

# PHILIPPINES 2019 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Philippines is a multiparty, constitutional republic with a bicameral legislature. President Rodrigo Roa Duterte, elected in May 2016, began his constitutionally limited six-year term in June 2016. Midterm elections in May for 12 (of 24 total) senators, all congressional representatives, and local government leaders were seen as generally free and fair, despite reports of violence and vote buying. The ruling party and allies won all 12 Senate seats and maintained a roughly two-thirds majority in the 306-seat House of Representatives. Barangay (village) and youth council elections originally scheduled for 2021 were rescheduled for December 5, 2022 so that local and national elections will occur in the same year.

The Philippine National Police (PNP) is charged with maintaining internal security in most of the country and reports to the Department of the Interior. The Armed Forces of the Philippines (AFP), which reports to the Department of National Defense, is responsible for external security but also carries out domestic security functions in regions with a high incidence of conflict, particularly the Mindanao region. The two agencies share responsibility for counterterrorism and counterinsurgency operations. The PNP Special Action Force is responsible for urban counterterrorism operations. President Duterte's May 2017 declaration of martial law for the entire region of Mindanao and the Sulu Archipelago was extended until the end of the year, giving the military expanded powers in the area. Governors, mayors, and other local officials have considerable influence over local police units, including appointment of top departmental and municipal police officers and the provision of resources. The government continued to support and arm civilian militias. The AFP controlled Civilian Armed Force Geographical Units (CAFGUs), while Civilian Volunteer Organizations (CVOs) fell under PNP command. These paramilitary units often received minimal training and were poorly monitored and regulated. Some political families and clan leaders, particularly in Mindanao, maintained private armies and, at times, recruited CVO and CAFGU members into those armies. Civilian control over security forces was not fully effective.

Significant human rights issues included: unlawful or arbitrary killings, including extrajudicial killings, by and on behalf of the government and nonstate actors; reports of forced disappearance by and on behalf of the government and nonstate actors; torture by and on behalf of the government and nonstate actors; arbitrary detention by and on behalf of the government and nonstate actors; harsh and life-

threatening prison conditions; arbitrary and unlawful interference with privacy; significant problems with the independence of the judiciary; the worst forms of restrictions on free expression and the press, including violence, threats of violence, and unjustified arrests or prosecutions of journalists, censorship, and the existence of criminal libel laws; corruption; and unlawful recruitment or use of child soldiers by terrorists and groups in rebellion against the government.

The government investigated a limited number of reported human rights abuses, including abuses by its own forces, paramilitaries, and insurgent and terrorist groups. Concerns about police impunity continued following the increase in killings by police in 2016. Significant concerns also persisted about impunity for the security forces, civilian national and local government officials, and powerful business and commercial figures. Slow judicial processes remained an obstacle to bringing government officials allegedly involved in human rights abuses to justice.

Muslim separatists, communist insurgents, and terrorist groups continued to attack government security forces and civilians, causing displacement of civilians and resulting in the deaths of security force members and civilians. Terrorist organizations engaged in kidnappings for ransom, bombings of civilian targets, beheadings, and the use of child soldiers in combat or auxiliary roles.

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were numerous reports government security agencies and their informal allies committed arbitrary or unlawful killings in connection with the government directed campaign against illegal drugs. Killings of activists, judicial officials, local government leaders, and journalists by government allies, antigovernment insurgents, and unknown assailants also continued. The number of extrajudicial killings of all types in the country since 2016 may approach 30,000, according to some human rights nongovernmental organizations (NGOs).

The approximately 30,000 antidrug operations conducted from September 2018 to June 2019 resulted in the deaths of over 600 civilians, according to government data. The Central Luzon region emerged as the new epicenter for drug-related killings, accounting for 29.6 percent of drug-related killings in 2018. Media reported that some police officials allegedly involved in previous drug war killings in Metro Manila were transferred to Central Luzon, including the former Caloocan

City police chief, during whose tenure teenager Kian delos Santos was killed in 2017.

The reported number of extrajudicial killings varied widely, since government and NGOs used different definitions. The Commission on Human Rights (CHR), an independent government agency responsible for investigating possible human rights violations, investigated 914 new complaints of alleged extrajudicial or politically motivated killings involving 1,098 victims as of August, of which 782 were cases of drug-related extrajudicial killings involving 876 victims. The CHR suspected PNP or Philippine Drug Enforcement Agency involvement in 550 of these new complaints and AFP or paramilitary personnel in two cases. The CHR attributed the higher number of extrajudicial killing investigations in the reporting period to an increase in investigations initiated on its own authority based on monitoring news reports, reports to the CHR in social media, staffing, or information received following CHR outreach efforts.

Killings were not limited to antidrug operations. Media quoted a member of congress claiming in June that 134 human rights defenders have been killed since President Duterte took office in 2016. In July some 20 killings on the island of Negros were attributed to political causes. Four police died in Ayungon town, allegedly killed by New People's Army rebels. A former leftist mayor also from Ayungon and two other leftist politicians from Canlaon City were killed; some alleged they died because of their opposition to President Duterte, although no suspects have been identified. Legal advocacy groups also expressed concern about attacks on judges, prosecutors, lawyers, and other legal professionals, alleging that dozens of legal professionals have been killed since the beginning of the Duterte administration and documenting lethal attacks against eight since January.

