



PHILIPPINES 2019

ANNUAL REPORT

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Killings by the police and unknown armed individuals remained rampant as the government's violent "war on drugs" reached its fourth year. The International Criminal Court (ICC) continued its preliminary examination of possible crimes under international law committed in the country. Congress revived attempts to reinstate the death penalty. Human rights defenders critical of the government were increasingly harassed and vilified. The prevailing climate of impunity fueled an increase in killings of activists for their political views. In July, the UN Human Rights Council adopted a resolution asking the High Commissioner for Human Rights to report back on the human rights situation in the country in 2020.

Extrajudicial executions and impunity

Killings by the police and unknown armed individuals continued in the context of the government's anti-drug campaign. In June, the then-chief of the Philippine National Police (PNP) acknowledged that over 6,500 people had been killed in police operations since the Duterte administration took office in July 2016. Human rights groups placed the number far higher. Government records also showed more than 20,000 other deaths during the same period classified as homicide cases under investigation, many suspected of being linked to the police.

Victims continued to be overwhelmingly from poor and marginalized communities, and often were part of unsubstantiated "drug watch lists" that police continued to use in their operations. Police continued to allege that victims fought back requiring the use of deadly force, despite witness accounts that they were killed in cold blood. Families were unable to obtain justice for their loved ones, due to enormous obstacles to filing cases against perpetrators, including fears of retaliation. There remained no meaningful accountability for the killings at the national level.

In March, the Philippines' withdrawal from the Rome Statute of the ICC took effect. Nevertheless, the ICC continued its preliminary examination of possible crimes under international law.^[i] In July, the UN Human Rights Council adopted a resolution asking the Office of the High Commissioner for Human Rights to produce a comprehensive report on the situation in the Philippines.^[ii]

In early November, Vice President Leni Robredo, a member of an opposition party, accepted President Duterte's invitation to co-chair the Inter-agency Committee on Anti-illegal Drugs.^[iii] Her appointment lasted only a brief 18 days; she was fired by President Duterte after she demanded transparency and access to documents and intelligence reports related to the government's anti-drug campaign.

Killings of activists affiliated with the political left surged following a complete breakdown of peace talks between the government and the New People's Army; many were victims of "red-tagging," or accused of being communists.^[iv] They included four activists from leftist organizations killed in June.^[v]

Human rights defenders

The government continued to repress human rights defenders. Senator Leila de Lima, the President's most prominent critic and a prisoner of conscience, remained in detention since February 2017 on politically-motivated charges.^[vi] Former Senator Antonio Trillanes IV, another Duterte critic, continued to face rebellion, kidnapping and other charges. In September, the PNP filed sedition complaints against Vice President Robredo and 30 others – including de Lima, Trillanes, lawyers, priests and politicians – for their alleged involvement in producing videos linking the president's family to the illicit trade in drugs.^[vii]

In June, the House of Representatives unanimously approved the Human Rights Defenders Protection Bill that sought to protect human rights defenders, including from intimidation and reprisal. The Senate's version of the bill remained pending. There were questions about the bill's future effectiveness, as the crackdown on human rights defenders and government critics continued. Human rights groups continued to express concerns about the safety of land and environmental activists.

Death penalty

During his annual State of the Nation Address in July, President Duterte called again on Congress to reinstate the death penalty, including for drug-related crimes. More than 20 death penalty bills were pending in both the Senate and the House of Representatives. Reintroducing the death penalty would violate the Philippines' obligations under the Second Optional Protocol to the International Covenant on Civil and Political Rights, which commits the country never to reinstate the penalty.^[viii]

Children's rights

In January, the House of Representatives approved on final reading a bill lowering the minimum age of criminal responsibility from 15 to 12 years old, including for drug-related offences. The Senate's version remained pending. Human rights and other groups called on the government to halt attempts to change the law, saying that setting a lower age would endanger children's lives rather than reduce crime.^[ix]

Right to health

The government's anti-drugs campaign continued to undermine people's right to the highest attainable standard of physical and mental health. Further research by Amnesty International revealed the government's drug rehabilitation and treatment programmes were inadequate; families reported that no such programme had been available to relatives who sought medical care for their use of drugs. Others continued to be forced into compulsory treatment and rehabilitation initiatives, preventing them from accessing essential health and harm reduction services.^[x]

Freedom of expression

The president increasingly threatened journalists critical of the government. Editor-in-Chief Maria Ressa and her news website Rappler, which reported extensively on killings and other human rights violations in the "war on drugs," and a former Rappler reporter and board members, faced at least 10 politically-motivated lawsuits.^[xi] Websites of alternative media organizations were subjected to distributed denial of service (DDos) attacks that generated fake visits to these sites and rendered them inaccessible. At least two journalists received threats after being "red-tagged."^[xii] Media organizations said at least 15 journalists had been killed in work-related attacks under the Duterte administration since 2016.

