

Why the Anti-Terrorism Bill will lead to wrongful arrests and more violence

1 Systemic discrimination against Muslims

Labeling

Muslims are easily branded as terrorists and are prone to discriminatory actions. Activities and pronouncements by police and local governments in the past show that they specifically target Muslims when going after terrorists.

- In March 2020, a memorandum was released by the Manila Police District directing police officers to submit an updated list of Muslim students enrolled in high school, colleges, and universities with the objective of strengthening peace and countering the spread of violent extremism in Metro Manila. This directive is an act of identity and religious discrimination and deepens the prejudice and oppression that many Muslims have been experiencing.¹
- The Municipality of Paniqui in Tarlac Province implemented a mandatory ID system for Muslim residents in 2017, after President Duterte declared martial law in Mindanao during the Marawi siege. They did not implement the same system for all other residents of the municipality.² Two weeks later, Central Luzon Police Superintendent Aaron Aquino proposed replicating this practice throughout Central Luzon's seven provinces.³
- In 2016, the mayor of Urdaneta, Pangasinan ordered the clearing of all Muslims in the city because of the intensified campaign against illegal drugs. More than 200 families in a Muslim compound demolished their own houses upon the mayor's orders.⁴ The Sangguniang Panlungsod was asked to enact an ordinance that would prohibit the entry of Muslims, either to rent a house or stay in hotels or inns in the city.⁵ Sources within the city said that hundreds of Muslims packed and left the city in fear of attacks.⁶
- In 2015, the National Bureau of Investigation - Western Mindanao Office released a sketch labeled "Muslim type" to describe one of the bombing suspects in Zamboanga City to help authorities identify and arrest him. The sketch and the label "Muslim type" are a form of racial profiling and discrimination against Muslims.⁷

¹ Franco Luna. (2020). *Alleged Manila police order to list Muslim students slammed as deplorable, disgraceful*. Retrieved from <https://www.philstar.com/nation/2020/02/20/1994771/alleged-manila-police-order-list-muslim-students-slammed-deplorable-disgraceful>

² Tonette Orejas. (2017). *ID cards proposed to stop terrorists*. Retrieved from <https://newsinfo.inquirer.net/910987/id-cards-proposed-to-stop-terrorists>

³ Carlos Conde. (2017). *Philippine Officials Propose 'Muslims Only' ID*. Retrieved from <https://www.hrw.org/news/2017/07/05/philippine-officials-propose-muslims-only-id>

⁴ The Manila Times. (2016). *'Drug compound' in Pangasinan demolished*. Retrieved from <https://www.manilatimes.net/2016/08/06/news/regions/drug-compound-in-pangasinan-demolished/278193/>

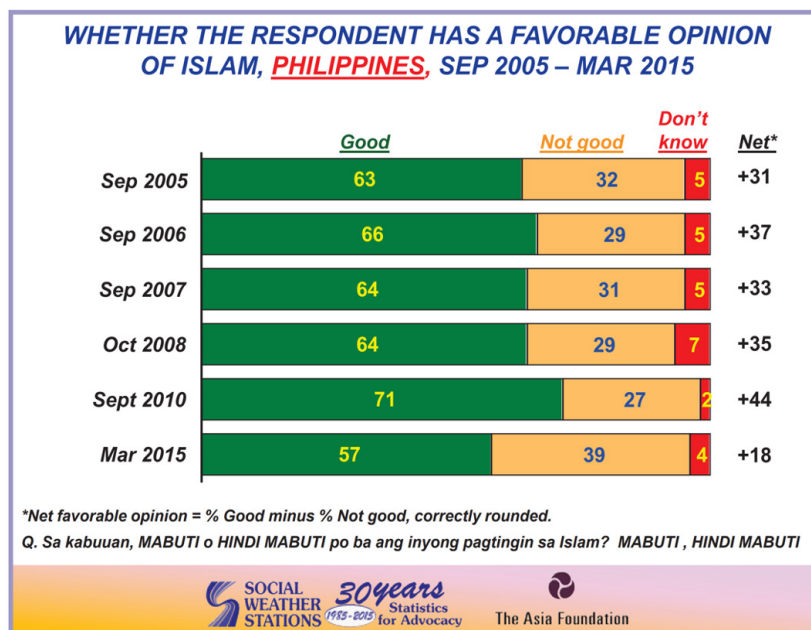
⁵ The Manila Times. (2016). *Pangasinan mayor orders Muslims out of Urdaneta*. Retrieved from <https://www.manilatimes.net/2016/08/08/news/regions/pangasinan-mayor-orders-muslims-out-of-urdaneta/278665/>

