

Committee: Social Cultural and Humanitarian Committee

Issue: The question of human rights violations in Philippines

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INTRODUCTION

Philippines is a former Spanish colony that consists of 7,000 islands, however the majority of the population lives in only 11 islands. Philippines became an independent state in 1946. The country is not only well-known worldwide about its exotic beauty but has also a notorious reputation regarding natural disasters that are caused by earthquakes, typhoons hurricanes and other extreme weather phenomena causing the lives of hundreds on a yearly basis. Philippines are also a country, in which its citizens' human rights are systematically being violated, despite the fact that the rights of the citizens are guaranteed under the Article III of the 1987 Philippine Constitution. We should also keep in mind the dictatorship period that lasted 11 years (1965-1960) and it is a violation of freedom of expression since the citizens do not have the ability to be part of who is going to form their government because they do not have the right to vote. Some of the violations of the human rights that are happening in Philippines are freedom of expression, different forms of torture, extrajudicial killings, human trafficking, and awful imprisonment conditions for the detainees due to the fact that no adequate food is being served and the overpopulation in the prisons in Philippines which both are violations of the human rights of the detainees. Another violation of the human rights that the Filipinos face on a daily bases is the violation of the right to equal payment for equal work. The United Nations (UN) as well as other organizations are trying to find solutions in order to eliminate the violations of the human rights in Philippines but the current president is following some policies such as the War on Drugs, hat make the situation worse and are not helping the situation.



Map of Philippines.

DEFINITION OF KEY TERMS

Human rights:

The fundamental and undeniable rights and freedoms that belong to every human being regardless of race, sex, religion and ethnicity from the day of their birth till the day of their death. These rights are based on shared and almost universally recognized values like equality, independence, dignity, respect and fairness. They stem from the 1789 French revolution, which triggered the collapse of absolute monarchies that oppressed people and in 1948, after the tragic experience of the WW2, were enforced into formal international law via the UN Declaration of Human Rights.

Human rights violations:

Actions that infringe on people's human rights, as defined by the country's respective constitution and the international law. Although the State is the authorized entity responsible for protecting the citizens' human rights, human rights violations might take place even from the government itself(e.g. in times of dictatorship regimes).

"War on drugs":

The official policy of the sitting president of the Philippines, Rodrigo Duterte. "War on drugs" has resulted in the extrajudicial deaths of thousands of alleged drug dealers and users across the country by encouraging police officers and the public to take part in these brutal acts.

Coup:

An illegal attempt to seize power by subverting the previous governance.

Human trafficking:

It is the trade of humans for the purpose of forced labour, sexual slavery or commercial sexual exploitation. It is usually associated with forced marriage or extraction of organs.

Martial law:

It is the imposition of direct military control of normal civilian functions of government, especially in response to a temporary emergency such as invasion or major disaster, or in an occupied territory.

BACKGROUND INFORMATION

Philippines signed the Universal Declaration of Human rights in 1948 as well as the Genocide Conviction and the Conviction Eliminating all Forms of Racial Discrimination. These were signed after the World War II and the tremendous effect it had on humanity. With the Universal Declaration of Human Rights the citizens of Philippines started to enjoy human rights that would have been considered next to impossible a decade before. But the policy of protecting basic human rights was not always reinforced in the years to come. Under Ferdinand Marcos' reign, multiple abuses of human rights were reported. Marco was the president of Philippines from 1965 to 1986. He declared Martial Law on September 1972, which meant practically that the army was in charge of safeguarding the country and promoting order and discipline, sometimes by resulting to drastic measures, such as torturing, extradition of political opponents and crackdown on demonstrations via the use of guns. This was the first tangible evidence of violations of the human rights at the expense of Filipinos in the 20th century. Marco was blamed for approximately a total of 398 disappearances and 1,388 extrajudicial killings. During his rule there was no freedom of expression for the people and, more specifically, journalists were not allowed to report freely on the incidents, as any truly democratic country would allow. Arroyo was the second female president of Philippines. During her presidency human rights violations were not eliminated. There are many investigations claiming that in the period 2001-2010, during her presidential tenure, extrajudicial killings were linked to people conducting investigations about the violations of human rights. After Arroyo, the next taking on the presidency was Benigno Aquino (2010-2016). His government proceeded with some noticeable acts, such as creating the Philippine Truth Commission, whose main goal was to examine the reports

