



TEXTS ADOPTED

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Philippines

European Parliament resolution of 15 September 2016 on the Philippines (2016/2880(RSP))

The European Parliament,

- having regard to its previous resolutions on the situation in the Philippines, in particular those of 8 June 2016¹ on the Framework Agreement on Partnership and Cooperation between the European Union and the Republic of the Philippines, of 14 June 2012² and of 21 January 2010³,
- having regard to the statement of 3 September 2016 by the European External Action Service (EEAS) Spokesperson on the attack in Davao,
- having regard to the diplomatic relations between the Philippines and the EU (at the time the European Economic Community (EEC)) established on 12 May 1964 with the appointment of the Philippines Ambassador to the EEC,
- having regard to the status of the Philippines as a founding member of the Association of Southeast Asian Nations (ASEAN) following the signing of the Bangkok Declaration on 8 August 1967,
- 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 statement of 8 June 2016 by UN Secretary-General Ban Ki-moon on the apparent endorsement of extrajudicial killings,
- having regard to the statement of 3 August 2016 by the Executive Director of the UN Office on Drugs and Crime (UNODC) on the situation in the Philippines,
- having regard to the statement of 4 September 2016 attributable to the Spokesman for the UN Secretary-General on the Philippines,

¹ Texts adopted, P8_TA(2016)0263.

² OJ C 332 E, 15.11.2013, p. 99.

³ OJ C 305 E, 11.11.2010, p. 11.

- having regard to the UN Security Council press statement of 4 September 2016 on the Terrorist Attack in the Philippines,
 - 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) of 1966,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas the Philippines and the EU have longstanding diplomatic, economic, cultural and political relations;
 - B. whereas democracy, rule of law, human rights and dialogue with civil society organisations have always been an important part of the bilateral talks between the EU and the Philippines;
 - C. whereas immense challenges await the recently elected Government of the Philippines in terms of combating inequalities and corruption and leading the peace process in the country;
 - D. whereas the illegal drug trade in the Philippines remains a serious national and international concern; whereas in 2015, according to the annual report by the US Department of State to Congress, the Philippine Drug Enforcement Agency (PDEA), the lead counter-narcotics enforcement agency in the country, reported that 8 629 villages or barangays (approximately 20 % of the country's villages) had reported drug-related crimes, and whereas the Philippines is considered to have the highest usage rate of methamphetamines in East Asia;
 - E. whereas one of the central features of Rodrigo Duterte's presidential campaign was a commitment to ending all levels of drug crime across the country; whereas, during his election campaign and first days in office, President Duterte repeatedly urged law enforcement agencies and the public to kill suspected drug traffickers who did not surrender, as well as drug users;
 - F. whereas President Duterte publicly stated that he would not pursue law enforcement officers and citizens who killed drug dealers who resisted arrest;
 - G. whereas figures released by the Philippine National Police show that from 1 July to 4 September 2016 police killed over a thousand suspected drug pushers and users, and whereas further police statistics attribute the killing of over a thousand alleged drug dealers and users in the past two months to unknown gunmen; whereas, as reported by Al Jazeera, more than 15 000 drug suspects have been arrested, mostly on the basis of hearsay and allegations put forward by fellow citizens, and whereas almost 700 000 have surrendered 'voluntarily' to police and registered for treatment under the Tokhang programme in order to avoid being targeted by police or vigilantes;
 - H. whereas on 8 June 2016 the UN Secretary-General, Ban Ki-moon, denounced the series of extrajudicial killings as illegal and a breach of fundamental rights and freedoms;