There was a widespread belief that police enjoyed impunity for killings. Many cases from previous years remained open. Of police officers involved in killings in the antidrug war since 2016, only three have been convicted of murder, in November 2018 for the 2017 murder of juvenile Kian delos Santos.

President Duterte continued his anticrime campaign, specifically targeting the trafficking and abuse of illegal narcotics. Fatalities fell following a three-month suspension of the campaign in late 2017, but increased again beginning in 2018, although at a lower level than prior to the suspension, and continued at that level during the year.

Civil society organizations accused police of planting evidence, tampering with crime scenes, unlawfully disposing of the bodies of drug suspects, and other actions to cover up extrajudicial killings. The CHR reported that the PNP refused to share information on investigations into police and vigilante killings, as required by the constitution and despite a 2018 Supreme Court ruling that the PNP must turn over the documents. In May the PNP stated it turned over 95 percent of the required records to the solicitor general. Most of the documents, however, did not contain information related to drug-related deaths. In September the Center for International Law, the legal group representing relatives of alleged drug war victims, filed a motion to place the Office of Solicitor General and PNP in contempt of court for failing to turn over the requested documents.

President Duterte continued to maintain lists of persons he claimed were suspected drug criminals, including government, police, military, and judicial officials. Many viewed the list as an implied threat, particularly as he released the list in the run-up to the May elections. Reports suggested the list has grown to include 164 names as of March.

### **b. Disappearance**

The AFP Human Rights Office reported no cases of forced disappearance attributed to or implicating the AFP from January to July. The CHR, however, reported 10 cases of abduction and forced disappearance from January to August involving government personnel. In June a young man traveling to Lourdes Sur East to attend church failed to return home. Family members reported receiving information that he was arrested by local officials in the Criminal Investigation and Detection Group. His whereabouts as of September remained unknown, and a CHR investigation was pending.

Kidnappings during the year were common and predominantly for criminal purposes (i.e., ransom); in the past they have been carried out for both pro- and anti-government political motives as well. According to the PNP, 38 kidnapping cases (55 percent of total cases in 2018) occurred in Mindanao, which has been under martial law since 2017. Terrorist groups are implicated in many Mindanao kidnappings.

The law allows family members of alleged victims of disappearances to compel government agencies to provide statements in court about what they know regarding the circumstances surrounding a disappearance (or extrajudicial killing) and the victim's status. Evidence of a kidnapping or killing requires the filing of

charges, but in many past cases evidence and documentation were unavailable or not collected. Investigative and judicial action on disappearance cases was insufficient; a small number of previously reported cases were prosecuted.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit torture, and evidence obtained through its use is inadmissible in court. According to the CHR, however, members of the security forces and police were accused of routinely abusing and sometimes torturing suspects and detainees. Common forms of abuse during arrest and interrogation reportedly included electric shock, cigarette burns, and suffocation.

As of August the CHR had investigated 29 cases of alleged torture involving 35 victims; it suspected police involvement in 21 of the cases. In April three police officers were charged with violating laws against torture after beating two civilians in a gaming shop in Cebu, recorded in widely viewed closed-circuit television footage.

NGOs and media reported psychological abuse, including shaming frequently occurred, especially in alleged drug cases. Under the torture statutes, the public parading or shaming of a person is illegal when used to undermine a person's dignity and morale. In an August press conference, Manila Mayor Isko Moreno paraded 35 individuals charged with drug-related crimes in front of press, thus undermining their rights to due process, a presumption of innocence, and privacy. The PNP banned the public parading of suspects in June 2018, noting the practice violated a person's human rights.

As part of the antidrug campaign, authorities called on drug criminals to turn themselves in to police to avoid more severe consequences. As of June, the PNP reported 1,283,409 surrenders facilitated since July 2016, with 9,261 of those between June 2018 and June 2019. Civil society actors questioned the official figures and claimed a climate of fear led many persons associated with drugs to surrender.

Human rights groups continued to express concern about abuses committed by the PNP and other security forces and noted little progress in reforms aimed at improving investigations and prosecutions of suspected human rights violations. The AFP Human Rights Office monitored and reviewed alleged human rights abuses involving members of the military. From January through July, no

extrajudicial killings or murders, or forced disappearances were identified or investigated by the office.

Reports of rape and sexual abuse of women in police or protective custody continued. The Center for Women's Resources noted that many of the rapes occurred in connection with police antidrug operations; however, updated data for 2018-19 has yet to be released.

### **Prison and Detention Center Conditions**

Prison conditions were often harsh and life threatening and included gross overcrowding, inadequate sanitary conditions, physical abuse, and a chronic lack of resources including medical care and food.

NGOs reported abuse by prison guards and other inmates were common, but they stated that prisoners, fearing retaliation, generally declined to lodge formal complaints.