conducted by the previous government and the actions taken by it. However, human rights abuses still continued existing. A case example is the large number of journalist killings that reached their peak number since 1986. The current government of Rodrigo Duterte, previously mayor of Davao, has triggered an unprecedented human rights crisis in the country. After the day he had been sworn as the president of Philippines, he presented the world with his drug policy. His plan called for out-of-the-law killings of drug dealers by implementing any means necessary. This unorthodox approach to curb drug-related crimes has caused an upheaval in the international public opinion, with many leaders around the world condemning his policy for fear that human rights laws will be violated. Meanwhile, these decisions have been met with profound frustration on the part of the population, thus they organize marches to demonstrate their opposition and harsh critical stance on the matter.



Children' Human rights violations

Children's human rights have been violated in Philippines for centuries. We are well aware of the fact that children suffer because they do not have access to healthcare and other life staples. Especially about health, children that live in remote places are unable to have access to healthcare since there are no health facilities nearby or the ones existing are neglected due to shortage of sources. Young girls are not informed about contraception methods since this issue is considered inappropriate in Philippines, due to the lack of education of the majority of the citizens, as well as the general preconceptions regarding the female sex in a deeply religious country such as Philippines. As a result, girls are taken into advantage and face many problems during their pregnancies, both physically and psychologically. The solution is in many cases an involuntary marriage. More than 14% of the girls get married from a really young age, without being able to even understand what marriage stands for. These girls are normally obliged to do that because of family prejudices and the widespread belief that if a young girl marries an older man, she will guarantee a better future for herself and the family

Young boy working as a garbage scavenger in Philippines.

will save up more money to divert it into other needs. Another huge problem that the children in this country have to face is poverty. This leads to child labor, since children work from a really young age in order to support their families financially. Their working facilities are filthy, cramped and do not meet the international regulations. In Philippines more than 10% of the children must work in order to enjoy a better future. Children face life the hard way even from this early stage. As far as education is concerned, many do not receive even the minimum of it, because of their work duties or the family obligations they have to come to terms with, on the grounds that many create families before transitioning into adulthood. Even if they wished to, lack of state planning contributes in many grown-ups ending up being illiterate. Another barrier from enjoying a normal puberty is the fact that they are frequently employed as soldiers in battles, a practice condemned for over 50 years. They grow up in a hazardous environment full of cruelty and violence that causes them serious psychological traumas, an experience that is undoubtedly not beneficiary in the crucial phase of shaping their personalities, because they end up normalizing and adopting such savage acts in their everyday lives. Indigenous children face racism incidents on a daily basis and, according to the law, they are not granted citizen status. All in all, realizing the difficulties for children in this country is quite straightforward.

Freedom of expression

Even though Philippines' constitution defines democracy as the sole political system in and freedom of expression is a fundamental human right as mentioned in Article 19 of the Declaration of Human Rights, which was signed by Philippines, people do not enjoy that right in a satisfying degree. This is particularly true considering the fact that Philippines is hailed as one of the most dangerous countries for journalists. Journalists who wrote papers about the human rights violations in Philippines or have been meddling with other interior matters that challenge the authority of Duterte have been found dead. During the presidency of Rodrigo Duterte many activists that were vocal detractors of his regime were



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attacked and imprisoned. Another interesting fact is that during Ferdinand Marcos' association, soon after the implementation of martial law, all media broadcasts, among which many international ones, were shut down and prominent figures of journalism were arrested. The first media company to operate again was the Daily Express, whose owner was a vivid supporter of Marco. Nowadays, Duterte is controlling the media and rumor has it that every critic of his new policy on drug crackdown is not safe under his authoritarian rule. 85 attacks against media factors have been reported since the first day of his presidency and 9 journalists have been killed up to May 1, 2018.



