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SUBMISSION TO THE OHCHR FOR HRC REPORT 41/2 BY
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25 JANUARY 2020

In response to the Call for Submissions by the UN High Commissioner for Human Rights Michele Bachelet, in accordance to the UN Human Rights Council Resolution on the Philippines¹, the International Coalition for Human Rights in the Philippines - Canada (ICHRP-Canada) is submitting this report on the human rights situation in the Philippines. ICHRP-Canada is a network of civil society, migrant, faith based and human rights organizations and advocates. Based on documentation gathered by our network between July 1, 2016 to date and observations of our members during fact-finding missions in the Philippines (July 2016, November 2018, July 2019, August 2019) we have concluded that the human rights situation in the Philippines is worsening. State attacks on human rights defenders, lawyers, clergy, community organizers, government critics and all those working to improve the lives of ordinary Filipinos have escalated. The Duterte government has fostered a climate of impunity by its failure to hold human rights violators accountable and by allowing the disregard for human rights in the conduct of its wars on drugs and insurgency. Under Duterte's presidency, there is growing disrespect of the right to life and civil liberties and a closing of democratic

¹ Promotion and protection of human rights in the Philippines, OHCHR Website, 17 July 2019. <https://undocs.org/A/HRC/RES/41/2>

space with attacks on freedom of the press, and judicial independence. In addition, there is a flagrant disregard for international humanitarian law, including the International Covenant on Civil and Political Rights, the International Covenant on Economic Social and Cultural Rights, the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and other UN Instruments.

The Rodrigo Duterte government has conducted with unabated brutality its 'war on drugs' generating a human rights catastrophe. The depth of the cataclysm that is the war on drugs has been related to our members via face to face meetings with families of the victims who were killed as a result of the "war on drugs"². Amnesty International reported in July, 2019 that "in the three years since President Rodrigo Duterte unleashed the crackdown almost 27,000 people have been killed in either police anti-drug operations or by unknown perpetrators."³ Of these killings, at least 6,600 of the killings have been attributed to the Philippine National Police (PNP) between July 2016 and May 2019.⁴

The Duterte government has been clear about the purpose and methods of its anti-narcotics program, the President has repeatedly boasted about killing drug suspects. In 2016, Duterte was quoted as saying "Hitler massacred three million Jews, now there is three million drug addicts. I'd be happy to slaughter them."⁵ There should be little doubt about command culpability on the reported human rights violations in the war on drugs, since the policy and campaign is an initiative of the President and has been encouraged by the President, while removing obstacles to its prosecution, including the impeachment of a chief justice of the Supreme Court. In addition to the war on drugs, political killings, illegal arrest and

² World Council of Churches, Pilgrim Team Visit to the Philippines, 9 -13 August, 2019 News Release. Observations shared by ICHRP Canada Chair Rev. Patricia Lisson from Aug 2019 fact finding mission

³ Amnesty International Report, PHILIPPINES: "THEY JUST KILL". Ongoing Extrajudicial Executions and Other Violations in the Philippines "WAR ON DRUGS" July 8, 2019. Index number: ASA 35/0578/2019

⁴ Amnesty International Report, op cit, Executive Summary July 8, 2019 p. 5.

⁵ www.Pbs.org Frontline Patrice Taddonio "If They Are Stubborn, Then We Will Kill Them": Inside Rodrigo Duterte's War on Drug Suspects in the Philippines. Oct 7, 2019.

detention, enforced disappearance, torture, and forced evacuation have occurred relentlessly throughout the Duterte presidency.

Karapatan, a national alliance of human rights organizations, reports more than 1,000 civilians killed in military actions related to the “war on terror” in Marawi City. Since July 2016 across the Philippines there were over 293 political killings (including 167 human rights defenders), 629 political detainees (382 new detainees under Duterte), 204 documented instances of torture, and 94,075 victims of threat, harassment and intimidation.⁶ By the end of 2018, indiscriminate firing and bombing during military operations under the Duterte government had caused suffering for 368,391 persons and forced evacuation resulted in the internal displacement of another 447,963.⁷ To protect itself from accountability the Duterte government withdrew from the Rome Statute.⁸ The withdrawal has the intended effect of removing the Philippines from the jurisdiction of the International Criminal Court prospectively. But in reality, complaints filed before the date of withdrawal are given due course. In this context ICHRP-Canada would like to highlight a few key areas of concern:

1. Impunity and Intensifying Repression

Every day the situation appears to become graver with new measures by the Duterte regime to oppress, harass and murder social and human rights activists and drug suspects. More recently in Negros the government has begun blurring the lines between drug suspects and those it considers as its critics.

