

117TH CONGRESS
1ST SESSION

H. R. 3884

To suspend the provision of security assistance to the Philippines until the Government of the Philippines has made certain reforms to the military and police forces, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2021

Ms. WILD (for herself, Mr. LOWENTHAL, Ms. SCHAKOWSKY, Mr. JOHNSON of Georgia, Mr. RUSH, Mr. POCAN, Ms. OMAR, Ms. TITUS, Mr. BLUMENAUER, Ms. PORTER, Ms. MENG, Mr. GOMEZ, Ms. MCCOLLUM, and Mr. MCGOVERN) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To suspend the provision of security assistance to the Philippines until the Government of the Philippines has made certain reforms to the military and police forces, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Philippine Human
5 Rights Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The U.S. State Department’s 2020 Human
4 Rights Report on the Philippines states “There were
5 numerous reports of government security agencies
6 and their informal allies committed arbitrary or un-
7 lawful killings in connection with the government di-
8 rected campaign against illegal drugs.”. The Report
9 goes on to state, “Government mechanisms to inves-
10 tigate and punish abuse and corruption in the secu-
11 rity forces were poorly resourced and remained
12 largely ineffective”. The United Nations Office of
13 the High Commissioner on Human Rights in its an-
14 nual report for the 44th Session of the Human
15 Rights Council concluded that there is “long-stand-
16 ing overemphasis on public order and national secu-
17 rity at the expense of human rights has become
18 more acute in recent years, and there are concerns
19 that the vilification of dissent is being increasingly
20 institutionalized and normalized in ways that will be
21 very difficult to reverse;”.

22 (2) The United States continues to provide sup-
23 port via security assistance to the administration of
24 Philippines President Duterte, whose brutal Drug
25 War and other campaigns have taken the lives of
26 over 30,000 urban poor, peasants, workers, indige-

1 nous and environmental activists as well as human
2 rights defenders, religious leaders, and peace advo-
3 cates.

4 (3) Government agencies of the Philippines re-
5 port 4,948 suspected drug users and dealers, includ-
6 ing 60 children, died during police operations from
7 July 1, 2016 to September 30, 2018, and according
8 to Human Rights Watch, the Philippine National
9 Police (PNP) have reported 22,983 deaths remain
10 classified as “homicides under investigation” since
11 the Drug War began.

12 (4) As of December 2020, the Alliance for Ad-
13 vancement of People’s Rights (“Karapatan”) has
14 documented 376 extrajudicial political killings, 488
15 victims of attempted politically motivated killings,
16 222 victims of torture, around 3,600 victims of ille-
17 gal arrests, over 100,000 victims of threats and har-
18 assments, and nearly half a million internal refugees
19 under the Duterte administration.

20 (5) Duterte has blatantly targeted and publicly
21 advocated for the killing of faith leaders. Catholic
22 Bishops, priests, pastors, and laity have been threat-
23 ened, intimidated, harassed and murdered for speak-
24 ing out against extra-judicial killings and the war on
25 drugs.

1 (6) Duterte has also abused his office by tar-
2 geting critics and political opponents for intimidat-
3 tion and elimination. Since Duterte took office, over
4 30 labor leaders have been murdered and 3 have
5 been jailed as political prisoners, over 25 mayors
6 and vice mayors have been assassinated, and Sen-
7 ator Leila De Lima who has been a staunch critic
8 of the drug war killings having been detained for
9 over 4 years.

10 (7) The international NGO Global Witness has
11 declared the Philippines to be the deadliest country
12 in the world for defenders of human rights, the envi-
13 ronment, and natural resources, with 30 environ-
14 mentalists, 54 indigenous people, and 207 farmers
15 and peasants extrajudicially killed since Duterte
16 took office in 2016. Included in the targeting of en-
17 vironmental activists was American citizen, Brandon
18 Lee, who was subjected to an assassination attempt
19 on August 6, 2019. Brandon has been subjected to
20 repeated threats and harassment by the Philippine
21 military due to his advocacy relating to the land and
22 rights of indigenous people in Ifugao province and
23 the surrounding Cordillera region of the Philippines.
24 While Brandon Lee survived the attack, he has been

1 left paralyzed and his assailants have not been
2 brought to justice.

3 (8) It is widely recognized that the Duterte ad-
4 ministration silences dissent and the press. The
5 State Department’s 2019 Report states, “Govern-
6 ment harassment of some media outlets occurred,
7 however, and polls suggested many Filipinos con-
8 sider it dangerous to publish information critical of
9 the administration.”. In May 2020, ABS-CBN, one
10 of the Philippines’ two major sources of news, and
11 an occasional critic of Duterte’s policies, was forced
12 off air due to the denial of a franchise license by the
13 Congress of the Philippines, at the behest of the
14 Duterte administration. Similarly, Maria Ressa, a
15 vocal critic of the Duterte administration, Times
16 Magazine’s Person of the Year 2018 recipient, and
17 founder of the digital news site Rappler was con-
18 victed of cyber libel in June 2020.

19 (9) On July 3, 2020 the Anti-Terrorism Act of
20 the Philippines was passed into law. While pur-
21 porting to counter terrorism, the bill rolls back many
22 civil liberties by lessening requirements for judicial
23 warrants, allows for extended pre-trial detention,
24 and allows for the prosecution of conduct that is
25 considered protected political speech. The Anti-Ter-

1 rorism Act is viewed by many as a threat to Free-
2 dom of Speech in the Philippines and yet another
3 tool the Duterte administration will use to silence
4 critics and political rivals. Representative Jan Scha-
5 kowsky, along with 49 other members of the U.S.
6 Congress, urged the government of the Philippines
7 to repeal “this repressive legislation”.

