

PHILIPPINES

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Part 1: Overview of the Philippines

A. Country Background

Philippines Facts	
Geographical size	300,000 sq km
Population	100.98 million ¹
Ethnic breakdown ²	Main ethnic groups: Tagalog – 28.1% Cebuano – 13.1% Ilocano – 9% Bisaya/Binisaya – 7.6% Hiligaynon Ilonggo – 7.5%
Official language(s)	Filipino and English ³
Literacy rate (aged 15 and above)	96.4% ⁴
Life expectancy	69.01 ⁵
GDP	US\$304.9 billion (per capita US\$2951) ⁶
Government	Democratic and republican state. Presidential form of government where power is divided among the legislative, executive, and judicial branches.
Political and social situation	Elections are held regularly but voting is not mandatory. Multi-party system consists mostly of political figures/leaders with little grassroots membership. Problems include electoral violence in areas controlled by political dynasties, and corruption leading to voter disenfranchisement and poverty-induced piece-meal vote buying and selling. Rodrigo R Duterte was elected President in 2016. ⁷

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¹ Data from 2015. 'Population and housing' Philippine Statistics Authority, available at <https://psa.gov.ph/statistics/census/population-and-housing>, accessed on 14 November 2017.

² Data from 2010. 'The world factbook: Philippines' Central Intelligence Agency, available at <https://www.cia.gov/library/publications/the-world-factbook/geos/rp.html>, accessed on 14 January 2018.

³ 1987 Philippine Constitution, Art XIV, s.7.

⁴ Data from 2013. 'Philippines' The World Bank, available at <https://data.worldbank.org/indicator/SE.ADT.LITR.ZS?locations=PH>, accessed on 14 January 2018.

⁵ Data from 2015. The World Bank (see note 4 above).

⁶ Data from 2016. The World Bank (see note 4 above).

⁷ Duterte was previously the mayor of Davao City in Southern Philippines, serving 7 terms. His Vice President, Maria Leonor Gerona Robredo, was formerly a member of the House of Representatives and a human rights lawyer. However, an election protest has been filed by her closest rival, former Senator Ferdinand Marcos, Jr, which is still being heard by the Supreme Court (sitting as the Presidential Electoral Tribunal).

The Philippines is an archipelagic state in Southeast Asia with an area of 300,000 square kilometres. It is made up of 7,107 islands; Luzon, Visayas, and Mindanao being its main island groups. The country is further divided into 17 regions,⁸ 80 provinces, 143 cities, 1,491 municipalities, and 42,028 barangays.^{9, 10} Based on figures published by the National Statistics Office, the population rose from 92,337.9 million in 2010 to 100.98 million in 2015.¹¹

System of governance

The 1987 Philippine Constitution provides that “[t]he Philippines is a democratic and republican State. Sovereignty resides in the people and all government authority emanates from them.”¹² In addition, the country enjoys a presidential form of government where power is divided amongst three co-equal branches (the legislature, executive, and judiciary) following the principle of separation of powers with the Constitution mandating the limits of each.

The executive department is composed of the President and the Vice President who are elected by direct popular vote, each serving a term of six years.¹³ The Constitution further provides that the President shall not be eligible for any re-election¹⁴ and grants him or her authority to appoint a Cabinet to act as head of the executive departments.¹⁵

The legislative department makes laws, alters, and repeals them through the power vested in the Philippine Congress. The Congress consists of the Senate (composed of 24 senators who are elected at large by qualified voters¹⁶) and the House of Representatives

⁸ The National Capital Region (NCR), Ilocos Region (Region 1), Cordillera Autonomous Region (CAR), Cagayan Valley (Region 2), Central Luzon (Region 3), CALABARZON (Region 4-A), Southwestern Tagalog Region or MIMAROPA (Region 4-B), Bicol Region (Region 5), Western Visayas (Region 6), Central Visayas (Region 7), Eastern Visayas (Region 8), Zamboanga Peninsula (Region 9), Northern Mindanao (Region 10), Davao Region (Region 11), SOCCSKARGEN (Region 12), Caraga Region (Region 13), and the Autonomous Region in Muslim Mindanao.

⁹ As of 2013.

¹⁰ The barangay is the smallest political unit into which cities and municipalities are divided.

¹¹ See, ‘Philippines in figures 2014’ Philippine Statistics Authority, available at https://psa.gov.ph/sites/default/files/2014%20PIF_0.pdf; ‘Philippines in figures 2015’ Philippine Statistics Authority, available at https://psa.gov.ph/sites/default/files/2015%20PIF_0.pdf, both accessed on 14 January 2018.

¹² 1987 Philippine Constitution, Art II, s.1.

¹³ 1987 Philippine Constitution, Art VII, s.3.

¹⁴ 1987 Philippine Constitution, Art VII, s.4.

¹⁵ 1987 Philippine Constitution, Art VII, s.16 provides:

The President shall nominate and, with the consent of the Commission on Appointments, appoint the heads of the executive departments, ambassadors, other public ministers and consuls, or officers of the armed forces from the rank of colonel or naval captain, and other officers whose appointments are vested in him in this Constitution. He shall also appoint all other officers of the Government whose appointments are not otherwise provided for by law, and those whom he may be authorized by law to appoint. The Congress may, by law, vest the appointment of other officers lower in rank in the President alone, in the courts, or in the heads of departments, agencies, commissions, or boards.

¹⁶ 1987 Philippine Constitution, Art VI, s.2.

(which shall be composed of not more than 250 members, representing each district around the country, 20% of whom must be party-list representatives^{17, 18}). The purpose of the party-list system of electing congressional representatives is to enable Filipino citizens belonging to marginalised and under-represented sectors, organisations and parties, and who lack well-defined political constituencies but who could contribute to the formulation and enactment of appropriate legislation that could benefit the nation as a whole, to become members of the House of Representatives.¹⁹

The judiciary holds the power to settle controversies involving rights that are legally demandable and enforceable, and to determine whether or not there has been a grave abuse of discretion amounting to a lack or an excess of jurisdiction on the part of any branch or instrument of government.²⁰ The judicial department consists of a Supreme Court and other lower courts as established by law.²¹ The Supreme Court is composed of a Chief Justice and 14 Associate Justices.²² Appointments to the judiciary are made by the President based on a list submitted by the Judicial and Bar Council under supervision of the Supreme Court.²³ Members of the Supreme Court and judges of lower courts shall hold office until they reach the age of 70 or become too incapacitated to discharge the duties of their office.²⁴

B. International Human Rights Commitments and Obligations

The 1987 Philippine Constitution declares as one of its principles that “[t]he State values the dignity of every human person and guarantees full respect for human rights.”²⁵

¹⁷ 1987 Philippine Constitution, Art VI, s.5.

