

AMNESTY INTERNATIONAL PUBLIC STATEMENT

5 June 2020 ASA 35/2483/2020

PHILIPPINES: HUMAN RIGHTS DEFENDER IN PUNITIVE DETENTION SHOULD BE RELEASED

Amnesty International is deeply concerned about reports that detained Philippine Senator Leila de Lima has been held in conditions that excessively restrict visits to her and her communication with the outside world for over a month. The organization calls on Philippine authorities to end disproportionate restrictions imposed on Senator de Lima; allow her to reasonably communicate with her family, staff, lawyers, advisors and doctors; and enable her to carry out her duties as an elected legislator and as a human rights defender. She is a prisoner of conscience, detained solely for the peaceful exercise of her right to freedom of expression, and should be immediately and unconditionally released.

According to information from the Senator's staff, no one except police personnel has seen de Lima since 25 April 2020; before this, staff members and personal assistants had been able to regularly visit the Senator at the Philippine National Police (PNP) Custodial Center. Upon the staff's inquiry, the PNP cited a memorandum suspending the visitation rights of detainees at the custodial center "as part of the preventive measures against the COVID-19". Senator de Lima has been confined to her detention cell at the custodial center since her arrest in February 2017 for charges which Amnesty International believes are politically-motivated.

Subsequent requests by Senator de Lima and her staff to exempt her from the memorandum's restrictions given her work as a legislator, and to allow some of her staff and family members to visit her for limited times while observing health protocols were denied. As of 28 May 2020, the PNP has allowed the Senator to receive one call per week from her assistant.

Amnesty International understands that the Philippines is under a state of public health emergency because of the COVID-19 pandemic. However, the organization urges the Philippine authorities to ensure that restrictions on the rights of Senator de Lima and others deprived of their liberty, including on visitations, are minimized and strictly necessary and proportionate to the health emergency. Where visits are restricted for health-related reasons, the authorities must provide sufficient alternatives for those detained to maintain contact with families and the outside world, including by providing free and adequate access to telephone, internet, video communication and other appropriate electronic means, as well as to receive food, medicine, and other supplies as appropriate.

The organization is also disappointed with the denial by the Senate leadership of Senator de Lima's repeated requests to participate in Senate hearings via electronic means, as is her right. Amnesty International notes that other Senators have been allowed to do this in the context of the pandemic. Amnesty International urges the Senate to reconsider this decision and take all measures possible to enable Senator de Lima's fulfilment of her duties as an elected government official, including her participation in the Senate's deliberations.

AMNESTY INTERNATIONAL PUBLIC STATEMENT

Finally, the organization reiterates its long-standing call on President Rodrigo Duterte and his administration to end the political harassment of Senator de Lima; order her immediate and unconditional release; and prosecute in fair trials those found to be responsible for her arbitrary detention and other human rights violations committed against her, such as gender-based attacks and violations to her right to due process.

Background

Senator Leila de Lima, who has been detained at the headquarters of the Philippine National Police (PNP) since her arrest on 24 February 2017, has been one of the staunchest critics of the government's abusive "war on drugs". The authorities arrested her after she had sought to investigate [extrajudicial executions](#) committed in the context of the anti-drug campaign.

Since her detention, the authorities have made no substantial progress in court proceedings for the three drug-related cases eventually brought against her. These cases have been marked by undue delays after at least six judges recused themselves from hearing the cases or opted for early retirement.

In an [article](#) written by Senator de Lima on 2 May 2020 that was passed on from her police custodians to her staff and then to Amnesty International, she drew attention to her situation in her detention cell in Camp Crame, the PNP's headquarters, amidst the pandemic. "The daily updates I used to receive from 8 a.m. to 5 p.m., have now become infrequent and only in the morning; and lately, I have had no direct contact with any of my staff... While my colleagues are trying to adapt to a work-from-home scheme, I have long been drafting bills and resolutions, and handwriting dispatches from Crame, without access to communications devices such as laptop or cell phone," the Senator wrote.

"Appeals have been made as early as last year to allow me to participate in legislative proceedings through online means. Still, I remain excluded, possibly for the same reason I remain confined despite being innocent of the baseless charges against me — because I refuse to back down from speaking truth to power," Senator de Lima stated.