Even though Martial Law has now “formally” ended in Mindanao, the government

⁶ www.karapatan.org Karapatan National Press Release, “Karapatan cites urgency of the human rights crisis in the country presses for probe and accountability during 2019 IHRD”. Dec 10, 2019.

⁷ www.karapatan.org, Karapatan Year-end Report 2018.

⁸ The Rome Statute established four core international crimes: genocide, crimes against humanity, war crimes, and the crime of aggression.

has imposed martial law measures in many other areas of the country including Negros, Samar, Leyte and Southern Luzon. In late November 2018, under the pretext of suppressing “lawlessness”, the Philippine government announced Memorandum Order 32⁹, and deployed more police and ground troops to intensify on-going counter-insurgency operations in the Bicol Region of Luzon, Samar and Negros placing more civilians in harm’s way. The result was Memorandum Order 32 intensified repression throughout the Central Philippines in 2019. Negros is an area where a number of ICHRP members have visited and where ICHRP Canada have received reports of a spike in human rights violations over the past 15 months. On November 5, 2019 human rights lawyer Benjamin Ramos was gunned down by motorcycle-riding gunmen. Ramos had been involved in several human rights cases in Negros. To date, no one has been held accountable for the killing of Atty. Ramos.

Since the deployment of more troops in late 2018 there has been a proliferation of extra-judicial killing involving the military and para-military forces. In Negros there have been three (3) distinct killing clusters, targeting civilians, involving the Armed Forces of the Philippines and local police which have occurred under the counter-insurgency operation Oplan Sauron¹⁰:

- the first instance was a large-scale AFP-PNP military operation carried out in Negros Oriental from Dec. 27, 2018 to Jan. 15, 2019. The operations resulted in seven persons killed and 40 others arrested and charged, invariably, with illegal possession of firearms and explosives¹¹.
- A second operation was carried out on March 30, 2019 by the Philippine National Police Region 7, its Special Action Forces and Regional Mobile

⁹ Link to MO No. 32

¹⁰ Northern Negros Alliance of Human Rights Advocates, Press Statement, March 31, 2019
www.ochrp.wordpress.com

¹¹ Newsinfo.inquirer.net, Carla Gomez, Nestle Semilla “6 killed and 15 captured in Negros Oriental police operations” Dec 27, 2018 and www.rappler.com Marchel P. Espina “6 Killed in Negros Oriental police operations”, December 27, 2018.

Force along with elements of the 94th Infantry Brigade of the Philippine Army¹² in Canlaon City and the towns of Manjuyod and Sta. Catalina. This resulted in the killing of 14 farmer-activists during the search operations for drugs and alleged illegal firearms in their homes. Some of the farmers were declared by police to be drug suspects at the time of the incident. Witnesses, mostly relatives of the victim, including children, indicated that the victims had been executed. Witnesses said the police officers had their faces and name plates covered during the operation.¹³

- The third operation took place in July in Negros Oriental. At least 17 civilians were killed following a string of shooting incidents in the province over 10 days, from July 18 to 28, 2019¹⁴. Most of the victims were in their homes sleeping when armed men attacked them. These killings continued into the month of August, claiming at least four more lives.

Again, no police or military officer or official have been charged in any of these killings. According to a statement in March 2019 by the Northern Negros Alliance of Human Rights Advocates “The appalling conduct of these ‘police operations’ obviously aims to make peasants, activists and other ordinary citizens of Negros to cower in fear, surrender their rights, and accept the wave of terror under the de facto martial law,”¹⁵

2. Attacks on Journalists

¹² Northern negros Alliance of Human Rights Advocates, Press Statement March 31, 2019, ochrp.wordpress.com

¹³ www.ncronline.org, Catholic News Service, Philippine Bishop wants investigation into police killing of 14 farmers. April 1, 2019.

