



**JUBILEE CAMPAIGN  
ECOSOC Special Consultative Status (2003)**

**Submission to the United Nations Human Rights Committee regarding the  
Philippines  
For the 136<sup>th</sup> Session  
10 October – 4 November 2022  
STATES PARTIES REPORTS**

Submission by  
Jubilee Campaign

*Jubilee Campaign is a non-governmental organization in consultative status with the Economic and Social Council since 2003. Our work focuses on promoting the rights of religious and ethnic minorities and raising the status of vulnerable women and children – to protect them from bodily harm and sexual exploitation*

## **I. Introduction**

Jubilee Campaign, in special consultative status with ECOSOC, submits this analysis of religious freedom and human rights in the Philippines as a contribution to the Consideration of State Reports in advance of the Human Rights Committee's 136<sup>th</sup> Session in October and November 2022.

## **II. International Covenant on Civil and Political Rights - Articles Relevant to Present Submission**

### **Article 6 (1)**

Every human being has the inherent right to life. The right shall be protected by law. No one shall be arbitrarily deprived of his life.

### **Article 7**

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

### **Article 8 (1; 2)**

No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.

No one shall be held in servitude.

### **Article 9 (1; 3)**

Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement.

### **Article 17 (1; 2)**

No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.

Everyone has the right to the protection of the law against such interference or attacks.

## Article 18

Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

## Article 19 (1; 2)

Everyone shall have the right to hold opinions without interference.

Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice

## Article 20 (2)

Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

## Article 22

Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

## Article 24 (1)

Every child shall have, without discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.

### **III. Freedom of Thought, Conscience, and Religion**

Section 5 of the Philippines' Constitution of 1987 states that "no law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed." Moreover, parents and guardians are permitted to educate their children according to their faith.<sup>1</sup>

Section 4 of the Philippines' Revised Penal Code of 1930 discusses "Crimes against religious worship", including a de facto blasphemy law in Article 133: "Offending the religious feelings. –

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<sup>1</sup> [Constitution of the Republic of the Philippines](#), 2 February 1987.

The penalty of *arresto mayor* (suspension of suffrage) in its maximum period to *prison correccional* (correctional prison) in its minimum period shall be imposed upon anyone who, in a place devoted to religious worship or during the celebration of any religious ceremony shall perform acts notoriously offensive to the feelings of the faithful”.<sup>2</sup> The blasphemy law was applied in 2012 when HIV/AIDS awareness activist Carlos Celdran was charged with “offending religious feelings” for his public protest against the Catholic Church’s opposition to the Reproductive Health Law. The upholding of Celdran’s charges compelled him to go into self-exile in Spain in January 2019; he died at the age of 46 nine months later of cardiac arrest.

### A. Harassment, Persecution, and Murder of Church Leaders

President Duterte has a reprehensible track record of unfairly denigrating the Catholic Church; his vitriol has likely emboldened state and non-state actors who have engaged in persecution and violence towards Church members and leaders. In November 2018, Duterte mocked Catholics for honoring saints, calling saints “gago” (fools) and “lasenggo” (drunkards).<sup>3</sup> One month later, he stated, “these bishops that you guys have, kill them. They are useless fools. All they do is criticize”.<sup>4</sup> (ICCPR Articles 17; 20) In January 2020 at the celebration of the 120th anniversary of the Baptist Church in the Philippines, President Rodrigo Duterte disparaged the Catholic Church, but he was met with a shocked and angered audience. Among President Duterte’s remarks were: “When the results of the elections came in, I got seven, six million over the next (candidate). And so maybe it’s good to bullshit the popes. It might make you win.” ; “You’d notice that they’re no longer complaining even if I said (the bishops are) bullshit ... they don’t respond anymore. That is how to win the war against the Catholic Church. All you have to say is ‘you sons of a whore, and you win.’” ; “I wanted to call him up and tell him, ‘Pope, you (expletive), go home. Do not visit here anymore.’”<sup>5</sup>

Last October, Uniting Church in Australia and the United Church of Christ in the Philippines (UCCP) reported that between 2017 and 2020, at least 16 church members and leaders had been murdered for false allegations that they were involved in the New People’s Army, a militant movement. (ICCPR Articles 6; 22) Many more have been targeted for attempted murders and death threats but have survived, including bishops, priests, ministers, and laypeople, notably from the UCCP, the Roman Catholic Church, the Iglesia Filipino Independiente (IFI) church, and the United Methodist Church. As such, “most of the church people targeted in this way are those primarily fulfilling the Christian mandate and mission of ministering to the poor and the marginalised. They undertake their prophetic task as Christians to be with the people, especially in times when the basic human rights of people and communities are being undermined. [...] Their faith compels them to accompany people in asserting and attaining their full rights, but they are vilified, harassed and even killed for doing so”.<sup>6</sup> Though the perpetrators are rarely, if ever, identified, some witnesses have reported that some of the attacks were committed by local authorities.

In June 2021, Filipino human rights NGO Karapatan reported that Filipino authorities had arrested Pastor Benjie Gomez of the United Church of Christ in the Philippines in Northern Zamboanga directly following Sunday worship, on trumped up murder charges. (ICCPR Article 9) Pastor Gomez

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<sup>2</sup> Humanists International, [The Freedom of Thought Report: Philippines](#), 27 October 2020. ; [Philippines], [The Revised Penal Code](#), Act No. 3815, 8 December 1930.

<sup>3</sup> ABS-CBN News, [“Palace on Duterte’s remarks on saints: Just a joke, ‘not a religious slight’”](#), 3 November 2018.

<sup>4</sup> Ted Regencia, [“Philippines’ Duterte: ‘Kill those useless bishops’”](#), *Al Jazeera*, 5 December 2018.

<sup>5</sup> Ernesto M. Hilario, [“No let-up in Duterte’s attacks on Catholic Church”](#), LICAS News, 20 January 2020.

<sup>6</sup> United Church of Christ in the Philippines (UCCP) & the Uniting Church in Australia, [Just Act: News & resources from the Justice and International Mission Cluster](#), October 2020.

had previously been arrested seven years earlier in 2014 on similar fabricated charges that he was involved in the death of Corporal Marwin D. Ybanez during a confrontation between the Philippine Army and the New People's Army; upon investigation, however, Pastor Gomez was released due to lack of evidence. Now, authorities have registered a new set of false charges against him; in response to Pastor Gomez's recent arrest, IFI Supreme Bishop explained it as a "serious attack to the Church, grave insult to the Christian faith and sacrilegious assault against our God".<sup>7</sup>

In May 2021, an unknown gunman shot and killed lay minister Briccio "Brix" Nuevo Jr. of Iglesia Filipina Independiente in Negros Oriental; it is reported that Nuevo Jr. was "red-tagged", or added to a hit list, by the anticommunist vigilante group Kagubak who accused him of supporting the Communist Party of the Philippines. This was just the most recent incident of its kind, as the Kagubak had previously killed 15 individuals from 2018 to 2020 for their perceived political associations and activities.<sup>8</sup> ([ICCPR Articles 6; 22](#))