⁶ Timothy Walker. (2016). *Mayor orders his city to be cleared of all Muslims due to drug claims*. Retrieved from <https://philippineslifestyle.com/mayor-orders-his-city-to-be-cleared-of-all-muslims-due-to-drug-claims/>

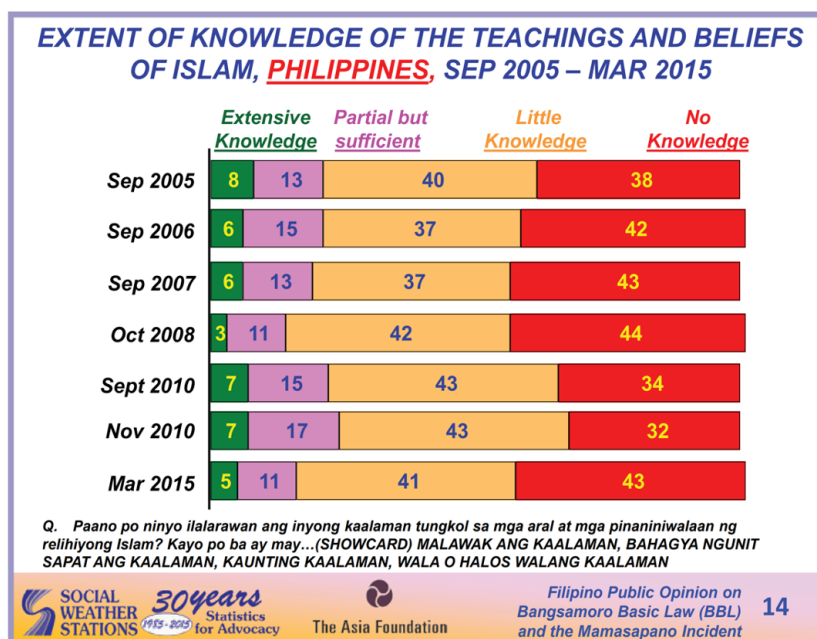
⁷ Tetch Torres-Tupas. (2015). *Use of 'Muslim type' label on NBI artist's sketch ordered probe*. Retrieved from <https://newsinfo.inquirer.net/724993/use-of-muslim-type-label-on-nbi-artists-sketch-ordered-probed>

Surveys show Filipinos have a negative opinion of Islam

- The Social Weather Station report "Filipino Public Opinion on the Bangsamoro Basic Law and the Mamasapano Incident" in 2015 revealed that 39% of Filipinos have a negative opinion of Islam. Temporal data in a period of 10 years show that the percentage of negative opinion was highest in 2015.⁸ This can be attributed to the Mamasapano incident in January of the same year.



- The same report also showed that 43% of Filipinos in 2015 admitted they have no knowledge of the teachings and beliefs of Islam.⁹



⁸ Chart 2. Favorable opinion of Islam in the Philippines, Sep 2005-Mar 2015. Adapted from Filipino Public Opinion on the Bangsamoro Basic Law and the Mamasapano Incident (p.2). 2015 by Social Weather Stations. ² Tonette Orejas. (2017). ID cards proposed to stop terrorists. Retrieved from <https://newsinfo.inquirer.net/910987/id-cards-proposed-to-stop-terrorists>

⁹ Chart 4. Knowledge of the Teachings and Beliefs of Islam in the Philippines, Sep 2005-Mar 2015. Adapted from Filipino Public Opinion on the Bangsamoro Basic Law and the Mamasapano Incident (p.4). 2015 by Social Weather Stations.