¹⁴ <https://www.rappler.com/newsbreak/iq/238466-timeline-killings-in-negros>, Marchel P. Espina, “*Timeline: Killings in Negros*” August 24, 2019.

¹⁵ Associated Press, <https://apnews.com/c9a4e0708b2e44e5addcf40dd1de6c0c> “Philippine police kill 14 men rights groups say were farmers” March 31, 2019.

Journalism is also under attack in the Philippines. The Freedom for Media, Freedom for All Network reported at least 128 threats and attacks against members of the press under Duterte including the killings of 12 journalists.¹⁶ According to the media freedom organization Reporters without Borders, the Philippines remains one of the most dangerous countries for media in the Asia Pacific. Duterte himself has fueled the risk to journalists stating “Just because you’re a journalist you are not exempted from assassination, if you’re a son of a bitch.”¹⁷ Journalist and NDFP peace consultant Randy Malayao was one of the media practitioners killed during the Duterte administration. Malayao was assassinated while asleep on a bus in Nueva Viscaya by suspected military agents on January 30, 2019.¹⁸ Malayao, had worked as a columnist for the Baguio city-based newspaper Northern Dispatch.¹⁹ Journalists routinely experience harassment, and surveillance. Court documents in a case in Mindanao revealed that journalist Margarita Valle was held incommunicado for 12 hours by the security forces.²⁰ Valle suffered psychological torture while in detention.

Another area of concern has been attacks on not just individual journalists but corporate entities that have run afoul of the Duterte government. The owners of a national broadsheet, the Philippine Daily Inquirer, opted to sell their paper to an ally

¹⁶ www.Rappler.com “Over 100 attacks vs journalists since Duterte assumed office – monitor” Rambo Talabong, May 3, 2019.

¹⁷ www.time.com Duterte Says Journalists in the Philippines are “Not Exempted from Assassination” Simon Lewis, June 1, 2016

18 Raymond Dullana, “Murdered activist Randy Malayao yearned for lasting peace” Feb 2, 2019, <https://www.rappler.com/newsbreak/profiles/222419-profile-randy-malayao>

¹⁹ Raymund Villanueva, NDFP Peace Consultant Randy Malayao Killed. January 30, 2019 <https://www.bulatlat.com/2019/01/30/ndfp-peace-consultant-randy-malayao-killed/>

²⁰ Observations of Rev. Patricia Lisson, based on court filings viewed in August 2019.

of the President in the face of unrelenting pressure from the Duterte administration.²¹ The independent news service Rappler has been under constant attack in recent months and its editor has been charged with tax evasion following their in-depth reporting on the war on drugs. Duterte has also threatened to not renew the congressional franchise of ABS-CBN, the largest media conglomerate in the Philippines, advising them to sell out before their license expires²²

3. Attacks on the Judiciary

Duterte's presidency has been marked by attacks on legal institutions in the Philippines and the independence of the judiciary. The National Union of Peoples' Lawyers (NUPL) has recorded at least 44 lawyers, judges and prosecutors killed in the Philippines during the Duterte Presidency. Counsels for victims of human rights violations, in particular, are targets of attack. The November 2018 killing of Atty. Ramos, mentioned earlier in this paper, is not an isolated case. The November 2019 killing of Judge Mario Anacleto Bañez in San Fernando, La Union has been linked to his acquittal of health worker Rachel Mariano, who was accused of being a member of the New People's Army and masterminding the murder of a soldier.²³

The Chief Justice of the Philippine Supreme Court, Maria Lourdes Sereno, was removed from office in May 2018 as a result of a quo warranto proceeding²⁴. According to the New York Times, Sereno has been at odds with Duterte over the

²¹ www.rappler.com, Jodesz Gavilan, Duterte's target: The Philippine Daily Inquirer, August 16, 2017

²² <https://www.aljazeera.com/ajimpact/philippines-duterte-tells-media-conglomerate-owners-sell-191230114922285.html>, Philippines' Duterte tells media conglomerate owners to sell out, January 1, 2020.