¹⁸ 1987 Philippine Constitution, Art VI, s.5(2) provides:

The party-list representatives shall constitute twenty per centum of the total number of representatives including those under the party list. For three consecutive terms after the ratification of this Constitution, one-half of the seats allocated to party-list representatives shall be filled, as provided by law, by selection or election from the labor, peasant, urban poor, indigenous cultural communities, women, youth, and such other sectors as may be provided by law, except the religious sector.

¹⁹ Republic Act No 7941, s.2 or An Act Providing for the Election of Party-List Representatives through the Party-List System, and Appropriating Funds Therefor (1995). The application of the law was challenged in *Ang Ladlad LGBT Party v Commission on Elections* (GR No 190582, 8 April 2010). Ang Ladlad, a party-list representing the LGBT community, was denied accreditation by the Commission on Elections. In deciding in favour of the accreditation of Ang Ladlad, the Supreme Court cited non-establishment of religion, equal protection, freedom of expression and association, and non-discrimination as its reasons. Although the petitioners cited the Yogyakarta Principles, the Supreme Court treated the document merely as a declaration not giving rise to binding State obligations.

²⁰ 1987 Philippine Constitution, Art VIII, s.1.

²¹ 1987 Philippine Constitution, Art VIII, s.1.

²² 1987 Philippine Constitution, Art VIII, s.4(1).

²³ 1987 Philippine Constitution, Art VIII, s.9.

²⁴ 1987 Philippine Constitution, Art VIII, s.11.

²⁵ 1987 Philippine Constitution, Art II, s.11.

This is complemented by a whole article dedicated to social justice and human rights,²⁶ including the creation of an independent national human rights institution.²⁷

The Constitution further provides that the Philippines “adopts the generally accepted principles of international law as part of the law of the land and adheres to the policy of peace, equality, justice, freedom, cooperation and amity with all nations.”²⁸ This is what is known as a principle of incorporation, where, by mere constitutional declaration, international law is deemed to have the force of domestic law.²⁹

The Constitution provides another method through which international law can become part of the sphere of domestic law – through transformation. The transformation method provides that “[n]o treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all members of the Senate.”³⁰ Thus, treaties or conventional international law must go through a process prescribed by the Constitution before they can become municipal law; only then may their provisions be applied to domestic conflicts.³¹

Table 1: Ratification Status of International Instruments – Philippines³²

Treaty	Signature Date	Ratification Date, Accession (a), Succession (d) Date
Convention against Torture and Other Cruel Inhuman or Degrading Punishment (CAT)		18 Jun 1986 (a)
Optional Protocol of the Convention against Torture		17 Apr 2012 (a)
International Covenant on Civil and Political Rights (ICCPR)	19 Dec 1966	23 Oct 1986
Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty	20 Sep 2006	20 Nov 2007
Convention for the Protection of All Persons from Enforced Disappearance (CED)		

²⁶ 1987 Philippine Constitution, Art XIII.

²⁷ 1987 Philippine Constitution, Art XIII, s.17(1) provides for the creation of “an independent office called the Commission on Human Rights.” Subsequent provisions lay down its powers and functions.

²⁸ 1987 Philippine Constitution, Art II, s.2.

²⁹ *Pharmaceutical and Health Care Association of the Philippines v Health Secretary Francisco Duque III, et al*, GR No 173034, 9 October 2007, available at <http://sc.judiciary.gov.ph/jurisprudence/2007/october2007/173034.htm>, accessed on 14 November 2017.

³⁰ 1987 Philippine Constitution, Art VII, s.21.

³¹ See note 30 above.

³² ‘Ratification status for the Philippines’ United Nations Human Rights Office of the High Commissioner, available at tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=137&Lang=EN, accessed on 14 November 2017.

Treaty	Signature Date	Ratification Date, Accession (a), Succession (d) Date
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	15 Jul 1980	5 Aug 1981
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	7 Mar 1966	15 Sep 1967
International Covenant on Economic, Social and Cultural Rights (ICESCR)	19 Dec 1966	7 Jun 1974
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW)	15 Nov 1993	5 Jul 1995
Convention on the Rights of the Child (CRC)	26 Jan 1990	21 Aug 1990
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	8 Sep 2000	26 Aug 2003
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	8 Sep 2000	28 May 2002
Convention on the Rights of Persons with Disabilities (CRPD)	25 Sep 2007	15 Apr 2008

Following the internationally accepted principle of *pacta sunt servanda*, the Philippines—in adhering to the Universal Declaration on Human Rights and having ratified eight core human rights treaties, six optional protocols, and many other key human rights and humanitarian conventions and treaties—is bound to bring its laws and practices into accord with accepted international obligations and is prevented from introducing new laws or practices at variance with such obligations. Table 1 (above) provides an overview of the international instruments the Philippines has ratified.

Of the nine core human rights treaties, the 2006 International Convention for the Protection of All Persons from Enforced Disappearances is the only one not yet ratified by the Philippines. Notwithstanding, in December 2012, the Philippines passed a law defining and criminalising such disappearances, and which also adopts the Convention’s definition of enforced or involuntary disappearances.³³

Aside from the above human rights treaties, the Philippines has also accepted individual complaints procedures to the optional protocols of the ICCPR and CEDAW, and the inquiry procedures under CAT, Art 20, and Arts 8-9 of CEDAW.

³³ Republic Act No 10353, An Act Defining and Penalizing Enforced or Involuntary Disappearance.

Moreover, the Philippines has endeavoured to uphold its commitment to submit periodic reports to human rights treaty bodies, albeit with some delays (see Table 2 below). In addition, civil society has been robust in submitting shadow reports, which have also been considered by treaty bodies in their recommendations. Recommendations from human rights treaty bodies have in turn resulted in the creation of several pieces of domestic legislation, a demonstration of the country's commitment to its international human rights obligations.