From the voices of the youth themselves

In an unpublished risk perception survey conducted by International Alert among Muslim youth in Maharlika Village in Taguig City and in Baguio City in the first quarter of 2020, most of the respondents said they feel that they are being discriminated against because of their religion.

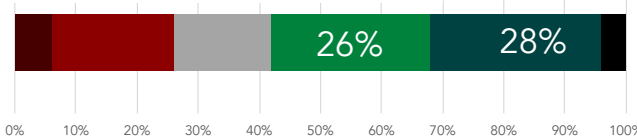
- Fifty-four percent (54%) youth in Maharlika Village and 45% in Baguio City said that they feel abused because of their religion.
- Sixty-eight percent (68%) of the respondents in Maharlika said that discrimination is widespread in schools, while 44% said the same in Baguio City.
- Majority (68%) of youth in Maharlika Village and 51% in Baguio City feel that they are victims of injustice.
- Majority (68%) in Maharlika said that discrimination is widespread in all forms of media, while 65% said the same in Baguio City.
- Seventy-two percent (72%) of the respondents in Maharlika, Taguig City believe that they are constantly being attacked on social media. Fifty-two percent (52%) of Baguio City respondents thought the same.

Most Muslim youth feel that they are abused because of their religion

Baguio City



Maharlika Village, Taguig City



Majority of Muslim youth feel that discrimination is widespread in schools

Baguio City



Maharlika Village, Taguig City

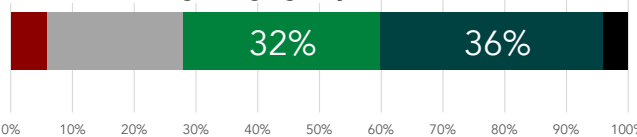


Majority of Muslim youth feel that they are victims of injustice

Baguio City

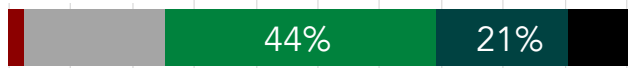


Maharlika Village, Taguig City

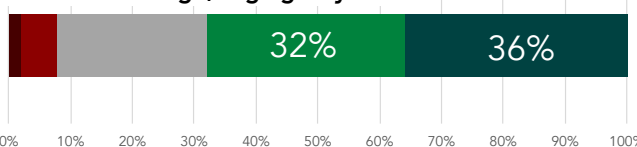


Majority of Muslim youth feel that discrimination is widespread in the media

Baguio City



Maharlika Village, Taguig City



Strongly disagree Disagree Unsure Agree Strongly agree No response

Sure enough, Muslims are victims of health care discrimination

Data on healthcare in the NCR show that there are fewer and more burdened health facilities in Muslim areas compared to non-Muslim areas.¹⁰ “Burden” is quantified by the number of people being served in each health facility in the barangay. The higher the ratio people served per health facility, the more burdened that health facility is. The presence of few health facilities relative to the areas’ population can signify the neglect that Muslim Filipinos face, especially in the NCR.

In Quezon City and Taguig, barangays where Muslim enclaves are located tended to have fewer and therefore more burdened health facilities compared to barangays with almost the same population size. In fact, health facilities are so few in these enclaves that these are even more burdened than the multiple health facilities in the most populous barangays in their respective cities. Baseco, which is the most populous barangay in Manila, has only one (1) health facility for nearly 60,000 people. Other barangays with only one health facility have only 67 percent of Baseco’s population or even less. Additionally, some barangays with far fewer people have two health facilities.