The juvenile justice law exempts minors from criminal liability. Drug syndicates often used minors as runners, traffickers, cultivators, or drug den employees. Rescued minors are turned over to the custody of Department of Social Welfare and Development (DSWD). Police stations had youth relations officers to ensure that authorities treated minor suspects appropriately, but in some cases they ignored procedural safeguards and facilities were not child friendly. The law mandates that the Social Welfare Department provide shelter, treatment, and rehabilitation services to these children. From January to July, the department assisted 1,521 children in conflict with the law (that is, alleged as, accused of, or judged as having committed an offense) in 16 rehabilitation centers (called Bahay Pag-asa--Houses of Hope) nationwide. Additionally, several local governments established and managed youth centers that provided protection, care, training, and rehabilitation for these children and other at-risk youth.

Physical Conditions: The Bureau of Corrections (BuCor), under the Department of Justice, administered seven prisons and penal farms nationwide for individuals sentenced to prison terms exceeding three years. BuCor facilities operated at more than three times their operating capacity of 12,299, holding 46,272 prisoners. During the year, BuCor updated its standards to include a greater distance between inmates, resulting in a decrease of operating capacity and nominally greater overcrowding.

The Bureau of Jail Management and Penology (BJMP), under the Department of the Interior and Local Government and the PNP, controlled 512 city, district, municipal, and provincial jails that held pretrial detainees, persons awaiting final judgment, and convicts serving sentences of three years or less. The BJMP reported its jails operated at almost 400 percent over designated capacity. The CHR reported, however, that BJMP jails were more than 1,100 percent over capacity. Neither calculation met accepted international standards. The Malolos city jail, located in a region with one of the highest levels of drug war-related arrests and killings, had an official capacity of seven inmates, yet as of July held 201 detainees. Likewise, as of September, the Manila city jail's prison guard to prisoner ratio was one guard per 200 prisoners. Several NGOs and media reports observed that overcrowding also contributed to violence among inmates and promoted gang rivalries.

There were 82 female dormitories across all BJMP facilities as of July, a net increase of three facilities in 2018 as a result of the construction of 29 new jail facilities and the closing of 26 old facilities.

As of early 2018 the prison system was one of the most overcrowded in the world. The Birkbeck University of London's *World Prison Brief* noted that in many cases, understaffing led to de facto control of prisons by gangs, which imposed disciplinary penalties and provided medical care and food.

The Juvenile Justice and Welfare Council, an agency supervised by the Department of Justice, reported conditions in youth rehabilitation centers were worse than in jails, citing the lack of furniture such as beds and cabinets in some centers. For example, the official capacity of the Tanglaw Pag-asa Rehabilitation Center in Malolos, Bulacan, was 60, but the facility held 144 juveniles with an inadequate food budget of 33 pesos (\$0.65) per head per day. There are 58 Bahay Pag-asa centers in the country, 55 run by local government units and three by NGOs.

Prison authorities did not uniformly enforce BJMP and BuCor regulations that require holding male and female inmates in separate facilities, and, in national prisons, overseeing them with guards of the same sex. In some facilities, authorities did not fully segregate juveniles from adults. The BJMP and BuCor reported insufficient custodial and escort personnel, especially in large jails, with a national average of about 57 prisoners assigned to each custodial staff member. In larger prisons the ratio was higher; for example in the New Bilibid Prison (NBP), one prison guard oversaw 94 prisoners.

Poor sanitation, inadequate ventilation, poor access to natural lighting, and a lack of potable water were chronic problems in correctional facilities and contributed to health problems. From January to July, BuCor and the BJMP reported 914 total inmate deaths. Prison authorities reported that most deaths resulted from illness. Authorities provided BuCor inmates with medical care; however, some medical services and treatments were not available. In such cases, authorities referred inmates to an outside hospital. Inmates received a medicine allowance of 15 pesos (\$0.28) per day. Before the Senate Committee on Justice on October 3, NBP Hospital Director Ernesto Tamayo testified that approximately 20 percent of prisoners at NBP die annually, attributing most deaths to highly infectious diseases such as tuberculosis. Following the hearing, BuCor's Public Information Office refuted the director's claims, indicating that from January 2014-September 2019 the prison's average mortality rate was about 1.5 percent. The NBP's new hospital director as of mid-October, Henry Fabro, publicly stated that the mortality rate was 0.5 percent, blaming the high figure on the lack of medical personnel and supplies. He stated that BuCor employed only 13 doctors nationwide who provide care for 47,000 prisoners. The BJMP's medical officer, Paul Borlongan, stated the bureau has 12 physicians and two psychiatrists for its 478 facilities. The law establishes 1:80 health personnel to inmate ratio as a legal requirement.

Juveniles younger than 18 years were typically released by court order or following a petition by the Public Attorney's Office, the inmate's private lawyer, or through NGO-led appeals. As of July juveniles made up less than 1 percent of the prison population.

Opportunities for prisoner recreation, learning, and self-improvement remained scarce.

Administration: Prisoners, their families, and lawyers may submit complaints to constitutionally established independent government agencies, and the CHR referred complaints it received to the appropriate agency.