8 (10) The practice of “red-tagging”, wherein the
9 government labels activists, critics, and non-govern-
10 mental organizations as terrorists, has been growing
11 in the Philippines from 2020 to 2021. This tactic is
12 used to isolate individuals or groups and, in many
13 cases, mark them for harassment or assassination by
14 Philippines security or paramilitary forces.

15 (11) On March 7, 2021, the Armed Forces of
16 the Philippines (AFP) and Philippines National Po-
17 lice (PNP) carried out a series of joint operations
18 across Calabarzon. The operations led to the murder
19 of nine activists and the arrest of six others. The
20 victims were members of progressive organizations
21 that advocated around issues of labor, land and in-
22 digenous rights, environmental protections, and
23 housing rights for the urban poor. The Philippine
24 government claims that it carried out the raids in
25 Calabarzon to execute valid search warrants for

1 weapons and that the killings only resulted from the
2 victims resisting arrest. This claim has been met
3 with extreme skepticism due to the government’s
4 history of fabricating evidence and “red-tagging”
5 progressive groups and activists. Further suspicion
6 was cast on the allegations of resisting arrest when
7 family members of the victims were prohibited by
8 the PNP and AFP from collecting the victim’s bod-
9 ies. Following the attacks in Calabarzon, Duterte’s
10 spokesperson endorsed the killings of the activists
11 and security forces began to surveil and harass
12 human rights groups that are investigating the
13 killings.

14 (12) The United States continues to arm state
15 security forces of the Philippines. Despite clear doc-
16 umentation of abuses and international condemna-
17 tion, in April 2020, the United States announced a
18 pair of arms sales totaling \$2,000,000,000 for items
19 including hellfire missiles and attack helicopters. In
20 July 2020, the United States announced an addi-
21 tional sale of \$126,000,000 worth of assault boats
22 and armaments.

23 **SEC. 3. SUSPENSION OF SECURITY ASSISTANCE.**

24 (a) **SUSPENSION OF SECURITY ASSISTANCE.**—No
25 Federal funds are authorized to be appropriated or other-

1 wise made available to provide assistance for the police
2 or military of the Philippines, including assistance in the
3 form of equipment or training, until the date described
4 in subsection (d).

5 (b) LOANS FROM MULTILATERAL DEVELOPMENT
6 BANKS.—The President shall instruct United States rep-
7 resentatives at multilateral development banks to vote
8 against providing any loans to the police or military of
9 the Philippines.

10 (c) REPORT REQUIRED.—Not later than 180 days
11 after the date of the enactment of this Act, the Inspectors
12 General of the Department of State and Department of
13 Defense shall jointly submit to the Committee on Foreign
14 Affairs of the House of Representatives and the Com-
15 mittee on Foreign Relations of the Senate a report that—

16 (1) specifies all forms of security assistance or
17 loans made available to the Philippine National Po-
18 lice or the armed forces of the Philippines, including
19 any organizations or individuals operating with the
20 authority of the Philippine National Police or the
21 armed forces of the Philippines, by the United
22 States or by multilateral development banks during
23 the period beginning January 1, 2016, and ending
24 on the date of the submission of the report;

1 (2) contains all reports generated by recipients
2 of United States security assistance or loans from
3 multilateral development banks to the Philippines
4 with respect to the use, investment, or transfer of
5 such assistance or loans; and

6 (3) details any and all misuses of security as-
7 sistance and loans during the period beginning Jan-
8 uary 1, 2016, and ending on the date of the submis-
9 sion of the report by the Philippine National Police,
10 the armed forces of the Philippines, or any affiliated
11 groups or individuals, such as extrajudicial killings,
12 intimidation of political opponents, illegal sales
13 under Philippine or international law, or misappro-
14 priation.

15 (d) CONDITIONS FOR LIFTING SUSPENSION OF AS-
16 SISTANCE.—The suspension of security assistance under
17 subsection (a) shall terminate on the date on which the
18 Secretary of State certifies to the Committee on Foreign
19 Affairs of the House of Representatives and the Com-
20 mittee on Foreign Relations of the Senate that the Gov-
21 ernment of the Philippines has—

22 (1) investigated and successfully prosecuted
23 members of military and police forces who have vio-
24 lated human rights, ensured that the military and

1 police cooperated in such cases, and affirmed that
2 such violations have ceased;

3 (2) withdrawn the military from involvement in
4 domestic policing activities, in accordance with the
5 Philippine Constitution, and ensured that all domes-
6 tic police functions are separated from the military
7 chain of command and are instead directly respon-
8 sible to civilian authorities;

9 (3) established that it effectively protects the
10 rights of trade unionists, journalists, human rights
11 defenders, critics of the government, faith and reli-
12 gious leaders, and other civil society activists to op-
13 erate without interference;

14 (4) taken effective steps to guarantee a judicial
15 system that is capable of investigating, prosecuting,
16 and bringing to justice members of the police and
17 military who have committed human rights abuses;
18 and

19 (5) fully complied with domestic and United
20 States audits and investigations regarding the im-
21 proper use of prior security assistance.

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