Table 1. Number of DOH health facilities, population census, and population per health facility of select barangays in Metro Manila

City	Barangay	Total health facilities (DOH, 2013) ¹¹	Population (2015) ¹²	Population per health facility
Quezon City	Culiat	2	74,304	37,152
	Bahay Toro	5	70,774	14,155
	Matandang Balara	3	71,022	23,674
	Batasan Hills	7	161,409	23,058
	Commonwealth	10	198,285	19,829
Taguig City	Maharlika Village	1	22,944	22,944
	Tanyag (Bagong Tanyag)	1	22,711	22,711
	Lower Bicutan	3	56,754	18,918
	Western Bicutan	7	91,158	13,023
Manila City	Barangay 649 (BASECO)	1	59,847	59,847
	Barangay 20 (Tondo)	1	38,602	38,602
	Barangay 310 (Santa Cruz)	1	20,483	20,483
	Barangay 842 (Pandacan)	2	3,941	1,971
	Barangay 657 (Intramuros)	2	677	339

¹⁰ Health facilities include birthing homes, hospitals, infirmaries, rural health units, and social hygiene clinics

¹¹ Department of Health. (2013). National health facility registry. Manila: DOH.

¹² Philippine Statistics Authority (2015). Census of Population. Quezon City

2 Discrimination leads to wrongful arrests

Huge increases in intelligence budget of government agencies over the years

The average annual increase in intelligence funds of the Department of National Defense (DND) is a steep 1,259% from 2015 to 2020. The National Intelligence Coordinating Agency (NICA) has an average yearly budget increase of 95%, while the Philippine National Police (PNP) has 27%. The Department of Information and Communications Technology (DICT) has the highest average annual increase in intelligence funds (2,108%) from 2015 to 2020 as reflected in the General Appropriations Act (GAA). Its budget soared from 4.9 million in 2018 to more than 405 million in 2019. This figure even doubled in 2020.