Table 2: Reporting Cycles and Actual Submissions Made by the Philippines

Treaty	Reports	
	Reporting Cycle	Session (Year)
Convention against Torture and other Cruel, Inhuman and Degrading Punishment	III	57 (2016)
	II	42 (2009)
	I	2 (1986)
International Covenant on Civil and Political Rights	V	106 (2012)
	IV	104 (2012)
	IV	79 (2003)
	II-III	35 (1989)
	I	
International Covenant on Economic, Social and Cultural Rights	V-VI	59 (2016)
	II	WG (1984)
	II-IV	(1984)
	I	41 (2008)
	I	WG (1980)
	I	(1980)
		4 (1990)
	12 (1995)	
Convention on the Rights of the Child	V-VI	
	III-IV	52 (2009)
	II	39 (2005)
	I	9 (1995)
Convention on the Elimination of All Forms of Discrimination against Women	VII-VIII	64 (2016)
	V-VI	36 (2006)
	IV	16 (1997)
	III	16 (1997)
	II	10 (1991)
	I	3 (1984)

Treaty	Reports	
	Reporting Cycle	Session (Year)
International Convention on the Elimination of All Forms of Racial Discrimination	III	
	II	20 (2014)
	II	16 (2012)
	I	10 (2009)
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	I	
Convention on the Rights of Persons with Disabilities	N/A	N/A
Convention for the Protection of All Persons from Enforced Disappearance		

The Philippines is due to submit its reports to the UN committees against torture, the elimination of discrimination against women and children, and on economic, social and cultural rights in 2016.

C. National Laws Affecting Human Rights

The Bill of Rights³⁴ embedded in the 1987 Philippine Constitution essentially follows the Universal Declaration of Human Rights, and serves to limit the omnipotence of government through the protection of individuals. The article covers fundamental human rights such as, e.g. the right to life, liberty, and security (s.1), freedom of speech, expression, and of the press, and the right of people to peaceably assemble (s.4), freedom of religion (s.5), the right to information (s.7), and the rights of persons under investigation (s.12) and those accused of offences (ss.13-22).

A number of laws have also been drafted or amended to promote the protection of human rights, following recommendations from human rights treaty bodies. Examples of these include the Anti-Violence Against Women and their Children Act (2004),³⁵ the Magna Carta of Women (2008),³⁶ the Anti-Torture Act (2009),³⁷ the Expanded Anti-Trafficking in Persons Act (2012),³⁸ the Juvenile Justice and Welfare Act (2012),³⁹ and the Anti-Enforced or Involuntary Disappearance Act (2012).⁴⁰

³⁴ The Bill of Rights is embodied in Art III of the 1987 Philippine Constitution and contains 22 sections.

³⁵ Republic Act No 9262, approved on 8 March 2004.

³⁶ Republic Act No 9710, approved on 28 July 2008.

³⁷ Republic Act No 9745, approved on 27 July 2009.

³⁸ Republic Act No 9208, approved on 23 July 2012.

³⁹ Republic Act No 10630, approved on 23 July 2012, which amended Republic Act No 9344, or the Juvenile Justice and Welfare Act of 2006.

⁴⁰ Republic Act No 10353, approved on 23 July 2012.

While most of these newer laws promote progress in the realisation of economic and social rights, particularly of marginalised sectors, Philippine domestic law has not neglected to protect civil and political rights. This can be observed in the moratorium on the imposition of capital punishment, and the reparation and recognition of victims of human rights violations.

Death penalty moratorium

The Philippines became the first Asian country to abolish the death penalty for all crimes. It is also the first country in Asia to totally abolish the death penalty, only to directly reintroduce it later on.⁴¹

During the 1971 Constitutional Convention, the question was asked whether capital punishment was banned by the cruel and unusual punishment clause. The response made clear there was no intention to pass judgment on capital punishment as being cruel or unusual. Instead, it was stressed the matter should be left to legislative discretion.⁴²

However, the 1986 Constitutional Commission took a different position. Rather than wait for legislative discretion to abolish the death penalty, the Commission went ahead and abolished it whilst leaving the door open for Congress to revive capital punishment at its discretion “for compelling reasons involving heinous crimes.”⁴³ However, current formulation under the 1987 Philippine Constitution prohibits imposition of the death penalty.⁴⁴ Moreover, death penalties already imposed before ratification of the new provision were assumed to have been commuted without the need for any presidential action.⁴⁵ However, since commutation is an executive prerogative, the provision now reads, “[a]ny death penalty already imposed shall be reduced to reclusion perpetua,” where such reduction is not a description of some future act but a command that is immediately executory.⁴⁶

However, the Philippines re-imposed the death penalty through Republic Act No 7659,⁴⁷ which listed a total of 46 crimes punishable by death, including some under the Revised Penal Code such as treason, piracy, qualified piracy, qualified bribery, parricide, murder, infanticide, kidnapping, robbery with violence against persons, destructive

⁴¹ Commission on the Human Rights of the Philippines, ‘The Philippine experience in ‘abolishing’ the death penalty,’ January 2007.

⁴² Bernas, JG, *The 1987 Constitution of the Republic of the Philippines: A Commentary*, Manila: Rex Book Store, 2009, at 574.

⁴³ Bernas (see note 42 above) at 575.

⁴⁴ 1987 Constitution, Art III, s.19 provides: “Excessive fines shall not be imposed, nor cruel, degrading or inhuman punishment inflicted. Neither shall death penalty be imposed, unless, for compelling reasons involving heinous crimes, the Congress hereafter provides for it. Any death penalty already imposed shall be reduced to reclusion perpetua.”

⁴⁵ Bernas (see note 42 above) at 577.

⁴⁶ Bernas (see note 42 above) at 577.

⁴⁷ An Act to Impose the Death Penalty on Certain Heinous Crimes, Amending for that Purpose the Revised Penal Laws, as amended, other Special Penal Laws, and for Other Purposes, approved on 13 December 1993.

arson, rape, in addition to special penal laws such as plunder,⁴⁸ certain offences under the Dangerous Drugs Act (including possession and sale),⁴⁹ and carnapping.

Eventually, Republic Act No 7659 was repealed by Republic Act No 9346,⁵⁰ which explicitly prohibited imposition of the death penalty. In lieu of capital punishment, the penalty of reclusion perpetua or life imprisonment shall be imposed, depending on the nomenclature of the law violated. Currently, this moratorium on the imposition of the death penalty still stands.