²³ <https://www.rappler.com/nation/244231-ilocos-sur-judge-killed-ambush-la-union>, Lian Buan, "Ilocos Sur judge killed in ambush in La Union" November 5, 2019.

²⁴ https://www.lawphil.net/judjuris/juri2018/jun2018/gr_237428_2018.html, Republic of the Philippines Supreme Court: Republic of the Philippines vs Maria P.A. Serrano, *G.R. No. 237428*, June 19, 2018,

legality of his conduct of the war on drugs²⁵. Sereno had also voted against Duterte's declaration of martial law in Mindanao. The removal of Sereno for blatantly political reasons undermines the independence of the Philippine judiciary.

Another former justice official who clashed with Duterte over the war on drugs was imprisoned in February 2017²⁶ on what appear to be trumped up drug charges. Prior to her arrest former Minister of Justice and now Senator Leila De Lima had led a series of Senate investigations over allegations that police officers were involved in the anti-drug killings and that hired killers were operating under orders from police.²⁷ Recently American Senators Patrick Leahy and Dick Durban were banned from entering the Philippines for authoring a US government budget bill that barred entry to Philippine officials involved in the imprisonment of Senator De Lima.²⁸

4. Red Tagging and Suppression of Dissent

Those who oppose or speak out against the Duterte regime are subjected to red-tagging. Among those most vulnerable to red-tagging are human rights workers carrying out the work on the ground. Cristina Palabay, the general secretary of Karapatan is the subject of ongoing death threats sent as text messages to her telephone.²⁹ In many cases, red-tagging precedes extrajudicial killings of human rights defenders such in the case of Atty. Ramos.

²⁵ NY Times, May 11, 2018 "*Philippines Top Judge Took on Duterte Now, She's Out*".

²⁶ Aljazeera.com Feb 24, 2017 "Senator Leila de Lima Arrested in the Philippines".

²⁷ Human Rights Watch, "License to Kill" <https://www.hrw.org/report/2017/03/02/license-kill/philippine-police-killings-dutertes-war-drugs> See: Background Section.

28 <https://vtdigger.org/2019/12/30/leahy-barred-from-philippines-after-backing-duterte-critic/> Kit Norton, "Leahy barred from Philippines after backing Duterte critic" December 30, 2019.

²⁹ <https://www.frontlinedefenders.org/en/case/threats-against-cristina-palabay>, Dec 12, 2019

Activists and human rights defenders have been subjected to judicial harassment as well. On February 21, 2018, the Department of Justice filed a petition asking a court to declare over 600 individuals as terrorists³⁰. Human Rights Watch called the government's petition "a virtual hit list".³¹ The list included NGO representatives, peace proponents, human rights advocates. Among those identified was Victoria Tauli-Corpuz, the United Nations Special Rapporteur on the Rights of Indigenous Peoples.³² Also on December 6, 2018, trumped up charges were filed against 700 political and social activists in Mindanao, said to be indicative of a sweeping crackdown on political dissent according to the human rights group Barug Katungod Mindanao³³.

³⁰ www.reuters.com, Manuel Mogato "Philippines seeks 'terrorist' tag for 600 alleged communist guerrillas" March 7, 2018.

³¹ www.culturalsurvival.org Terri Hansen, "UN, Human Rights Experts, Indigenous Leaders Condemn Philippines for Placing Special Rapporteur on 'Terrorist Hit List'" March 10, 2018.

³² www.culturalsurvival.org , Terri Hansen, op cit, March 10, 2018

³³ Davaotoday.com, Ken E. Cagula, "700 Activists Slapped with Trumped-Up Charges, A Crackdown On Dissenters – Barug Katungod Mindanao" Dec 8, 2018.

