

# Amnesty International Philippines

## Human Rights Legislative Agenda for the 20<sup>th</sup> Congress of the Philippines

In this seven-point agenda, Amnesty International Philippines<sup>1</sup> urges the Philippine Senate and the House of Representatives to ensure that the protection and promotion of human rights are a core part of their legislative plans for the country. Herein, Amnesty International puts forward key human rights issues and offers recommendations so that the Philippines may meet its obligations under international human rights law.

Amnesty International calls upon all legislators to commit to putting human rights at the center of the Philippine laws they are responsible for shaping, by pledging to uphold this agenda, and intentionally and visibly supporting policies in defense of human rights.



### 1. LEGISLATE THE PROTECTION OF ACTIVISTS, HUMAN RIGHTS DEFENDERS, AND OTHER GOVERNMENT CRITICS AND TARGETED GROUPS FROM RED-TAGGING, HARASSMENT AND KILLINGS

Human rights defenders and political activists have long been the subject of attacks from the government over the years. Government authorities increasingly subjected political activists, human rights defenders, journalists, lawyers, and government critics to “red-tagging” or the “public vilification of human rights defenders, student activists, teachers, media workers and others as members of and clandestine recruiters for the New People’s Army (NPA), a communist armed group that has been active in the Philippines since 1969”.<sup>1</sup> In her preliminary observations from her visit in 2024, UN Special Rapporteur on freedom of expression and opinion Irene Khan<sup>2</sup> stated that *“there is clear evidence that ‘red tagging’...[is] being practised by security forces as part of their counter-terrorism strategy. Furthermore, it is also clear that such vilification is not only aimed at those who are actually associated with proscribed or listed organizations as some officials claim, it is also used to target legitimate activists and activities, sowing distrust between the State, communities and civil society.”* She further emphasized that *“The vilification has often been followed by threats, unlawful surveillance, attacks, or even unlawful killing. It intimidates and chills freedom of expression, and suppresses legitimate activism, journalism, debate and criticism which are part and parcel of freedom of expression.”* The absence of any legislated operational definition and subsequent policy penalizing red-tagging essentially reinforces the practice as a state tool for silencing dissent.

In 2018, following the breakdown of peace talks between the government and the CPP/NPA, former President Rodrigo Duterte established the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) through Executive Order No. 70. Supposedly the government’s primary counter-insurgency body, the task force has further perpetuated red-tagging, and enforced a strategy of intrusive propaganda in schools and communities that has increasingly focused on discrediting and dismantling civil society organizations and vilifying individual human rights defenders.

In September 2023, student activists Jonila Castro and Jhed Tamano were presented at a press conference hosted by the NTF-ELCAC two weeks after their disappearance. According to XXX, the pair had signed affidavits to state that they had left the communist movement and were seeking protection by surrendering to the military. Castro and Tamano, however,

<sup>1</sup> Amnesty International. *“I Turned my Fear into Courage”: Red-Tagging and State Violence against Young Human Rights Defenders*. London: Amnesty International Ltd, 2024.

<sup>2</sup> UN Special Rapporteur on Freedom of Expression and Opinion. *“Preliminary observations by the UN Special Rapporteur on freedom of opinion and expression. Ms Irene Khan, at the end of her visit to the Philippines.”* 02 February 2024. Office of the High Commissioner for Human Rights. PDF Document.

accused the military of abducting them and coercing them to sign the affidavits. Several other activists remain disappeared, including Indigenous People's rights activists Dexter Capuyan and Gene Roz Jamil.

Educational institutions in particular have been susceptible to the state's "counter-insurgency" operations. In September 2023, DepEd cited supposed NPA recruitment in 16 Metro Manila public schools as justification for its request of 150 million pesos in confidential funds, making schools a target for red-tagging. DepEd has also allocated funds for the distribution of pamphlets labelling "students and youth as terrorists for opposing the government's policies, especially Charter change and freedom for political prisoners."

A 2024 study by the Ateneo Human Rights Center identified the state as the primary perpetrator of red-tagging, the primary aggressors as "the PNP [Philippine National Police], AFP [Armed Forces of the Philippines], and NTF-ELCAC", and highlighted the vulnerability of women human rights defenders.<sup>3</sup> Amnesty International's 2024 report on state-sponsored red-tagging documents the experiences of young human rights defenders and identifies the different tactics (e.g. via in-person operations in barangays and schools and/or through online platforms like Facebook) by which these youth activists have been subjected to red-tagging and harassment by state authorities, especially NTF-ELCAC<sup>4</sup>. The task force continues its operations to this day, despite persistent calls for its abolition and defunding from civil society organizations. In 2024, the calls to defund NTF-ELCAC were renewed; despite a decrease in their allocation, they were still given at least 1.95 billion pesos for their operations in 2025. All this, even after UN Special Rapporteur Irene Khan recommended and urged the president to abolish the task force during her 2024 visit.

In addition to red-tagging, activists and human rights defenders are targeted by the government through the use of anti-terrorism legislation. The Anti-Terrorism Act (ATA) continues to pose a threat to those wrongly accused of terrorism, by granting the government excessive and unchecked powers and being susceptible to arbitrary and discriminatory enforcement. The Anti-Terrorism Council (ATC) has continually designated human rights groups and people's organizations as "terrorists".