People protesting against the violations of their human right, freedom of expression, which has been violated through the years.

“War on drugs”

Two years have passed since Duterte became the president of the Philippines and launched his anti-drug campaign called “war on drugs”. This policy calls for the killing of both drug users and drug dealers by police officers and the public, if capable. Until April 2018, 13 drug suspects were killed within 14 hours. In 2018 Duterte renewed his pledge in order to achieve better transparency. With the right of the media to report freely no longer safeguarded and the overall secrecy that revolves around this policy, we cannot be aware of the exact number of the killings. The only source by which we can be informed is the police, whose reliability is however questioned. Rappler, a news site, which was founded by a Philippine, reported that 7,080 people had lost their lives from July 21, 2016 to July 31, 2017. However, another human rights report contradicted that figure and claimed that more than 12,000 people have totally lost their lives. This state of affairs has caused the international community to raise more than a few eyebrows and has prompted many NGOs as well as

humanitarian organizations to come forward, denounce this policy and elaborate through social-psychological reviews on why such a crackdown will have the reverse effects on the country's society. Nevertheless, Duterte is determined not to terminate the campaign.

Corruption

The Philippine political arena is mainly arranged and operated by families or alliances of families, rather than organized around the voting for political parties.

Called the *Padrino System*, one gains favor, promotion, or political appointment through family affiliation (nepotism) or friendship (cronyism), as opposed to one's merit. The *Padrino System* in the Philippines has been the source of many controversies and corruption.

It has been an open secret that one cannot join the political arena of the Philippines without mastery of the *Padrino System*. From the lowest official, to the President of the Republic, it is expected that one gains political debts and dispenses political favor to advance one's career or influence, if not wealth. That is certainly an environment, in which children are accustomed to dishonesty, backstabbing and antagonism.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

United States of America (USA)

Since Spanish transferred Philippines for 50 years to USA after its defeat on the Spanish-American war, USA plays a key role in Philippines politics. United States and Philippines have cultivated a strong relation that dates back to 1946, when Philippines gained its independence and started a long term relation with the US. In 1951 a mutual defense treaty between the two countries was signed, which allowed the US to gain partial control of many naval and air bases in Philippines. Apart from that, they agreed that they would support each other militarily in case an external party attacks one of them. On a yearly basis joint military exercises are conducted. Similarly, law enforcement cooperation has reached new levels: U.S. and Philippine agencies have cooperated to bring charges against numerous terrorists, to implement the countries' extradition treaty, and to train thousands of Filipino law enforcement officers. On an economical level, the U.S. traditionally has been the Philippines' largest foreign investor, bringing in substantial proceedings for the country. Their main trade goods are semiconductor devices and computer peripherals, automobile parts, electric machinery, textiles and garments, wheat and animal feeds, and coconut oil. The United States army has provided Filipinos with medical care, whenever they were suffering from earthquakes and tsunamis. The USA was also involved in the issue of the human rights violation in Philippines, since there are reports conducted by the State Department. That report highlights many violations that could incriminate the Philippines'

government. As soon as the new president of the country was elected, official diplomatic policy shifted to a more Chinese-friendly approach, in stark contrast to the decade-long commitment to the American alliance.

Human Rights Watch (HRW)

Human Rights Watch is deeply involved in the issue of the human rights violations in Philippines. (HRW) has reported the violations of the human rights through the World Report, which summarizes key human right violations in more than 90 countries including Philippines. The latest World Report (World Report 2018) has underlined violations of children’s human rights, attacks on journalists, extrajudicial killings and worsening HIV epidemic.



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Amnesty International

Amnesty International is a global movement and its role is to terminate the abuses of human rights. The organization has conducted many reports about the violations of the human rights. The 2017/2018 report is mainly focused on the impact of the country’s drug policy, “war on drugs“, a state policy that the explicit undeniable human rights. Amnesty International evidence that the human rights of the citizens are respected in the health sector and they do not have the right to express themselves. One of the most notable things is that the worldwide organization has underlined attacks that took place at the expense of human rights defenders. Amnesty International as well as other international groups are making considerable efforts so as not to let the Philippines government establish the death penalty, as this was proposed in 2016.



