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Republic of the Philippines

Head of state and government: **Rodrigo Roa Duterte**

Thousands of unlawful killings by police and other armed individuals continued as part of the government's anti-drugs campaign. Human rights defenders critical of the campaign were singled out and targeted by the President and his allies. A state of martial law was declared and extended twice on the island of Mindanao, raising fears of further human rights abuses. Attempts to reintroduce the death penalty stalled at the Senate after a bill was passed by the House of Representatives.

EXTRAJUDICIAL EXECUTIONS AND SUMMARY KILLINGS

The deliberate, unlawful and widespread killings of thousands of alleged drug offenders appeared to be systematic, planned, organized and encouraged by the authorities, and may have constituted crimes against humanity. Most of those killed were from poor urban communities.[1] Despite evidence that police and gunmen with links to the police killed or paid others to kill alleged drug offenders in a wave of extrajudicial executions, authorities continued to deny any unlawful deaths. In January, the President suspended the violent anti-drugs campaign for one month following the killing in police custody of a Republic of Korea national. In March, the unlawful killings of suspected drug offenders in police operations resumed, as did drug-related killings by other armed individuals. The number of killings on a single day in police anti-drug operations reached 32 in August. Police continued to rely on unverified lists of people allegedly using or selling drugs. In September, the killings of three teenagers within a few weeks sparked a national outcry. CCTV footage and witness statements contradicted police accounts of the killing of one of the three, 17-year-old Kian delos Santos, who according to forensic experts and witnesses appeared to have been extrajudicially executed.[2]

In October, President Duterte announced that the Philippine Drug Enforcement Agency would take over the anti-drugs campaign from the Philippine National Police. However, it was announced less than two months later that police might rejoin anti-drug operations, despite unresolved issues. Meaningful investigations into killings of alleged drugs offenders failed to take place; no police officers were known to have been held to account. Relatives of victims continued to be fearful of reprisals if they filed complaints against police.

FREEDOM OF EXPRESSION

Human rights defenders, in particular those critical of the government, faced threats and intimidation. Journalists worked in dangerous and at times deadly environments. In August, radio broadcaster Rudy Alicaway and columnist Leodoro Diaz were shot dead in the provinces of Zamboanga del Sur and Sultan Kudarat respectively. Radio broadcaster Christopher Iban Lozada was killed by unidentified gunmen in Surigao del Sur in October.

HUMAN RIGHTS DEFENDERS

Attacks against human rights defenders increased, as the President encouraged police to "shoot" human rights defenders who were "obstructing justice". In February, Senator Leila de Lima, former justice secretary and former chair of the Philippines Commission on Human Rights, was arrested on charges of drug trafficking. At the end of the year she remained in detention at the Philippine National Police headquarters in the capital, Manila, and faced between 12 years' and life imprisonment if convicted. It was believed that the charges were politically motivated and that she had been deliberately targeted by the government since emerging as the most prominent critic of the "war on drugs".[3] Attacks against the Commission on Human Rights also intensified, as lawmakers accused it of "siding with suspected criminals" in the anti-drugs campaign and caused uproar by approving a budget of just USD20, before the decision was overturned in the Senate. Human rights groups expressed concern at reports of increased numbers of arbitrary arrests and detention, and extrajudicial executions of political activists and individuals aligned with the left, following a declaration of martial law in the island of Mindanao, and as peace talks between communist rebels, the New People's Army and the government broke down.

DEATH PENALTY

International groups called on the government to abandon its plan, proposed in 2016, to reintroduce the death penalty, citing the Philippines' international obligations and in particular as a state party to the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty. A draft law to reintroduce the punishment was adopted by the House of Representatives in March but stalled in the Senate after facing opposition.

INTERNAL ARMED CONFLICT

President Duterte declared martial law in the island of Mindanao on 23 May. Fighting had erupted in the city of Marawi between government forces and an alliance of militants, including the Maute group, which pledged allegiance to the armed group Islamic State (IS). The conflict ended in October when the military killed several militant leaders.[4] Militants allied with IS targeted Christian civilians, committing at least 25 extrajudicial killings and carrying out mass hostage-taking and extensive looting of civilian property, which may have amounted to war crimes. Philippine armed forces detained and ill-treated fleeing civilians, and also engaged in looting. Their extensive bombing of militant-held areas of Marawi city wiped out entire neighbourhoods and killed civilians, which highlighted the need for an investigation into their compliance with international humanitarian law. In response, the Philippine armed forces said they would probe allegations of war crimes. Martial law was extended for a second time in December, amid concerns that military rule could allow for further human rights abuses.

TORTURE AND OTHER ILL-TREATMENT

In April a secret detention cell was found in a police station in Manila. The Philippines Commission on Human Rights referred the discovery, along with allegations of torture and other ill-treatment, to the Office of the Ombudsman for investigation.

Security forces were accused of torture and extrajudicial executions of those rounded up during five months of fighting between the Philippine armed forces and the Maute group in Marawi.

A bill to establish a National Preventative Mechanism in accordance with the Philippines' obligations under the Optional Protocol to the UN Convention against Torture had not been adopted by the end of the year.

CHILDREN'S RIGHTS

President Duterte pledged to lower the minimum age of criminal responsibility, generating wide condemnation from children's rights organizations and the UN. A bill to amend the Juvenile Justice and Welfare Act, which was adopted on 23 May by the Sub-Committee on Correctional Reforms, retained the minimum age of criminal responsibility as 15, but introduced provisions that placed children as young as nine in crowded and often unsanitary short-term institutions for rehabilitation or as they awaited court disposition. An additional bill by a lawmaker was filed later in the year, seeking to lower the minimum age of criminal responsibility to 12, but remained pending.

RIGHT TO HEALTH

The nationwide anti-drugs campaign undermined people's right to the enjoyment of the highest attainable standard of physical and mental health. Many drug users were forced into compulsory and inadequate treatment and rehabilitation initiatives, which prevented them from accessing essential health services and harm reduction programmes.

SEXUAL AND REPRODUCTIVE RIGHTS

In January, President Duterte signed an executive order to strengthen the implementation of the Reproductive Health Act of 2012 which promised to provide greater access to family planning and birth control services.

[1] 'If you are poor, you are killed': Extrajudicial executions in the Philippines' war on drugs ([ASA 35/5517/2017](#))

[2] Philippines: State hearing highlights deadly consequences for children in 'war on drugs' ([News story](#), 24 August)

[3] Philippines: Impending arrest of Senator politically motivated ([ASA 35/5772/2017](#))

[4] 'Battle of Marawi': Death and destruction in the Philippines ([ASA 35/7427/2017](#))

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