

Human rights in the Philippines

Since mid-2016, President Rodrigo Duterte's controversial war on drugs has triggered a wave of extrajudicial killings. The current violence reflects longer-term problems, such as high crime rates and a dysfunctional justice system. However, there are still many areas, such as freedom of expression and gender equality, where the Philippines does better than most other Asian countries.

Human rights framework

Human rights guarantees and institutions

International: The Philippines is party to [14](#) of the United Nations' 18 human rights instruments, making it one of Asia's best performers in this respect.

Domestic: The [1987 constitution](#) includes a comprehensive bill of rights. National human rights institutions include the [Commission on Human Rights](#), which investigates human rights violations in general, and the [Office of the Ombudsman](#), which investigates complaints against government agencies and employees (such as the police). Both are seen as independent institutions; for example, the Commission on Human Rights has not hesitated to criticise the current government and is planning to [investigate](#) President Duterte's role in extrajudicial killings when he was mayor of the southern city of Davao. Despite being [underfunded](#), the Commission is one of only three southeast Asian human rights bodies to fully meet the [Paris Principles](#), meaning that it is internationally recognised as effective in protecting and promoting human rights.

Human rights protection is further reinforced by an array of international and domestic NGOs, such as [Karapatan](#) or [Task Force Detainees of the Philippines](#). Although some NGOs have reported [harassment](#) by security forces, most operate without restrictions.

Political context

The human rights situation improved after the 1986 [People Power Revolution](#) overthrew former dictator Ferdinand Marcos. However, since his election in May 2016, new President Rodrigo Duterte has repeatedly [dismissed](#) human rights as secondary to his war against drugs. The last few months have seen not only a wave of extrajudicial killings, but also attacks on human rights in general: Duterte has proposed to [reinstate](#) the death penalty (most recently abolished in 2006), suspend the principle of [habeas corpus](#) requiring the police to justify arrests to courts (but has not yet followed through on either idea).

Human rights in practice

Dignity and right to life

In his previous role as mayor of Davao City, Duterte was accused of organising and even [personally participating in](#) unofficial '[death squads](#)', which carried out extrajudicial executions of criminals. Since he became president, such killings have become commonplace throughout the whole country. In the second half of 2016, [over 6 000](#) suspected drug pushers and addicts were killed: some 2 000 by police (allegedly acting in self-defence, although [statistics](#) suggest that many victims were executed in cold blood), and 4 000 by vigilantes (some apparently acting with police encouragement and [involvement](#)).

Even before Duterte, the Philippines had long been afflicted by violence. In 2014, [one in every 10 000](#) Filipinos was murdered, far more than in most other Asian or European countries. Some of these were victims of extrajudicial killings, described in a 2015 US State Department [report](#) as the country's most significant human rights problem; a [report](#) by Karapatan NGO estimates that authorities were to blame for over 300 deaths under Duterte's predecessor Benigno Aquino III. Apart from security forces, perpetrators included insurgents, [private armies](#) belonging to local leaders, and vigilante groups.



Police interrogators are accused of using electrocution and beating to extract confessions. In 2014, reports emerged of a gruesome game in which punishments were chosen by spinning a '[wheel of torture](#)'. In 2015, the Philippine Commission on Human Rights investigated the alleged torture of [65 victims](#) (up from 49 in 2014). The country has adopted [anti-torture measures](#), including training for policemen, prison officers and doctors to assist detainees complaining of torture. In March 2016, the first ever [jail sentence](#) under the 2009 Anti-Torture Act was handed down to a police officer. Even without torture, Philippine jail conditions are among the worst in Asia, with prisons holding [five times](#) as many inmates as they were built for.

Justice

Many of the above problems are linked to the Philippine criminal justice system, which is inefficient, understaffed and underfunded. Detainees have to wait an average of [18 months](#) before their trials even begin, and once started, these can drag on for an [average of seven years](#) before judgment is reached. On the one hand, defendants languish in jail for years before being given a chance to prove their innocence in court, while on the other, many criminals walk free, with a national conviction rate of just 20 %. The failure of the justice system helps to explain the attraction of extrajudicial killings as a means of bypassing that system.

Freedom and citizens' rights

The Philippines is a multiparty democracy, with a relatively free press and a vibrant civil society; in Freedom House's [2016 ranking](#) of political and civil freedoms, it came second out of ten southeast Asian countries after Indonesia. Despite a globally positive picture, there are problems. For example, politics is dominated by a handful of dynasties (such as the Aquino and Marcos families; though a relative outsider, Duterte himself comes from such a family). According to NGO [Reporters Without Borders](#), Philippine journalists need to carry guns as they are in constant danger, especially when investigating [local politics](#).

Political freedoms could come under threat from Duterte, who has shown signs of [authoritarian tendencies](#): among other things, he has rehabilitated former dictator Ferdinand Marcos, used [criminal charges](#) to silence some high-profile critics of his war against drugs, and [threatened](#) to kill human rights activists. After a [bomb killed 14](#) in his home city of Davao, in September 2016 he [declared](#) a national state of emergency; according to [government officials](#), political rights are not affected and there are no plans to go further by introducing martial law, but in January 2017 Duterte [warned](#) that indefinite martial law was an option.

Equality

Under Philippine law, women are equal to men and discrimination is banned. In practice, women are paid 20 % less than men for similar work, and men outnumber women by [two to one](#) in the House of Representatives. Nevertheless, the country comes an impressive [7th out of 144](#) countries in the 2016 Gender Gap Index and is Asia's best performer in this respect.

Discrimination against disabled people is also banned by law. Government offices and state-owned companies must make buildings accessible and at least 1 % of their employees must be disabled. In practice, however, facilities such as lifts and wheelchair ramps are often [missing or out of order](#). Just [10-30 %](#) of employable disabled Filipinos are able to find regular work.

In 2016, Filipinos elected the [first transgender member](#) of the Congress. There is widespread tolerance of homosexuality; however, same-sex marriage is not legally recognised, and LGBTI persons are not protected at national level from discrimination; between 2008 and 2016, 41 transsexuals were killed in [hate crimes](#).

What is the EU doing? The EU-Philippine [Partnership and Cooperation Agreement](#) (signed 2012, currently awaiting ratification) envisages regular human rights meetings between the two sides. In the meantime, the EU supports human rights in the Philippines through [trade and aid](#). For example, strengthening the rule of law is the second main priority of EU development aid for the country. EU projects are helping to provide free legal assistance to the poor and training police to collect and use evidence more effectively. Meanwhile, under its [GSP+ scheme](#), in December 2014 the EU rewarded the Philippines for ratifying and implementing 27 international conventions (on human and labour rights, environmental protection and good governance) by giving tariff-free access to European markets for two-thirds of Philippine exports.

A September 2016 European Parliament [resolution](#), while acknowledging the seriousness of the Philippines' drug problem, voiced concerns about extrajudicial killings. However, overall, the EU has not joined mounting international criticism of Duterte, avoiding public statements and preferring a wait-and-see approach instead. If problems continue, the European Commission, which plans to send experts to the Philippines in early 2017 to monitor the human rights situation, may recommend withdrawing the country's GSP+ status.