Reparation and recognition of victims of human rights violations

During the regime of deposed President Ferdinand Marcos, the Philippines underwent a period of martial law spanning from 21 September 1972 to 25 February 1986. During this time, scores of Filipinos fell victim to summary execution, torture, enforced or involuntary disappearance, and other gross human rights violations.

Consistent with state policy valuing the dignity of every human person and guaranteeing full respect for human rights,⁵¹ the constitutional prohibition against the use of torture, force, violence, threat, intimidation, or any other means vitiating free will,⁵² and its international obligation to provide effective remedy for violations of rights and freedoms,⁵³ the Philippines enacted the Human Rights Victims Reparation and Recognition Act of 2013.⁵⁴ In its Declaration of Policy, the law:

acknowledges [the State's] moral and legal obligation to recognize and/or provide reparation to victims and/or their families for the deaths, injuries, sufferings, deprivations and damages they suffered under the Marcos regime.

Similarly, the State also acknowledges:

⁴⁸ Republic Act No 7080, An Act Defining and Penalizing the Crime of Plunder, approved on 12 July 1991.

⁴⁹ Republic Act No 6425, The Dangerous Drugs Act of 1972, approved on 4 April 1972, repealed by Republic Act No 9165, An Act Instituting the Comprehensive Dangerous Drugs Act of 2002, Repealing Republic Act No 6425, otherwise known as the Dangerous Drugs Act of 1972, as amended, Providing Funds Therefor, and for Other Purposes, approved on 7 June 2002.

⁵⁰ Republic Act No 9346, An Act Prohibiting the Imposition of Death Penalty in the Philippines, approved on 24 June 2006.

⁵¹ 1987 Philippine Constitution, Art II, s.11.

⁵² 1987 Philippine Constitution, Art III, s.12.

⁵³ Universal Declaration of Human Rights, Art 8.

⁵⁴ Republic Act No 10368, approved on 23 July 2012.

the sufferings and damages inflicted upon persons whose properties or businesses were forcibly taken over, sequestered or used, or those whose professions were damaged and/or impaired, or those whose freedom of movement was restricted, and/or such other victims of the violations of the Bill of Rights.

Through this law, an independent and quasi-judicial body known as the Human Rights Victims' Claims Board (HRVCB) was created to receive and investigate claims made under the Act.⁵⁵ The law provides that the HRVCB shall be attached to, but not under, the Commission on Human Rights.⁵⁶ Thus, those whose rights are violated under the Act will be entitled to receive compensation and other non-monetary reparation from the State.⁵⁷ The law identifies funds adjudged as Marcos's ill-gotten wealth as forfeited by the Republic of the Philippines to be the principal source of funds for its implementation.⁵⁸

D. National Laws Threatening Human Rights

In no less than its Constitution, the Philippines declared the value of the dignity of every person and guaranteed full respect for human rights.⁵⁹ Thus, this declared policy is deemed written into all laws and issuances by the State. Despite this, the Philippines still finds itself in the predicament of enacting laws that carry the intent of protecting an individual's human rights but which violate those self-same rights in proposed or actual implementation. Two examples are the Human Security Act of 2007 and the Cybercrime Prevention Act of 2012 which have both been challenged in the Supreme Court.

Human Security Act of 2007

The Philippines has upheld the constitutionality of Republic Act No 9372, otherwise known as the Human Security Act of 2007.⁶⁰ Under the Act, any person may be charged with terrorism if he or she commits an act punishable under various provisions of the Revised Penal Code and other related laws that tend "to sow and create a condition of widespread and extraordinary fear and panic among the populace, in order to coerce the government to give in to an unlawful demand."⁶¹

⁵⁵ Republic Act No 10368, s.8.

⁵⁶ See note 55 above.

⁵⁷ Republic Act No 10368, ss.4 and 5.

⁵⁸ Republic Act No 10368, s.7.

⁵⁹ 1987 Philippine Constitution, Art II, s.11.

⁶⁰ Signed into law on 6 March 2007.

⁶¹ Republic Act No 9372, s.3.

Under s.18 of said law, warrantless arrests of terror suspects and temporary detention without charge are permitted under certain circumstances. Nevertheless, the law establishes certain safeguards by reiterating the rights of persons under custodial investigation against torture and coercion, and prescribing penalties for authorities found to have violated such rights.

Cybercrime Prevention Act of 2012

The Supreme Court of the Philippines had the opportunity to rule on the constitutionality of certain provisions of the Cybercrime Prevention Act of 2012⁶² including violations of the right to freedom of expression, the right to privacy, and for giving government the authority to restrict or block access to computer data without judicial warrant.

Thus, in *Jose Jesus Disini v Executive Secretary, et al*,⁶³ the Supreme Court held that while the questioned Act had been adopted to regulate access to and use of cyberspace in order to enable the government to track down and penalise violators, several provisions went beyond permissible regulation and impinged on the rights and freedoms of individuals.

In particular, the Supreme Court declared that s.4(c)(3) of the Act violated the right to freedom of expression by prohibiting the electronic transmission of unsolicited commercial communications.⁶⁴ It also found s.12 violated the right to privacy because it lacked sufficient specificity and definiteness in collecting real-time computer data.⁶⁵ Finally, the court also struck down s.19 for giving the government authority to restrict or block access to computer data without judicial warrant.

E. Recent Court Cases Relating to Human Rights

*Mary Grace Natividad S Poe-Llamanzares v Comelec and Estrella C Elamparo*⁶⁶

This case clarified the rights of foundlings, or a “deserted or abandoned infant or child whose guardian or relatives are unknown; or a child committed to an orphanage

⁶² Republic Act No 10175, approved on 12 September 2012.

⁶³ GR No 203335, 11 February 2014.

⁶⁴ Section 4(c)(3) prohibits the transmission of unsolicited commercial electronic communications or ‘spam’ seeking to advertise, sell, or offer for sale products and services unless the recipient affirmatively consents, or when the purpose of the communication is a service or administrative announcement from the sender to its existing users, or “when the following conditions are present: (aa) The commercial electronic communication contains a simple, valid, and reliable way for the recipient to reject receipt of further commercial electronic messages (opt-out) from the same source; (bb) The commercial electronic communication does not purposely disguise the source of the electronic message; and (cc) The commercial electronic communication does not purposely include misleading information in any part of the message in order to induce the recipients to read the message.”