Authorities generally allowed prisoners and detainees to receive visitors, but local NGOs reported that authorities periodically restricted family visits for some detainees accused of insurgency-related crimes. Prison officials noted that security concerns and space limitations at times also restricted prisoner access to visitors.

Muslim officials reported that while Muslim detainees were allowed to observe their religion, Roman Catholic mass was often broadcast by loudspeaker to prison



populations of both Roman Catholic and non-Roman Catholic prisoners and detainees.

Independent Monitoring: Authorities permitted international monitoring groups, including the International Committee of the Red Cross, free and timely access to jails and prisons. The constitution grants the CHR authority to visit jails, prisons, or detention facilities to monitor the government's compliance with international treaty obligations. The CHR reported some detention facilities still lacked an understanding of the CHR's mandate and continued to deny their representatives access to detention facilities. For example, in 2018 the Caloocan Yakap Center, a youth detention home in Metro Manila, required a CHR team to ask the head of the facility for permission to monitor compliance by submitting a letter prior to the visit.

Improvements: To reduce overcrowding, the government began to encourage plea bargaining in drug offense cases, resulting in dismissal of 20,509 cases.

#### **d. Arbitrary Arrest or Detention**

The constitution prohibits arbitrary arrest and detention and provides for the right of persons to challenge the lawfulness of their arrest or detention in court, and the government generally observed these requirements. As of July the Office of the Ombudsman, an independent agency responsible for investigating and prosecuting charges of public abuse and impropriety, reported three arbitrary detention violations committed by law enforcement agencies or the AFP.

#### **Arrest Procedures and Treatment of Detainees**

Warrants based on sufficient evidence and issued by an authorized official are required for an arrest unless 1) the suspect is observed attempting to commit, in the act of committing, or just after committing an offense; 2) there is probable cause based on personal knowledge that the suspect just committed an offense; or 3) the suspect is an escaped prisoner. Authorities are required to file charges within 12 to 36 hours for arrests made without warrants, depending on the seriousness of the crime. In terrorism cases, the law permits warrantless arrests and detention without charges for up to three days.

Detainees have the right to bail, except when held for capital offenses or those punishable by a life sentence. The bail system largely functioned as intended, and suspects were allowed to appeal a judge's decision to deny bail. The law provides

an accused or detained person the right to choose a lawyer and, if the suspect cannot afford one, to have the state provide one. An underresourced Public Attorney's Office, however, limited access of indigent persons to public defenders.

Arbitrary Arrest: Security forces continued to detain individuals, including juveniles, arbitrarily and without warrants on charges other than terrorism, especially in areas of armed conflict. In July a journalist filed multiple complaints before the Office of the Ombudsman against PNP officials for arbitrary arrest and detention over mistaken identity. The complainant linked the arrest to the government's targeting of individuals linked to communist rebels.

Pretrial Detention: Lengthy pretrial detention remained a problem due largely to the slow and ineffectual justice system. Approximately 98 percent of prisoners in BJMP/PNP jails were pretrial detainees; the balance were convicted criminals serving less than three-year sentences. According to the Supreme Court, there were almost 704,000 pending cases reported by first- and second-level courts nationwide, of which approximately 554,000 were criminal cases. Pending cases were not evenly distributed among the courts, which resulted in some severely overburdened courts. Large jails employed paralegals to monitor inmates' cases, prevent detention beyond the maximum sentence, and assist with decongestion efforts. The BJMP helped expedite court cases to promote speedy disposition of inmates' cases. Through this program, authorities released 53,751 inmates from BJMP jails from January to July. Nonetheless, pretrial detention in excess of the possible maximum sentence was common, often extending over many years.

#### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary; although the government generally respected judicial independence, pressure, threats, and intimidation directed at the judiciary from various sources were reported by NGOs during the year. Approximately 40 judicial staff, including five judges, have been murdered since 2016. Corruption through nepotism, personal connections, and sometimes bribery continued to result in relative impunity for wealthy or influential offenders. Insufficient personnel, inefficient processes, and long procedural delays also hindered the judicial system. These factors contributed to widespread skepticism that the criminal justice system delivered due process and equal justice.

Trials took place as a series of separate hearings, often months apart, as witnesses and court time became available, contributing to lengthy delays. There was a widely recognized need for more prosecutors, judges, and courtrooms. As of June

30, approximately one-third of authorized bench positions (563 positions) were unfilled. Sharia (Islamic law) court positions continued to be particularly difficult to fill because applicants must be members of both the Sharia Bar and the Integrated Bar. The 56 authorized district and circuit Sharia courts do not have criminal jurisdiction. Training for sharia court prosecutors was brief and considered inadequate.

The Supreme Court continued efforts to provide speedier trials, reduce judicial malfeasance, increase judicial branch efficiency, and raise public confidence in the judiciary. It continued to implement guidelines to accelerate resolution of cases in which the maximum penalty would not exceed six years in prison. On August 30, the legislature signed Republic Act 11459 into law, creating 150 new judge-at-large positions to help ease the backlog of cases.