Under the ATA, young activists Fritz Labiano and Adrian Paul Tagle were indicted by the Department of Justice in February 2024 for terror financing without having received any summons. Labiano and Tagle visited fellow activists in jail and supplied them with food and five hundred pesos in October 2023, prompting the army to file terrorism complaints against them. Terror financing charges result in the freezing of bank accounts, subsequently paralyzing the operations of development, humanitarian, and human rights organizations. The effect of this extends to the marginalized sectors that benefit from their programs and services.

The Supreme Court has already issued a decision declaring that "red-tagging, vilification, labelling, and guilt by association threaten a person's right to life, liberty, or security."<sup>5</sup> Several cities have approved local ordinances on the protection of human rights defenders, the latest of which is Baguio City which explicitly penalizes red-tagging and other forms of intimidation by state authorities<sup>6</sup>. The Commission on Human Rights has also launched a public inquiry on red-tagging.

In May 2024, the Marcos administration created the Special Committee on Human Rights Coordination. The committee's duties include data gathering on alleged human rights violations by law enforcement agencies and facilitating access to redress mechanisms by human rights victims. While the move seemingly signals the government's commitment to human rights, the Committee is superfluous and further convolutes the human rights justice system as the Commission on Human Rights (CHR) and the Presidential Human Rights Committee already exist, with the CHR lacking significant support and resources from the government.

Instead of maligning and endangering people for the lawful exercise of their freedom of expression, the government should seek to address legitimate criticism of its policies and practices. In the prevailing context where red-tagged individuals become the targets of harassment, threats and even killings, courts, pertinent government agencies, and legislators must take concrete steps to ensure the safety and protection of these individuals.

<sup>3</sup> Buan, Lian. [Red-tagging in the Philippines targets women more than men – study](#). 9 July 2024. Rappler. News Article.

<sup>4</sup> Amnesty International. ["I Turned my Fear into Courage": Red-Tagging and State Violence against Young Human Rights Defenders](#). London: Amnesty International Ltd, 2024.

<sup>5</sup> Supreme Court of the Philippines. ["SC: Red-Tagging Threatens Right to Life, Liberty, and Security."](#) 08 May 2024. *Supreme Court of the Philippines*.

<sup>6</sup> Cabreza, Vincent. ["Baguio to penalize Red-tagging."](#) 11 December 2024. *Inquirer.Net*. News Article.

## RECOMMENDATIONS:

- **Pass the Human Rights Defenders Protection Act** --a legislation recognizing the work of all human rights defenders and political activists and ensuring protection of their rights as they carry out their work, including the rights to life, due process, freedom of expression, and freedom of peaceful assembly, and ensure that they are able to carry out their work free from harassment, threats, and harm.
- **Defund, and support the call for a abolition of the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC)** which has consistently been proven to target activists and curtail humanitarian work and peaceful dissent.
- **Repeal or significantly amend the Anti-Terrorism Act to ensure it is consistent with international human rights law and standards**, and not used to unduly target those who are critical of the government.
- **Launch prompt, independent, impartial and transparent investigations into abuses in the application of the Anti-Terrorism Act and related laws**, including the Terrorism Financing Prevention and Suppression Act, especially against human rights defenders and media workers.
- **Institutionalize cooperation and collaboration between the government and the CHR**, with a view to **legally define “red-tagging”** and ensure its inclusion in relevant legislations, and **facilitate the investigation** of killings of activists and human rights defenders, as well as other human rights violations.
- **Ensure sufficient funding for the effective operation of the Barangay Human Rights Action Centers (BHRAC)**, to empower them as the first line of reporting for cases of red-tagging and harassment of activists, as well as other human rights abuses and violations, especially by state and local authorities.
- **Ensure the full independence of the Commission on Human Rights (CHR)** in accordance with the Paris Principles, and provide adequate resources to it, including sufficient budget to strengthen its human rights work.
- **Institute measures to build trust in law enforcement and security agencies**, thereby enabling civil society groups and the public at large to engage with such government agencies tasked with investigating allegations of human rights violations, without fear of reprisal.
- **Ensure that accountability and human rights protections are included in any peace negotiations**, including by legislating mutual cooperation on human rights protection and joint investigations on credible allegations of violations of human rights and international humanitarian law committed in the context of armed conflict.
- **Ratify key treaties on human rights and humanitarian law**, such as the Optional Protocol of the International Convention on Economic, Social and Cultural Rights, the International Arms Trade Treaty, and the International Convention for the Protection of All Persons from Enforced Disappearances.



## 2. UPHOLD AND ENCOURAGE MEDIA FREEDOM, AND THE FREEDOM OF EXPRESSION AND ASSEMBLY IN NATIONAL LAWS

A free media plays an indispensable role in upholding the right to freedom of expression and enabling people to seek and receive information. Amnesty International is concerned that press freedom in the Philippines has been severely eroded and assaulted over the last few years.