- I. whereas on 18 August 2016 the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Agnes Callamard, and the UN Special Rapporteur on the right to health, Dainius Pūras, urged the Government of the Philippines to put an end to the current wave of extrajudicial executions and killings in the context of an intensified anti-crime and anti-drug campaign targeting drug dealers and users;
 - J. whereas the Philippine Senate and Commission on Human Rights have undertaken their own independent inquiries into the deaths;
 - K. whereas the Philippines was one of the first countries in Asia to abolish the death penalty, in 1987; whereas, after being reinstated, the death penalty was abolished for a second time under President Arroyo in 2006; whereas during his election campaign President Duterte called for it to be reinstated once more, in particular for illegal drug trading, and whereas a draft bill is now under consideration in Congress;
 - L. whereas another draft bill in Congress is aimed at reducing the age of criminal responsibility from 15 years to nine;
 - M. whereas on 2 September 2016 a bomb attack, responsibility for which was claimed by Abu Sayyaf and affiliates, on a market in the city of Davao left at least 14 people dead and 70 wounded; whereas the Philippine armed forces are continuing a military offensive against IS-affiliated Abu Sayyaf militants in the southern province of Sulu;
 - N. whereas, following the attack, the Philippine Government declared a 'state of national emergency on account of lawless violence in Mindanao';
 - O. whereas on 26 August 2016, under the auspices of the Norwegian Government, an indefinite ceasefire was signed between the Philippine Government and the NDFP (National Democratic Front of the Philippines), which represents a major breakthrough in the 47-year guerrilla war that has cost the lives of an estimated 40 000 people;
 - P. whereas the Philippines will hold the chairmanship of ASEAN in 2017, and whereas President Duterte has announced that 'during the Philippines' chairmanship, we will highlight ASEAN as a model of regionalism and a global player, with the interest of the people at its core';
1. Strongly condemns the attack on a night market in the city of Davao on 2 September 2016, and expresses its condolences to the relatives of the victims; stresses that those responsible for these killings should be held accountable, but calls on the EU Delegation to monitor carefully the use of the 'rule of lawlessness'; urges all states, in accordance with their obligations under international law and relevant UN Security Council resolutions, to cooperate actively with the Government of the Philippines and all other relevant authorities in this regard;
 2. Strongly condemns drug trafficking and drug abuse in the Philippines; stresses that illegal drugs are a threat to young people in the Philippines and one of the most serious problems in society;
 3. Understands that in the Philippines millions of people are negatively affected by the high level of drug addiction and its consequences; expresses its strongest concerns, however, at the extraordinarily high numbers killed during police operations and by vigilante groups in the context of an intensified anti-crime and anti-drug campaign targeting drug dealers

and users, and urges the Government of the Philippines to put an end to the current wave of extrajudicial executions and killings;

4. Welcomes the government's intention to reduce the high levels of crime and corruption in the country, but invites the government to adopt specific, comprehensive policies and programmes that should also include measures aimed at prevention and rehabilitation, without an exclusive focus on violent repression;
5. Strongly welcomes President Duterte's initiative to invigorate the peace process with the NDFP (National Democratic Front of the Philippines) and is looking forward to seeing an end to this conflict in the very near future, given that, according to the negotiation plan, a final agreement to end the armed conflict could be achieved within one year;
6. Stresses that responses to the illicit drug trade must be carried out in full compliance with national and international obligations;
7. Urges the authorities to ensure respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by the Philippines;
8. Encourages the authorities to launch an immediate investigation into the extraordinarily high numbers killed during police operations;
9. Notes that UNODC stands ready to engage further with the Philippines to bring drug traffickers to justice with the appropriate legal safeguards in line with international standards and norms;
10. Recommends that a national mechanism for the prevention of torture be put in place without delay, as provided for by the Convention against Torture and its Optional Protocol;
11. Urges the Philippine Government to condemn the actions of vigilante groups and to investigate their responsibility for the killings; urges the Philippine authorities to conduct an immediate, thorough, effective and impartial investigation in order to identify all those responsible, to bring them before a competent and impartial civil tribunal and to apply the penal sanctions provided for by the law;
12. Calls on the Government of the Philippines to guarantee appropriate protection for human rights defenders, trade unionists and journalists;
13. Welcomes President Duterte's commitment to drug rehabilitation programmes, and calls for the EU to support the government in its efforts to provide drug users with adequate help to rid themselves of their dependence, and to continue its support for reforms of the criminal justice system in the Philippines;
14. Recommends that the Philippines ratify without delay the Convention for the Protection of All Persons from Enforced Disappearance and that it criminalise enforced disappearances and extrajudicial executions in its national legislation;
15. Urges the Philippine Congress to abstain from reintroducing the death penalty and from lowering the minimum age of criminal liability;

16. Notes that, according to all empirical evidence, the death penalty does not reduce drug delinquency and would destroy a great achievement of the Philippine justice system;
17. Urges the EU to use all available instruments to assist the Government of the Philippines in respecting its international human rights obligations, notably through the Framework Agreement;
18. Instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments of the Member States, the Government and Parliament of the Philippines, the governments of the member states of the Association of Southeast Asian Nations (ASEAN), the United Nations High Commissioner for Human Rights and the Secretary-General of the United Nations.