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*Plenary sitting*

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**B8-0222/2017**

14.3.2017

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on the Philippines, the case of senator Leila M. De Lima  
(2017/2597(RSP))

**Victor Boştinaru, Soraya Post, Neena Gill**  
on behalf of the S&D Group

**B8-0222/2017**

**European Parliament resolution on the Philippines, the case of senator Leila M. De Lima  
(2017/2597(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on the situation in the Philippines, notably of the 15 September 2016
- having regard to the statements of the EU Delegation and the Spokesperson the High Representative
- having regard to the Human Rights Watch report, *‘License to Kill: Philippine Police Killings in Duterte’s ‘War on Drugs’*, released on the 2 March
- having regard to the Statement of the International Commission of Jurists of the 28 February
- having regard to the Framework Agreement on partnership and cooperation between the European Union and its member states, of the one part, and the Republic of the Philippines, of the other part;
- having regard to the EU guidelines on Human Rights
- having regard to the Universal Declaration of Human Rights of 1948
- having regard to the International Covenant on Civil and Political Rights (ICCPR),
- having regard to Rule 135 of its Rules of Procedure

A. Whereas on the 24 February 2017, Senator Leila M. de Lima of the Philippines was arrested and detained on trumped up and politically motivated drug related charges; whereas if convicted, Senator de Lima could face a sentence of 12 years up to life imprisonment and expulsion from the Senate;

B. Whereas Senator de Lima is a human rights advocate, former justice secretary and a renowned critic of President Duterte’s administration particularly through her outspoken advocacy against the violent anti-drug campaign by the authorities of the Philippines; whereas in October 2016, De Lima has called for an international criminal investigation into President Duterte’s so-called ‘war on drugs’;

C. Whereas human rights defenders in the Philippines, including De Lima face regular threats, harassment, intimidation and cyber bullying; Whereas on 15<sup>th</sup> February, Filipino environmental lawyer Ms Mia Manuelita Cumba Masacarina-Green was shot and killed

whilst driving with her three young children;

D. Whereas President Duterte has publicly expressed hostility towards Senator de Lima since 2009 from when she launched the only investigation into the extrajudicial killings in Davao City, the operations of the ‘Davao Death Squad’ and the alleged involvement of then Major Duterte;

E. Whereas the attacks against Senator de Lima by the authorities of the Philippines have intensified over the last 8 months; Whereas in September 2016, Senator de Lima was ousted from her Chairmanship of the Senate Committee on Justice and Human Rights following the convention of hearings on the inquiry into the extrajudicial killings related to the anti-drug campaign;

F. Whereas President Duterte has vowed to continue his ‘anti-drug campaign until the end of the presidential term in 2022; Whereas over 7,000 drug related killings were reported since President Duterte took office on 30 June 2016;

G. whereas on the 30<sup>th</sup> January , the Philippine National Police temporarily suspended police anti-drug operations following an alleged brutal anti-drug killing by the same; whereas President Duterte ordered the Armed Forces of the Philippines (AFP) to fill this gap in the anti drug-campaign;

H. whereas in response to killing of officers by Communist New People’s Army (NPA) insurgents in the southern Philippines on 8 March 2017, President Duterte ordered the army to undertake counterinsurgency operations with disregard for "collateral damage

I. Whereas on 7 March the House of Representatives approved the bill to reinstate the death penalty for serious drug-related crimes; whereas legislation on lowering the minimum age for criminal responsibility from the present 15 years to 9 years is under consideration;

J. Whereas in September 2016, the Philippines has resumed chairmanship of ASEAN for 2017

1. Calls for the immediate release of Senator Leila M. de Lima of the Philippines and to provide her with adequate security whilst in detention; Urges the Filipino authorities to drop all politically-motivated charges against her;

2. Expresses its concerns about the climate for opposition politicians, lawyers and human rights activists in Philippines, particularly those who advocate against ‘war on drugs’; Strongly condemns the murder of Mia Manualita Cumba Masacarinan-Green; Furthermore condemns all acts of violence, intimidation, arbitrary detention and convictions against these persons; Calls for the authorities of the Philippines to abstain from political persecution and for such persons to exercise freely their profession and rights without fear of reprisal, hindrance, intimidation or harassment;

3. Strongly condemns all extrajudicial killings by armed forces and vigilante groups related to the anti-drug campaign; Expresses its condolences for the victims; expresses grave concern over credible reports to the effect that Philippine police are falsifying evidence to justify extrajudicial killings and that these are targeted overwhelmingly towards urban poor; Calls for the authorities of the Philippines to immediately carry out impartial and meaningful investigations into the extrajudicial killings and to prosecute and bring all perpetrators to justice; Calls on the EU to support such investigations;

4. Expresses grave concern with regard to the rhetoric of President Duterte in response to the killing of officers on 8 March 2017 and strongly urges Philippine authorities and military to strictly adhere to International humanitarian law which places specific restraints on all parties to an armed conflict to spare civilians and non-combatants

5. Is extremely concerned about the reported number of the anti-drug campaign related extrajudicial killings; Calls on the authorities of the Philippine to adopt all necessary measures to prevent further killings;

6. Supports the establishment at the UN Human Rights Council of an independent international investigation into unlawful killings and other violations by the Philippines in the context of President Duterte's "war on drugs".

7. Is deeply alarmed by the decision of the House of Representatives to reintroduce the death penalty; Calls on the Senate and the Government of the Philippines to immediately abstain from and halt, all proceedings to reinstate the death penalty; Reminds that the EU considers capital punishment to be a cruel and inhuman punishment which fails to act as a deterrent to criminal behaviour; Strongly urges the authorities and representatives of the Philippines to refrain from lowering the minimum age for criminal responsibility;

8. Urges the Commission to use all available instruments to pressure the Philippines to put an end to the "war on drugs" including, in the lack of any substantive improvement in the next few months, procedural steps with a view to the possible removal of GSP+ preferences.

9. Instructs its President to forward this resolution to the Government and Parliament of the Philippines, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the parliaments and governments of the Member States, the United Nations High Commissioner for Human Rights and the governments of the ASEAN Member States;