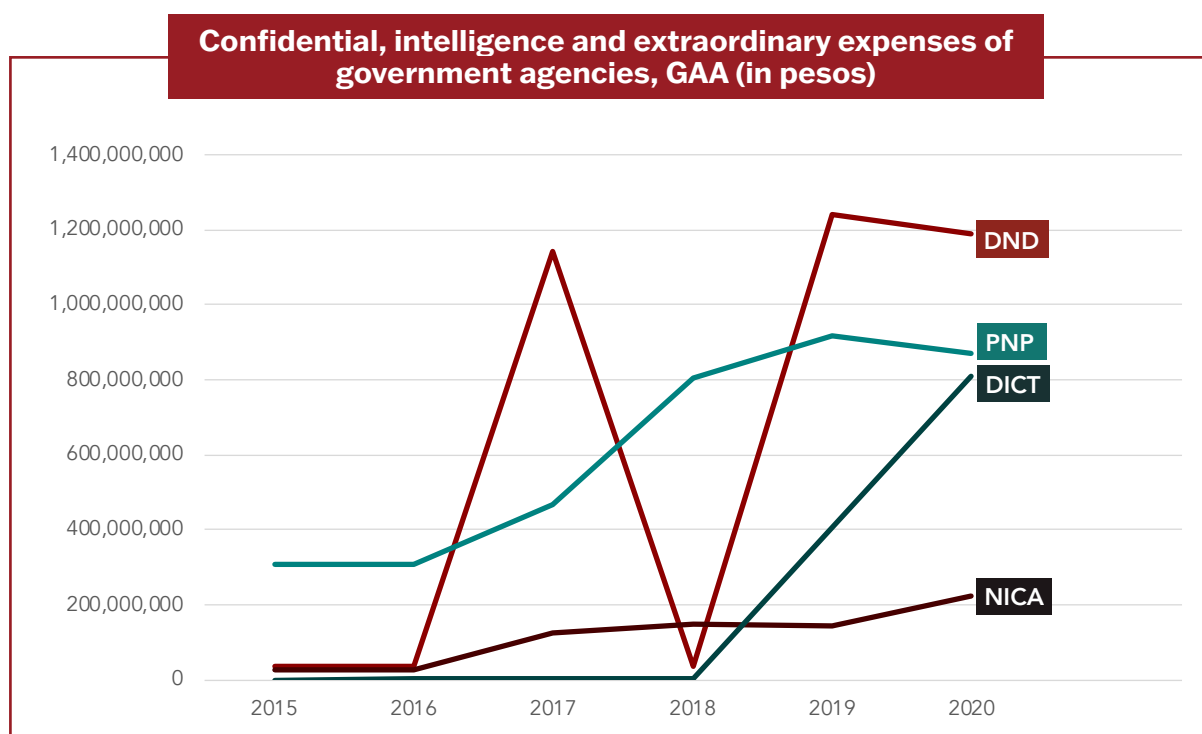


Table 2. Intelligence budget of government agencies from 2015 to 2020 based on the General Appropriations Act.

Year	DND	PNP	NICA	DICT
2015	36,072,000	306,029,000	24,608,000	-
2016	36,072,000	306,029,000	24,810,000	1,525,000
2017	1,140,648,000	468,794,000	124,810,000	5,040,000
2018	36,072,000	806,029,000	149,810,000	4,954,000
2019	1,238,699,000	917,929,000	144,810,000	406,547,000
2020	1,189,674,000	867,929,000	224,010,000	806,954,000

Despite adequate budgets, there is a flurry of wrongful arrests

Despite the increased budget for intelligence, there is a flurry of wrongful arrests of Muslim minorities who suffer stereotyping and discrimination for terrorism and other criminal activities.

- A Muslim barangay councilor in Baguio City who is also a member of an Islamic organization and actively participates in activities related to peace and order, health, disaster response, and in addressing discrimination even outside of his barangay, was tagged as a suicide bomber by the Baguio City Police Office. He later quit his organization fearing his safety.
- Three people with a Maute surname were offloaded from their flight and brought to the police in July 2017, at the height of the Marawi siege. Prior to this incident, four people who were also surnamed Maute were released after being detained in Sultan Kudarat, Maguindanao.¹³
- In 2015, a farmer in Sulu was wrongfully accused and was detained after police tagged him as a "top leader" of the Abu Sayyaf Group (ASG). He was released three years later when a judge ruled that the arrest was a case of mistaken identity.¹⁴
- During the Zamboanga siege in 2013, 226 Moro men and women were arrested for being suspected members of the Moro National Liberation Front. The Kawagib Moro Human Rights, an advocate group, requested to review the cases of these individuals. Of them, only 42 were released in March 2015 while the rest reportedly remained without representation.¹⁵
- Fifty-one (51) people were wrongfully arrested from 2004 to 2014 in the government's fight against the ASG.¹⁶
- More recently, two Muslim jewelers were wrongfully arrested after being accused as drug peddlers. Reports stated that authorities did not identify themselves nor present any warrant of arrest in June 2020.¹⁷
- Similarly, in March 2019 three Muslim religious leaders were illegally arrested and detained in Tuguegarao, Cagayan for allegedly violating the Comprehensive Drugs Act but were eventually released with no probable cause.¹⁸

¹³ Rosette Adel. (2017). *Authorities release 3 men stopped at NAIA over Maute surnames*. Retrieved from <https://www.philstar.com/headlines/2017/07/11/1718599/authorities-release-3-men-stopped-naia-over-maute-surnames?nomobile=1>

¹⁴ Gigi Grande. (2015). *Mistaken identity: Judge frees 'Abu Sayyaf' after 3 years*. Retrieved from <https://news.abs-cbn.com/focus/07/09/15/mistaken-identity-judge-frees-abu-sayyaf-after-3-years>

¹⁵ Hader Glang. (2016). *Filipino Muslims ask Duterte to pardon wrongly accused*. Retrieved from <https://www.aa.com.tr/en/asia-pacific/-filipino-muslims-ask-duterte-to-pardon-wrongly-accused/576142>