⁶⁵ Section 12 authorises law enforcement without a court warrant “to collect or record traffic data in real-time associated with specified communications transmitted by means of a computer system.”

⁶⁶ GR No 221697, 8 March 2016.

or charitable or similar institution with unknown facts of birth and parentage,”⁶⁷ particularly, the right to be elected into the country’s highest public office, i.e. the Presidency.

In October 2015, Mary Grace Natividad Poe-Llamanzares filed a Certificate of Candidacy (COC) for the Presidency for the May 2016 elections. In her COC, Poe-Llamanzares—a foundling who had been adopted by celebrity spouses, Fernando Poe, Jr and Susan Roces, and was married to someone holding dual Filipino and US citizenship—declared she was a natural-born citizen of the Philippines, a necessary qualification for presidential candidates under the 1987 Constitution. Her candidacy was contested because as a foundling, it was argued she could not be considered a natural-born Filipino and international law could not confer such a status upon her.

However, the Supreme Court ruled that as a matter of law, foundlings, as a class, are natural-born citizens. Further, it found no intent or language in the law permitting discrimination against the group. On the contrary, the history of the Philippine Constitution reveals a common guarantee to the right to equal protection of the law. The case also cited the right to a nationality enshrined in the Universal Declaration on Human Rights as enforced through the Convention on the Rights of the Child. Moreover, the Supreme Court alluded to the principle that foundlings are presumed born of citizens of the country in which they are found as enshrined in the 1961 UN Convention on the Reduction of Statelessness.

*Juan Ponce Enrile v People of the Philippines, Hon Amparo M Cabotaje-Tang, Hon Samuel R Martires, and Hon Alex J Quiroz of the Third Division of the Sandiganbayan*⁶⁸ This case sought to hold a public official accountable for the offence of plunder. Given the political nature of the case, the dissenting opinion provides as much insight into human rights as the majority opinion.

Plunder is defined in Philippine law as the amassing, accumulation, or acquisition of ill-gotten wealth through a combination or series of overt or criminal acts in the aggregate amount or total value of at least PHP50 million⁶⁹ by a public officer by himself or in connivance with members of his family, relatives, business associates, subordinates, or other persons.⁷⁰

Ill-gotten wealth, on the other hand, is defined as any asset, property, business enterprise, or material possession through any combination or series of schemes, which include, among others: misappropriation; malversation of public funds; receiving commissions

⁶⁷ AM No 02-6-02-SC, or The Rule on Adoption, issued by the Supreme Court on 2 August 2002.

⁶⁸ GR No 213455, 11 August 2015.

⁶⁹ Approximately US\$1,000,000.

⁷⁰ Republic Act No 7080, s.2, or An Act Defining and Penalizing the Crime of Plunder, as amended.

or kickbacks in connection with any government contract or project; illegal or fraudulent disposition of assets belonging to the national government; establishing agricultural, industrial or commercial monopolies; or taking undue advantage of an official position to unjustly enrich one's self at the expense and to the damage and prejudice of the Filipino people and the Republic of the Philippines.⁷¹ In essence, the law on plunder constitutes a tangible means to exact accountability for violations of socio-economic rights committed by public officers.

In this case, Juan Ponce Enrile, then a sitting senator charged with plunder along with several others, questioned the sufficiency of the information against him. As such, he sought details as to the alleged overt acts that constituted the series of schemes leading him and his co-accused to amass ill-gotten wealth, in order to properly answer them in his defence.

In deciding that the Sandiganbayan⁷² acted with grave abuse of discretion in denying Enrile's bill of particulars, the Supreme Court held that a person who stands charged of a criminal offence has the right to be informed of the nature and cause of the accusation against him, in order for the accused to meet the charges head on.

In his dissenting opinion, however, Supreme Court Associate Justice Marvic MVF Leonen denied there was insufficiency in the information, saying the details Senator Enrile needed to clarify could have been clarified during pre-trial or by the use of discovery procedures. He also stressed that while the Constitution protects an accused's right to due process, the very same document unequivocally mandates that public office is a public trust⁷³ and a public officer's temporary occupation of their office "is not a right vested in them but a privilege from the sovereign."⁷⁴ Thus, they are at all times required to be accountable to the people. The opinion stressed that:

the impact of the malfeasances of government officers is far-reaching and long-lasting. Plunder of the public coffers deprives the poor, destitute, and vulnerable from the succour they deserve from their government. Economic resources that are diverted to private gain do not contribute to the public welfare. Plunder weakens and corrupts governance, thus resulting in incalculable costs for future generations [...].⁷⁵

⁷¹ See, Republic Act No 7080, s.1(d).

⁷² A special court that exercises jurisdiction over criminal and civil cases involving graft and corrupt practices committed by public officers and employees.

⁷³ 1987 Philippine Constitution, Art IX, s.1.

⁷⁴ Dissenting opinion of Associate Justice Marvic Leonen in GR No 213455.

⁷⁵ Leonen (note 74 above).

Part 2: Outstanding Human Rights Issues

A. Implementation of Sexual and Reproductive Health Rights

Alarmed by the increasing maternal mortality rate, infant mortality and under-five mortality ratios (as it is said that a woman's life and well-being are inextricably linked to that of her child's), unplanned teenage pregnancies, and the high incidence of unsafe induced abortions,⁷⁶ discussions on family planning and reproductive health care were introduced in Congress.

Over a decade since it was first filed, the Philippines finally enacted a law in 2012 funding the distribution of free contraceptives, requiring government hospitals to provide reproductive health services, and mandating public schools to teach sex education.⁷⁷ Before this law, the State, through the Local Government Code of 1991 (LGC), decentralised and delegated responsibility for people's health and safety to local authorities. Section 17 of the LGC provided that local government units "shall be responsible for the provision of basic services and facilities, including health services, family planning services and population development services." This led to cities discouraging, to the point of barring access to, the use of artificial methods of contraception.⁷⁸ A national law on reproductive health was proposed precisely to ensure budgetary support for the comprehensive, integrated, and sustainable delivery of such initiatives across all local government units, regardless of the religious and personal convictions of their leaders.

