



Plenary sitting

B8-0197/2017

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))

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on behalf of the Verts/ALE Group

B8-0197/2017

**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 Statement of the International Commission of Jurists of the 28 February 2017
- 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 ongoing negotiations on an EU- Philippine Free trade Agreement;
- 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 from the opposition Liberal Party and the highest-profile critic of Philippine president Rodrigo Duterte's brutal anti-drug campaign, was arrested and detained on charges that she took bribes from imprisoned drug traffickers;

B. Whereas since Mr. Duterte took office in June 2016 and authorised a crackdown on users and sellers of narcotics, an estimated 7500 people have been killed by the police or by vigilantes.

C. Whereas de Lima's history of investigations into Duterte's alleged involvement in extrajudicial killings dates to 2012, when as chairperson of the official Commission on Human Rights, she initiated a probe of Duterte's alleged ties to the "Davao Death Squad" during his two-decade tenure as mayor of Davao City in southern Mindanao;

D. Whereas in 2016, a Senate panel led by Ms. de Lima heard testimony from a professed hit man, Edgar Matobato, who said he belonged to the death squad that had been overseen by Mr. Duterte during his twenty years as mayor of Davao City, which according to Human Rights

Watch was responsible for 1,424 extrajudicial killings; whereas soon after that testimony, Ms. de Lima was removed from her post as chairwoman of the Senate panel;

E. Whereas Ms. de Lima's arrest came just days after a retired police officer testified that he had led the death squad in Davao that Mr. Matobato described in his testimony last year, and that he had acted on the direct orders of the mayor, Mr. Duterte;

F. Whereas Ms. De Lima's lawyers and supporters denounced the legality of her arrest on the grounds that it lacked solid evidence and was based on testimony provided by convicted drug dealers, who enjoy now improvements of their prison conditions in return for their testimonies and whereas Amnesty International has adopted Ms. De Lima as prisoner of conscience;

G. Whereas if convicted, Senator de Lima could face a sentence of 12 years up to life imprisonment and expulsion from the Senate;

H. Whereas there are serious concerns for the safety of Senator de Lima, considering that another politician, Ernando Esponosa, whom Mr. Duterte accused last year of drug trafficking was gunned down in his jail cell by police officers and members of the government publicly threaten further arrests of opposition politicians; whereas human rights defenders face regular harassment, intimidation and cyberbullying and in November 2016, President Duterte openly threatened to kill human rights defenders;

I. Whereas President Duterte has vowed to continue his 'anti-drug campaign until the end of the presidential term in 2022 and Amnesty International has warned that police actions in the drug war may amount to crimes against humanity;

J. whereas on January 30, the Philippine National Police temporarily suspended police anti-drug operations following an alleged particularly brutal anti-drug killing; whereas however President Duterte ordered the Armed Forces of the Philippines (AFP) to fill this gap in the anti-drug-campaign;

K. Whereas on 7 March the House of Representatives approved the bill to reinstate the death penalty for serious drug-related crimes although the country was the first in the region to have abolished the death penalty in 2007; whereas the bill still requires senatorial approval before the President can sign it into law;

L. 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. Calls on the government to stop the political persecution of critics of the war on drugs and condemns all acts of violence, intimidation, arbitrary detention and convictions against these persons;

3. Re-iterates its strong condemnation of the thousands of extrajudicial killings by armed forces and vigilante groups related to the anti-drug campaign; Expresses its condolences to the the families of the victims;
4. Calls on President Duterte to rescind the order to deploy Armed Forces of the Philippines personnel in “anti-drug” operations, and to cease public statements that instigate or incite state security forces and the general public to commit unlawful killings and other abuses against suspected drug dealers and users;
5. Calls on 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; Takes however note that the Office of the Ombudsman still has not acted upon the recommendation of the Senate Human Rights Commission to investigate President Duterte’s “possible administrative and criminal liability” in connection to the Davao death squad killings;
6. Calls for the establishment at the UN Human Rights Council of an independent international investigation into unlawful killings and other violations by the Philippine authorities in the context of President Duterte’s “war on drugs”; calls on the Philippine authorities to grant unhampered access for the UN special procedures to the Philippines;
7. Calls on the Human Rights Council members to consider reviewing the Philippines’ member state status if it persistently breaches its membership obligations to uphold the highest standards of human rights and to cooperate with the Council and its mechanisms, including its Special Procedures;
8. Encourages the EU to offer to provide support for international law enforcement assistance with investigations into alleged human rights violations;
9. Calls on the EU and the member states to immediately suspend any financial assistance, training programs, weapons sales, and capacity-building programs with the Philippine security forces until the Philippine government ends its abusive “war on drugs” and initiates meaningful investigations into alleged unlawful killings related to that campaign;
10. Encourages EU support for domestic nongovernmental organizations that provide legal or other services to families of victims of extrajudicial killings by the security forces, and those that provide rehabilitative programs to drug users, including children and provide best international practices in public health approaches to drug use;
11. 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 halt the ongoing legalisation; Reminds that the EU considers capital punishment to be a cruel and inhuman punishment which fails to act as a deterrent to criminal behaviour;
12. Calls on the EU to evaluate the situation of human rights and rule of law in the Philippines and in how far the recent developments are compatible with the rules for the continued granting of GSP+ preferences;
13. 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.