Nobel Peace Prize awardee Maria Ressa and Rappler, the digital media company she founded, have been a particular target of the authorities due to their consistent criticism of President Duterte and his administration, publishing detailed investigations into extrajudicial executions as part of the “war on drugs” and other exposés. Maria Ressa and Rappler faced multiple lawsuits and investigations, including for alleged tax violations and violations of the Constitution’s foreign equity restrictions in mass media which were subsequently dismissed by various courts. In June 2020, Maria Ressa was found guilty of “cyber libel” after being convicted under the Philippines’ Cybercrime Prevention Act of 2012. An appeal

against the cyber-libel verdict remain pending. Amnesty International is among numerous human rights groups around the world that condemned her conviction as an attack on press freedom.

The Philippines remains one of the most dangerous places in the world to be a journalist. The country ranked 134 out of 180 countries in Reporters without Borders' Press Freedom Index published in May 2024, slipping two places further since 2023. The National Union of Journalists of the Philippines (NUJP) documented 135 attacks and threats against journalists and media workers from July 1, 2022 to April 30, 2024 including the killing of Rey Blanco, Percy Lapid, and Cresenciano Bundoquin. NUJP also reported there were 75 cases of intimidation within that period, among which were 45 cases of red-tagging and 19 cases of surveillance. Despite this, President Bongbong Marcos has not made mention of any issues surrounding press freedom in his two previous SONAs.

Amnesty International Philippines has monitored a rise in local government's restrictive bureaucracy and the local police's violent response to peaceful protests with increasing concern. The excessive volume of police, even in permitted protests conducted in freedom parks, diminishes the realization of the people's right to assemble as such state forces bear excessive 'non-lethal' weapons, dress in full combat gear, and utilize trucks to block or disperse people.

The police's failure to practice the principle of maximum tolerance leading to violent dispersals of protests (e.g. use of water cannons or shields) also further shrinks free civic space. Documented violent dispersals include those that targeted NutriAsia Workers in July 2018, Indigenous people against Ocean Gold Mining in April 2020, and CHR Protests in May 2022, among others. However, there is also a general lack of documentation and media coverage of protests and police response, especially in rural areas and involving vulnerable stakeholders (e.g. indigenous communities, farmers, fisherfolk, laborers). In December 2023, a government prosecutor dismissed a complaint alleging violations of environmental laws filed by the police against artist Max Santiago and three others involved in burning an effigy of the president during a protest in July. However, charges against 14 other individuals for organizing the protest without a permit remain pending.

Despite attempts in 2004 and 2016 to amend, repeal, or otherwise strengthen the Batas Pambansa 880, the only active legislation operationalizing the right to peaceably assemble and petition the government, none of these have significantly progressed in both legislative houses.

## RECOMMENDATIONS:

- Publicly condemn attacks against journalists in the Philippines. **Ensure independent, transparent and effective investigations into the killings of journalists**, and bring those responsible to justice in fair trials.
- **Repeal or substantially amend all laws unduly restricting the right to freedom of expression, including the Cybercrime Prevention Act of 2012**, and bring them in line with international human rights law and standards.
- **Pass a legislation strengthening the people's right to peaceably assemble and express grievances against the government**, essentially repealing the Batas Pambansa 880, and ensure that people are able to access multiple avenues to petition the government, and exercise their freedom of expression and assembly safely, effectively, and without unreasonable obstructions.



### 3. ENSURE THAT ALL HUMAN RIGHTS VIOLATIONS IN THE “WAR ON DRUGS” ARE PROPERLY INVESTIGATED AND DRUG POLICIES ARE REFORMED IN LINE WITH HUMAN RIGHTS

Extrajudicial executions have been an endemic problem in the Philippines for many years,<sup>7</sup> with successive administrations employing increasingly violent strategies to address the insurgency in the country. Authorities have also consistently failed to improve a weak justice system that has thus far failed to investigate, prosecute and sanction those responsible for committing or ordering extrajudicial executions.

Extrajudicial executions increased dramatically in 2016, when former President Rodrigo Duterte took office. Throughout his six-year term, thousands of people suspected of using or selling illegal drugs were killed by the police or unknown individuals, many with suspected links to the police. Amnesty International reported in two separate investigations in 2017 and 2019 the bold and expansive role of the state in the killings that disproportionately targeted the poor<sup>8</sup> and victimized thousands of people—many children - through unsubstantiated “drug watch lists”<sup>9</sup> whether as targets or “collateral damage”. Amnesty International concluded that the violations perpetrated in the “war on drugs” amount to crimes against humanity.

Although drug-related killings have reduced under the Marcos government, they continue to be reported. The current administration has also failed to credibly investigate, let alone prosecute, those suspected of committing and ordering extrajudicial executions despite promises to deliver “real justice in real time” for victims of the “war on drugs.” Only four cases of unlawful killings have resulted in a court conviction so far, including the murder of 17-year-old Kian delos Santos, which sparked international outcry. While some administrative cases also appear to have been brought against police officers, the outcomes of these are unclear. It is inadequate to impose solely administrative penalties on people responsible for committing or ordering such grave human rights violations, including the right to life.

