Philippines

Rodrigo Duterte took office as president of the Philippines on June 30, 2016. Duterte campaigned on an explicit platform to “kill all of you who make the lives of Filipinos miserable,” including criminal suspects, as part of his vow to “solve drugs, criminality, and corruption in three to six months.” At his inauguration, he pledged that his administration would “be sensitive to the state's obligations to promote, and protect, fulfill the human rights of our citizens ... even as the rule of law shall at all times prevail.” During the government’s campaign against illegal drugs, however, Duterte has publicly praised the extrajudicial killing of suspected drug dealers and drug users.

Philippine human rights groups have linked the campaign and Duterte’s often-fiery rhetoric to a surge of killings by police and unidentified gunmen since he took office, with nearly 4,800 people killed at time of writing. Police say that individuals targeted by police were killed only after they “resisted arrest and shot at police officers,” but have provided no evidence to support the claim. The killings have highlighted the country’s long-standing problem of impunity for abusive state security forces.

Other key issues confronting the Philippines this past year include the rights of indigenous peoples, violations of reproductive health rights, child labor, and stigma and discrimination related to the HIV/AIDS crisis.

Extrajudicial Killings

The Philippines has seen an unprecedented level of killing by law enforcement since Duterte took office. Police statistics show that from July 1 to November 3, 2016, police killed an estimated 1,790 suspected “drug pushers and users.” That death toll constitutes a nearly 20-fold jump over the 68 such police killings recorded between January 1 and June 15, 2016. Police statistics attribute an additional 3,001 killings of alleged drug dealers and drug users to unknown vigilantes from July 1 to September 4. The police categorize those
killings as “deaths under investigation,” but there is no evidence that police are actively probing the circumstances in which they occurred.

In August, Philippine National Police Director-General Ronald Dela Rosa stated that he did not “condone” extrajudicial killings. In September, police Internal Affairs Service sources said they were “overwhelmed” by the scale of police killings could only probe “a fraction” of the deaths.

Duterte has ignored calls for an official probe into these killings. Instead, he has said the killings show the “success” of his anti-drug campaign and urged police to “seize the momentum.” Key senior officials have endorsed this view. Duterte’s top judicial official, Solicitor-General Jose Calida, defended the legality of the police killings and opined that the number of such deaths was “not enough.”

**Attacks on Indigenous Peoples**

In March 2016, some 6,000 protesters, primarily indigenous peoples, farmers, and their supporters from drought-stricken areas in North Cotabato and Bukidnon provinces gathered in Kidapawan City in Mindanao to call for government food aid and other assistance. The police response included shooting live ammunition into the crowd, killing two people. At time of writing, neither the Senate and nor police have released the results of their respective investigations into the incident.

**Reproductive Health Rights**

In his July 25 State of the Nation Address, President Duterte pledged to “put into full force and effect” the Responsible Parenthood and Reproductive Health Law (the RH Law). Such support is greatly needed because on January 8, 2016, the Philippine Congress eliminated funding in the 2016 national budget for contraception guaranteed under the RH Law, cutting vital support for lower-income individuals. Millions of Filipinos rely on state-provided contraceptive services and supplies for protection from sexually transmitted infections, and for safe birth-spacing and family planning. The United Nations Population Fund has criticized the congressional action as a threat to “the basic human right to health as well as the right to reproductive choices.”
Human Rights Watch has also documented policies implemented by local governments designed to derail full enforcement of the RH Law. In Sorsogon City in the Bicol region, Mayor Sally Lee issued an executive order in February 2015 that declared the city a “pro-life city.” Although the order does not explicitly prohibit family planning services and contraceptive supplies, health workers and advocates said that the city government gave oral guidelines to the city's public clinics to cease the distribution of family planning supplies and instead promote only “natural” family planning methods such as the Catholic Church-approved “rhythm method.”

In Balanga City, the municipal government banned local public health officials and clinics from procuring or distributing contraceptives. That interruption compelled low-income people to either buy them from pharmacies or clandestinely from local government-employed midwives at relatively high cost.