In May 2021, the Philippine National Police raised fraudulent charges against Bishop Hamuel Tequis and Reverend Daniel Palicte of the United Church of Christ in the Philippines' South East Mindanao Jurisdiction, and authorities visited the UCCP's local office and Brokenshire College looking to arrest the two church leaders. Previously, Bishop Tequis and Rev. Palicte had taken under their care and provided shelter to two sets of indigenous minority parents and their young infants at the Haran Mission Center in Davao City. The families were seeking to escape their communities which were becoming increasingly militarized and the nearby land desecrated. Unfortunately, the two infants passed away in separate incidents. A lawyer from the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) – who had previously filed numerous lawsuits and "obscure cases" against Bishop Tequis in particular – had filed charges against the bishop and reverend alleging that they were responsible for the children's deaths, despite the fact that they were not with the children at the time of their deaths, but rather their parents were. A Davao City family court, Judge Dante Baguio, dismissed the case due to lack of evidence.<sup>9</sup> Bishop Tequis and Rev. Palicte's attorney, Arvin Dexter Lopez, reported that since the outset of the COVID-19 pandemic, the parents of the deceased children were unable to seek appointments with doctors due to the strict local quarantine restrictions, and that decreased donations and funding to the UCCP's Haran Mission Center "affected the condition of the evacuees".<sup>10</sup> With regards to that last point, the Philippine government had actually previously frozen the bank accounts of the UCCP Haran Mission Center, directly affecting its operations.

In May 2021, Philippine authorities raided the home of UCCP Pastor Dan Balucio, who is also a well-known human rights activist and spokesperson of Bagong Alyansang Makabayan, a social welfare advocacy umbrella association which works to promote the rights of marginalized groups such as indigenous peoples, peasant groups, women, and the youth. National authorities searched Pastor Balucio's Shannan Christian Academy for 45 minutes without warrant, during which he and his family were forced to wait outside. ([ICCPR Articles 9;17](#)) When local officials arrived, the original authorities presented guns, ammunition, and rebel paraphernalia they had allegedly seized from the academy; it is believed that the authorities conducting the unwitnessed search planted the

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<sup>7</sup> Karapatan, "[Karapatan hits arrest and detention of UCCP pastor, continuing red-tagging vs national organizations and leaders](#)", 10 June 2021. ; Anne Marxze Umil, "[Church leader twice arrested over 'false charges'](#)", *Bulatlat*, 12 June 2021.

<sup>8</sup> Nestor P. Burgos, Jr., "[In Negros, justice sought for slain church worker](#)", *Inquirer*, 14 May 2021.

<sup>9</sup> National Council of Churches in the Philippines, "[Hands off Bishop Hamuel Tequis, Hands off our Church Sanctuaries](#)", 3 May 2021. ; Grace Cantal-Albasin, "[Court trashes case vs 2 bishops, 4 others over deaths of 2 lumad infants](#)", *Rappler*, 14 June 2022.

<sup>10</sup> Anne Marxze Umil, "[Bishop, 5 others face child abuse charges for providing sanctuary to Lumas children](#)", *Bulatlat*, 30 April 2021.

evidence, as they have reportedly done in previous cases.<sup>11</sup> Finally, in August 2021, Legazpi Regional Trial Court Branch 10 Judge Maria Theresa San-Huan Lquillano quashed the case against Pastor Balucio on the grounds that his arrest and the search of his property were conducted with “lack of probable cause” and were “not based on personally verified information”.<sup>12</sup>

Also in May 2021, 80-year-old Rustico Ta, a former priest and a member of the left-wing coalition National Democratic Front of the Philippines (NDFP), was sleeping in a hammock in his home in Pilar when an unidentified individual trespassed and shot and killed Ta. ([ICCPR Article 6](#)) Prior to his death, Ta worked as a “peace consultant” for Filipino rebel groups, and he had previously worked as a chief negotiator and mediator between rebel organizations and the former presidential administration of Maria Corazon Sumulong Cojuangco Aquino in the late ‘80s and early ‘90s. In response to Ta’s killing, the Communist Party of the Philippines expressed its belief that Ta was targeted for his links to rebel organizations.<sup>13</sup> ([ICCPR Article 22](#))

In March 2021, Redemptorist Father Alex Bercasio received a death threat in the form of a letter stating that “your days are numbered”; Bercasio has been advocating for the rights of indigenous people, and because of the threat he had to relocate. ([ICCPR Article 22](#)) In July 2021, Redemptorists’ Laoag Mission Community compound was desecrated with a tarpaulin covered in phrases accusing the community of being communists. On an unspecified date, Father Warren Francis Puno was returning to his convent when he started being trailed by a white vehicle for two hours; weeks earlier one of his colleagues received a letter stating “silence that priest [Puno] because if you won’t make him stop, we will”.<sup>14</sup>

In March 2021, the Philippine Bureau of Immigration cancelled the permanent-residence visa of Dutch lay missionary Otto Rudolf de Vries and ordered him to exit the country within 60 days. The 62-year-old missionary has spent nearly half his life living and working in the Philippines and becoming an integral part of the Church community and the social activism community, especially with regards to advocacy for labor rights. In addition to cancelling de Vries’ visa, the Bureau of Immigration placed him on the nation’s immigration blacklist as an “undesirable alien” for his involvement in “political activities”.<sup>15</sup> ([ICCPR Article 22](#))

In January 2021, Catholic priest Rene Bayang Regalado was found deceased on the side of the road near Malaybalay Carmel Monastery on the Philippine island of Mindanao. Father Regalado’s body exhibited injuries consistent with being beaten and shot, including bruising on his face and bullet wounds. It is believed that Father Regalado was attacked while he was returning to St. John XXIII College Seminary where he lived.<sup>16</sup> ([ICCPR Article 6](#))

In August 2020, human rights activist, women’s rights activist, and volunteer of Church Workers Solidarity Group, Zara Alvarez, was shot and killed by unidentified assailants, likely in revenge for her work documenting human rights violations committed by state actors as part of a submission to the UN Office of the High Commissioner for Human Rights.<sup>17</sup> ([ICCPR Articles 6; 22](#)) Alvarez’s murder came a year after the rights’ groups Karapatan, Gabriela, and Rural Missionaries of the

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<sup>11</sup> IDEALS, [“Statement on the Arrest of Dan Balucio”](#), 21 May 2021. ; Karapatan, [“Karapatan welcomes dismissal of trumped-up charges vs Bicol UCCP Pastor Dan Balucio”](#), 16 August 2021.

<sup>12</sup> Gabriel Pabico Lalu, [“NCCP lauds Legazpi court for dismissing pastor’s arrest order”](#), *Inquirer*, 14 August 2021.

<sup>13</sup> Joseph Peter Calleja, [“Former priest and activist shot dead in Philippines”](#), *Union of Catholic Asian News*, 31 May 2021.