¹⁶ Gigi Grande. (2015). *51 wrongful arrests*. Retrieved from <https://news.abs-cbn.com/nation/03/25/15/51-wrongful-arrests>

¹⁷ DJ Yap, Jigger J. Jerusalem, Marlon Ramos. (2020). *'Police abuse' denounced in arrest of 2 jewelers*. Retrieved from <https://newsinfo.inquirer.net/1291641/police-abuse-denounced-in-arrest-of-2-jewelers>

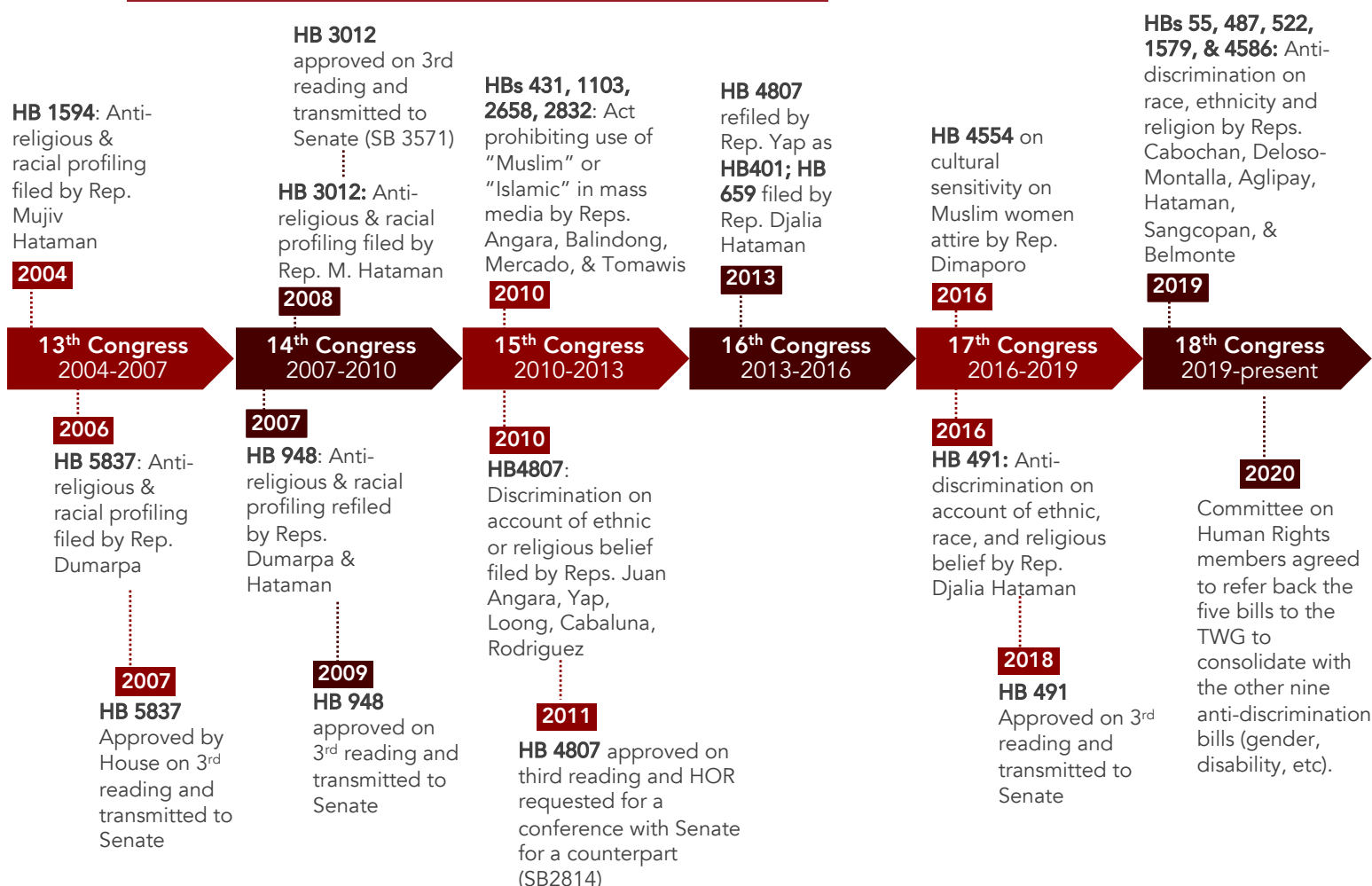
¹⁸ The Philippine Star. (2019). *3 Muslim clerics detained on drug raps freed*. Retrieved from <https://www.philstar.com/nation/2019/03/27/1904781/3-muslim-clerics-detained-drug-raps-freed>