### **Trial Procedures**

The constitution provides for the right to a speedy, impartial, and public trial. Trials were generally public, but not timely, and judicial impartiality was widely questioned. The law requires that all persons accused of crimes be informed of the charges against them and grants rights to counsel, adequate time to prepare a defense, and a speedy and public trial before a judge. No criminal proceeding goes forward against a defendant without the presence of a lawyer. The law presumes defendants are innocent. They have the right to confront witnesses against them, be present at their trial, present evidence in their favor, appeal convictions, and not be compelled to testify or confess guilt. The court may appoint an interpreter if necessary. If the court's interpreter makes serious mistakes, a party can challenge the interpretation. The government generally implemented these requirements, except for the right to a speedy trial.

Although the law provides that cases should be resolved within three months to two years, depending on the court, trials effectively had no time limits. Government officials estimated it took an average of five to six years to obtain a decision. In November 2018 a court found former first lady Imelda Marcos guilty of graft from cases dating back to 1991.

Authorities respected a defendant's right to representation by a lawyer, but poverty often inhibited access to effective legal counsel. The Public Attorney's Office, which reports to the Department of Justice, did not have the necessary resources to fulfill its constitutional mandate and used its limited resources to represent indigent defendants at trial rather than during arraignments or pretrial hearings. During

pretrial hearings courts may appoint any lawyer present in the courtroom to provide on-the-spot counsel to the accused.

Sentencing decisions were not always consistent with legal guidelines, and judicial decisions sometimes appeared arbitrary.

### **Political Prisoners and Detainees**

Under a 1945 law, the government defines political prisoners as those who may be accused of any crime against national security. Using this definition, BuCor reported 160 political prisoners in its facilities as of June. The BJMP does not track political prisoners and defines prisoners based only on security risk.

Various human rights NGOs maintained lists of incarcerated persons they considered political prisoners. Task Force Detainees of the Philippines, an NGO, tracked political detainees, most of whom were in pretrial detention. The task force noted that in the majority of cases, authorities mixed political prisoners with the general inmate population, except in the New Bilibid Prison, where they held most political prisoners in maximum security facilities.

Nearly three years after her arrest, during which prosecutors used a variety of legal tactics to delay arraignment, including filing new and amending previous charges, opposition Senator Leila de Lima remained in police detention on a charge of conspiracy to commit drug trading. In February a CHR statement raised concerns about de Lima's treatment by the PNP. Her case began in 2016 after she opened hearings into killings related to the antidrug campaign. Although in detention, de Lima had access to media and some visitors. Her case attracted widespread domestic and international attention, with many observers denouncing the charges as politically motivated.

The government permitted regular access to political prisoners by international humanitarian organizations.

### **Civil Judicial Procedures and Remedies**

Most analysts regarded the judiciary as independent in civil matters. Complainants have access to local trial courts to seek civil damages for, or cessation of, human rights abuses. There are administrative as well as judicial remedies for civil complaints, although overburdened local courts often dismissed these cases. There were no regional human rights tribunals that could hear an appeal from the country.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The government generally respected citizens' privacy, although leaders of communist and leftist organizations and rural-based NGOs complained of routine surveillance and harassment. Authorities routinely relied on informant systems to obtain information on terrorist suspects. Regarding the antidrug campaign, the reliability of information gained from these sources remained highly questionable. Although the government generally respected restrictions on search and seizure within private homes, searches without warrants continued. Judges generally declared evidence obtained illegally to be inadmissible.

### **g. Abuses in Internal Conflicts**

For decades the country has contended with armed Muslim separatist movements represented by groups such as the Moro Islamic Liberation Front and the Moro National Liberation Front; a communist insurgency supported by a nationwide New People's Army (NPA) presence; and violence by smaller, transnational terrorist organizations, such as the ISIS-Philippines (ISIS-P), the Abu Sayyaf Group (ASG), the Maute Group, the Bangsamoro Islamic Freedom Fighters (BIFF), and other terrorist groups and criminal syndicates. Additionally, interclan *rido* (feuds) violence continued in Mindanao, causing civilian deaths and displacement.

Martial law in Mindanao and the Sulu Archipelago, imposed after the 2017 attack on Marawi City by members of the Maute Group, was extended again in December 2018 to the end of the year.

Killings: NGO Global Witness documented 30 killings of environmental and land rights activists in 2018 and alleged security force involvement in some of the killings. The AFP's Human Rights Office asserted there were no deaths in 2018 of civilians used by insurgent groups as human shields, in contrast to the 44 such deaths reported in 2017. The AFP, however, attributed 20 civilian deaths to its operations during the year.

Antigovernment groups attacked security force units, causing deaths. For example, two CAFGU members died when an alleged NPA unit attacked their unit in Sallapadan, Abra, northern Luzon on August 15. These groups were also responsible for numerous civilian deaths. The NPA, ISIS-P, ASG, the Maute

Group, Ansar al-Khalifa, the BIFF, and other violent extremist groups used roadside bombs, ambushes, suicide bombings, and other means to kill political figures and other civilians, including persons suspected of being military and police informers. On January 27, 20 persons died (and 102 were injured) when two suicide attackers detonated explosives during mass in the Roman Catholic cathedral in Jolo, Mindanao. The Islamic State claimed responsibility for the attacks.