<sup>14</sup> Mark Z. Saludes, [“Priests, church people under attack for standing for environment, human rights”](#), *Oeconomedia*, 24 August 2021.

<sup>15</sup> Tina G. Santos, [“‘Very painful’ to leave PH, says blacklisted Dutch missionary”](#), *Inquirer*, 14 March 2021.

<sup>16</sup> Vatican News, [“Catholic priest murdered in the Philippines”](#), 25 January 2021.

<sup>17</sup> Lian Buan, [“Zara Alvarez asked for protection, but she died before the court could give it”](#), *Rappler*, 20 August 2020.

Philippines submitted a petition for the writs of *amparo* (protection) and *habeas data* (prohibition of information against) on Alvarez's behalf, though it was rejected. Alvarez's death could have been prevented had she been granted protection.

In May 2020, Catholic priest Raymond Montero Ambray alleged that the Filipino military circulated his photograph on the internet alongside the inflammatory captions "deliverer of evil", "an ally of the tribal group MAPASU that protects the communist rebels", and "using the word of God to manipulate and destroy the lives of the indigenous people". ([ICCPR Articles 17; 20](#)) MAPASU (Malahutayong Pakigbisog Alang sa Sumusunod/Preserving Struggle for the Next Generation) has been repeatedly baselessly tagged as a rebel group.<sup>18</sup>

Numerous Catholic clergy who had a history of being openly critical of President Duterte's extremely violent policies as part of his war on drugs – including extrajudicial killings - have faced death threats and have also been charged with "conspiracy to commit sedition". In October 2020, priests Albert Alejo and Flaviano Villanueva were still maintaining their innocence against baseless sedition charges from 2019 and they released the following statement: "We know that these charges are made up by the government, so we pleaded not guilty and we will continue our pursuit of truth and justice, and our duty to God to fight for the oppressed".<sup>19</sup> ([ICCPR Article 9](#)) Four bishops who were charged alongside Father Alejo and Villanueva in 2019 – Archbishop Socrates Villegas and Bishops Pablo Virgilio, Honesto Ongtioco, and Teodoro Bacani – finally had their baseless sedition charges dropped in February 2020 on account of lack of evidence".<sup>20</sup>

In 2017, Basuki Tjahaja Purnama ("Ahok"), the Christian governor of Jakarta, was arrested and convicted of blasphemy in 2017; previously, during a gubernatorial campaign in September 2016, Ahok had suggested that Islamic leaders were using Koranic verses to mislead and discourage Muslim voters from voting for a Christian governor. ([ICCPR Article 19](#)) During his initial trial, Ahok apologized for offending people with his remarks but denied doing anything morally wrong. In January 2019, Philippine authorities released Ahok from prison early on account of his good behavior; Jubilee Campaign commends this action and encourages authorities and the judicial system to take similar steps in acquitting and releasing other prisoners of conscience.<sup>21</sup>

In February 2019, Karapatan issued a statement that they received numerous reports of harassment of and violent threats towards church workers, notably priests, and expressed that "harassment and threats are often a prelude to killings". Reverend Father Marco Sulayao, priest of the Iglesia Filipina Independiente (IFI) in Western Visayas and Chairperson of Promotion of Church People's Response, reported being repeatedly photographed by local authorities while getting off of public transport in San Carlos City in January 2019. ([ICCPR Article 17](#)) The following day, two unidentified individuals loitered outside of IFI National Cathedral, after which they followed priests Rev. Christopher Ablon, Rev. Marciano Carabio, Rev. Jerome Lito, and Rev. Arnold Abuel. In early February 2019, IFI priest Randy Manicap reported being watched by two unidentified individuals on a motorcycle; he had previously in 2018 begun receiving anonymous text messages threatening him with death.<sup>22</sup>

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<sup>18</sup> Mark Saludes, "[Catholic priest in Mindanao decries red-tagging](#)", *LICAS News*, 11 May 2020

<sup>19</sup> Jose Torres Jr., "[Jesuit, SVD priests pled not guilty of sedition before Philippine court](#)", *LICAS News*, 22 October 2020.

<sup>20</sup> The Catholic World Report, "[Filipino priest to stand trial for sedition charges after speaking out on president's drug policies](#)", 14 January 2021

<sup>21</sup> BBC News, "[Ahok: Former Jakarta governor released early from prison](#)", 24 January 2019.

<sup>22</sup> Karapatan, "[Karapatan wary of series of harassment involving church workers and local leaders, says this is a prelude to killings](#)", 8 February 2019.

## *B. Persecution of Catholic Organizations and Related Services*

In August 2022, the Philippine government filed charges against the Rural Missionaries of the Philippines (RMP) and 16 of its members, on the eve of the organization's 53th anniversary; the RMP describes itself as a "national organization, inter-congregational and inter-diocesan in character", which serves local agricultural workers, fishermen, hunters, and indigenous communities.<sup>23</sup> The Philippine government baselessly accused RMP of diverting the funding and donations it received towards the underground communist movement. In response to the charges, a group of Catholic and Protestant bishops released a statement defending RMP as an organization that operates with "faithful compliance to proper documentation and reporting" regarding its funding and that the organization was targeted for its empowerment of the agricultural, indigenous, and peasant communities "to work against systemic repression and oppression instigated by big business interests".<sup>24</sup> (*ICCPR Article 22*)

In February 2021, the Philippines National Police conducted a mas raid on a displaced indigenous peoples and children school/sanctuary run by the Catholic University of San Carlos in Talamban, at which point they detained 26 individuals total, including seven adults and teachers, and 19 children. The authorities alleged that they had not arrested the children but had rather "rescued" them. (*ICCPR Articles 9; 17*) Prior to the raid, local authorities had baselessly alleged that the school was being used to train indigenous children to become militant fighters of the New People's Army. Save our Schools Network reported that between 2016 and 2020, the government had arbitrarily shut down no fewer than 178 schools serving indigenous students fleeing their endangered communities.<sup>25</sup>

## *C. Anti-Muslim Sentiment and Persecution of, Violence Towards Muslims*

In November 2020, Cagayan Governor Manuel Mamba made remarks during a Senate hearing which appeared to link Muslims to local security problems. Governor Mamba stated "If we dredge the river, restore the Cagayan River to its old glory, I think Cagayan and the North will enjoy so much, as far as the economic activity of Luzon is concerned. We do not have Muslims here. We don't have a problem as far as peace and order is concerned here." Dr. Jun Alonto Datu-Ramos of the National Commission on Muslim Filipinos (NCMF) acknowledged that Governor Mamba may not have had malicious intent in his remarks, but iterated that "to categorically state that the absence of one group of people ensures peace and order in a locality is not only discriminatory, it is also unbecoming of an elected official who supposedly represents the Cagayan residents".<sup>26</sup>

In August 2021, 35-year-old Muslim businesswoman Nadia Casar was returning home via a rideshare service following a business meeting in Santa Rosa with a civilian named Franklin Macagapal, when they were stopped by a suspicious roadblock, at which point a group of armed men kidnapped the driver and Casar. While the driver was initially robbed of his cash and soon released, Casar's burnt remains were located in a shallow grave in Sitio Pinagpala over a week later. (*ICCPR Article 6*) Seven individuals have been arrested for their involvement in the murder, including five police officers – Benedict Matias Reyes, June Malillin, Julius Alcantara, Rown Martin,

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<sup>23</sup> Rural Missionaries of the Philippines, "[What is RMP?](#)".