After nearly a decade of families of victims demanding justice, former president Duterte was arrested under a warrant issued by the International Criminal Court in March 2025. He is currently awaiting trial for the charge of murder as a crime against humanity in relation to the “war on drugs” and his time as Mayor of Davao City from 2011-2019. This is a monumental step, but it is only just a first step towards justice and accountability for survivors and families of victims and the necessary reform of the country’s drug policies.

This development should spark further action. The government must finally carry out thorough, impartial and effective investigations into every case where there is reasonable suspicion of extrajudicial executions in the “war on drugs.” This would complement the ongoing investigation by the International Criminal Court. As the ICC’s investigation does not span the entire duration of Duterte’s term as President, it is even more important that a full and effective domestic investigation is carried out. While drugs can certainly pose risks to individuals and societies, it is precisely because of these risks that governments need to shift away from policies based on prohibition and criminalization in favor of evidence-based alternatives that protect public health and the human rights of people who use drugs and other affected communities.

The “war on drugs” has failed to decrease the use and availability of drugs over the years, and has instead undermined the rights of millions, exacerbated the risks and harms of using drugs, and intensified the violence associated with illicit markets. Thus, the government should end the punitive approach to drugs and address drug-related problems by adopting a health-based approach which has, at its core, the respect for human rights. In November 2024, Amnesty International published a report titled Submit and Surrender: The Harms of Arbitrary Drug Detention in the Philippines, which documents how people who use drugs are being sent to government-run facilities where they are forced to go through programs that are not evidence-based. People in “rehabilitation” are punished for using drugs and coerced into abstinence, forced to undergo mandatory drug testing in

<sup>7</sup> See for example, UN Human Rights Council, Report of the Special Rapporteur on Extrajudicial, summary or arbitrary executions, Mission to Philippines, Philip Alston, 16 April 2008, A/HRC/8/3/Add.2

<sup>8</sup> Amnesty International. “If you are poor, you are killed.” Extrajudicial Killings in the Philippines’ War on Drugs. Investigative Research. 2017. PDF Document.

<sup>9</sup> Amnesty International. “THEY JUST KILL”: ONGOING EXTRAJUDICIAL EXECUTIONS AND OTHER VIOLATIONS IN THE PHILIPPINES’ ‘WAR ON DRUGS.’ Investigative Research. 2019. PDF Document.

violation of their right to privacy, and subjected to severe punishments for rule violations, including weeks or months in isolation..

Among the duties of the Marcos administration's Special Committee on Human Rights Coordination is to implement a human rights-based approach toward drug control. While human rights experts remain skeptical of the super body, as it may serve to defend and deflect against allegations of rights abuse by the state, the government should put this policy into practice.

## RECOMMENDATIONS:

- **Empower an independent body to conduct prompt, impartial, and effective investigations into all law enforcement officials** suspected of involvement in crimes under international law and other serious human rights violations, including extrajudicial executions, and links to unknown armed persons committing them.
- **Reinstate the Philippines as a state party to the International Criminal Court (ICC) and cooperate fully** with the ICC's investigation, including if further arrest warrants are issued against other former and current Philippine government official.
- **Review and amend Republic Act 9165 or the Comprehensive Dangerous Drugs Act of 2002**, with particular focus on ensuring that the law respects and upholds the right of everyone to the highest attainable standards of physical and mental health.
- **Legislate a adequate assistance and reparation for families of victims of drug-related killings**, from former President Duterte's term in 2016 up to the present. Assistance should include, but are not limited to, financial aid, legal support, and psychological services.
- **Implement a drug control policy that operates on the principle of harm reduction** and that ensures relevant services are diverse, available, acceptable and easily accessible to everyone on a non-discriminatory basis, and of good quality.
- **Ensure strict compliance with the Philippine National Police Operational Procedures** as well as international law principles for law enforcement officials, including the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; the UN Code of Conduct for Law Enforcement Officials; and the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment. Ensure all police officers are fully trained on these and on human rights standards
- **Establish a national preventative mechanism on torture**, in line with the Philippines' obligations under the Anti-Torture Act of 2009, and the Optional Protocol to the Convention against Torture.



## 4. ENACT LAWS THAT UPHOLD THE RIGHTS OF INDIGENOUS PEOPLES AND THEIR RIGHT TO LAND AND CULTURE

Over the past six years, killings and other violent attacks have escalated against leaders and members of Indigenous communities who have been red-tagged by government security forces.

On 30 December 2020, police and military officers reportedly forcibly entered the houses of targeted members of the Tumandok community in Panay Island, central Philippines, at four in the morning, supposedly to serve arrest warrants for illegal possession of firearms and explosives, a non-bailable charge that has repeatedly been used by the government to detain activists and human rights defenders indefinitely. Nine individuals were killed, who police maintained resisted arrest



and fought back – a narrative used to justify killings during police operations, despite evidence of unlawful killing. At least 16 others were arrested. Others who are members of or supporting Indigenous communities in the country have been subject to killings, violent attacks and intimidation. The situation of Indigenous peoples remains concerning, despite the Philippine government voting to adopt the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007 and the Duterte administration reaffirming in 2017 its commitment to implement the Declaration.