The NPA also menaced government offices and attacked or threatened businesses, power stations, farms, and private communication facilities to enforce collection of extortion payments, or so-called revolutionary taxes.

Abductions: Armed criminal and terrorist groups kidnapped civilians for ransom. The NPA and some separatist groups were also responsible for a number of arbitrary detentions and kidnappings. Through unofficial channels, authorities reportedly facilitated ransom payments on behalf of victims' families and employers. The security forces at times attempted to rescue victims. A Dutch man held by the ASG in Sulu Province since 2012, died on May 31 during an army-led rescue attempt.

Physical Abuse, Punishment, and Torture: Leftist and human rights activists continued to report harassment by local security forces, including abuse of detainees by police and prison officials. Rape was not generally used as a weapon of war, but the UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict identified three cases of rape by the Maute Group in 2018.

Child Soldiers: The use of child soldiers, particularly by terrorist and antigovernment organizations, remained a problem, especially in some parts of Mindanao affected by low-intensity conflict. There was no evidence of use or recruitment of child soldiers by government units. In 2018 the UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict verified the recruitment and use of 19 children by armed groups, including the ASG, the BIFF, and the NPA. UNICEF monitored the recruitment and use of children in armed conflicts and the release of child soldiers. Government reporting mechanisms on child soldiers provided inconsistent data across agencies and regions, especially in conflict-affected areas, which made it difficult to evaluate the problem's scale. The NPA continued to claim it did not recruit children as combatants but admitted that it recruited, trained, and used them for noncombat purposes, such as cooking.

In February President Duterte signed into law the Special Protection of Children in Situations of Armed Conflict Act, mandating the appropriate government agencies to prevent the recruitment of children in armed conflict and imposing heavy punishments for violators.

Also see the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

The constitution provides for freedom of speech, including for the press, and the government generally respected this right. Government harassment of some media outlets occurred, however, and polls suggested many Filipinos consider it dangerous to publish information critical of the administration.

Freedom of Expression: Individuals could criticize the government publicly or privately and discuss matters of general public interest. Civil society organizations, however, said that President Duterte's public attacks on individuals and international bodies who criticized his policies had a chilling effect on free speech and expression.

Press and Media, Including Online Media: Media remained active and expressed a wide variety of views without restriction, including criticism of the government, despite critical and threatening comments from political leadership, including the president.

Journalists noted President Duterte's tendency to single out reporters who asked tough questions had a chilling effect on their willingness to engage, in large part due to a fear of losing access.

The online news website *Rappler* was a target of substantial pressure, including legal and administrative actions, which some observers attributed to its critical coverage of the government. *Rappler* reporters and provincial correspondents are banned from presidential palace events and press briefings. In April, *Rappler* asked the Supreme Court to declare the coverage ban unconstitutional, and in August, 41 journalists from different media organizations joined *Rappler's* petition in the case.

In March, *Rappler* lost its appeal before the Court of Appeals (CA) against the CA's ruling that the investment *Rappler* receives from U.S.-based Omidyar Network violated constitutional prohibitions on foreign control of a media company. The CA ordered the Securities and Exchange Commission (SEC) to reassess the revocation of *Rappler's* operating license; the SEC has yet to release the results of its review. *Rappler* Holdings and its president, veteran journalist Maria Ressa, were simultaneously facing a number of other court challenges stemming from the foreign investment allegation, charges that Human Rights Watch called “politically motivated” and which it described as an attempt to muzzle critics of President Duterte and his war on drugs.

On March 28, Ressa was arrested on charges related to the foreign financing issue and released later the same day after posting bail, her second arrest of the year (see “Libel/Slander Laws” below). In October a court ordered the suspension of proceedings and remanded one of the cases concerning supposed code violations back to city prosecutors citing a denial of *Rappler's* due process since the publisher was not initially informed of the alleged violations, thus preventing an appeal.

Violence and Harassment: Journalists continued to face harassment and threats of violence, including from politicians and government authorities critical of their reporting. Human rights NGOs frequently criticized the government for failing to protect journalists. Government authorities accused members of the National Union of Journalists of the Philippines of supporting the communist insurgency, claims the organization said were meant to intimidate and silence its members.

The Center for Media Freedom and Responsibility (CMFR), a press freedom NGO, reported the Mindanao-based radio broadcaster, Eduardo Dizon, was killed on July 10. The broadcaster's station claimed his killing was meant to silence media personalities critical of politicians in the region. As of October, CMFR had not determined whether two other journalists' deaths and another journalist's shooting during the year were related to their work. According to CMFR, as of November a total of 15 journalists have been killed since President Duterte's election in 2016, and Human Rights Watch reported that journalists and media personalities noted an increase in online harassment and threats of violence in response to articles and comments critical of the government since 2016.

