 in exchange for their silence. The family and the whole community refused the offer and pledged to demand justice for the violence and oppression inflicted on a member of their tribe.

Kalatas, the revolutionary mass publication in Southern Tagalog, reported the abduction and rape of 15-year old "Belle" by elements of the 201st IBde on July 27, 2020 in Pagbilao, Quezon. "Belle" is the daughter of a known leader of Anakpawis and Gabriela in Mulanay town.

After being held in camp, she was brought to and detained at the DSWD office in Lopez, and after some time, transferred to a policeman's house. According to her account, she pleaded to go home but was told to keep quiet or else she and her family will be killed.

Her abductor and rapist was identified as Leoben Julita, an asset and personnel of the 59th IB. The said unit has long threatened and sowed disquiet in the towns of Macalelon, Lopez, Catanauan and General Luna, all in Quezon.

According to the report received by Karapatan-Quezon and "Belle's" testimonies, she was raped and forced to admit membership in left-leaning groups. The military maligned her mother's name and was made to carry a cellphone with a GPS tracker upon returning home.

Traumatized, Belle attempted suicide after the rape incident. Her family filed charges of rape, serious illegal detention with rape, violence against women and children and violations of the Anti-Torture Act against former Southern Luzon Command (SOLCOM) chief and then deputy director-general of the National Security Council Antonio Parlade Jr, former 2nd ID commander MGen. Arnulfo Marcelo B. Burgos Jr and 59th IB Commander LtC. Edward Canlas.

Her family also lodged charges of illegal detention against Desiree Salamat of DSWD-Lopez, Arnil Abrinillo, companion of Julita, and Leonita and Vilma Julita, parents of Julita.

Focus: Violence against the Negrense child

The National Democratic Front in Negros has recorded twenty-two cases of state violence involving children from 2020 up to present. Three children were killed, and not less than 30 minors were direct victims of military intimidation, arrests and forced evacuation in different parts of the island.

In November 2020, soldiers forcefully abducted a baby whom they believed to be a "child of an NPA" in Talisay City, on orders of the AFP Sol-

diers also attempted to take away another child, suspected to having NPA fighters as parents, from his/her guardians in March and July this year.

Two children were arrested with their parents accused of supporters of the NPA and planted with firearms and explosives as "evidence." One of the them is the 2-year old child of Marites and Ben Salingga of Barangay Nagbinlod, Sta. Catalina, Negros Oriental. Another is Jonaly Agaton, 16, who was arrested together with two others at Sitio Bugo, Barangay Buenavista, Himamaylan City.

The ransacking of homes, threats, holding at gunpoint and indiscriminate firing by soldiers trigger extreme fear among Negrense children.

The ransacking of the house of the Salcedo couple in Barangay Buenavista, Himamaylan City on October 27, 2022 instilled grave fear into their 5-year old child. In another incident, the Carpentero family was illegally detained together with their 1-year old child on September 20, 2022.

In May 2022, a Grade 5 student was traumatized in a strafing incident by soldiers at Sitio Banwa Minatay, Barangay Marcelo, Calatrava. Two children were fired upon at Sitio Cantayson, Barangay Maniak, Guihulngan City.

The NDF-Negros also recorded the shooting of a child in Barangay Marcelo, Calatrava, intimidation of the But-ay family in Barangay Carabalan, Himamaylan City, and the threat against Christopher Montecino and his father on September 11. In Barangay Nabinlod, Santa Catalina, seven children together with 33 adults, were threatened by soldiers on February 2, 2022; while two young farmers together with two adults were mauled on March 29.

Between 2020 and 2022, the NDF-Negros recorded three cases of evacuations in which thousands of children were affected. The biggest of these is the evacuation of 18,000 residents in Barangay Carabalan, Himamaylan City on October 16, 2022. This was not the first time that the residents of Carabalan fled their homes. On June 9, 2021, residents of

Sitio Dala-upon, in the said barangay, evacuated due to military bombing. They endured extreme fear due to the torture and killing by soldiers of their fellow neighbor Erming Pacheco.

On January 17, 2021, hundreds of residents of barangay Sandayao, Trinidad, Binobohan, Imelda and Tacpao, all in Guihulngan City, evacuated after soldiers dropped bombs on the forested areas of the city, and shelled the area from their detachment in Barangay Trinidad. nilang si Erming Pacheco.