Corruption, bureaucracy, and the domineering presence of corporations, including the mining industry spurred by heightened global demand for transition minerals, have made the ancestral domain claiming process even more complex, tedious, and life-threatening. The National Commission on Indigenous Peoples has hundreds of pending claims on their plate, as many communities wait for decades with no resolution in sight.

The Manobo-Pulangiyan 1490 tribe is an indigenous community in Quezon, Bukidnon. In 1986, MP1490's ancestral land was placed under the control of Kiantig Development Corporation (KDC) (formerly known as Cesar Fortich Incorporated) via the awarding of the Forest Land Graze Management Agreement (FLGMA) No. 122. After the 1997 Indigenous People's Rights Act was finally enacted into law in the Philippines, the Manobo-Pulangiyan immediately filed for their Certificate of Ancestral Domain Title (CADT) with the National Commission on Indigenous Peoples (NCIP) in the following year. As the NCIP takes its time, the community and its members have been subjected to violent intimidation and attacks from the occupying corporation. Even when the community finally received their Certificate of Ancestral Domain (CADT) in January 2023, the corporation refused to leave and the NCIP have repeatedly refused to issue a reinstatement order. Meanwhile, their living conditions have continued to deteriorate since 2017, with primary concerns including lack of access to consistent food supply and clean water, and the safety of children.

Amnesty International's report, *[What do we get in return? How the Philippines' Nickel Boom Harms Human Rights](#)* published in 2025, documents the continuation of nickel mining operations by Ipilan Nickel Corporation (INC) in Brooke's Point, Palawan despite several irregularities with the FPIC processes and the subsequent withdrawal of consent from the indigenous community. Mining operations in the area have caused increased flooding and declining crop yields. Many have also reported concerns over access to clean water for consumption and domestic use. In Brooke's Point, members of the Indigenous Pala'wan community are worried about the growing contamination of water sources they have traditionally used for drinking.<sup>10</sup>

## RECOMMENDATIONS:

- **Review and amend accordingly the Indigenous Peoples' Rights Act (IPRA)** and, in full consultation with affected communities, investigate and address the existing challenges preventing the proper functioning of the law.
- **Review the mechanisms on Free, Prior, and Informed Consent (FPIC)** under IPRA and their operationalization to ensure compliance with both the legislative intent of protecting Indigenous Peoples' rights over their ancestral domains, and international law.
- **Launch prompt and impartial investigations into attacks, harassment, and illegal arrests against indigenous communities;** and prosecute and bring to justice those found responsible.
- **Ensure the protection, security and well-being of individuals from all marginalized groups,** especially those risking their lives to call attention to human rights violations in their communities—such as members of indigenous groups fighting for their ancestral land..

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<sup>10</sup> Amnesty International. *[What do we get in return? How the Philippines' Nickel Boom Harms Human Rights.](#)* Investigative Research. 2024. PDF Document.



## 5. PROTECT WOMEN AND LGBTI COMMUNITIES AGAINST DISCRIMINATION AND VIOLENCE

According to various assessments of the situation of women in the Philippines compared to women in other countries, the representation of? Filipino women may be considered as one of the most advanced in the academic, professional, political, legislative and legal areas. However, they are also prone to suffer from domestic violence, economic disadvantages, discrimination at the workplace, lack of access to appropriate sexual and reproductive services, exploitation as migrant workers, sexual exploitation as prostituted women and displacement brought about by intermittent violence in conflict-affected areas.

The Philippine National Police recorded a total of 11,585 VAW-related cases in its Crime Information Reporting and Analysis System (CIRAS) for 2023. This has slightly increased to 11,636 cases in 2024. As alarming as these numbers are, they are also underreported. Many women who experience violence, especially domestic abuse, do not report out of fear. Women who experience intersectional discrimination, such as trans women, indigenous women, women with disabilities, women sex workers, and women in poverty, choose not to report out of distrust in authorities or the inaccessibility of legal procedures.

With shifting technological landscapes, there has also been a rise in online gender-based violence (OGBV). According to the Foundation for Media Alternatives 2023 report, OGBV commonly takes the form of non-consensual production and/or dissemination of intimate images or videos; threats of violence and/or blackmail; and cyber pornography or prostitution among others. The House of Representatives passed House Bill 8009 which expands the scope of the Anti-Violence against Women and Children Act to include technology-based and facilitated abuse and harassment. The bill is still pending senate approval as of March 2025.

In early 2024, the Philippine Commission on Women initiated a review of the Anti-Violence against Women and Children Act passed 20 years prior. The Department of the Interior and Local Government has also re-committed to capacitating Violence against Women Desks in every barangay, setting out to train barangay officials and mandate the conduct of seminars.

There remains a need for a consistent and integrated implementation of the Reproductive Health Law which should ensure universal access to contraception and reproductive health education. Programs under this law have continuously suffered from low budget allocation. Much of the budget is currently being utilized by agencies and local governments on training and seminars and less on procuring commodities or improving services that directly meet the needs of their communities. The law is currently being used as a basis for the the implementation of comprehensive sexual education in the K-12 system.