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TIMELINE OF EVENTS

Date	Description of Event

1935	In 1935 the Philippines are made a commonwealth and are semi-independent. Promises of full independence are made by the then USA president Roosevelt.
1942	Japan controls the whole country of Philippines.
1944	American troops recapture and free the islands.
1946	The islands become independent and are renamed as Republic of Philippines.
1965	Ferdinand Marco, dictator of Philippines, becomes president.
1972	Ferdinand Marco declares martial law. He imposes a curfew, suspends Congress and arrests opposition leaders.
1977	The leader of the opposition is sentenced to death.
1983	After Marco's win in the elections two years ago, the leader of the opposition returns to Philippines and is shot dead due to suspected military involvement.
1986	In February 1986 Marcos calls an election. The opposition unites behind Cory Aquino, the widow of the murdered opposition leader. Marcos claims victory (a clear case of electoral fraud). But Cory Aquino also claims victory and ordinary people take to the streets to show their support for her. The followers of Marcos desert him and he bows to the inevitable and goes into exile.
1992	Fidel Ramos becomes president. He improves the infrastructure in the Philippines including the electricity supply. Industry is privatized and the economy begins to recover.
1996	Peace agreement with Muslims extremist group, Moro National Liberation Front (MILF).

October 2002	Terrorist attacks in a Manila bus and three other places in Zamboanga city by Islamist radicals.
February 2007	The government accuses the military for the deaths of thousands of left-winged activists since 2001.
November 2007	Disloyal soldiers stage a failed coup.
July 2008	After government negotiators say that they have reached an agreement with MILF rebels on the expansion of a Muslim autonomous region in the south, the deal collapses after Christian communities raise objections and renewed fighting on the southern island of Mindanao leaves at least 30 people dead.
November 2009	57 people are left dead, as they were on their way to file election nomination papers.
October 2012	The incidents that cost the lives of approximately 120.000 people come to an end after the signing of a peace agreement between the government and MILF.
2014	Nearly 75.000 people file for recognition as victims of human rights violations in Philippines during the presidency of Ferdinand Marcos.
April 2014	Supreme Court approves birth control law and with this law, all government's health center must give free contraceptives. A big step for the improvement of the right to health.
June 2016	President Duterte launches his drug policy that is against the human rights of every human being.
6 September 2016	President Duterte publicly insults former US president Barack Obama in his speech about the need for recognition of Philippines's sovereign status.
October 2016	More than 1,506 people have been killed by that time during police operations as part of Duterte's drug policy.

May 2017	Martial law is imposed on the island of Mindanaon. Human Rights Counsel reporters point out that the citizens are suffering outright abuses of their human rights.
23 July 2018	President Duterte addressing the Congress in Manila makes the following statement “Your concern is about human rights, my concern is about human lives”.

UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS

- Universal Declaration of Human Rights (UDHR) is signed on 10th of December 1948 (General Assembly resolution 217A), in which the fundamental human rights of every human being are formally put into effect for the first time.
- 24th October 2012, United Nations welcome the peace agreement between MILF and Philippines; the conflict between MILF and Philippines has put the country in really difficult paths through the years and has caused many abuses of the citizens’ human rights.
- Resolution on Protecting Human Rights Defenders, whether Individuals, Groups or Organs of Society, addressing Economic, Social and Cultural Rights is adopted by the Human Rights Council on 24th of March 2016 in Geneva. This resolution calls all Member States to understand the important role of human rights defenders and show dignity towards the struggle that affected people deal with. 33 Nations voted in favor of it including Philippines.
- Group of UN experts urge the government on Philippines to address human rights abuses against indigenous people and extrajudicial killings. (August 1st 2017).