<sup>24</sup> LiCAS News, "[Catholic, Protestant bishops denounce charges against Philippine missionaries](#)", 24 August 2022.

<sup>25</sup> Anish R. M., "[Outrage in Philippines over mass arrest in sanctuary school for indigenous children](#)", *Peoples Dispatch*, 16 February 2021.

<sup>26</sup> Paterno Esmaguél, "[Filipino Muslims slam Cagayan governor over anti-Muslim remarks](#)", *Rappler*, 25 November 2020.



and Drextemir Esmundo – and two civilian suspects including Macapagal with whom Casar conducted a business meeting prior to her killing. The National Commission on Muslim Filipinos (NCMF) condemned Casar’s murder, especially her lack of burial in accordance with Islamic rites, and highlighted that this is just one of the few notable recent incidents in which state actors have targeted Muslims. Previously, a Muslim couple from Lanao del Sur was killed during a robbery and shooting committed by policemen, and in another incident the family and neighbors of two Muslim jewelry tradesmen had their homes searched and were arrested without warrant.<sup>27</sup>

#### *D. Militancy and Fighting*

In the relatively new Bangsamoro Autonomous Region in Muslim Mindanao (BARMM), a predominantly Muslim region established in southern Philippines in 2019, the Muslim separatist movement Moro Islamic Liberation Front (MILF) has been relatively successful leading the interim government and preventing militant activities of “jihadists opposed to the peace process”, with the exception of some violent Islamist militant attacks from 2019 to 2021 worth discussing.

“The MILF [Moro Islamic Liberation Front] considers the BARMM [Bangsamoro Autonomous Region in Muslim Mindanao] a vital step in bringing peace and development to the region after years of conflict, calling it an ‘antidote to extremism’. But militant groups outside the peace process are, to varying degrees, proving to be resilient. Three years after the BARMM’s creation, these armed bands, which operate in most Bangsamoro provinces and draw their members from the region’s largest ethno-linguistic groups, are considerably weakened but not yet defeated. These outfits often embrace Islamist objectives, for example advocating for a broad application of Sharia law”.<sup>28</sup>

In the province of Sulu for example, starting in late January 2019, there have been numerous suicide bombings committed predominantly by women. While, fortunately, most of these bombings have led to zero fatalities excluding the suicide bombers – or they were preemptively foiled – there were a few major incidents that caused civilian casualties and garnered international media attention.<sup>29</sup> In January 2019, Indonesian couple Rullie Rian Zeke (male) and Ulfah Handayani Saleh (female) committed the deadliest suicide bombing in Philippine history upon a church in Jolo, Sulu province, which led the deaths of 23 civilians (*ICCPR Article 6*); the couple were affiliated with the militant Abu Sayyaf Group which pledges its loyalty to the Islamic State.<sup>30</sup> Six months later in June 2019, a Filipino man Norman Lasuca and an unidentified German man aligned with Abu Sayyaf set off explosives at two locations in a military encampment, killing three soldiers and three civilians (*ICCPR Article 6*); this attack marked the first instance of a Filipino national committing a suicide bombing in their home country.<sup>31</sup> In August 2020, two Filipino women Indah Nay and Talha Jumsah conducted suicide bombings upon a military convoy, killing eight security officials and six civilians.<sup>32</sup> (*ICCPR Article 6*) And in mid-October 2020, Philippine officials arrested Indonesian woman Rezky Fantasya Rullie for her involvement in planning a suicide attack; she is believed to be the daughter of the Indonesian couple who committed the January 2019 bombing in Jolo.<sup>33</sup> Most recently, in February 2021, security forces arrested nine Philippine women – Isara Jalmaani

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<sup>27</sup> Ellie Aben, “[Murder case in Philippines fuels call for action to halt attacks by rogue cops on Muslims](#)”, *Arab News*, 5 August 2021.

<sup>28</sup> International Crisis Group, “[Addressing Islamist Militancy in the Southern Philippines](#)”, *Asia Report N°323*, 18 March 2022.

<sup>29</sup> Kenneth Yeo Yaoren, “[Suicide Bombings in Mindanao](#)”, *International Centre for Counter-Terrorism*, November 2021.

<sup>30</sup> Al Jazeera, “[Two people linked to Philippine church blast killed in Indonesia](#)”, 6 January 2021.

<sup>31</sup> Jim Gomez, “[Philippines: 1<sup>st</sup> known Filipino suicide attacker identified](#)”, *ABC News*, 2 July 2019.

<sup>32</sup> Enrico Dela Cruz, “[Twin bombings kill 15, wound scores in Philippine south](#)”, *Reuters*, 24 August 2020.

<sup>33</sup> Al Jazeera, “[Philippines arrests woman suspected of planning suicide attack](#)”, 10 October 2020.

Abduhajan, Jedah Abduhajan Amin, Elena Tasum Sawadjaan-Abun, Firdauzia Said, Nudsza Ismanu Aslun, Nurshahada Isnain, Linda Darun Maruji, Risa Jhalil, and Sharifa Rajan – foiling their plans to conduct suicide bombings. Authorities confiscated improvised bomb parts including batteries, detonation cords, explosive powder, grenades, construction nails, and hand-drawn maps of suspected target locations. All of the nine women were members of Abu Sayyaf, and three were actually the daughters and sister of Abu Sayyaf former leader Hatib Hajan Sawadjaan.<sup>34</sup>

In mid-August 2022, it was reported that Philippine President Ferdinand Marcos Jr. oversaw the “union” of former members of rival Moro Islamic Liberation Front (MILF) and Moro National Liberation Front (MNLF) who had been appointed or reappointed to the 80-member regional parliament body the Bangsamoro Transition Authority (BTA).<sup>35</sup> Presidential Peace Adviser Carlito Galvez reported being “very happy that we were able to unite both the MILF and MNLF factions” and that he sees a “brighter outlook” for the BARMM.<sup>36</sup> However, in later August armed members of the MILF and MNLF engaged in violent clashes in the village of Barangay Parangbasak in Lamitan City, Basilan Province. Though no militant or civilian fatalities resulted, it is believed that the armed confrontation occurred in response to the MILF shooting and killing of a 20-year-old MNLF-affiliated resident earlier in the day; many local residents were forced to flee the area.<sup>37</sup> (ICCPR Article 6) The following day, in a separate incident in Tipo-Tipo, Basilan, fighting between the two groups escalated after MILF forces reportedly seized illegal drugs from an MNLF member; no casualties were reported.<sup>38</sup>