Despite the recognition of women's sexual and reproductive health across legislations, the right to safe abortion continues to be opposed. When the Commission on Human Rights acknowledged the right to safe abortion in 2023, members of Philippine Congress threatened to defund the Commission. According to the University of the Philippines Population Institute, 1.1 million induced abortions occur in the country annually, a number that was estimated to increase by 14.6% in 2020.<sup>11</sup> 75% of Filipino women seeking abortions are financially unable to raise another child, and over 10% of women are victims of sexual violence, and given the lack of legal acknowledgment of their needs, unsafe abortion becomes their only option.<sup>12</sup>

In 2022, the UN Committee on the Rights of the Child (UNCRC) and the UN Human Rights Committee (UNHRC), following separate observations, recommended that the government decriminalize abortion, ensure legal and effective

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<sup>11</sup> Marquez, M.P.N. · Laguna, E.P. · Kabamalan, M.M.M. · et al. [Estimating the potential impact of the COVID-19 pandemic on key sexual and reproductive health outcomes in the Philippines](#) [Internet]. University of the Philippines Population Institute 2020

<sup>12</sup> Padilla, C.R.A. [Safe and legal abortion saves women's lives: public health concerns and social costs of lack of access to safe and legal abortion and post-abortion care](#) [Internet]. EnGendeRights, Inc. 2016



access to safe abortion and post-abortion care, and exert significant effort to destigmatize abortion.<sup>13</sup> Without the right to safe abortion, sexual and reproductive rights cannot be fully realized.

LGBTI people continue to face discrimination and live in constant fear of harassment, arbitrary arrest and detention, and remain vulnerable to violence and persecution based on their sexual orientation, gender identity and expression, and sex characteristics. Amnesty International expressed serious concern about attacks against LGBTI groups in the Bangsamoro Autonomous Region in Muslim Mindanao in September 2021. Most of the victims were LGBTI individuals, who reportedly received death threats in the past because of their sexual orientation and gender identity and expression. A day later, the Bangsamoro Parliament said another LGBTI individual was killed in her own home by an unidentified assailant. To date, no one has been arrested or charged for these attacks.

LGBTI groups and their members are frequent targets of red-tagging. In 2022, former NTF-ELCAC spokesperson Lorraine Badoy accused Iloilo Pride Team chairperson Irish Inoceto of being a CPP member on national television through Sonshine Media Network International (SMNI). In 2023, the National Intelligence Coordinating Agency (NICA) accused several groups, including Mujer LGBTQ+ of being fronts for the CPP. In October 2023, drag performer Pura Luka Vega was arrested following their performance of a rock version of “Ama Namin” while dressed as Jesus Christ. They were charged under Article 201 of the Criminal Code prohibiting “indecent or immoral plays, scenes, acts or shows” that offend any race or religion.”

LGBTI people still face disproportionately high levels of inequality when accessing healthcare, education, housing, and employment. For example, Leyte’s LGBTI community struggles more than most to secure shelter over a decade after Typhoon Yolanda as they are excluded from the government’s housing program.

Quezon City launched its “right to care” card in 2023, granting queer couples the legal right to make healthcare decisions on behalf of one another through a special power of attorney contract. While this is a welcome development, it is an anti-discrimination measure unique to Quezon City. Queer couples in all other Philippine cities and municipalities do not have this right.

The Philippines also continues to have the quickest growing HIV epidemic in the Asia-Pacific region, with the HIV prevalence rate among men who have sex with men the second-highest (5%) after people injecting drugs (29%).

President Bongbong Marcos created a Special Committee on LGBTQIA+ Affairs in December 2023 to strengthen mechanisms addressing discrimination against the community. However, the Sexual Orientation, Gender Identity, and Gender Expression (SOGIE) Equality Bill, as well as the Comprehensive Anti-Discrimination Bill, remain excluded from the President’s list of priority bills for passage in Congress.

## RECOMMENDATIONS:

- **The Philippine Senate must approve the pending legislations legalizing absolute divorce.**
- **The Philippine Senate must pass House Bill no. 8009 or the Expanded Anti-Violence against Women and their Children Act** which seeks to amend the existing Anti-Violence against Women and Children Act to include information, communication, and technology-facilitated violence and abuse.
- **Decriminalize abortion and legislate access to safe abortion and post-abortion care.**
- **Review the implementation of the Republic Act No. 10354 or the Reproductive Health Law.** Ensure that programs and initiatives under the law are funded adequately for effective implementation.
- **Pass the Comprehensive Anti-Discrimination Bill and the SOGIE (Sexual Orientation, Gender Identity and Gender Expression) Equality Bill**—legislations that provide LGBTI people and different marginalized and vulnerable groups protection against violence, harassment, discrimination and other forms of attacks.

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<sup>13</sup> Center for Reproductive Rights. "[UN Treaty Bodies Call for the Philippines to Decriminalize Abortion and Protect Adolescents’ SRHR](#)." 7 December 2022. *Center for Reproductive Rights*. Article.

- Take appropriate steps to protect the rights and safety of LGBTI people, and to prevent threats or attacks against them. Ensure that these cases are thoroughly investigated and those responsible held to account.
- Improve measures to combat HIV-related discrimination of LGBTI people, and ensure that testing and treatment are readily, easily, and widely available to people living with HIV across localities.