A series of mass political arrests also occurred in late October 2019 when around 60 peasants, women, trade union and other activists in Negros and Manila following searches of their homes and offices on dubious pretexts.³⁴

In late December 2018, Duterte called on the military to destroy the Communist Party of the Philippines (CPP)/New People's Army (NPA) and its alleged front organizations. In a speech to the troops on December 22, Duterte said "Change your paradigm, do not fight them (the NPA), destroy them, kill them."³⁵ There is evident danger in the President's direction to the troops in that all legal organizations that are maliciously suspected of being legal fronts of the CPP become targets of the lethal actions of the armed forces. He has set-up a potential human rights catastrophe, unleashing the Philippine military on civil society.

The red-tagging, trumped up charges, and weaponization of the law against critics and opposition are all components of the government's "whole of nation approach" under Executive Order No. 70. In what amounts to de facto martial law, through Executive Order 70, the Duterte government, has effectively militarized the Philippine government's civilian bureaucracy to take part in combat or military operations in communities.

5. Political Prisoners

As noted above the number of political detainees has grown significantly under the Duterte government. One case in particular that ICHRP-Canada would like to highlight is that of Rowena Rosales. In her role as a union International Solidarity Officer Rosales has worked for many years with Canadian public sector unions coordinating labour and human rights delegations visiting the Philippines. In

³⁴ www.karapatan.org Karapatan National Press Release – "*At least 59 activists arbitrarily arrested in widespread crackdown on people's organizations in Negros and Manila*". November 1, 2019.

³⁵ www.pna.gov.ph Philippine News Agency, Azer Parrocha "*Destroy NPA, Duterte tells troops*", December 23, 2018.

August 2018, Rosales and her husband Olivier Rosales were arrested on charges of illegal possession of firearms and explosives.³⁶ Like most of the current 629 political detainees, the charges filed against them were fabricated non-bailable charges. At the time of their arrest they were forcibly taken by a group of armed men who did not identify themselves³⁷ while on board their tricycle at Galvez St., Brgy. Wawa, Balagtas, Bulacan. They were later taken to Camp Crame, Quezon City, where Weng was shown a warrant of arrest charging her with illegal possession of firearms and explosives.

Rosales served as the International Solidarity Officer for the public sector union formation COURAGE. COURAGE represents workers in a range of functions at national, regional and local government levels. Rosales had been subjected to surveillance and ongoing harassment for her union activities; the persecution she experienced culminated in her arrest in July 2018.

The normal process for political detainees is that they must face charges in court, a process that takes five to six years before the charges will ultimately be dismissed for lack of evidence. In many instances the government will file cases in other jurisdictions simultaneously to ensure the accused will be denied liberty indefinitely.

With the war on drugs, the Philippine courts are choked with a backlog of new cases creating further delays, leaving the accused to languish in over-crowded prisons and detention facilities for long periods of time. For over six months the Rosales were held in terrible conditions at the National Capital Region office of the Philippine National Police-Criminal Investigation and Detection Group in Camp Crame. The detention facility is supposed to be a temporary facility for persons arrested by its operations. Hence, the 1m x 3m cell for women and 3m x 7m for male detainees, sandwiched between the offices and the kitchen. Oliver Rosales

³⁶ Gmanetwork.co, GMA News Online, Anna Felicia Bajo, “*Ex-officials fo government employees’ group nabbed in Bulacan*”, August 14, 2018.

³⁷ Newsinfo.inquirer.net, Philippine Daily Inquirer, Jeannette I. Andrade, “*2 former officials of gov’t workers group Courage arrested*”. August 13, 2018.

was crammed together with 30 other inmates in a cell designed for 10 persons, with only two makeshift beds. Rowena Rosales was detained with three women, in a cell designed for two medium-built persons lying on the floor. At the time of her arrival in the facility she was considered “fortunate” as prior to her, detention, there had been eight detainees in the same cell³⁸.

Rowena and Oliver are now in their 3rd year of detention, with little progress towards resolution of their cases. ICHRP Canada highlights their cases as an example of the risks associated with being labour and political activists in the current situation and for the intolerable conditions that are experienced by political detainees.

6. Marawi City: Humanitarian Disaster

In May 2017, an incursion by approximately 200 members of the Maute Terrorist group into Marawi City and the subsequent six-month siege by the Philippine military led to over 1,000 civilian deaths and the total destruction of one of the largest Islamic cities in the Philippines. The armed confrontation forcibly displaced 98 percent of the total population of the city, as well as residents from nearby municipalities³⁹.

