

Human Rights and the COVID-19 Pandemic in the Philippines
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When the COVID-19 pandemic started, Filipinos have been facing record-high unemployment and underemployment and high poverty rates, especially in rural and indigenous communities. We have been facing gross under-prioritisation of social services, including public health services, while debt-servicing and the police and military takes bigger slices of the pie so to speak. Political repression resulting in a restricted civic and democratic spaces has become the norm. So when the pandemic happened, it exacerbated an already burgeoning crisis.

The Philippine government's response to the pandemic has been largely described as "militarist."

An Inter-agency Task Force for the Management of Emerging Infectious Diseases (IATF-MEID) with a predominance of retired and current military generals manages the pandemic. An emergency law was enacted, with provisions criminalizing the dissemination of "fake news" without a legally specific definition. Quarantine measures restricting movements of the population were imposed disproportionately, with homeless people and people who needed to work to put food on the table arrested, detained and charged. Curfew and checkpoints manned by the police and military have been set-up. People have been ordered to just stay at home, even if food aid delivered have been severely inadequate and delayed.

The "quarantine" or lockdown did not address the plea of ordinary workers and odd-jobbers who were not able to work. Many have not received financial assistance and food relief promised by government agencies. Lack of food and poor nutrition stalks millions of families who fear hunger more than the COVID-19 virus. Particularly, the health of children in the Philippines are at risk. In a report from UNICEF (United Nations Children's Emergency Fund) in 2019, the Philippines has 1 in 3 Filipino children stunted. Stunted children are also 4 times more at risk of dying.

More than 100,000 have been arrested due to so-called "quarantine violations." Many experienced physical violence including torture such as being placed in dog cages, being tied and left under the heat of the sun, hit with police batons, or placed in coffins to supposedly teach them a lesson. Many were detained in already over-crowded jails, as the Philippines has a 1,500% overcapacity rate in jails, making these places ticking time bombs for the virus. Meanwhile, the plea of prisoners, particularly political prisoners, more than 600 of them, for humanitarian release including those with

life-threatening illnesses, elderly and pregnant women among them, had been rejected by the courts.

Ironically, despite a ban on mass gathering, dozens of cops gathered for a birthday *mañanita* to the capital's Police Chief, the presidential spokesperson was shown swimming with the dolphins in a resort in Subic, Zambales and was recorded singing karaoke in a bar, and many other government officials who are allies of the President have been left unscathed in these charges and arrests.

Health workers, with the public and private health care systems overwhelmed, were doubly distressed, with inadequate equipment and facilities available for them to deliver services, resulting in some deaths among them. Many community-based, humanitarian, human rights and people's organizations have mounted social aid initiatives such as distribution drives for personal protective equipment for health workers and food relief aid for poor and remote communities. However, many of these initiatives, along with those exercising their right to peaceful assembly (with health protocols being observed), are also being suppressed. The President himself, President Duterte, threatened those who will violate these quarantine measures - "shoot them dead" he said during one of his late-night televised speeches.

Despite "quarantine" and curfew measures, COVID cases have increased. The Department of Health yearend report said that the Philippines had 474,064 confirmed cases and total fatalities of 9,244. On the global map, the yearend report of John Hopkins University cites the world's COVID cases at 83,445,600. The Philippines ranks as the 29th country with United States having the most number of cases at 19,968,087. In addition, the Philippines is the only remaining country in its WHO region that persists with community transmission of COVID-19. Critics point out that a health solution, not a military solution, is needed to beat the pandemic.

Karapatan addressed many cases of civil and political rights violations during the pandemic including killings and arrests of relief workers and human rights defenders, and arrests of those exercise their right to peaceful assembly and freedom of expression. Karapatan's human rights worker Zara Alvarez, who provided and distributed food in her community during the lockdowns, and a community leader Jory Porquia, who organised soup kitchens for urban poor communities, were killed. Dr. Mary Rose Sancelan and her husband Edwin were among the latest victims; they were killed on December 15, 2020. Dr. Sancelan heads the local city task force managing the health crisis and she faced many threats from purportedly state security forces. Many of those who were violated, including Dr. Sancelan, Alvarez and Porquia, were tagged as "communists" or "terrorists" or in the local discourse, were red-tagged.

It was also during the pandemic when two concerns surfaced: First, the further suppression of independent media, who provide vital information during the pandemic. The country's biggest broadcast network was shut down, while judicial harassment hounds an internet-based news outfit. Both outfits are seen to have generated critical stories on the extrajudicial killings in the Philippines vis-a-vis the drug war and counterinsurgency campaigns of government. Second, the enactment of an anti-terror legislation that is seen as a draconian legislation meant to silence political dissent in the country.

How did civil society respond to such challenges?

Karapatan conducted quick reaction responses in the cases of arrests and killings, documenting the cases and providing paralegal and legal assistance, and other forms of support for victims and their families or communities. In the process, we adjusted our protocols to ensure that responders will observe health protocols, health needs of those arrested are addressed and we sourced quarantine locations for those released after arrests.

We likewise continued in conducting distribution of food aid in communities, linking up with local government officials, churches, and community organizations.

Public information and advocacy continued, maximising digital platforms while conducting some gatherings observing health protocols. We spoke out on the violations during the quarantine, the anti-terror legislation, and other repressive policies. We conducted mass actions and protests, including community-based ones.

We filed many court petitions, including assisting political prisoners and their families in filing their petition for humanitarian release and on the anti-terrorism legislation.

We lobbied before international human rights mechanisms including the UN Human Rights Council to raise these issues and concerns. In fact, the Office of the High Commissioner and other Special Procedures have raised these human rights concerns through reports on the Philippines before the UN HRC. The European Parliament has likewise issued a resolution sounding the alarm on the human rights situation in the Philippines.

In the months to come, we are not so optimistic that things as far as its from the government measures in addressing the human rights concerns during the pandemic is concerned. There is impunity in the continuing violations of civil and political rights, there is disregard if not violations of economic rights on the

inadequacy of government in providing aid and jobs for those economically affected, there is this whole question of use and prioritisation of public funds for these immediate needs plus the need for vaccines vis-a-vis huge funds for counterinsurgency and confidential or intelligence funds of the President. The fact is, we see things worsening in the coming months.

The international community can address these issues through the following:

- support the call for an independent investigation on the human rights situation in the Philippines, the call for humanitarian release of political prisoners, the halt to use of force and criminalization of so-called “quarantine” violations and for a rights-based response to the pandemic
- express concern and call for the rescinding of the anti-terrorism law and all legislations that affect human rights
- call for priority funding for health and other social services and aid for poor communities.