In April the presidential palace disseminated a “matrix” of institutions and individuals allegedly involved in a conspiracy to discredit and oust President Duterte ahead of the May midterm elections. Among those implicated were



journalists from *Rappler*, Vera Files, and the Philippine Center for Investigative Journalism. The incident was characterized by human rights NGOs and journalists as an attack on press freedom and the president's opponents.

In June a survey from polling company Social Weather Stations showed that 51 percent of the country's residents agreed with the statement: "It is dangerous to print or broadcast anything critical of the administration, even if it is the truth." Nonetheless, the same survey found that 67 percent of the respondents agreed that "mass media in the Philippines have freedom of speech, of expression, and of the press." Reporters Without Borders noted the government has found ways to pressure journalists who are critical of administration policies.

Censorship or Content Restrictions: The law requires broadcast franchise renewals be approved by congress; the franchise renewal of ABS-CBN, the nation's most influential broadcast network, has remained in limbo since 2016. President Duterte claimed that the station collected money for, then did not air, his political advertisements during the 2016 election campaign, and he publicly threatened to block renewal of the network's franchise, which expires in March 2020. Although the president later backtracked and said he would not intervene, as of October the renewal remained tied up in congress, dominated by Duterte allies.

Libel/Slander Laws: The law contains criminal penalties for libel, including, since 2012, for undefined "cyberlibel." Authorities used criminal defamation charges, with the possibility of imprisonment and fines, to harass, intimidate, and retaliate against journalists. Until February 13, the "cyberlibel" law had not been tested in court. That day the National Bureau of Investigation (NBI) filed "cyberlibel" charges against *Rappler's* CEO Ressa and a *Rappler* journalist. The charge stemmed from a 2017 complaint filed by prominent businessman Wilfredo Keng over a 2012 article linking him to human trafficking and drug smuggling. The NBI initially rejected the case as lacking any legal basis but subsequently recommended that the Department of Justice pursue charges against *Rappler*. Amnesty International and Human Rights Watch called the case "politically motivated" and "an assault on media freedom." On February 13 Ressa was arrested, charged, and held overnight before being released on bail. Three days after the arrest, the news outlet *Philippine Star* took down a 2002 online article on Keng, reportedly after he "raised the possibility of legal action." The 2002 article was a source for the 2012 *Rappler* piece. Media groups criticized the *Philippine Star* for caving to political pressure. In October the court granted *Rappler's* request to file a motion for case dismissal based for insufficient evidence, but the plea was denied in November, with another hearing set for December.

## **Internet Freedom**

With the exception of mobile communications blocked during special events for security purposes, the government did not restrict or disrupt access to the internet. While the government did not overtly censor online content, there were credible reports of government-connected groups using coordinated inauthentic online behavior to suppress speech critical of the government. There were no credible reports that the government monitored private online communication without appropriate legal authority.

## **Academic Freedom and Cultural Events**

There were no national government restrictions on academic freedom or cultural events. But the government suspended the licenses of several schools for indigenous Lumad people on Mindanao, in part because of alleged failure to comply with curriculum rules (see section 6, Indigenous People).

### **b. Freedoms of Peaceful Assembly and Association**

The constitution provides for the freedoms of peaceful assembly and association, and the government generally respected these rights.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement**

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

Foreign Travel: Government limits on foreign travel were generally based on security or personal safety factors, such as when a citizen had a pending court case, or to discourage travel by vulnerable workers to countries where they could face personal security risks, including trafficking or other exploitation. The Philippine Overseas Employment Administration manages departures for work abroad. It requires overseas workers to register and receive predeparture screening, training,

and certification before traveling, and is intended to ensure that future overseas workers deal with legitimate, licensed recruitment agencies.

### **e. Internally Displaced Persons**

Decades of sectarian and political insurgency, sporadic interclan fighting, and natural disasters have generated significant internal displacement. The number of internally displaced persons (IDPs) was uncertain and fluctuated widely.

Counterinsurgency campaigns against the ASG, primarily in Sulu and Basilan Provinces, and clashes with the NPA, concentrated in the most geographically remote provinces, caused sporadic and small-scale displacement. Most IDPs were women and children.

In Mindanao the UN High Commission for Refugees reported that as of June, more than 158,000 persons were displaced and in need of durable solutions, most of whom were located in the Bangsamoro Autonomous Region of Muslim Mindanao (the BARMM). Of those, approximately 140,000 were displaced by armed conflict, 9,600 by crime or violence, 4,600 by clan feuds, and 3,900 by natural disasters.

Government agencies, often with support from UN agencies and other international donors, provided food (although NGOs noted food aid was sometimes delayed); constructed shelters and public infrastructure; repaired schools; built sanitation facilities; offered immunization, health, and social services; and provided cash assistance and skills training for IDPs. The government permitted humanitarian organizations access to IDP sites. Security forces sometimes carried out military operations near IDP sites, increasing the risk of casualties and damage and restricting freedom of movement. Impoverished IDPs were highly susceptible to human trafficking networks. Additionally, despite a government policy of free public education, significant numbers of children in displaced families were unable to attend school because of unofficial school fees and transportation expenses.

At times the government encouraged IDPs to return home, but they were often reluctant to do so for security or welfare reasons.