The Philippine government then expropriated much of the lands in the center of the city as a military reservation, permanently displacing more than 300,000 residents of the city. In a huge land grab operation, the military is asserting legal rights to 6,000 of the 8,000 hectares of land in Marawi in order to construct a second military camp in Marawi City.⁴⁰

³⁸ Karapatan Monitor, Rowena Rosales, “Of Cramped, Cruel Conditions in Prison and the Continuing Struggle for Justice and Freedom”, April-June 2019, pp. 20-21.

³⁹ UNHCR, <https://www.unhcr.org/ph/marawi-crisis>

⁴⁰ reliefweb.int, Philippines: Displacement Dashboard, Mindanao, Issue no. 45: February 2018.

One year after the start of the conflict the UNCHR reported that out of the original figure of 77,170 families (353,921 individuals) displaced by the Marawi crisis, 59,495 families (77.1%) were still displaced as of 06 March 2018.⁴¹ As of October 2019, more than 100,000 people, about a third of Marawi's pre conflict population, were still in temporary government-built shelters⁴² unable to return to their homes in the city's centre, where most of the fighting took place.

7. The War on Indigenous Peoples

The Duterte government like its predecessors has continued a low-level counter-insurgency campaign against Lumad or indigenous communities to create a more favorable business climate for domestic and multinational mining operations and agribusiness corporations. Since Duterte assumed the presidency in July 2016, a total of 54 indigenous peoples have fallen victim to extrajudicial killings (up to June 2019).⁴³

Starting late 2018, the attacks against indigenous peoples were part of the Philippine government's new "whole of nation" approach to end local insurgency (Executive Order 70 issued by Duterte in December 2018). According to a statement by Bestang Dekdeken, the Secretary General of the Cordillera Peoples Alliance, "this approach specifically targets legitimate organizations, activists and communities that are asserting their rights to their ancestral lands and self-

⁴¹ UNHCR, IDP Protection Assessment Report, AFP vs Pro-ISIS militants in Marawi City, Lanao del Sur, Issue No. 07, April 2018.

42 Ted Regencia, "[Delay in return 'boosts ISIL recruitment' in Philippines' Marawi](https://www.aljazeera.com/news/2019/10/delay-return-boosting-isil-recruitment-philippines-marawi-191022063320387.html)" Oct 22, 2019. <https://www.aljazeera.com/news/2019/10/delay-return-boosting-isil-recruitment-philippines-marawi-191022063320387.html>

⁴³ Karapatan Monitor, Issue No. 2 April to June 2019. P.11.

determination from plunder and destruction by State and corporate mining, energy and other so-called development projects”.⁴⁴

These attacks also come in the form of development aggression or the government’s continuing treatment of indigenous territories as a resource-base for large-scale mining as in the Pantaron Range in Mindanao and the Cordillera region, mega dams and other energy projects such as the China-funded Kaliwa dam project, agri-businesses in Mindanao, and commercial infrastructures such as the New Clark City project.

Lumads, or the non-Muslim indigenous peoples of Mindanao, have been vocal against the repression experienced by their communities, numerous human rights violations were recorded by independent human rights organizations including the occupation and bombing of Lumad schools by the armed forces and the police, food blockades against Lumad communities, the capturing of ancestral lands from indigenous Lumad, the killing of suspected Lumad alleged to be affiliated with rebel groups, the censorship of various media outlets in Lumad communities, and the killing of numerous Lumad leaders.

Martial Law in Mindanao has also resulted in the occupation of indigenous communities and schools by military and para-military forces. Since the implementation of Martial Law in Mindanao in 2017, 156 Lumad Schools in Mindanao have been closed by military occupation or via order from the Department of Education disenfranchising about 5,000 Lumad students.⁴⁵ The most recent blow came in October 2019 when the Department of Education in Region XI ordered the permanent closure of the 54 campuses of the Salugpongan Ta Tanu Igkanogon Community Learning Center (STTICLC) in Davao Region.⁴⁶

44 Bestang Dekdedken, Indigenous People of the Philippines Call on Duterte Government to Stop Attacks, Nov 8th, 2019.

⁴⁵ Save our Schools Network, December 28, 2019.

