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Philippines: Impending Arrest of Senator Politically Motivated

Amnesty International condemns the impending arrest of prominent human rights defender Senator Leila de Lima as politically motivated and is calling for all charges against her to be dropped immediately.

The arrest of de Lima is a blatant attempt by the Philippine government to silence criticism of President Duterte and divert attention away from serious human rights violations in the “war on drugs.”

On 23 February, the Muntinlupa Regional Trial Court in Metro Manila issued a warrant for the arrest of Senator Leila de Lima. De Lima faces three criminal charges under the Comprehensive Dangerous Drugs Act which penalises the “sale, trading, administration, delivery, distribution and transportation of illegal drugs.” The charges are based, in part, on accusations by inmates of New Bilibid Prison. However, an inquiry found that Department of Justice Secretary Vitaliano Aguirre authorized the provision of material benefits to the inmates – including televisions, cell phones, internet access and air conditioning units – after they provided testimony against de Lima.

If found guilty, de Lima faces a sentence of 12 years to life in prison. De Lima denies all the charges against her, and has maintained that she is a victim of political persecution.

Over the past eight months, the President and his allies have intensified their attacks against de Lima, who has emerged as one of the most ardent critics of President Duterte’s administration. The Senator has been particularly outspoken against the violent anti-drug campaign waged by the authorities which has resulted in over 7000 drug-related killings.

As a result of her advocacy, de Lima has faced intimidation, ridicule and threats from the President and pro-Duterte officials in the Philippines, often on a daily or weekly basis.

In August 2016, as de Lima prepared to lead a Senate inquiry into extrajudicial killings linked to the government’s anti-drug campaign, the President accused her of benefiting from providing protection to high profile drug offenders in New

Bilibid Prison. The Senate subsequently initiated an investigation into the allegations against de Lima and revoked her Chairmanship of the Senate Committee on Justice and Human Rights. Senators said that the ouster was a “collective decision” by members of the majority who were concerned with her “continued effort to destroy” President Duterte. The President and lawmakers publicly disparaged de Lima for having a relationship with her former driver, a married man. They went as far as proposing to show an alleged sex video of de Lima, a move that was opposed by female senators as “illegal [and] misogynistic”.

Prior to the inauguration of President Duterte, he and Senator de Lima had previously clashed over Duterte’s alleged involvement in human rights violations. In 2012, de Lima, then Chair of the Philippines’ Commission on Human Rights, opened an inquiry into Duterte’s involvement in extrajudicial executions while he was the mayor of Davao City.

The consistent harassment of Senator de Lima by the authorities is a blatant attempt to silence one of most important critics of the violent “war on drugs” and bar her from participating in public life. At a number of times in Philippine history, criminal proceedings against human rights defenders and political figures have been based on spurious accusations rather than evidence gathered in the course of impartial inquiries by professional investigative authorities. The government has a duty to investigate criminal activity and bring to justice those responsible through an independent and impartial process that conforms to international law and standards. However, the government must not use its authority to target peaceful human rights defenders or government critics.

Once the Senator is in detention, Amnesty International will consider de Lima a prisoner of conscience, deprived of liberty solely for her political beliefs and for peacefully defending human rights.

Amnesty International is calling for the charges against de Lima to be dropped. The organisation also calls for special protection for the Senator once in detention, who, given recent high profile killings in police custody, Amnesty International believes is at risk of physical harm.

Finally, Amnesty International calls on the Philippine government to end the harassment of those who criticise the government’s anti-drug campaign, and to conduct an immediate, independent and effective investigation into all drug-related killings, particularly those that happened in formal or covert police operations.

Background

On 31 January 2017, Amnesty International released a report “*If you are poor, you are killed*” *Extrajudicial executions in the Philippines’ “War on Drugs”*, describing serious human rights violations in the Philippine government’s anti-drug campaign. The report, based on interviews with more than 100 people from areas across the Philippines and examination relevant documents including police reports, concluded that the vast majority of killings associated with the anti-drug campaign appear to have been extrajudicial executions, in clear violation of the non-derogable right to life. Over three weeks since Amnesty International released its report, there has been no indication from the Philippine government that investigations into such violations is taking place, despite concerns that the continued killing of alleged drug offenders may amount to crimes against humanity.

Given the magnitude and severity of abuses associated with the “war on drugs,” human rights defenders have a critical role to play in highlighting human rights violations. In late November, after his violent anti-drug campaign had come under repeated criticism, President Duterte openly threatened to kill human rights defenders. Even before that, human rights defenders, including Senator Leila de Lima faced regular harassment, intimidation and cyberbullying.