The passage of such measures was the subject of intense and divisive debate in the predominantly Catholic country, which states in its Constitution that it "shall equally protect the life of the mother and the unborn from conception."⁷⁹ Advocates saw the need for a reproductive health law to guarantee the rights to health and sustainable human development, in addition to gender equality, female empowerment, and

⁷⁶ Especially if performed in unsafe clandestine clinics by untrained personnel, or induced by the woman herself, or through the services of a traditional practitioner (or 'hilot').

⁷⁷ Republic Act No 10354 or the Responsible Parenthood and Reproductive Health Act of 2012. It is said that the first step taken towards the enactment of a reproductive health law in the Philippines was House Bill 8110 or the Integrated Population and Development Act of 1999, filed on 16 August 1999. See generally, Fonbuena, C, 'Reproductive health law: The long and rough road,' Rappler News, 30 December 2012, available at <https://www.rappler.com/newsbreak/18730-rh-law-the-long-and-rough-road>, accessed on 1 December 2017.

⁷⁸ One such local government unit was the City of Manila. This led to the joint submission by three non-governmental organisations to the Committee on the Elimination of Discrimination against Women of a request to conduct an inquiry under Art 8 of the Optional Protocol on alleged systematic and grave violations of rights guaranteed in the Convention. See, 'Summary of the inquiry concerning the Philippines under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women' 22 April 2015, CEDAW/C/OP.8/PHL/1, available at https://www.escr-net.org/sites/default/files/CEDAW_C_OP-8_PHL_1_7679_E_0.pdf, accessed on 1 December 2017. This request is significant as it was considered by the Committee as only the second inquiry conducted under Art 8 of the optional protocol and the first on sexual and reproductive health rights.

⁷⁹ 1987 Philippine Constitution, Art II, s.12.

dignity.⁸⁰ As such, they believed there was an urgent need to safeguard the right of women to space or limit their children, as well as to ensure all children receive proper care and nutrition, and protection from all forms of abuse,⁸¹ particularly as 26.3% or about 26.48 million Filipinos were living below the poverty line.⁸²

For advocates, the enactment of a reproductive health law finds its basis in the Constitution which provides that:

*[t]he State shall adopt a comprehensive approach to health development which shall endeavour to make essential goods, health and other social services available to all people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women, and children.*⁸³

In addition,

*[t]he State shall protect and promote the right to health of the people and instil health consciousness among them.*⁸⁴

Further, it is consistent with the provisions of other national laws such as the Magna Carta of Women of 2009.⁸⁵

Apart from being consistent with domestic law, the passage of a law on reproductive health would fulfil the State's obligations under international human rights law, such as the Convention on the Elimination of Discrimination against Women, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, as well as the 1994 International Conference on Population Development, the Beijing Declaration and Platform for Action adopted at the 1995 Fourth World Conference on Women, and the Millennium Development Goals.

Since its passage in 2012, the law has yet to achieve full implementation. In fact, in 2014, the constitutionality of the law and its implementing rules and regulations were

⁸⁰ See generally, Republic Act No 10354, s.2.

⁸¹ Republic Act No 10354, s.2.

⁸² Yap, DJ, '12M Filipinos living in extreme poverty' Inquirer.net, 18 March 2016, available at <http://newsinfo.inquirer.net/775062/12m-filipinos-living-in-extreme-poverty>, accessed on 1 December 2017.

⁸³ 1987 Philippine Constitution, Art XIII, s.11.

⁸⁴ 1987 Philippine Constitution, Art II, s.15.

⁸⁵ Republic Act No 9710.

questioned on the grounds that they violated: (a) the right to life of the unborn;⁸⁶ (b) the right to health and to protection against hazardous products;⁸⁷ and (c) the right to religious freedom, particularly the right to object on conscientious grounds.⁸⁸ In that case, the Supreme Court, while upholding the law's constitutionality and its core provisions,⁸⁹ struck down eight of its provisions.⁹⁰

⁸⁶ In violation of 1987 Philippine Constitution, Art II, s.12.

⁸⁷ Petitioners posited that contraceptives are hazardous to one's health as they cause cancer and other health problems. See, *Imbong v Ochoa*, GR No 204819, 8 April 2014.

⁸⁸ Petitioners contended that the law violates the constitutional guarantee respecting religion as it authorises the use of public funds for the procurement of contraceptives. See, *Imbong* (note 87 above).

⁸⁹ The core provisions of Republic Act No 10354 as identified by advocates, are:

- (1) Section 3(a) on the mandate of the government to provide and distribute for free to marginalised acceptors reproductive health services and supplies;
- (2) Section 9 on the Philippine National Drug Formulary which shall include hormonal contraceptives, intrauterine devices, injectables and other safe, legal, non-abortion-inducing and effective family products and supplies as determined by the FDA;
- (3) Section 10 on the procurement and distribution of family planning supplies by the Department of Health (DOH) for distribution to local government units;
- (4) Section 14 on the provision on age- and development-appropriate reproductive health education to adolescents in all schools;
- (5) Role of local government units in the implementation of the reproductive health law as provided in various sections of the law; and
- (6) Section 20 on public awareness and nationwide multimedia campaigns for the protection and promotion of reproductive health and rights.

⁹⁰ The provisions struck down as unconstitutional were:

- (1) Section 7, and the corresponding provision in the Implementing Rules and Regulations of the Reproductive Health Law (RH-IRR) insofar as they: (a) require private health facilities and non-maternity specialty hospitals and hospitals owned and operated by a religious group to refer patients, not in an emergency or life-threatening case, as defined under Republic Act No 8344, to another health facility which is conveniently accessible; and (b) allow minor-parents or minors who have suffered a miscarriage access to modern methods of family planning without written consent from their parents or guardian/s;
- (2) Section 23(a)(1) and the corresponding provision in the RH-IRR, particularly s.5.24 thereof, insofar as it punishes any health care provider who fails or refuses to disseminate information regarding programs and services on reproductive health regardless of his or her religious beliefs;
- (3) Section 23(a)(2)(i) and the corresponding provision in the RH-IRR insofar as they allow a married individual, not in an emergency or life-threatening case, as defined under Republic Act No 8344, to undergo reproductive health procedures without consent of their spouse;
- (4) Section 23(a)(3) and the corresponding provision in the RH-IRR, particularly s.5.24 thereof, insofar as they punish any health care provider who fails and/or refuses to refer a patient not in an emergency or life-threatening case, as defined under Republic Act No 8344, to another health care service provider within the same facility or one which is conveniently accessible regardless of his or religious beliefs;
- (5) Section 23(b) and the corresponding provision in the RH-IRR, particularly s.5.24 thereof, insofar as they punish any public officer who refuses to support reproductive health programs or shall do any act that hinders the full implementation of a reproductive health program, regardless of his or her religious beliefs;
- (6) Section 17 and the corresponding provision in the RH-IRR regarding the rendering of pro-bono reproductive health services, insofar as they affect the conscientious objector in securing PhilHealth accreditation;
- (7) Section 3.01(a) and (j) of the RH-IRR insofar as it uses the qualifier "primarily" for contravening s.4(a) of the Reproductive Health Law and violating s.12, Art II of the Constitution; and
- (8) Section 23(a)(2)(ii) insofar as it penalises a health service provider who will require parental consent from the minor in not emergency or serious situations.