3 Inadequate mechanisms that safeguard minorities against discrimination and wrongful arrests

Inadequate laws that protect Muslims from discrimination

Bills that prohibit discrimination on the basis of race, ethnicity, and religious affiliation have been filed since 2004 in the 13th Congress but none have passed into law. Several iterations of this bill have been filed across different administrations for the last 15 years. In March 2020, the committee on human rights agreed to consolidate an overarching anti-discrimination bill that covers race, gender, ethnicity, political inclination or conviction, social class, sex, gender identity and expression, language, physical features, disability and others. The lumping together of several measures into one comprehensive anti-discrimination bill is feared to result to lesser efficacy if the necessary specificities of the protection of cultural, religious identity of minorities will be diluted. Sexual orientation, gender identity, and expression will be best placed as a separate bill with the nuance required on this topic. Moreover, this continues to be a controversial issue in a predominantly Catholic country such as the Philippines and may result to even more delays in finally passing a bill that protects minorities from all forms of discrimination against race, ethnicity, and religious affiliation.

Timeline of anti-discrimination bills filed in Congress



Words used in the Anti-Terror Bill signify a punitive approach

The profusion of key words in the Anti-Terror Bill pertaining to arrests, interrogation, or imprisonment, and enforcement are telling of a predominantly security approach towards countering terrorism. Conversely, the lack of key words in the bill pertaining to human rights and anti-discrimination suggests that mechanisms for protection against discrimination and wrongful arrests are not given importance. That there is an absence of words such as inclusion, collaboration, mediation, and rehabilitation, shows a solely punitive strategy to address the problem.



Conclusion

All these suggest that there is systemic discrimination against Muslims in the country. Wrongful arrests occur not because of a weak surveillance and intelligence capacity of our security forces, but because Muslims are deemed as more likely than the rest of the population to commit violent acts or join terrorist groups.

The Anti-Terrorism Bill will only heighten the discrimination against Muslims and other minorities because there are hardly any mechanisms in the bill that safeguard them against the consequences of a discriminatory system. Grievances of and injustices against Muslim minorities resulting from the Anti-Terrorism Law will only lead to violent reciprocal action and will further exacerbate existing violent conflict dynamics.

Table 3. Inventory of key words in the Anti-Terrorism Act of 2020

Keyword	Count
Terrorism	69
Court	47
Terrorist	42
ATC	36
Enforcement	30
Detain (-ed; -ing)	29
Penalize/d	23
Prison/ Imprisonment	23
Security	22
Military	19
Proscription	18
Crimes	17
Information	17
Evidence	15
Suspected	15
Custody	14
Rights	14
Detention	13
Military personnel	13
Investigation	12
Counsel	11
Custodial	11
Arrest	10
Weapon	10
Surveillance	8
Family	6
Interrogation	6
Conflict	4
Economic	4
Legal counsel	4
Welfare	4
Human rights	3
Justice	3
Political	3
Preventing	3
Violent extremism	3
Peace	2
Disgruntlement	1
Ethnic	1
Exclusion	1
Governance	1
Peacebuilding	1
Radicalization	1
Religious discrimination	1
Vulnerable	1
Women	1