### *E. Attacks on Houses of Worship*

In February 2021, numerous Catholic chapels and churches were the target of attacks and vandalism in predominantly-Muslim Mindanao region. A statue of Our Lady of Salvation and an angel which is affixed atop St. Padre Pio Chapel in Legazpi city was found damaged, with two of the hands cut off. Another of the chapel’s statues, of the patron saint Padre Pio, similarly had its fingers removed. In response to the desecration, Bishop Leo Dalmao of Basilan prelature empathized with the Catholic community but discouraged them from responding with similar hate: “I remind everyone to be vigilant and refuse any opportunity for these bad elements to succeed in sowing division and hatred among us. We will not allow ourselves to be dictated by the agenda of these people and we don’t want to dignify their actions by giving them and their actions undue attention and publicity”.<sup>39</sup> Only one week earlier, on 17 February 2021, Catholics in Lamitan City who were visiting St. Isidore Chapel and Immaculate Conception Chapel to observe Ash Wednesday were horrified to see the churches’ patron saint statues beheaded; Bishop Dalmao reported another incident of vandalism was attempted one night that same week but was successfully thwarted by late churchgoers.<sup>40</sup>

In early December 2020, Islamist militant group Bangsamoro Islamic Freedom Fighters attempted to set fire to the Catholic Sta. Teresita Parish Church in Cotabato City, BARMM; though they failed

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<sup>34</sup> *Supra note 27.* ; The Associated Press, [“9 women accused of suspected Abu Sayyaf suicide bomb plots”](#), ABC News, 23 February 2021.

<sup>35</sup> Philippine Center for Investigative Journalism, [“‘Happy surprise.’ Marcos appoints members of interim Bangsamoro parliament”](#), 13 August 2022. ; Alexis Romero, [“MILF, MNLF united under Bangsamoro Transition Authority”](#), *Philstar Global*, 15 August 2022.

<sup>36</sup> Ferdinand B. Cabrera, [“Galvez says MILF and MNLF ‘united’ under the new BTA”](#), *Minda News*, 20 August 2022.

<sup>37</sup> Teofilo Garcia, Jr., [“MNLF, MILF forces clash in Basilan”](#), *Republic of the Philippines News Agency (PNA)*, 30 August 2022.

<sup>38</sup> Al Jacinto, [“MILF, MNLF clash in Basilan town”](#), *The Manila Times*, 1 September 2022.

<sup>39</sup> LiCAS News, [“Another Philippine Catholic church vandalized, religious images desecrated”](#), 24 February 2021.

<sup>40</sup> Joseph Peter Calleja, [“Assailants vandalize chapels in southern Philippines”](#), *Union of Catholic Asian News*, 22 February 2021.

to do so, they fired gunshots through the windows of the church and were later faced with criminal charges.<sup>41</sup>

## F. Recommendations

Jubilee Campaign urges the Human Rights Committee to make the following recommendations to the Philippines:

1. Repeal Section 4 of the Philippines' Revised Penal Code of 1930, as laws criminalizing blasphemy are inconsistent with human rights and freedom of religion or belief;
2. Investigate any and all direct and indirect links between President Duterte's incendiary remarks about the Catholic Church and rates of violence towards or attacks upon faith minorities and/or their houses of worship;
3. Fully condemn and prosecute all perpetrators of religiously-motivated violence/attacks or any violence/attacks targeting faith minorities – and associated institutions – involved in rights advocacy, social welfare activities, political criticism, etc.;
4. Cease the practice of arbitrarily raiding Catholic-run services on trumped up and fabricated allegations of their involvement in political or militant affairs;
5. In line with International Crisis Group's recommendations, continue to take preemptive and preventive measures to stem Islamist insurgency, including exerting "military pressure", collaborating with local and municipal security agencies, identifying locations and communities vulnerable to attack, identifying individuals susceptible to radicalization, addressing and attempting to resolve militant groups' "legitimate grievances", and "diversifying the current set of security operations to include better policing and intelligence gathering in order to disrupt militant networks".<sup>42</sup>

The most recent concluding observations on Nicaragua by the Human Rights Committee were released in 2012<sup>43</sup>; in these concluding observations, the Human Rights Committee made the following recommendations which Jubilee Campaign would request that the Committee reiterate in its next report:

"The Committee is concerned at the continued perpetration of extrajudicial killings and enforced disappearances in the State party. [...]"

**"The State party should take necessary measures to prevent extrajudicial killings and enforced disappearances and ensure that alleged perpetrators of those crimes are effectively investigated, prosecuted and, if convicted, punished with appropriate sanctions, and that the victims' families are adequately compensated. [...]"**

"The Committee is concerned at reports that human rights defenders and political dissidents are often subjected to surveillance by law enforcement personnel (art. 17)."

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<sup>41</sup> Minnie Agdeppa, "[Southern Philippines Catholic Parish Attacked by Extremist Islamic Group](#)", *Christianity Daily*, 6 January 2021.

<sup>42</sup> *Supra* note 28.

<sup>43</sup> Human Rights Committee, *Concluding observations on the fourth periodic report of the Philippines*, adopted by the Committee at its 106<sup>th</sup> session (15 October – 2 November 2012), [CCPR/C/PHL/CO/4](#), 13 November 2012.

“The State party should take appropriate measures to protect the rights of human rights defenders and political dissidents and ensure that any surveillance programmes for purposes of State security are compatible with article 17 of the Covenant.”

#### IV. Violence against Children (VAC), Child Sexual Abuse (CSA), Online Sexual Exploitation of Children (OSEC), Child Neglect & Other Rights Violations

##### A. Sexual Violence against Children

The Philippines’ national legislation which covers sexual abuse of children include Republic Act No. 8353 – Anti-Rape Law of 1997 which criminalizes statutory rape of children under the age of 16 years<sup>44</sup>; it also criminalizes sexual intercourse with a minor younger than 18 if such circumstances involve force, threat, or intimidation. Republic Act No. 7610 – Special Protection of Children Against Abuse, Exploitation and Discrimination Act criminalizes the use of children under the age of 18 in the production or distribution of pornography, and imposes the maximum penalty required if the victim is below the age of 12 years.<sup>45</sup> Republic Act No. 9775: Anti-Child Pornography Act of 2009 expands on the aforementioned crime.<sup>46</sup> Finally, Republic Act No. 10364: Expanded Anti-Trafficking in Persons Act of 2012 criminalizes “the recruitment, transportation, transfer, harboring, adoption or receipt of a child for the purposes of exploitation” including sexual exploitation, sexual servitude, sexual tourism, pornography, and prostitution.<sup>47</sup> Among these legislations, punishment ranges up to 40 years in prison and fines of five million pesos ( $\approx$  USD \$97 thousand).

