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**TEXTS ADOPTED**

*Provisional edition*

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**P8\_TA-PROV(2017)0088**

**Philippines, the case of senator Leila M. De Lima**

**European Parliament resolution of 16 March 2017 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, in particular that of 15 September 2016<sup>1</sup>,
- having regard to the statements by the EU Delegation and the spokesperson of the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR),
- having regard to the diplomatic relations between the Philippines and the EU (formerly the European Economic Community (EEC)) established on 12 May 1964 with the appointment of the Philippine Ambassador to the EEC,
- having regard to the status of the Philippines as a founding member of the Association of Southeast Asian Nations (ASEAN),
- having regard to the statement of 28 February 2017 by the International Commission of Jurists,
- 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 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 Rules 135(5) and 123(4) of its Rules of Procedure,

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<sup>1</sup> Texts adopted, P8\_TA(2016)0349.

- A. whereas the Philippines and the EU have longstanding diplomatic, economic, cultural and political relations;
- B. whereas on 23 February 2017, an arrest warrant was issued against Senator Leila M. De Lima of the Philippines from the opposition Liberal Party on charges of alleged drug-related offences; whereas on 24 February 2017 Senator De Lima was arrested and detained; whereas, if convicted, Senator De Lima could face a sentence from 12 years up to life in prison and be expelled from the Senate;
- C. whereas there are serious concerns that the offences Senator De Lima has been charged with are almost entirely fabricated; whereas Amnesty International regards Senator De Lima as a prisoner of conscience;
- D. whereas Senator De Lima is a human rights advocate and the highest profile critic of Philippine President Rodrigo Duterte's anti-drug campaign; whereas she has openly condemned the Philippine Drug War; whereas Senator De Lima was the Chair of the Philippine's Human Rights Commission; whereas there are serious concerns for the safety of Senator De Lima; whereas there are numerous claims of torture in places of detention that are not giving rise to inquiries;
- E. whereas on 19 September 2016, Senator De Lima was removed from her position as chairperson of the Senate Committee on Justice and Human Rights; whereas during her time as head of the Commission on Human Rights, Senator De Lima led the investigation into the alleged extrajudicial killings of an estimated 1 000 or more drug suspects in Davao, while President Duterte was mayor of the city; whereas following the hearings, Senator De Lima was exposed to a torrent of harassment and intimidation from the authorities, and these attacks have intensified over the last eight months;
- F. whereas on 2 March 2017, Human Rights Watch released its report 'License to Kill: Philippine Police Killings in Duterte's 'War on Drugs'', which documented extrajudicial killings related to the anti-drug campaign;
- G. whereas over 7 000 drug-related killings by the police and vigilantes have been reported since President Duterte took office on 30 June 2016; whereas President Duterte has vowed to continue his anti-drug campaign until the end of the presidential term in 2022;
- H. whereas in response to the killing of officers by insurgents from the Communist New People's Army (NPA) in the southern Philippines on 8 March 2017, President Duterte ordered the army to undertake counterinsurgency operations with disregard for collateral damage;
- I. whereas on 30 January 2017, the Philippine National Police temporarily suspended anti-drug operations by the police following a brutal, alleged anti-drug killing; whereas President Duterte ordered the Armed Forces of the Philippines (AFP) to fill this gap in the anti-drug campaign;
- J. whereas human rights defenders, activists and journalists in the Philippines, including Senator De Lima face regular threats, harassment, intimidation and cyber bullying; whereas those violating the rights of these groups are not being held to account owing to the fact that proper investigations are not being conducted; whereas in November 2016, President Duterte openly threatened to kill human rights defenders;

- K. whereas on 7 March 2017, the House of Representatives approved House Bill 4727 to reinstate the death penalty for serious drug-related crimes; whereas the Philippines was the first country in the region to have abolished the death penalty in 2007; whereas the reintroduction of the death penalty would be in clear violation of the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR), to which the Philippines is party as of 2007; whereas legislation on lowering the minimum age for criminal responsibility from 15 years to 9 years is currently being considered by the administration of President Duterte;
- L. whereas in September 2016, the Philippines resumed chairmanship of ASEAN for 2017;
1. Calls for the immediate release of Senator Leila M. De Lima and for her to be provided with adequate security whilst in detention; calls on the authorities of the Philippines to ensure a fair trial, recalling the right to the presumption of innocence, to drop all politically motivated charges against her and to end any further acts of harassment against her;
  2. Understands, that in the Philippines, millions of people are negatively affected by the high levels of drug addiction and its consequences; strongly condemns drug trafficking and drug abuse in the Philippines; calls on the Government to prioritise the fight against trafficking networks and drug barons over tracking down small-scale consumers; stresses that this fight must go hand in hand concomitantly with measures for prevention and detoxification; encourages the Government in its efforts to open new detoxification centres;
  3. Strongly condemns the high number of extrajudicial killings by the armed forces and vigilante groups related to the anti-drug campaign; expresses its condolences to the families of the victims; expresses grave concern over credible reports to the effect that the Philippine police force is falsifying evidence to justify extrajudicial killings, and that overwhelmingly the urban poor are those being targeted; calls on the authorities of the Philippines to immediately carry out impartial and meaningful investigations into these extrajudicial killings and to prosecute and bring all perpetrators to justice; calls on the EU to support such investigations; calls on the authorities of the Philippines to adopt all necessary measures to prevent further killings;
  4. Expresses grave concern with regard to the rhetoric of President Duterte in response to the killing of officers on 8 March 2017 and strongly urges the Philippine authorities and military to strictly adhere to international humanitarian law which places specific strictures on all parties to an armed conflict to spare civilians and non-combatants;
  5. Calls for the EU to support the establishment at the UN Human Rights Council of an independent international investigation into unlawful killings and other violations by the Philippines in the context of President Duterte's 'war on drugs';
  6. Is deeply alarmed by the decision of the House of Representatives to reintroduce the death penalty; calls on the authorities of the Philippines to immediately halt ongoing proceedings to reinstate the death penalty; recalls that the EU considers capital punishment to be a cruel and inhuman punishment, which fails to act as a deterrent to criminal behaviour; calls on the Philippine Government to refrain from lowering the minimum age for criminal responsibility;

7. Calls for the EU to closely monitor the case against Senator De Lima;
8. Urges the EU to use all available instruments to assist the Government of the Philippines in upholding its international human rights obligations, notably through the Framework Agreement;
9. Urges the Commission to use all available instruments to persuade the Philippines to put an end to extrajudicial killings related to the anti-drug campaign including, in the absence of any substantive improvements in the next few months, procedural steps with a view to the possible removal of GSP+ preferences;
10. 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 Member States.