

United Nations Human Rights Council
Universal Periodic Review of Member- The Republic of the Philippines

A. Religious Freedom

1. Approximately eighty percent of the population in the Philippines is Roman Catholic. Nine percent of the population belongs to other Christian denominations, and roughly eleven percent is Muslim.
2. The Philippines Constitution permits the free exercise of religion. Overall, the government makes efforts to maintain secularism and allowing for a pluralistic society. However, there is concern and debate over the proposed Bangsamoro Basic Law (BBL). Furthermore, there have been some incidents of violence and increasing tension between religious groups.
3. The BBL was proposed by President Benigno Aquino III in September 2014 with the motivation to end violence by Islamist rebels in Mindanao. The law would expand sharia jurisdiction to cover civil, commercial, and criminal law, in addition to the family law that it already covers. As proposed, the sharia law would still only apply to Muslims. However, the sizable Christian community within the autonomous region has voiced its concerns that its members could likely be forced to also adhere to sharia law, which would greatly restrict their rights. However, government officials in support of the law claim that the harsh punishments enshrined in sharia law would deter and reduce Islamist violence.
4. On September 18, 2015, there was a bus bombing in Zamboanga that was suspected to be the work of the Islamist extremist group Abu Sayyaf. The attack killed one 14-year-old girl and injured 33 others. Abu Sayyaf had previously tried without success to cheat the transit company and extort payments from the company. The attack was thought to be motivated by the proposed BBL, which has been denounced by the mayor of Zamboanga.
5. A Christian pastor and his son were killed on November 27, 2015, on the island of Mindanao. Community members believe that it was Maoist rebels of the New People's Army (NPA) who were responsible for the killings. The two were killed at the Culaman River where they were known to conduct baptisms. The pastor had previously gotten threats that the NPA was monitoring his movements.

B. Corruption of Authorities

1. The Filipino government and police forces are infiltrated with corruption resulting in many devastating consequences for the Filipino people.
2. The recently well-publicized issue of child-sex-offender Douglas Slade reveals inadequacies and corruption within the Filipino government and judicial system. Slade moved to the Philippines from the UK and set up a lair in which he sexually abused numerous Filipino children until he was finally extradited to the UK in 2015 on account of previous abuses conducted in the UK. Reports show that since Slade moved to the Philippines in the 1980s, he abused as many as 33 children who lived within a close proximity to his house. Slade has admitted to bribing lawyers in order to have legal cases that were made against him while in the Philippines dropped. For years, Slade bribed his way through the Filipino judicial system paying off lawyers, judges, and even families of victims. Charges were brought against him multiple times while in the Philippines in 2013 and 2014. However, all were dismissed.
3. Foreigners and Filipino travelers can be at risk of set ups and false accusations during their travels. Many times weapons or drugs are placed in their luggage and unless they agree to pay a corrupt official a bribe, they will be charged for the “crime.” Corrupt police often target foreigners who they see as rich and therefore would be willing to pay the demanded bail. All too often, Filipino officials operate according to bribes rather than justice.

C. War on Drugs and Extrajudicial Killings

1. President Rodrigo Duterte was elected on May 10, 2016 after vowing during his campaign that if elected he would eliminate crime and corruption within six months. His term thus far has been focused on cracking down on drug use, with his initiative termed a “war on drugs.” However, his action plan to eliminate drugs has been to permit police and civilians to kill suspected drug sellers as well as users on the spot.
2. It was reported that from July 1 to August 19, 2016 police killed around 712 suspected “drug pushers and users,” which was a sharp rise from January to June in which 68 were killed by police for involvement with drugs. Furthermore, Human Rights Watch reported that police released a report claiming that since July 1, an additional 1,072 people have been killed by vigilantes.
3. The president and other authorities have pointed to this high death toll of suspected drug users and sellers as proof that the war on drugs is succeeding. At the beginning of his presidency, Rodrigo gave explicit permission to Filipinos to take the law into their own hands and shoot suspected drug users by saying, “Please feel free to call us, the police, or

do it yourself if you have the gun, you have my support.” He has repeatedly condoned and encouraged the extrajudicial killings as well as disregarded criticism from the United Nations and other state leaders.