Despite that the government of the Philippines continued to make efforts to combat and prosecute perpetrators of online sexual exploitation of children (OSEC) and child sexual abuse (CSA), these remained major societal issues, especially during the COVID-19 pandemic. Cameleon Association reveals that more than 70% of sexually abused children in the Philippines are between the ages of 10 and 18; another 20% are under the age of 6 years. The COVID-19 pandemic has unsurprisingly tremendously exacerbated cases of Online Sexual Exploitation of Children (OSEC) as more children were forced to remain in their homes and perpetrators – who are often biologically related to the victims – began facilitating OSEC as a form of supplemental or primary income during times of pandemic-induced economic hardship. The Philippines’ Department of Justice recorded a three-fold increase in the number of OSEC cases beginning in March 2020 after the first set of pandemic lockdown regulations.<sup>48</sup>

In its Global Threat Assessment 2021<sup>49</sup>, Philippines had experienced a 265% increase in OSEC cases in just the two-month period between March and May 2020. The report also found that 69% of perpetrators were financially-driven adult female relatives of the victims. The problem of OSEC in the Philippines is aggregated by supposed cultural beliefs that “harm is not caused if the child is not touched, as well as the expectation that children should help their families financially”. Indeed, there are some OSEC cases in which children are not necessarily forced to perform sexual activities

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<sup>44</sup> Filane Mikee Cervantes, “[Bill raising statutory rape age to 16 hurdles bicam](#)”, *Philippine News Agency*, 25 November 2021.

<sup>45</sup> [Philippines], [Republic Act No. 7610: Special Protection of Children Against Abuse, Exploitation and Discrimination Act](#), 17 June 1992.

<sup>46</sup> [Philippines], [Republic Act No. 9775: Anti-Child Pornography Act of 2009](#), 17 November 2009.

<sup>47</sup> [Philippines], [Republic Act No. 10364: Expanded Anti-Trafficking in Persons Act of 2012](#), 23 July 2012.

<sup>48</sup> Our Grandfather Story, “[The dark truth behind the rising online child sex abuse cases in the Philippines](#)”, 9 May 2021.

<sup>49</sup> WeProtect Global Alliance, [Global Threat Assessment 2021](#).

on camera but instead are forced to simply stand in front of a camera for the sexual pleasure of viewers.<sup>50</sup>

Regrettably, there appears to be an issue of child sexual abuse in the Philippine Catholic Church, but cases are often swept under the rug and ignored, perpetrators are never brought to justice [no single Philippine priest has been convicted of sexual misconduct], and victims receive no support. American priest, Father Kenneth Hendricks, sexually abused at least seven altar boys in the Diocese of Naval, Biliran Province, until he was finally arrested in December 2018.<sup>51</sup> In June 2020, a young girl in Cadiz City, Philippines, revealed that she had been sexually assaulted at the tender age of five by Reverend Aron Buenacosa; an investigation is currently underway, though the pandemic has disrupted routine trial proceedings.<sup>52</sup> Fortunately, in 2019 the Catholic Bishops' Conference of the Philippines expressed its intentions to establish an office to investigate clerical abuse<sup>53</sup>; also in 2019, Pope Francis enacted *Motu Proprio Vos estis lux mundi* to protect child sexual abuse victims and prosecute clerical perpetrators.<sup>54</sup>

In May 2022, a 14-year-old Filipino girl provided a video testimony against her abuser, a 51-year-old male French national, who initially abused the girl online but subsequently travelled to the Philippines to sexually exploit her in person. While in the Philippines, the man filmed his sexual abuse of the victim and livestreamed it to an online audience. As a result of the girl's bravery, the perpetrator was sentenced to 15 years' imprisonment. Earlier, in 2018, a regional court in the Philippines convicted the victim's own uncle, a public school teacher, who facilitated her abuse; he was sentenced to life in prison.<sup>55</sup> ([ICCPR Articles 7; 24](#))

In April 2022, the Philippine National Police's Women and Children Protection Center arrested 3 suspected traffickers and rescued 22 adolescents and children under the age of 18 years. The three perpetrators were all women in their 30s, and a substantial portion of the victims were related to the perpetrators.<sup>56</sup> ([ICCPR Articles 7; 24](#))

PREDA Foundation<sup>57</sup> is currently assisting Paula and her sister Maria. For years, 14-year-old Paula and Maria were being sexually abused by their father, brother, and their father's drinking partner. Finally, Paula was permitted to become a domestic worker and revealed to her new employer what she and her sister were subjected to. The employer, together with PREDA, rescued the two young women who have now pressed charges against their abusers and are receiving therapy and education. ([ICCPR Articles 7<sup>58</sup>; 24](#))

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<sup>50</sup> *Ibid.*

<sup>51</sup> Union of Catholic Asian News, "[Clerics get away with child abuse in the Philippines](#)", 21 December 2021. ; Cameron Knight, "[Five things to know about priest Kenneth Hendricks accused of molesting altar boys in the Philippines](#)", *The Enquirer Cincinnati*, 6 December 2018.

<sup>52</sup> Shibani Mahtani & Regine Cabato, "[In Philippines, a child alleges abuse by Catholic priest – and tests Vatican promise for global reckoning](#)", *The Washington Post*, 23 June 2020.

<sup>53</sup> Ernesto M. Hilario, "[Philippine Church moves to check clergy sexual abuse](#)", *LiCAS News*, 2 March 2020.

<sup>54</sup> Panay News, "[Reporting child abuse in the Church, 1](#)", 21 December 2021.

<sup>55</sup> IJM, "[French perpetrator convicted for online sexual exploitation after brave survivor's testimony](#)", 6 May 2022.

<sup>56</sup> IJM, "[22 children and one adult brought to safety from online child sexual exploitation, 3 suspects arrested](#)", 6 April 2022.

<sup>57</sup> [PREDA Foundation](#) is a registered, licensed and accredited non-government organization in the Philippines. Preda's mission is to defend and promote human rights and dignity through direct action in rescuing, protecting, healing and empowering exploited, trafficked and abused children, giving legal assistance, and aftercare. It aims to prevent exploitation through sustainable development, and fair trade for poverty alleviation.

<sup>58</sup> "It is well established that rape and other forms of sexual violence can amount to torture and ill-treatment. In addition to the severe physical trauma, the mental pain and suffering inflicted on victims are often exacerbated by the social stigma they face." ([UN Office of the High Commissioner for Human Rights](#));

In November 2021, authorities from the Philippines National Police's Women and Children Protection Center (WCPC)'s Transnational Crime Investigation Force (TCITF) and Mindanao Field Unit (MFU) rescued six OSEC minor victims and arrested one perpetrator in Ozamiz City. At the same time, WCPC's Visayas Field Unit arrested a 62-year-old British male citizen for sexually abusing and exploiting a five-year-old boy and 15-year-old boy online.<sup>59</sup> ([ICCPR Articles 7; 24](#))

In September 2020, the Philippine Supreme Court acquitted a man of child sexual abuse charges. Originally, he had been convicted in 2012 of impregnating a 12-year-old girl; she once again became pregnant as a result of the abuse before the perpetrator was formally sentenced in 2016 to 14 years in prison. The justices' reprehensible decision was that the court was "not prepared to punish two individuals and deprive their children from having a normal family simply because" the mother was a minor at the times of her impregnation. The justices also ruled that the benefits of keeping the 'family' together far outweighed "any perceived dangers" of the relationship between the girl and her perpetrator.<sup>60</sup> ([ICCPR Articles 7; 24](#))