After hurdling this initial challenge before the Supreme Court, full implementation of the reproductive health law met another roadblock: in June 2015, the Supreme Court issued a temporary restraining order to the Department of Health (DOH), including the Food and Drug Administration (FDA) and its agents, to temporarily stop “procuring, selling, distributing, dispensing or administering, advertising and promoting the hormonal contraceptive Implanon and Implanon NXT,” as the products allegedly fell within the definition of “abortifacient” under s.4(a) of the reproductive health law.⁹¹

The temporary restraining order further required the FDA to suspend certification or re-certification of all contraceptives until it had revised all the relevant procedures under the implementing rules and regulations, conducted hearings on proposed revisions, and decided on all applications under the revised procedure.⁹² The conditions on which the lifting of the temporary restraining order depend thus restrains the FDA from performing its regulatory function, necessary for the release of contraceptives to the market in a timely and efficient manner,⁹³ leading to little progress in the implementation of this law.

B. Rights to Life and Due Process in Light of the All-Out War on Drugs

During the campaign leading to the May 2016 presidential election, Rodrigo R Duterte, mayor of Davao City for seven terms or over 22 years, was a reluctant⁹⁴ yet popular candidate. His popularity can be attributed to his campaign slogan, ‘Change is Coming’ – a response to the perception that the previous administration had been disengaged from the conditions and needs of the poorest Filipinos. Duterte’s campaign promised swift and bold solutions to their problems, foremost of which was the social menace of drug abuse and the violent crimes committed by those under its influence.

During his campaign, Duterte promised to rid the country of crime, drugs, and corruption in government within the first three to six months of his term.⁹⁵ In order to do this, he proposed “to raise the level of the drug threat into a national security issue,”⁹⁶ and to involve the military and police to pursue criminals and drug lords. He further elaborated that if said criminals would “resist with violence, kill them.”⁹⁷

⁹¹ *Alliance for the Family Foundation Philippines, Inc v Dr Janette L Garin, et al*, GR No 217872.

⁹² Food and Drug Administration, ‘Press aide memoire on the SC TRO on contraceptives’ 31 July 2017, available at <http://www.fda.gov.ph/attachments/article/451712/PRESS%20MEDIA%20AIDE%20MEMOIRE%20SC%20TRO%20on%20Contraceptives.pdf>, accessed on 1 December 2017.

⁹³ Food and Drug Administration (see note 92 above).

⁹⁴ Duterte did not file his Certificate of Candidacy (COC) for president on the last prescribed day. Instead, he filed his COC for mayoral re-election in Davao City, and his party-mate, Martin Diño, filed as the presidential bet of PDP-Laban. Weeks later, Duterte withdrew his COC for the mayoral position and substituted himself in place of Diño as the PDP-Laban presidential candidate. His daughter, Sara, replaced him as mayoral candidate in Davao City.

⁹⁵ Ranada, P, ‘Duterte bares details of 3-to-6-month anti-crime plan’ Rappler News, 14 April 2016, available at <https://www.rappler.com/nation/politics/elections/2016/129520-rodriigo-duterte-anti-crime-plan>, accessed on 1 December 2017.

⁹⁶ Ranada (see note 95 above).

⁹⁷ Ranada (see note 95 above).

Duterte's simple and hard-hitting program seemed to replicate his actions in Davao City as mayor. In 2008, United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Philip Alston, investigated then Mayor Duterte about an alleged "Davao Death Squad," a group of vigilantes which targeted criminals, gang members, and street children. In his report, Alston pointed out that over 500 people had been killed by the death squads since 1998 when civil society organisations first began keeping records.⁹⁸ The fact these vigilantes were able to perform their street executions without fear of sanction led Alston to conclude they must have been officially sanctioned.⁹⁹ Duterte's attitude was also very telling. According to the report, "[w]hile repeatedly acknowledging that it was his 'full responsibility' that hundreds of murders committed on his watch remained unsolved, he would perfunctorily deny the existence of a death squad and return to the theme that there are no drug laboratories in Davao."¹⁰⁰ Further, "the mayor's positioning is frankly untenable: He dominates the city so thoroughly as to stamp out whole genres of crime, yet he remains powerless in the face of hundreds of killings committed by men without masks in view of witnesses."¹⁰¹

Within the first month of Duterte's presidency, the Philippine National Police (PNP) issued CMC No 16-2016 or its Anti-Illegal Drugs Campaign Plan, 'Project Double Barrel.' Double Barrel refers to the two-tiered approach of the campaign: Project Tokhang and Project HVT or 'High Value Target.' The circular illustrates the blight of drug abuse in the country: "[a]ccording to the [Dangerous Drugs Board]'s 2015 National Household Survey, there are around 1.8 million drug users in the country wherein 38.36% of which are unemployed. As of February 2016, the [Philippine Drug Enforcement Agency] reported that 26.91% or 11,321 out of the country's 42,065 barangays were 'drug affected' (mostly in urban areas)."¹⁰²

According to the circular, Project HVT targets illegal drug personalities and drug syndicates, focusing on trafficking at the national, regional, and international levels. However, as of yet no drug personalities have been arrested on this basis. At the same time, Project Tokhang utilises house-to-house visitations in coordination with local government units, "to persuade suspected illegal drug personalities to stop their illegal drug activities," supposedly by progressing through the following five stages: (1) collection and validation of information; (2) coordination; (3) house-to-house visitations; (4) processing and documentation; and (5) monitoring and evaluation.¹⁰³

⁹⁸ Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston' A/HRC/8/3/Add.2, UN General Assembly, Human Rights Council, 16 April 2008, available at www.karapatan.org/files/English_Alston_Report_Mission_to_the_Philippines_HRC8.pdf, accessed on 3 December 2017, at 17.

