Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE RESOLUTION No. 998

Introduced by
BAYAN MUNA Representatives EUFEMIA C. CULLAMAT,
CARLOS ISAGANI T. ZARATE and FERDINAND R. GAITE,
GABRIELA Women’s Party Representative ARLENE D. BROSAS,
ACT TEACHERS Party-List Representative FRANCE L. CASTRO,
and KABATAAN Party-List Representative SARAH JANE I. ELAGO

RESOLUTION
DIRECTING THE COMMITTEE ON HUMAN RIGHTS TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION, ON THE FINDINGS MADE BY THE
UNITED NATIONS OFFICE OF THE HIGH COMMISSIONER FOR HUMAN
RIGHTS IN ITS REPORT ON THE CURRENT HUMAN RIGHTS SITUATION IN
THE PHILIPPINES

WHEREAS, on June 4, 2020, the United Nations’ Office of the High Commissioner for
Human Rights (OHCHR) submitted its annual report pursuant to the Human Rights Council
resolution 41/2, which requested the High Commissioner for Human Rights to prepare a
comprehensive written report on the situation of human rights in the Philippines for its forty-
fourth session;

WHEREAS, the report examined data since 2015 collected and analyzed by OHCHR based on
893 written submissions, including joint submissions, written input from the Government of the
Philippines, official data and documents from governmental and non-governmental sources,
legislation, policy guidelines, court documents, police reports, videos, photos and open-source
reports;

WHEREAS, the UN OHCHR reported that under President Duterte’s war on drugs through
Oplan Tokhang, the anti-illegal drugs campaign launched under then PNP Chief Ronald de la
Rosa, 5,601 persons were killed by the police from July 1, 2016, until July 31, 2020, citing data
from the Philippine Drug Enforcement Agency. The report, though, stated that various
government agencies publicized conflicting figures. The report also cited the 16,355 “homicide
cases under investigation” mentioned by the Administration’s 2017 year-end report as
accomplishments in the fight against illegal drugs. Drug operations by police and homicides by
unidentified persons resulted in 20,322 deaths from July 1, 2016 to November 27, 2017 or an
average of nearly 40 deaths per day;

WHEREAS, the report revealed that according to police data, out of 42,286 police anti-illegal
drugs operations conducted from July 1, 2016 to November 30, 2017, only 507 – or only 1.2% -
were based on an arrest warrant;
WHEREAS, the report revealed that out of 25 operations the OHCHR examined between August 2016 to June 2017, they found that police repeatedly recovered guns bearing the same serial numbers from different victims in different locations. The OHCHR identified seven (7) handguns with unique serial numbers. Each handgun appeared in at least two (2) separate crime scenes, while two (2) re-appeared in five (5) different crime scenes. According to the report, the pattern suggested the planting of evidence by police officers;

WHEREAS, the report also revealed that the Police Internal Affairs Service (IAS), which reportedly automatically investigates any deaths occurring during police operations, launched 4,583 investigations between July 2016 to May 2019. However, the government cited only one case where three police officers were convicted of a drug campaign-related killing. The OHCHR noted that administrative sanctions for serious allegations of violations to the right of life were insufficient. They also noted the lack of progress in the investigation of anti-illegal drug campaign-related cases referred to the Office of the Ombudsman;

WHEREAS, the report also raised concern over cases that may amount to arbitrary detention citing data of arrests as compared to criminal cases filed against “drug personalities”. They also brought to attention the state of Philippine prisons with congestion rates of 534 per cent, among the highest in the world, in violation of standards of the Bureau of Jail Management and Penology and the UN Minimum Standard Rules for the Treatment of Prisoners;

WHEREAS, the report also raised concerns on the violation of the right to health, citing data that revealed only 26,200 individuals have undergone treatment and rehabilitation in DOH-managed and accredited rehabilitation centers while 497,775 persons reportedly using drugs have undertaken a PNP recovery and wellness program from January 1, 2018 to December 31, 2019. The OHCHR raised concerns over the involvement of law enforcement agencies in drug rehabilitation programs running counter to evidence-based medical treatment;

WHEREAS, the report also raised concerns on the overarching national security and counter-terrorism legislative framework, citing laws such as the Human Security Act of 2007, Cyber Crime Protection Act of 2012, and Republic Act 10973 (subpoena powers law) and laws on sedition. According to the report, these laws give authorities wide discretion to detain individuals on grounds of national security without adequate human rights safeguards;

WHEREAS, the OHCHR report also raised concerns on measures imposed in the country such as Martial Law in Mindanao that remained in force for three (3) years, well after the Marawi Siege; Memorandum Order 32 which authorized the immediate deployment of additional AFP and PNP officers in Samar, Negros Oriental, Negros Occidental, and the Bicol Region; and the signing of Executive Order 70. The report noted concerns of patterns resembling those that characterize the anti-illegal drugs campaign against those tagged as supporting the CPP-NPA. It cited the circulation of posters and hit lists claiming to depict photos of CPP-NPA-NDF personalities in Negros Island in 2018. At least four human rights defenders included in the list were subsequently murdered: activist Haide Flores, lawyer Benjamin Ramos Jr, city councilor Bernardino Patigas and lawyer Anthony Trinidad. To this day, all four murders remain unsolved. The killings have also targeted those in the legal profession. Since 2015, over 40 legal professionals have been killed, many who were working on politically sensitive cases or advocating for land rights of farmers and indigenous people;
WHEREAS, issues on violations against farmers and indigenous peoples over land rights and
human rights violations were also raised, citing controversial large-scale projects in indigenous
communities such as the Kaliwa Dam project in Quezon and the Killing of tribal leader Datu
Victor Danyan and 7 other Lumad in Lake Sebu in South Cotabato in December 2017. Danyan
refused to consent to renew authorization for a coffee plantation. They also cited the killing of
peasant leader Nora Apigue who was shot on March 31, 2020 in San Miguel, Surigao del Sur
among other violations;

WHEREAS, the report also raised concerns on “a pattern of intimidation” of independent
news sources citing the case of Rappler and ABS-CBN;

WHEREAS, the report reveals alarming findings on the human rights situation in the
country, backing reports by local civil society groups calling for justice and accountability for
human rights violations against the most vulnerable sectors of society;

WHEREAS, it is imperative for members of Congress, as representatives of our people, to
defend the rights of our people and check on excesses and violations committed against them,
and to ensure that laws and rules serve the interest of our people;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, that the
Committee on Human Rights to conduct an inquiry, in aid of legislation, on the findings made
by the United Nations’ Office of the High Commissioner for Human Rights in its report on the
current human rights situation in the Philippines.

Approved,

[Signatures]

REP. ETEMIA C. CULLAMAT
Bayan Muna Partylist

REP. CARLOS ISAGANI T. ZARATE
Bayan Muna Partylist

REP. ARLENE D. BROSAS
Gabrieljah Women’s Party

REP. FRANCIS E. CASTRO
ACT Teachers Partylist

REP. SARAH JANE I. ELAGO
Kabataan Partylist