



INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS

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IADL RESOLUTION AGAINST “RED-TAGGING” IN THE PHILIPPINES

The International Association of Democratic Lawyers (IADL) views with extreme concern and thus deplors the continuing vilification of our national affiliate the National Union of Peoples’ Lawyers (NUPL) and its esteemed and honorable officers and members by the officials and agencies of the Philippine government.

We are aware that the NUPL, among others, represents many petitioners questioning the constitutionality of the Anti-Terrorism Act of 2020 as well as the complainants in a communication before the International Criminal Court against Philippine President Rodrigo Duterte.

They have been viciously and relentlessly labelled as “communists,” “communist front,” “terrorists,” “terrorist sympathizers,” “bloodsuckers,” “high-ranking members of the Communist Party of the Philippines,” “recruiters for the New People’s Army” and the like.

They have even been baselessly accused of funneling funds to the underground and falsely accused of charging professional fees contrary to their absolute mandate as purely *pro bono* and *pro deo* human rights and public interest lawyers.

These reckless and malicious defamations through what is known as “red-tagging” have victimized for the longest time a wide array of individuals and organizations and not only activists, human rights defenders and social movements but even other lawyers, artists, celebrities, religious, government workers, academe, and journalists.

We have been closely monitoring the situation in the Philippines and note with consternation that this red-tagging is led or goaded by the so-called National Task Force to End the Local Communist Armed Conflict (NTF-ELCAC) as well as some lawyers in government.

In particular, we have keenly observed that one Gen. Antonio Parlade Jr. and one Undersecretary Lorraine Badoy who are publicly known to be the spokespersons of the said agency and who hold various other public positions have unceasingly peddled these virulent rants.

These have placed our colleagues and many members of Philippine society in peril as a number of them have been killed, surveilled, harassed, threatened, slandered, falsely charged and imprisoned.

We remember Benjamin Ramos and we are aware of the precarious situation of many NUPL members including key leaders who are also part of the IADL leadership.

These acts are totally unacceptable.

They are in violation of international law including the International Covenant on Civil and Political Rights, the UN Declaration on Human Rights Defenders, the UN Basic Principles on the Role of Lawyers, the Convention against Torture and even of the Fourth Geneva Convention and the Rome Statute of the International Criminal Court, among others.

Therefore, in this regard, the IADL, in virtual session attended by 61 lawyers from 33 organizations in 31 countries, RESOLVED TO:

- (1) Ask Gen. Antonio Parlade Jr. and Undersecretary Lorraine Badoy and other public officials to back off and cease and desist from such reckless, baseless, malicious and vicious “red-tagging” of our affiliate NUPL and its leaders and members.
- (2) Present reports and send complaints before the Office of the High Commissioner for Human Rights, the Special Rapporteurs on the Independence of Judges and Lawyers, Human Rights Defenders, Human Rights while countering Terrorism and others.
- (3) Make representations or engagements on this issue, or support independent or parallel initiatives with the UN Human Rights Council, the US Congress, the European Parliament and the like and ask our national associations as well as other international lawyers, lawyers organizations and bar associations to do the same.
- (4) Study seriously the option of seeking application of the 2012 Magnitsky sanctions in the US and its counterpart 2020 global human rights sanction by the European Union to be imposed on Philippine officials including Gen. Parlade and Usec. Badoy, while ensuring consistency and compatibility with the IADL position on unilateral coercive measures.
- (5) Submit a communication with the International Criminal Court on these attacks to supplement the pending communications against President Rodrigo Duterte and also to seek an audience with the Office of the Prosecutor in this regard.
- (6) Prepare suits in different national courts applying universal jurisdiction on applicable international conventions on torture and the like against Gen. Parlade, Usec. Badoy and other individuals and entities as may be warranted by the circumstances. #

Adopted

7 February 2021
IADL Council