⁹⁹ Human Rights Council (see note 98 above), at 16.

¹⁰⁰ Human Rights Council (see note 98 above), at 16.

¹⁰¹ Human Rights Council (see note 98 above), at 16.

¹⁰² According to CMC No 16-2016, a barangay is said to be drug affected when there is proven existence of a drug user, pusher, manufacturer, marijuana cultivator, or other drug personality, regardless of the number, in the area.

¹⁰³ See, CMC No 16-2016, PNP Anti-Illegal Drugs Campaign Plan – Project: Double Barrel, 1 July 2016.

Despite this, PNP statistics showed that a total of 192 drug suspects were killed between 10 May to 10 July 2016.¹⁰⁴ Although the circular provides that in the collection and validation of information, the “identity and criminal activities of each target must be properly documented and verified with all possible sources to equip the team with accurate and solid proof when confronting suspects during house to house visitations,”¹⁰⁵ there are no clear guidelines as to the standard of proof required to verify the identity and activities of these suspects, other than the “watch lists” prepared by barangay officials. Worse, there are no clear guidelines on how to remove someone’s name from the list, except by signing a “surrender form”¹⁰⁶ which basically requires the person to admit either he or she is a drug user or a drug pusher. This forced choice violates the right to be presumed innocent until proven guilty by a competent court.

The Comprehensive Dangerous Drugs Act of 2002¹⁰⁷ draws a distinction between the culpability of a drug user from that of a drug pusher.¹⁰⁸ Consistent with its policy to “provide effective mechanisms or measures to re-integrate into society individuals who have fallen victims to drug abuse or dangerous drug dependence through sustainable programs of treatment and rehabilitation,”¹⁰⁹ s.15 provides that a person apprehended or arrested, who is found positive for use of any dangerous drug after a confirmatory test, shall be imposed a penalty of a minimum of six months’ rehabilitation in a government centre for the first offence. For a second offence, the penalties rise to imprisonment and a fine. Yet victims of the vigilante implementation of Oplan Tokhang are denied this opportunity for rehabilitation, as well as their rights to due process and, most importantly, to life.

Since Oplan Tokhang’s early stages of implementation, it became clear that the killing of drug suspects only seemed to target the poor. For example, one drug suspect in the City of Manila was shot dead in his sleep,¹¹⁰ contrasting with the grandchild of a late congressman and brother of the former First Gentleman, who was arrested as a high value target through a drug buy-bust operation, but was eventually released

¹⁰⁴ ‘PNP statistics show 192 dead in war on drugs from May 10 to July 10’ GMA News, 14 July 2016, available at <http://www.gmanetwork.com/news/news/nation/573708/192-dead-in-war-on-drugs-from-may-10-to-july-10/story/>, accessed on 3 December 2017.

¹⁰⁵ CMC No 16-2016.

¹⁰⁶ Gavilan, J, ‘On a drug list and innocent? Here’s what you should do’ Rappler News, 2 September 2016, available at <https://www.rappler.com/newsbreak/iq/144882-drug-list-innocent-to-do>, accessed on 3 December 2017.

¹⁰⁷ Republic Act No 9165 (2002), which repealed Republic Act No 6425 or the Dangerous Drugs Act of 1972.

¹⁰⁸ Section 3(ff) of the Comprehensive Dangerous Drugs Act (2002) provides that a pusher is “any person who sells, trades, administers, dispenses, delivers or gives away to another, on any terms whatsoever, or distributes, dispatches in transit or transports dangerous drugs or who acts as a broker in any of such transactions, in violation of this Act.”

¹⁰⁹ Comprehensive Dangerous Drugs Act of 2002, s.2.

¹¹⁰ Balagtas See, A, ‘Drug suspect shot dead in sleep in Manila’ Inquirer.net, 9 October 2016, available at newsinfo.inquirer.net/823495/drug-suspect-shot-dead-in-sleep-in-manila, accessed on 3 December 2017.

upon recommendation of the prosecutor.¹¹¹ Tokhang visits are also rarely permitted in “posh” villages and subdivisions.¹¹² Worse, as of yet, no meaningful investigation into the killings—particularly those committed during legitimate police operations—has been undertaken.

Part 3: Conclusion

In the past, the Philippines has positioned itself as a regional leader in terms of recognising, promoting, and protecting human rights. Indeed, the Philippines enjoys a Constitution that explicitly mandates the recognition of each human person’s dignity and the protection of each individual’s human rights, mirroring most of its international human rights obligations. This has facilitated the creation of domestic laws that are intended to further give life to and concretise the experience of human rights by all.

However, the Philippines is now confronted by a different set of challenges. First is the effective implementation of its laws as shown by its difficulties putting into practice the reproductive health law and the status of foundlings. Human rights cannot be trapped only in the realm of notions and words; to be meaningful, the words must be lived out, implemented, and zealously protected. Second, the country must recognise new frontiers of human rights. While the Philippines is still struggling with more traditional threats to civil and political rights (e.g. violations of the rights to due process and life), it has also begun to recognise the equal importance of socio-economic and cultural rights, particularly in light of the mass violations committed by corrupt public officials. It has likewise explored possible violations in the realm of information and communications technology as demonstrated by its new laws on human security and cybercrime prevention. In the same vein, it must continue to accept that human rights are not static but a living concept that will grow and develop along with the human race.

¹¹¹ Espina, MP, ‘Iggy Arroyo’s grandson, village chief nabbed for drugs in Bacolod’ Rappler News, 29 November 2016, available at <https://www.rappler.com/nation/153948-iggy-arroyo-grandson-drugs-arrested-bacolod>, accessed on 3 December 2017.

¹¹² Orias, E, ‘No drug users in posh Makati villages?’ Malaya, 10 August 2016, available at <http://www.malaya.com.ph/business-news/news/no-drug-users-posh-makati-villages>, accessed on 3 December 2017. See also, Villamente, J, ‘No Tokhang in QC posh subdivisions’ The Manila Times, 16 September 2016, available at <http://www.manilatimes.net/no-tokhang-in-qc-posh-subdivisions/286069/>, accessed on 3 December 2017.