**Children’s Rights**

In November 2015, the Philippine government detained more than 140 children in advance of the Asia-Pacific Economic Cooperation (APEC) summit in Manila. The arbitrary detentions were part of so-called clearing operations aimed at beautifying the city ahead of the summit. Police detained the children under guard in government facilities for the homeless and orphans and then released them without charge when the summit concluded.

Child labor in small-scale gold mines remains a serious problem. Children work in unstable 25-meter-deep pits, dive underwater to mine, and process gold with mercury. Small steps taken by authorities to tackle child labor—such as vocational training for former child miners in one mining town—have been undermined by continued lack of regulation of the small-scale gold mining sector, and by the government’s failure to address child labor systematically.

**HIV Epidemic**

Although national prevalence is still low, the country has experienced a sharp rise in new HIV infections in recent years. Prevalence among men who have sex with men (MSM) has increased 10-fold since 2010. In 2015, the Department of Health reported that at least 11 cities registered HIV prevalence rates among MSM of more than 5 percent, with one—
Cebu City, the second largest city—recording a 15 percent prevalence rate in 2015. That compares to a 0.2 percent HIV prevalence rate for the Asia-Pacific region and a 4.7 percent HIV prevalence rate in Sub-Saharan Africa, which has the most serious HIV epidemic in the world.

There has also been an increase in Cebu City in HIV among pregnant women, and in newly recorded infections among people who inject drugs in Cebu City, where the prevalence rate among such people has been recorded at between 40 and 50 percent. Many of these new infections among people who inject drugs are due to sharing contaminated needles.

The growing HIV epidemic is driven by a legal and policy environment hostile to evidence-based policies and interventions that could help prevent HIV transmission. Such restrictions are found in national, provincial, and local government policies, and are compounded by the resistance of the Catholic Church to sexual health education and condom use. Government policies create obstacles to condom access and HIV testing, limit educational efforts on HIV prevention, and have ended harm reduction programs in Cebu City that were previously distributing sterile injecting equipment to people who inject drugs.

**Sexual Orientation and Gender Identity**

The House of Representatives began consideration of House Bill 267, the “Anti SOGI (Sexual Orientation or Gender Identity) Discrimination Act” in June 2016. If approved, it will criminalize discrimination in the employment of lesbian, gay, bisexual, and transgender (LGBT) individuals, and prohibit schools from refusing to register or expelling students on the basis of sexual orientation or gender identity. The Senate has introduced companion legislation, Senate Bill No. 935, otherwise known as the Anti-Discrimination Bill (ADB), which had its first hearing in August.

House Bill 267 will also sensitize police and law enforcement officers on LGBT issues and train them to attend to complaints. These initiatives are essential given that LGBT rights advocacy groups have warned that hate crimes against LGBT people are on the rise and that the Philippines has recorded the highest number of murders of transgender individuals in Southeast Asia since 2008. The bill would also prohibit anti-LGBT discrimination in access to health care.
Key International Actors

The United States remains a key source of military financial assistance, with the Obama administration allotting US$120 million for 2016. Earlier military financing was conditioned on improvements of the human rights situation in the Philippines but this conditionality has been lifted as part of the Obama administration’s so-called “Asia pivot.” President Duterte has expressed dissatisfaction with US-Philippines relations, even saying he is willing to expel US military personnel stationed in the Philippines, but conceded that the country still needs US military help because of the South China Sea dispute with China.

Other countries such as Canada and Australia, as well as the European Union, continue to provide assistance to the Philippines for, among other things, capacity-building programs to improve the human rights situation. Spain has given funds and resources to the national Philippine Commission on Human Rights.

In November, the US State Department announced that it had suspended the sale of 26,000 military assault rifles to the Philippine National Police due to human rights concerns raised by Duterte’s abusive “war on drugs.” The EU has transitioned its rule of law program called EPJUST II, which involved training the police and other law enforcement agencies, into GOJUST, which is tasked with instituting justice sector reforms.