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ORAL STATEMENT

Item 2: Enhanced Interactive Dialogue on the human rights situation in the Philippines

UN Human Rights Council
Forty-fourth session
30 June – 21 July 2020

Madam President,

We thank the High Commissioner for her report on the human rights situation in the Philippines (A/HRC/44/22) which paints a deeply concerning picture of continuing, widespread and systematic extrajudicial executions fuelled by a climate of near total impunity,¹ particularly in the context of the so-called “war on drugs,” despite increasing expressions of concern from the international community. This fits with our own conclusions, including that these ongoing killings amount to crimes against humanity. In this regard we note that the ICC has opened a preliminary examination into the situation.

As the report makes clear, the near total impunity, as well as statements that amount to incitement to violence and discrimination from the very highest levels of Government, continue to fuel the ongoing killings and other serious human rights violations. Just three low-ranking police officers have been prosecuted in relation to one killing in the context of the “war on drugs,” while other abusive police officers have been encouraged and promoted.²

We also share the High Commissioner’s significant concerns over the increasing crackdown on civil society, the media, political opponents and other Government critics – including the continued arbitrary detention of political opponent Senator Leila de Lima, the ongoing prosecution of Rappler journalist Maria Ressa³ and shutdown of ABS/CBN,⁴ and the continued threats, arbitrary detention, enforced disappearances and killings of human rights defenders and peaceful activists.⁵

Madam President,

We regret the immediate response from the Government which has been to “firmly reject” the OHCHR’s “faulty conclusions” related to “the alleged violations of the right to life, the

¹ Report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Philippines, 4 June 2020, UN Doc. A/HRC/44/22, para 22, 26, 85.

² <https://www.amnesty.org/en/documents/asa35/0578/2019/en/>.

³ <https://www.amnesty.org/en/latest/news/2020/06/philippines-quash-conviction-of-rappler-ressa-santos/>.

⁴ <https://www.amnesty.org/en/latest/news/2020/05/philippines-major-tv-network-threatened-allowed-to-air/>.

⁵ Report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Philippines, 4 June 2020, UN Doc. A/HRC/44/22, para 50.

supposedly arbitrary deprivation of liberty of those involved in drug cases, the alleged violations of the right to health, and the implication that Filipino civic space is being destroyed by the focus given to public order and national security.” In this context, they have noted that they “cannot commit” to the full implementation of the report’s recommendations.⁶ At the same time, following the release of the report, the President repeated his call for people suspected of selling drugs to simply be killed.⁷

Having identified the “almost insurmountable” barriers to justice and accountability at the national level, the OHCHR report concludes that “independent, impartial and effective investigations into the killings” are critical and recommends that in the absence of clear and measurable outcomes from domestic mechanisms, the HRC consider options for international accountability measures. We note that a group of Special Procedures also last week reiterated their call on this Council to establish an “independent, impartial investigation into human rights violations in the Philippines,”⁸ and urge this Council to heed these calls.

Thank you.

⁶ <https://pcoo.gov.ph/OPS-content/on-the-ph-governments-comprehensive-reaction-to-the-latest-report-of-the-united-nations-office-of-the-high-commissioner-for-human-rights/>.

⁷ <https://pcoo.gov.ph/presidential-speech/talk-to-the-people-of-president-roa-duterte-on-coronavirus-disease-2019-covid-19-9/>. In a speech aired on 5 June 2020, President Duterte announced the results of a drug bust undertaken by police and reiterated: “Just as I said, if you destroy my country distributing 5.1 billion of shabu all throughout the country, I will kill you. I will kill you.”

⁸ Philippines: UN human rights experts renew call for an on-the-ground independent, impartial investigation, 25 June 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25999&LangID=E>.