On 29 October 2021, authorities in Bagong Silang arrested a woman for facilitating in OSEC. Her 16-year-old cousin and her 8-year-old niece – who were rescued on the same day – were sexually exploited online for the perpetrator's financial gain.<sup>61</sup> ([ICCPR Articles 7; 24](#))

On 29 September 2021, four children were rescued from OSEC by Philippine authorities; the perpetrator, who was the victims' uncle, was arrested and charged.<sup>62</sup> ([ICCPR Articles 7; 24](#))

In June 2021 in two separate incidents, authorities rescued five victims [a 16- year-old girl, a 15-year-old boy, a 16-year-old boy, a 17-year-old boy, and a 19- year-old man] and arrested two male perpetrators aged 27 and 23.<sup>63</sup> ([ICCPR Articles 7; 24](#))

In April 2021, social workers rescued 14-year-old Analisa [pseudonym] and transported her to PREDA's facility for abused children. Analisa came from a broken home, having only met her biological father for the first time when she was 12 years old. Having very little education, Analisa was seduced into entering a sexual relationship with a 27-year-old man after he offered her gifts; her mother agreed. ([ICCPR Articles 8; 24](#)) Though the relationship eventually ended, Analisa's mother then brokered her daughter into a sexual relationship to another man aged 26 years; her mother, however, then wished to get Analisa out of the relationship as the man was not paying her for the 'services'.<sup>64</sup> Fortunately, Analisa is receiving physical treatment, counseling and therapy, and legal assistance from PREDA.

In February 2021, Prosecutor Ria Nina Sususco convicted two male minors who were involved in the trafficking in persons of children and child abuse for their activities pimping a 15-year-old boy to teacher Franco Aranas of New Cabalan National High School in Olongapo.<sup>65</sup> ([ICCPR Articles 8; 24](#)) In October 2021, the Regional Director of the Department of Education dismissed Aranas on the grounds that he committed "grave" acts of misconduct after three minor victims testified

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<sup>59</sup> IJM, "[Philippines Police Rescue 6 Children from OSEC and Arrest British suspect](#)", 3 November 2021.

<sup>60</sup> Chad De Guzman, "[The Philippines Is Raising the Age of Consent. That May Not Be Enough to Protect Its Children](#)", *Time*, 7 January 2022.

<sup>61</sup> IJM, "[Police rescue two girls from online sexual exploitation in the Philippines](#)", 29 October 2021.

<sup>62</sup> IJM, "[Four children rescued from online sexual exploitation](#)", 29 September 2021.

<sup>63</sup> IJM, "[Police rescue 4 minors and 1 adult, arrest 2 suspects in back-to-back operations against online sexual exploitation of children](#)", 23 June 2021.

<sup>64</sup> Written Communication with Father Shay Cullen, Founder of PREDA Foundation, 25 April 2021.

<sup>65</sup> Written Communication with Father Shay Cullen, Founder of PREDA Foundation, 18 February 2021.

during an investigation and revealed that Aranas had groomed, sexually abused, and raped them at Sunshine Lodge.<sup>66</sup> ([ICCPR Article 7](#))

Philippine authorities and international law enforcement officials in August 2020 at two different locations in Bislig City, Surigao del Sur conducted simultaneous sting operations which led to the rescue of 15 child OSCE victims and five perpetrators; all suspects were adult females between the ages of 18 and 29.<sup>67</sup>

In July 2020, with the help of a tip-off from Australian authorities, Philippine police arrested two 27-year-old facilitators of OSCE and rescued four children between the ages of 2 and 8 years old. The victims were sexually abused on camera in exchange for money; two of the victims were children of one of the suspects and the remaining two victims were the niece and nephew of the second suspect.<sup>68</sup> ([ICCPR Articles 7; 8](#))

In June 2020, authorities from the Philippine National Police arrested a 30-year-old female facilitator of OSCE and rescued eight victims including four boys aged 2, 4, 11, and 14, two girls aged 3 and 15, a 32-year-old woman, and a 27-year-old deaf woman. The 27-year-old victim was the perpetrator's sister, and two of the other victims were the 27-year-old's children. Another victim was a child of the suspect.<sup>69</sup> ([ICCPR Article 24](#))

In May 2020, police arrested a 28-year-old woman who was apprehended for offering to livestream the sexual abuse of six girls between the ages of one and 19 years old. Fortunately, the at-risk children had not yet been victimized by the suspect.<sup>70</sup>

In May 2020, David Timothy Deakin became the first foreign national to be convicted of cybersex trafficking offenses in the Philippines three years after his home was raided in 2017, at which point he was arrested and authorities confiscated drug use paraphernalia and hard drives containing child sexual exploitation materials (CSEM). When he learned of the arrest, one of Deakin's victims stated [translated to English] "This is good news. It's good because he won't be able to victimize anyone anymore. Thank God."<sup>71</sup>

In May 2020, authorities rescued three girls who were forced to perform sexual acts via webcam ([ICCPR Articles 7; 24](#)); the perpetrator, a 34-year-old female, was arrested.<sup>72</sup> A week earlier, prior to Philippine Mother's Day, another three girls who were subjected to identical abuses were rescued and their 41-year-old female abuser was arrested.<sup>73</sup>

In April 2020, Philippine authorities detained a 25-year-old female sex trafficker and rescued seven children and teens between the ages of 3 and 14. Also in April, another female adult cybersex trafficker was arrested a year after the victim – her underaged cousin – was rescued.<sup>74</sup> ([ICCPR Articles 8; 24](#))

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<sup>66</sup> Francis B. Bermido, Jr., "[Olongapo Teacher Ordered Dismissed from Service for Sexual Abuse](#)", 18 October 2021.

<sup>67</sup> IJM, "[13 children and 2 adults in Bislig City rescued from online sexual exploitation, 5 traffickers arrested](#)", 24 August 2020.

<sup>68</sup> IJM, "[Joint operation rescues 4 minors, arrests 2 suspects of online sexual exploitation of children](#)", 24 July 2020.

<sup>69</sup> IJM, "[Taguig online sex trafficker arrested, 7 children and one vulnerable adult rescued](#)", 18 June 2020.

<sup>70</sup> IJM, "[Police arrest online sex trafficker in Butuan City, rescue 13 victims and children at risk](#)", 21 May 2020.

<sup>71</sup> IJM, "[Press Release: First Foreigner Convicted for Cybersex Trafficking Offences](#)", 27 May 2020.

<sup>72</sup> IJM, "[Press Release: 3 Children Rescued, One Trafficker Arrested](#)", 14 May 2020.

<sup>73</sup> IJM, "[Authorities Conduct Operations Rescuing 3 Children, 6 Days before Filipino Mother's Day](#)", 5 May 2020.