4. Some of those killed in the war against drugs have been victims of mistaken identity and were not the target that the killer intended. There have also been people accidentally caught in the violence. Just recently the youngest victim was killed. Five-year-old Danica May was struck by a bullet when gunmen open fired on her home to kill her grandfather who was suspected of drug involvement. Still others are killed by criminals in order to prevent police from investigating a certain area. Innocent people are killed and their bodies kept on the streets with signs that read messages such as, “I am a pusher.” Police often do not investigate upon seeing such signs because they believe the situation has been dealt with. In reality, these are often set ups by drug lords in order to cover their own tracks.
5. The situation has also been used by people as revenge in interpersonal conflicts. Anyone may falsely accuse someone to the police of drug dealing, and because there is no due process, that person’s life is immediately in danger. A Filipino priest and human rights advocate Fr. Shay Cullen stated, “There is nothing to prevent anybody from accusing their enemy to settle a score, to steal a wife or girlfriend or to get rid of a political or business rival by marking them for death by denouncing them to the police as drug dealers. It is setting up a network of informers, pitting neighbor against neighbor.”

D. Death Penalty

1. Legislators are proposing that the death penalty be re-implemented. As currently proposed by Speaker Pantaleon Alvarez and Representative Fredenil Castro, the death penalty would be a punishment used for those convicted of crimes ranging from infanticide to drug-related cases. Though it is commendable that the government shows a desire to crack down on crime, the death penalty is overly harsh in many cases, has proven ineffective in the past, and overwhelmingly affects the poor.
2. When the death penalty was implemented in the past as a punishment for sex abusers, it actually deterred victims of such abuses from reporting the incidents. When children experienced sexual abuse from family members, they often feared reporting the abuse because they did not want to be responsible for putting their family member to death. Therefore, in cases of sexual assault, the death penalty was largely ineffective in reaching its goal of lessening crime. In reality, it simply covered it up and allowed it to proliferate undetected.

3. The death penalty is an extremely dangerous and abusive tool within the context of the Filipino government, which as of now is too corrupt to responsibly manage such a mechanism. As seen in the case with Douglas Slade, lawyers, judges, and other officials can easily be paid off to drop a case or to turn a blind eye to crime. Therefore, the death penalty would disproportionately affect the poor. Wealthy Filipinos would be able to obtain lawyers who could keep them from receiving the harsh penalty. It would be those who are unable to afford a lawyer or who could not afford to pay their way out of a crime that would have to face the punishment of death.
4. Finally, the death penalty as proposed would have no opportunity to be overturned, even if the accused were later found to be innocent. With the prevalence of false accusations against innocent people in the Philippines, this would be a very dangerous move.

E. Recommendations

1. The Philippines government should ensure that all laws, both federal and local, continue to protect members of all religious communities. The BBL must have clauses that explicitly protect the rights of non-Muslim groups and fully separate them from the sharia judicial process. Crimes between Muslims and non-Muslims must continue to never be tried in sharia courts. Throughout the process of the BBL, voices of all religious groups must be heard and carefully considered.
2. Violence is proliferating in the Philippines largely due to corruption within the government and police forces. The police must be trained to uphold the law within the parameters of the rule of law and due process and not prematurely punish suspected criminals. Authorities must be trained and sufficiently paid to do their jobs with integrity and to not accept bribes or deals with civilians nor partake in activities outside of their authority.
3. President Rodrigo Duterte must completely reconsider his approach to his “war on drugs.” Extrajudicial killings must be put to a stop. President Duterte has created a dangerous atmosphere in the Philippines—one lacking in security and trust. He must revoke his permission for civilians to carry out the killings of suspected drug dealers, and immediately create a new narrative in which he encourages crime to be handled properly by the police.
4. The UN should discourage the Filipino government from re-adopting the death penalty. Government authorities in the Philippines should be trained to look for other means of dealing with crime, rather than resorting to harsh and unnecessary actions.