## 6. PROTECT HUMAN RIGHTS IN THE FACE OF THE CLIMATE EMERGENCY

Climate change threatens the enjoyment of civil, political, economic, social and cultural rights of present and future generations of Filipinos. The Philippines is already witnessing the devastating impact of climate change, such as severe heatwaves and typhoons of high intensity. These events, together with the onset of other impacts of climate change such as sea-level rise, severely threaten the enjoyment of human rights, including the rights to life, water, food, housing, health, sanitation, adequate standard of living, and work in the country.

In response to a report by the Intergovernmental Panel on Climate Change in February 2022, climate change adaptation experts in the country, including from Greenpeace, called on the Philippine government to strengthen its strategies to adapt to the impacts of climate change, including supporting the conservation and expansion of mangrove and beach forests, protecting watersheds and restoring forest cover, and building the capacities of communities to adapt by understanding their needs and rights. Climate change action must also be embedded in national and local plans and budgets.

The government has failed to protect human rights in the context of increasing climate change-related disasters. Ten years after Typhoon Yolanda, the Philippine National Housing Authority (NHA) reported in 2023<sup>7</sup> that low completion rate, low occupancy, lack of basic utilities, and the distance from sources of income remain foremost issues in the government's housing program in affected areas. According to the NHA, 172,454 houses have been completed as of September 2023, meaning 31,020 houses remain incomplete a decade after Yolanda. Lack of basic services such as water and electricity, accessibility to sources of livelihood, and construction errors were likewise cited by the Philippine Commission on Audit (COA) in housing projects for Yolanda victims. The COA also criticized the government for its poor use of donated funds and charges were recommended by the Presidential Anti-Corruption Commission against government officials, but no action has been taken as of March 2025.

Rising temperatures have also become a human rights concern, as the country experienced record-breaking heatwaves in April 2024 leading to the school closures and raising of health alerts. This also posed a threat to livelihoods, particularly in the agricultural sector.

The Philippine government has the obligation to adopt all necessary measures to protect the human rights of people affected by disasters, assist people in adequately preparing ahead of severe weather and climate events, and adapt to the foreseeable and unavoidable effects of climate change to minimize its impact on their human rights.

The Commission on Human Rights also released a report in 2022, after an extensive national inquiry into the impact of climate change on human rights, declaring that “neglect in climate change mitigation may be considered a human rights violation”. The report elaborated on their recommendations to penalize the biggest contributors to pollution, instigate transition from fossil fuel to renewable energy, and end misinformation around the climate emergency.

After a visit to the Philippines in November 2023, the United Nations Special Rapporteur on the promotion and protection of human rights in the context of climate change noted that the Philippine government has robust climate and disaster risk reduction policies but falls short in their implementation. Although the government has made an effort to reduce the country's greenhouse gas emissions as per its Paris Agreement obligations, the Rapporteur noted that the choice of mitigation projects negatively impacted the economic, social, and cultural rights of Filipinos, such as the mining for strategic minerals for renewable energy which causes water supply contamination and deforestation, the construction of hydroelectric dams which comes at the expense of Indigenous People's rights, and the transition from internal combustion

engine transport in the PUVMP which threatens the livelihood of traditional jeepney drivers who cannot afford modern jeepney units.

The climate crisis is accelerating and energy transition is urgently needed, but climate solutions should not come at the cost of human rights. In a 2025 report, Amnesty International zoomed into the Philippines' position as the world's second largest producer of nickel, and the world's largest exporter of nickel ore-- key components in lithium-ion batteries used to power electric vehicles (EVs) and renewable energy storage units. Reports from communities in Palawan and Zambales exhibit the toll of transition mining on people, community, health, and environment.<sup>14</sup> The Marcos administration has positioned the Philippines at the forefront of mining for transition minerals amidst heavy and increasing global demand, already securing investments from the United States and Japan. All branches of government must ensure that Filipino communities and natural resources do not become sacrifices to meet these demands.

## RECOMMENDATIONS:

- **Put in place human rights-consistent legislation, policies and services relating to disaster preparedness and response**, and ensure that the rights of people living in vulnerable communities – such as the rights to life, livelihood, water, housing – are respected and upheld especially in times of disasters.
- **Adopt and implement human rights-consistent adaptation measures that adequately protect people from the foreseeable and unavoidable impacts of the climate crisis** while taking into account the needs and requirements of different groups in the design and implementation of climate change adaptation and disaster-risk reduction strategies
- **Adopt the Alternative Minerals Management Bill** to establish accountability mechanisms that cover mining companies and other enterprises across the value chain, including mandatory human rights and environmental due diligence regulation.
- **Pass the Climate Accountability Bill**—a legislation that aims to set up a framework for accountability, support, and reparation for climate change-induced losses, damages, and human rights harms. It will also serve as a rights-based standard for corporations, aligning businesses with the Paris Agreement.
- **Enact an enabling law to the constitutional right to freedom of information** so that communities impacted by mining projects and other stakeholders can access relevant documents and information, such as environmental impact statements.
- **Ensure that funds received through international cooperation and assistance are fairly and promptly channelled** for use to address the immediate needs of those affected by natural disasters, and other effects of climate change
- **Provide legal protection to environmental defenders and climate justice activists and organizations** as they endeavour to raise awareness of the climate emergency and call for local initiatives to mitigate its impact.
- **Review existing legislations overseeing business operations, disaster risk and management, sustainability efforts to strengthen environmental protection and human rights safeguards.** Ensure that the protection of human rights and the environment takes precedence over the business interests of companies.