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Throughout the years the governments of Philippines have tried to solve this heating issue. Governments are well aware of the human rights abuses that are taking place in their countries, nevertheless many of them promote these violations. Philippines have signed many UN resolutions that are mainly focused on the protection of human rights and in which measures and actions are proposed, with some of them being implemented in the country. The delegations of Philippines have many times taken the floor in the United Nations meetings in which the protection of the human rights of every human being is being discussed. In 2010, the third GA Committee (Social Humanitarian and Cultural Committee) debated on the issue of human rights and the delegation evaluated the progress being made in their country on migrant management, death penalty, and religious tolerance. The then delegation of Philippines informed the Member States about the launching of the National Rights Action Plan (2009- 2014), whose aim was to curb the human rights violations on youth, women, journalists, various marginalized ethnic groups such as Muslims and many more. Moreover, after the ratification of the Philippine Constitution on 2 February 1987, Philippines were granted with the ability to establish a Commission on Human Rights. This was followed by the signing of an executive order (No 163, 5TH May 1987) by the then president of the Philippines Corazon Aquino. Afterwards, the Commission on Human Rights was established. Its main goal was to make people aware of their rights and guide the government as well as the society towards actions that respect the rights of every human being. However, although quite a few solutions have been implemented, the violations of human rights in Philippines remain a huge problem that is not going to be solved soon, judging from the government's overall passive and sometimes supportive stance on human rights abuses.

POSSIBLE SOLUTIONS

The most important solution regarding the issue of the violation of the human rights in Philippines is education. Filipinos must get educated about the role of the human rights and how they shaped revolutionary attempts, spurred political ideologies and were the driving force of the human civilization in general. Educational programs about human rights should be set up in schools all over the country. In these programs human rights activists as well as human rights lawyers will inform students from a young age about human rights and the violations that are happening in their country and make it clear why apathy or neutrality towards this matter has devastating ramifications. Education can also stem from TV

commercials or through banners in the streets. In this way everyone will be well aware of their rights and will fight for them in any way possible way. If a sense of humanism can be instilled deep into their mindset, these children will be the pioneers of tomorrow who will seek for political advancement through democratic proceedings.

The international law should be more effectively implemented. Hefty penalties and sanctions have to come into effect whenever it is suggested through evidence that international law is breached. By applying such punishments, a country will surely be very cautious the next time it chooses to ignore globally respected agreements.

Keeping in mind that Philippines have taken some measures to prevent the human rights abuses but the majority of them are not being implemented, the international community needs to take drastic and harsh measures. Its allies must warn her that they are not going to remain by its side if the war on drug policy continues taking a toll on people's lives. Trade blockades or exemption from important trade or military unions can act as a powerful deterrent to continue with such actions.

Non-governmental organizations (NGOs) should play a key negotiating role in these approaches. NGOs can create suitable hotspots where they can provide the victims of any surrounding violence with the necessary food, healthcare and accommodation. NGOs also carry the responsibility of propagating the personal message of whoever is attacked in the Philippines. Bearing this in mind, they should hand out leaflets, advertise in the media and the internet about the violations and enlighten public opinion of other countries on human rights abuses. Through illustrating the terrible consequences for the mankind, as a whole, a fertile dialogue around the subject will initiate that will eventually turn into action. Apart from the above mentioned, NGOs should focus on providing people with human rights lawyers for free in order to help them during their struggle.

Strengthening the role of the National Human Right Institution (NHRI) will certainly be a milestone in these efforts. NHRI is a body whose goal is to report human rights violations, examine their roots and try to find effective solutions to prevent similar abuses in the future. By reinforcing its role, the institution should be given the chance to make representations in the court about the State's obligations under the international human rights law.

Developing an effective system of administration of justice, accessible to all without discriminations, is a very good proposal, as well. Courts should be able to strike out laws that are deemed unconstitutional, thus protecting people from authoritarian decisions. The real

bet is to find the necessary democratically-orienteed judges who will not yield to the demands of their superiors and remain independent.



Filipinos protesting against the human rights violations.

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