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*Plenary sitting*

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**B8-0225/2017**

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))

**Johannes Cornelis van Baalen, Nedzhmi Ali, Petras Auštrevičius, Beatriz Becerra Basterrechea, Dita Charanzová, Marielle de Sarnez, Gérard Deprez, María Teresa Giménez Barbat, Nathalie Griesbeck, Marian Harkin, Ivan Jakovčić, Petr Ježek, Louis Michel, Javier Nart, Urmas Paet, Maite Pagazaurtundúa Ruiz, Carolina Punset, Jozo Radoš, Frédérique Ries, Marietje Schaake, Hannu Takkula, Pavel Telička, Ivo Vajgl, Hilde Vautmans, Paavo Väyrynen, Valentinas Mazuronis**  
on behalf of the ALDE Group

**B8-0225/2017**

**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, in particular those of 8 June 2016 on the Framework Agreement on Partnership and Cooperation between the European Union and the Republic of the Philippines, of 14 June 2012, of 21 January 2010 and of 15 September 2016
- having regard to the statement of 3 September 2016 by the European External Action Service (EEAS) Spokesperson on the attack in Davao,
- having regard to the diplomatic relations between the Philippines and the EU (at the time the European Economic Community (EEC)) established on 12 May 1964 with the appointment of the Philippines Ambassador to the EEC,
- having regard to the status of the Philippines as a founding member of the Association of Southeast Asian Nations (ASEAN) following the signing of the Bangkok Declaration on 8 August 1967,
- 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 statement of 8 June 2016 by UN Secretary-General Ban Ki-moon on the apparent endorsement of extrajudicial killings,
- having regard to the statement of 3 August 2016 by the Executive Director of the UN Office on Drugs and Crime (UNODC) on the situation in the Philippines,
- having regard to the statement of 4 September 2016 attributable to the Spokesman for the UN Secretary-General on the Philippines,
- having regard to the International Covenant on Civil and Political Rights on the abolishment of the death penalty of 15 December 1989,
- 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) of 1966,
- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

- A. whereas the Philippines and the EU have longstanding diplomatic, economic, cultural and political relations;
- B. whereas one of the central features of Rodrigo Duterte's presidential campaign was a commitment to ending all levels of drug crime across the country; whereas, during his election campaign and first days in office, President Duterte repeatedly urged law enforcement agencies and the public to kill suspected drug traffickers who did not surrender, as well as drug users;
- C. whereas President Duterte publicly stated that he would not pursue law enforcement officers and citizens who killed drug dealers who resisted arrest;
- D. whereas figures released by the Philippine National Police show that since July 2016 police have killed thousands of suspected drug dealers and users, and whereas further police statistics attribute the killing of thousands more alleged drug dealers and users in the past two months to unknown gunmen; whereas, as reported by Al Jazeera, more than 40 000 drug suspects have been arrested, mostly on the basis of hearsay and allegations put forward by fellow citizens, and whereas many surrendered 'voluntarily' to police and registered for treatment under the Tokhang programme in order to avoid being targeted by police or vigilantes;
- E. whereas on 8 June 2016 the UN Secretary-General, Ban Ki-moon, denounced the series of extrajudicial killings as illegal and a breach of fundamental rights and freedoms;
- F. whereas on 18 August 2016 the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Agnes Callamard, and the UN Special Rapporteur on the right to health, Dainius Pūras, urged the Government of the Philippines to put an end to the current wave of extrajudicial executions and killings in the context of an intensified anti-crime and anti-drug campaign targeting drug dealers and users;

### **Senator de Leila de Lima**

- G. whereas Senator Leila de Lima of the Liberal Party has openly condemned the Philippine Drug War and urged the Philippine Congress to investigate the killings; whereas de Lima pointed out the indifference of the new government to extrajudicial killings and warns that more innocent people will suffer if the killings will not stop;
- H. whereas de Lima brought an alleged former death squad member from Duterte's home city of Davao to testify that Duterte had taken part in extrajudicial killings while he was mayor;
- I. whereas on 17 August 2016 Duterte stated that de Lima has been having an affair with her driver; whereas Duterte has claimed that this driver also functioned as the drug collector of de Lima when she was the Justice secretary; whereas Duterte has claimed to have evidence which confirm these allegations;

- J. whereas in September 2016 de Lima was removed from her position chairing Senate committee on Justice and Human rights investigating extrajudicial killings;
- K. whereas on 17 February 2017 a local court pressed charges against de Lima;
- L. whereas on 23 February 2017 an arrest warrant was issued against de Lima for allegedly violating the drug trafficking law;
- M. whereas de Lima has turned herself in on 24 February 2017;

### **Capital punishment**

- N. whereas in 2007 the Philippines became the first country in the region to ratify the optional to the international covenant on Civil and Political Rights on the abolishment of the death penalty;
  - O. whereas on 8 March 2017 the lower house approved the bill, in its third and final reading, to reinstate the death penalty for drug-related and other crimes;
  - P. whereas human rights organisations fear that this law is used to push Duterte's agenda and silence critics and opposition parties;
  - Q. whereas another draft bill in Congress is aimed at reducing the age of criminal responsibility from 15 years to nine;
1. Strongly condemns the high number of extrajudicial killings during police operations and by vigilante groups in the context of an intensified anti-crime and anti-drug campaign targeting drug dealers and users, and urges the Government of the Philippines to put an end to the current wave of extrajudicial executions and killings;
  2. Urges the authorities to ensure respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by the Philippines;
  3. Encourages the authorities to launch an immediate investigation into the extraordinarily high numbers killed during police operations;
  4. Urges the Philippine Government to condemn the actions of vigilante groups and to investigate their responsibility for the killings; urges the Philippine authorities to conduct an immediate, thorough, effective and impartial investigation in order to identify all those responsible, to bring them before a competent and impartial civil tribunal and to apply the penal sanctions provided for by the law;
  5. Calls on the authorities in the Philippines to immediately cease the politically motivated prosecution of Leila de Lima and reinstate her in her former position as Senator;
  6. Urges the government of the Philippines to fully respect and support the democratic process and guarantee the rights of the opposition parties;

7. Urges the Philippine authorities to refrain from invoking the death penalty and refrain from lowering the minimum age of criminal liability;
8. Notes that, according to all empirical evidence, the death penalty does not reduce drug delinquency and would destroy a great achievement of the Philippine justice system;
9. Urges the EU to use all available instruments to assist the Government of the Philippines in respecting its international human rights obligations, notably through the Framework Agreement;
10. Instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments of the Member States, the Government and Parliament of the Philippines, the governments of the member states of the Association of Southeast Asian Nations (ASEAN), the United Nations High Commissioner for Human Rights and the Secretary-General of the United Nations.