⁴⁶ Save our Schools Network - SOS STRONGLY CONDEMNS THE CLOSURE OF 54 SALUGPONGAN LUMAD SCHOOLS IN DAVAO REGION, October 8, 2019.

8. Attacks on Human Rights Defenders

Attacks on human rights defenders continue to intensify across the Philippines. Human rights defenders were among the most targeted civil society groups since Duterte came to power in June 2016, with 155 rights defenders killed over that period including 15 Human Rights workers⁴⁷. At least 12 human rights workers from Karapatan have been killed under the Duterte government.⁴⁸

Civil society organizations including human rights groups, humanitarian NGOs and sectoral groups have been stigmatized by public vilification campaigns linked to Executive Order No. 70; leaflets, posters and flyers have proliferated on-line and in public spaces. One example of this type of campaign is that against Bernardino Patigas, the former secretary general of the North Negros Alliance for Human Rights Advocates. Prior to his killing by gunmen on April 22, 2019, Patigas was subjected to multiple incidents of threat and harassment, with his picture on public posters tagging him as an alleged “communist personality”.⁴⁹

ICHRP Canada is alarmed at the new level of impunity and the deterioration of the rights situation and democratic spaces. The Duterte government’s track record regarding human rights and democracy is alarming. Its campaign to silence any opposition to its authority is characterized by the same scale and ruthlessness with which it wages the brutal drug war. In both its wars on drugs and on political opposition, the Duterte government is running rough shod over human rights and the rule of law, sanctioning the use of extra-legal means, including extrajudicial killings. It has weaponized the legal system against its political opponents, critics of its policies and human rights defenders. Under the Duterte government’s counter-

⁴⁷ Karapatan Monitor, April to June 2019, Tables 2 and 3.

⁴⁸ Philippine Star, Gaea Katreena Cabico, “Gov’t urged to recognize women rights defenders’ work, ensure their safety”, Nov 29, 2019. <https://www.philstar.com/headlines/2019/11/29/1972799/govt-urged-recognize-women-rights-defenders-work-ensure-their-safety>

⁴⁹ Karapatan Monitor, April to June 2019, p.8.

insurgency program and Executive Order No. 70, martial law rule is virtually in place all across the country. Since it assumed power in 2016, the Duterte government has systematically and rapidly disabled and dismantled the country's democratic systems and institutions.

Recommendations:

1. For the UN Human Rights Council to adopt a resolution providing for the initiation of an independent fact-finding mission or a Commission of Inquiry regarding the Human Rights Situation in the Philippines.
2. For the Philippine government to officially invite UN special procedures⁵⁰, including those on extrajudicial killings, human rights defenders, indigenous peoples, political prisoners, freedom of association and peaceful assembly freedom of expression, to conduct independent investigation on allegations of rights violations in the Philippines;
3. For the Philippine government to stop extrajudicial killings, enforced disappearances, torture, illegal or arbitrary arrests and detention and other human rights violations and provide measures to ensure accountability of perpetrators;
4. For the Philippine government to rescind its policies and program pertaining to its campaign against illegal drugs and counterinsurgency campaigns that gravely impact on the human rights situation;
5. For the Philippine government to release all political prisoners and to halt the policy and practice of judicial harassment, criminalization of human rights work and political dissent;

⁵⁰ Special procedures are individual independent human rights experts, or groups of such experts, who report and advise on human rights issues. They are called by many names including Special Rapporteurs, Special Representatives, Working Groups, and Independent Experts.

6. For the Philippine government to work for the legislation of the Human Rights Defenders Protection Bill;
7. The Philippine government should put an end to the practice of red-tagging and end the public disclosure of drug lists.
8. The Philippine government should allow Lumad schools to re-open and reinstate their charters under the Department of Education.
9. For the Philippine government to abide by all international instruments pertaining to human rights and international humanitarian law.
10. For the Philippine government to demilitarize Marawi City and provide full compensation to the original inhabitants for loss of domicile and loss of livelihood, to all for the reconstruction of their homes.