On December 19, following a decade-long trial, a Quezon City court convicted 28 individuals for murder over the 2009 massacre of 58 people, including 32 journalists, in Maguindanao, southern Philippines. A total of 55 defendants were acquitted. Some 80 other people accused of involvement had yet to be arrested.^[xiii]

Internal armed conflict, counter-terror and security

In March, President Duterte declared the "permanent termination" of peace negotiations between the government and the National Democratic Front of the Philippines – Communist Party of the Philippines – New People's Army, stating that continued dialogue was "useless." In December, however, the president announced yet again his administration's intention to resume peace talks with the communist rebels.

In October, security forces raided the offices of three organizations in Bacolod City affiliated with leftist activists and arrested over 50 people allegedly participating in explosives and firearms training. Those arrested maintained that weapons seized during raids were planted by security forces. Over 40 were subsequently released, after posting bail or being cleared by the court; seven were being held on non-bailable charges.

Martial law remained in effect in Mindanao, amid concerns from human rights groups that military rule could allow for further abuses. At year's end, however, President Duterte no longer sought to extend the measure through Congress, marking the end of martial rule in the region after two and a half years.

Bills to amend the Human Security Act of 2007 – the Philippines' counterterrorism law – were introduced in Congress. Proposed revisions included a broader definition of "terrorism" and longer warrantless detention

for terrorism suspects, which the Commission on Human Rights said could violate human rights, including the presumption of innocence.

The Department of Education closed down 50 schools serving Lumad (Indigenous) children, alleging that they were teaching students to rebel against the government. President Duterte had previously threatened to “bomb” these schools.

Sexual and reproductive rights

The president approved an implementation plan for the National Program on Population and Family Planning, meant to reduce unwanted and unplanned pregnancies through “responsible parenthood,” including access to contraceptives. The government’s chief economist, however, expressed concerns later that the program was underfunded in the 2020 national budget.

Rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI) people

President Duterte declined to certify the SOGIE (Sexual Orientation, Gender Identity and Expression) Equality Bill as urgent, amid an outcry when a transgender woman was prevented from using the women’s restroom and subsequently arrested for recording the incident on her mobile phone. Instead, the government said it would push for a broader law that would cover “all forms” of discrimination.

Labour rights

Workers from various industries – such as transportation, food, beverage, and manufacturing – went on strike several times against unfair labour practices, including low wages, short/fixed-term employment, and failure by employers to provide government-mandated benefits. Some of these protests resulted in violent dispersals, arrests by police, and even killings at the hands of unidentified individuals.^[xiv]

[i] Philippines: Withdrawal from the ICC must spur UN action ([news story](#), 17 March).

[ii] Philippines: UN resolution builds pressure on architects of deadly “war on drugs” ([news story](#), 11 July).

[iii] Philippines: Vice President’s new role must mark end of drug killings ([news story](#), 6 November).

[iv] Philippines: Investigate killing of 14 in police operations ([ASA 35/0156/2018](#), 2 April).

[v] Philippines: Stop “red-tagging”; investigate killings of activists ([ASA 35/0587/2019](#), 24 June).

[vi] Philippines: Outspoken Senator marks two years in arbitrary detention ([news story](#), 17 March).

[vii] Philippines: Drop malicious case against government critics ([ASA 35/1049/2019](#), 13 September).

[viii] Philippines: President's call to revive death penalty will only worsen climate of impunity ([news story](#), 22 July).

[ix] Philippines: Lowering criminal age to 12 will "endanger children's lives" ([news story](#), 5 February).

[x] They just kill: Ongoing extrajudicial executions and other violations in the Philippines' "war on drugs" ([report](#), 8 July).

[xi] Philippines: Further information: Journalist arrested twice in six weeks ([ASA 35/0137/2019](#), 1 April).

[xii] Philippines: Protect "red-tagged" individuals ([ASA 35/0985/2019](#), 3 September).

[xiii] Philippines: Convictions for Ampatuan massacre a delayed but critical step for justice ([news story](#), 19 December).

[xiv] Philippines: Urgent action: Peaceful protestors attacked and one murdered ([ASA 35/9711/2019](#), 21 January).