<sup>74</sup> IJM, "[7 Minors Rescued and OSEC Suspect Arrested](#)", 24 April 2020.

## B. Non-Sexual Violence against Children

Nonsexual violence and abuse against children similarly has experienced a dramatic uptick during the pandemic, and “the more household income that has been lost owing to COVID-19, the higher the reporting of violence in the home by both children and parents/caregivers”.<sup>75</sup> The Philippine NGO Center for Women’s Resources revealed that even prior to the pandemic and subsequent lockdown measures, at least one woman or child was physically, psychologically, or sexually abused every ten minutes.<sup>76</sup> The most recent research study on nonsexual violence against children in the Philippines dates back to 2016, and it reported that three out of five children (60%) have experienced physical or psychological violence.<sup>77</sup> (ICCPR Article 24)

## C. Drug-Related Violence against Children

The Philippine government’s ‘War on drugs’, sponsored by President Duterte, has led to likely thousands of extrajudicial killings committed by state actors, and a study by the World Organisation Against Torture investigating child deaths between July 2016 and December 2019 estimates that no fewer than 122 Philippine children have been killed during Duterte’s ‘War on drugs’; however, the report recognizes that this number is likely a major underestimate.

In February 2021, the bodies of two deceased 15-year-old boys, Chormel Buenaflor and Carl Justine Banogon, were found floating in the sea adjacent to Isla Puting Bato; the boys were last seen in late January before they were abducted. Both of the bodies displayed injuries consistent with physical torture, including slit throats, and their limbs were bound with tape. (ICCPR Article 7) Police Captain Henry Navarro of the Manila Police District Homicide Division reported that one of the boys had a tattoo of Batang City Jail Gang’s symbol on his body, implying that he may have been targeted for killing as the result of a gang war. The perpetrators have not been identified.<sup>78</sup>(ICCPR Article 6)

In 2020, 16-year-old Jun [pseudonym] came under the care of PREDA. Jun was born in Negros Occidental and lived his early years with his mother and abusive step-father before he ran away to Manila. Jun began working as a motorcycle driver, and once while he was transporting a passenger Jun was arrested for not having a license and for “stealing” as he did not have the motorcycle’s registration papers with him. While in detention at Bahay Pag-asa, Jun was forced to sleep on the cold concrete floor, was fed expired food, and was forced to clean toilets and wash clothes; meanwhile, Jun was severely physically beaten by detainees while prison guards stood by. (ICCPR Article 7) In one incident that occurred on his birthday, Jun was covered with a blanket and beaten to near unconsciousness. Fortunately in July 2020, Jun’s case was dismissed and he was released from detention, after which he was transferred to PREDA for care. Jun is recovering well, is exceeding in his studies, enjoys playing basketball, and is soon to be meeting his biological father.<sup>79</sup>

In January 2020, 8-year-old Ronjhay Furio was in Manila’s Santa Ana district looking to buy food when four plainclothes gunmen on motorcycles shot indiscriminately in order to kill their target,

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<sup>75</sup> Save the Children Philippines, “[The Hidden Impact of COVID-19 on Child Protection and Well-Being](#)”.

<sup>76</sup> Rorie Fajardo-Jarilla, “[Philippines: Sweeping Violence Under the Carpet](#)”, *Institute for War & Peace Reporting*, 27 May 2020.

<sup>77</sup> Rory Visco, “[The hidden pandemic of domestic violence, abuse vs women, children](#)”, *Business Mirror*, 1 December 2021.

<sup>78</sup> Margret Fermin, “[Gang war possible motive behind killing of two teenagers in Tondo](#)”, *Philippines Lifestyle News*, 10 February 2021. ; Written Communication with Father Shay Cullen, Founder of PREDA Foundation, 18 February 2021.

<sup>79</sup> Written Communication with Father Shay Cullen, Founder of PREDA Foundation, 24 September 2021.



52-year-old Roberto Cudal; Furio was struck in the chest by a stray bullet and was declared dead by the time he was rushed to Ospital ng Maynila Medical Center. Both Furio's family and human rights activists believe the shooting was the result of the war on drugs.<sup>80</sup> ([ICCPR Article 6](#))

#### D. Commendation

We express our commendations and praise for the activities of both Philippine and international organizations aimed towards eliminating OSEC.

#### E. Recommendations

Jubilee Campaign urges the Human Rights Committee to make the following recommendations to the Philippines:

6. Expand prosecution of perpetrators and facilitators of online sexual exploitation of children (OSEC), child sexual abuse (CSA), cyber-sex trafficking, as well as nonsexual physical violence against children (VAC);
7. Expand and promote health services and psycho-social services tailored to treat child survivors of OSEC/CSA/VAC and encourage incident reporting among victims and witnesses, even in cases in which perpetrators are biological relatives;
8. Circulate child-friendly education material on how to identify OSEC/CSA/VAC and indicators/risks of OSEC/CSA/VAC, and how to access reporting mechanisms;
9. Take measures to eradicate unlawful extrajudicial killings of children as a result of the nation's war on drugs.

The most recent concluding observations on Nicaragua by the Human Rights Committee were released in 2012<sup>81</sup>; in these concluding observations, the Human Rights Committee made the following recommendations which Jubilee Campaign would request that the Committee to reiterate in its next report:

"The Committee is concerned at reports of continued cases of trafficking in persons, which mainly affect women and children (arts. 3, 8 and 24)."

**"The State party should take all necessary measures to ensure that victims of trafficking in persons are provided with medical, psychological, social and legal assistance. Protection should be provided to all witnesses and victims of trafficking so that they may have a place of refuge and an opportunity to give evidence against those held responsible. The State party should also continue to reinforce international cooperation as well as existing measures to combat trafficking in persons and the demand for trafficking. It should also [devote] sufficient resources to investigations of cases of trafficking in persons by identifying those responsible, prosecuting them and imposing penalties that are commensurate with the seriousness of the acts committed."**

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<sup>80</sup> JC Gotinga, ["8-year-old boy killed by stray bullet in Manila shooting incident"](#), *Rappler*, 28 January 2020.

<sup>81</sup> Human Rights Committee, *Concluding observations on the fourth periodic report of the Philippines, adopted by the Committee at its 106<sup>th</sup> session (15 October – 2 November 2012)*, [CCPR/C/PHL/CO/4](#), 13 November 2012.

“The Committee is concerned about the high incidence of child labour which continues to increase, and about the fact that children continue to be employed in hazardous conditions including involvement in the worst forms of child labour such as the sex trade, drug trafficking, pornography, the performance of auxiliary tasks for combatants and other illicit activities (art. 24).”

**“The State party should intensify its efforts to implement existing policies and laws that are designed to eradicate child labour, including through public information and education campaigns on the protection of children’s rights, and strengthening the capacity and reach of labour inspectors. It should also ensure that exploitative acts of child labour are prosecuted and punished, and should keep reliable statistics in order to combat it effectively.”**