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<sup>14</sup> Amnesty International. ["What do we get in return?" How the Philippines' Nickel Boom Harms Human Rights.](#) Investigative Research. 2025. PDF Document.



## 7. STRENGTHEN LABOUR RIGHTS AND ENSURE EXISTING LEGISLATIONS ARE RESPONSIVE TO NEEDS OF ALL WORKERS

In June 2023, the Philippines was among the ten worst countries for working people according to the International Trade Union Confederation (ITUC). This is the Philippines' eighth consecutive year on the ITUC's list. The ITUC cited red-tagging, abductions and arbitrary arrests, and labor-related killings as government-fostered hurdles to the formation of trade unions. Two prominent trade unionists were killed in 2023—Alex Dolorosa in April, and Jude Thaddeus Fernandez in September. Fernandez was shot dead during a police operation on his house in Rizal.

Lack of opportunities, inadequate wages, and poor quality of work in the Philippines is evidenced by the OFW deployment boom in 2023. Remittances from overseas Filipino workers continue to form a large part of the country's economy. Despite this, many OFWs still suffer from wide-ranging labour abuses, including illegal recruitment practices such as the collection of illegal or exorbitant fees and contract substitution, as well as wage theft and physical abuse at the hands of their employers in destination countries.

The Department of Migrant Workers (DMW) was fully operationalized in 2023 to expand services for migrant workers and bring together agencies working for their protection. However, much more must be done to streamline redundant services performed by multiple agencies and make these accessible for OFWs. The National Labor Relations Commission (NLRC), an agency under the Department of Labor and Employment (DOLE), currently resolves labor claims and disputes including those of OFWs. Cases of OFWs are subjected to backlogs as the NLRC handles over 30,000 cases every year, making it difficult for OFWs to seek justice in the event of abuse.

Despite President Marcos's electoral promises to end endo and hence encourage Filipinos to work in the country instead of finding jobs abroad, the Philippines has not yet passed a security of tenure bill to end contractualization. This is the practice of hiring of workers for a period (usually not exceeding 6 months) and continually renewing their contracts to avoid granting them benefits entitled to regular employees.

The current administration still fails to heed the calls of the labour sector for a nationwide wage increase. Only a 40-peso increase was granted to workers in private establishments in the National Capital Region (NCR) in June 2023, despite the inflation rate rising up to 8.7% in January 2023. The last legislated national wage hike took place over 30 years ago. Several bills in Congress propose to raise the minimum wage of private sector workers nationwide with proposed amounts varying between Php 100 and Php 750. Labor Secretary Bienvenido Laguesma has expressed concern that employers—particularly micro, small, and medium enterprises—would not be able to afford the wage increase.

An estimated 38,000 jeepney drivers and their families are threatened by the Philippine Public Utility Vehicle (PUV) Modernization Program. The administration set April 30, 2024 as the deadline for PUV franchise consolidation and the traditional jeepney phaseout. An 81% consolidation rate was achieved by this deadline, but the hefty consolidation requirement threatens these drivers as they struggle to pay for modern jeepney units costing millions of pesos on meagre earnings.

Lastly, Amnesty International's research on the situation of workers in nickel mining companies in Dinagat Islands revealed numerous examples of workers of mining companies being hired without contracts, having the payment of their wages delayed and not being paid compulsory employee benefits (including social security and health insurance) – all of which constitute violations of Philippines labour laws and international human rights law and standards.

## RECOMMENDATIONS:

- **Strengthen government institutions responsible for enforcing labour standards** (including the Department of Labor and Employment, and the National Labor Relations Commission) so they are better resourced and have greater capacity to, among other things, monitor and inspect business activities, ensure the fair and timely resolution of worker disputes with their employers, and more effectively collaborate and coordinate with other parts of government.
- **Give local government units a greater role in the enforcement of labour standards, by harmonizing relevant legislation and related orders, rules and regulations** to clarify and strengthen the mandates of government institutions. Ensure all relevant legislation is consistent with the UN Committee on Economic, Social and Cultural Rights' General Comment No. 23 on the right to just and favourable conditions of work.
- **Invest resources and build institutional capacity** to ensure that only registered contractors and contractors which are otherwise compliant with the Labor Code of the Philippines (including contractors not engaging in labour-only contracting) are used by companies.
- **Increase minimum wage, and legislate measures to ensure fair wages for all**, which reflect the impact of their work on their health, safety and personal life, as well as the specific hardships related to their work, in line with international human rights law and standards.
- **Ensure legal protection for workers protesting and advocating** for better labour practices, work conditions, and government oversight.