### **f. Protection of Refugees**

Access to Asylum: No comprehensive legislation provides for granting refugee status or asylum. The Department of Justice's Refugee and Stateless Persons Protections Unit (RSPPU) determines which applicants qualify as refugees in

accordance with an established, accessible system that appeared to provide basic due process.

### **g. Stateless Persons**

The Department of Justice is responsible for statelessness determinations of persons born in the country and of newly arrived persons. After an applicant files for a determination of statelessness, deportation or exclusion proceedings against the applicant and dependents are suspended, and the applicant may be released from detention. As of July, eight stateless persons were in the country, three of whom were classified as refugees.

Stateless persons may be naturalized. There were no known cases of social discrimination against stateless persons or limits on their access to public services.

Under the 2014 joint initiative to register persons of Indonesian descent at risk of statelessness in Southern Mindanao, the Philippine and Indonesian governments collectively registered 8,745 persons. As of October, 95 percent of those registered have had their citizenship confirmed. The two governments jointly reaffirmed the provision of consular assistance to both documented and undocumented migrants of Indonesian descent.

## **Section 3. Freedom to Participate in the Political Process**

The law provides citizens the ability to choose their government by secret ballot in free and fair periodic elections based on universal and equal suffrage. Candidates, including for the presidency, frequently had their legal right to run for office challenged by political opponents based on criminality, citizenship, or other disqualifying conditions. These cases were sometimes pursued to the Supreme Court. Political candidates were allowed to substitute placeholders for themselves if unable to complete the registration process on time.

### **Elections and Political Participation**

Recent Elections: The country conducted nationwide midterm elections in May for national and local officials. International and national observers viewed the elections as well organized and generally free and fair, but they noted vote buying continued to be widespread and that dynastic political families continued to monopolize elective offices. The PNP reported 60 incidents of election-related violence that led to 23 killings in the month leading up to the election and on

election day, a 55 percent drop in violent incidents compared to the 2016 national elections. Election officials described the polls as relatively peaceful. International Alert, however, reported 144 election-related incidents in the BARMM alone, mostly fistfights and small-scale bombings. President Duterte's release of his "narco-list" as a tool to defeat opposition candidates was of uncertain effect, as the Philippine Drug Enforcement Agency confirmed that 25 of 46 politicians on it won in the midterm polls.

Barangay and youth council elections were held in May 2018. On December 3, President Duterte signed into law a bill postponing the next barangay and youth council elections, previously scheduled for May 2020, to December 2022 to align the schedule with national elections.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate. At the national level, women comprised nearly 30 percent of the legislature. Participation by these groups did not change significantly compared with previous elections.

Men dominated the political scene, although there has been an increase in the number of women holding elected positions in government. Media commentators expressed concern that political dynasties limited opportunities for female candidates not connected to political families.

There were no Muslim or indigenous Senate members, but there were 11 Muslim members of the House of Representatives, mostly from Muslim-majority provinces, and at least three members of indigenous descent. Muslims, indigenous groups, and others maintained that electing senators from a nationwide list favored established political figures from the Manila area.

The law provides for a party-list system, designed to ensure the representation of marginalized and underrepresented sectors of society, for 20 percent of the seats in the House of Representatives.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by public officials, but the government did not implement these laws effectively, and officials frequently engaged in corrupt practices with impunity. Prolonged delays in the justice system reinforced the perception of impunity for the security forces and for national,

provincial, and local government actors accused of corruption and human rights abuses.

President Duterte spoke frequently about his desire to fight corruption and fired public officials, including political allies, over allegations of corruption. In his July 22 state of the nation address, Duterte said his administration had zero tolerance for corruption, citing the Bureau of Customs (BOC) as one of the most corrupt government agencies. He directed the Office of the Ombudsman to file administrative charges against 64 BOC personnel for alleged links to corruption.

Human rights groups continued to express concern about the contribution of corruption to abuses committed by the PNP and other security forces and noted little progress in implementing and enforcing reforms aimed at improving investigations and prosecutions of suspected human rights violations.

The PNP's institutional deficiencies and the public perception that corruption in the police was endemic continued. The PNP's Internal Affairs Service (IAS) remained largely ineffective. From July 2016 to April 2019, senior government officials stated that the PNP received 14,724 complaints of human rights violations against its officers. Of these, the PNP recommended disciplinary procedures in 3,619 cases and decided to drop charges in 588 cases. The disposition of the remaining cases was unknown. Although the IAS claimed manpower and resource limitations hampered its investigations into deaths resulting from police operations, it asserted the majority of police operations were legitimate, lawful police actions. The PNP's Counter-Intelligence Task Force also monitored police personnel suspected of illegal activities. Additionally, as of April the PNP reported that 7,867 police received administrative punishments, 4,100 were suspended, and 2,367 were dismissed; the number of other punishments including reprimands, demotions, forfeiture of wages, and deprivation of privileges was unknown.

From January to August, complainants reported 68 cases of alleged military and law enforcement involvement in human rights abuses to the Office of the Ombudsman, including killings, injuries, unlawful arrest, and torture. A majority of the cases were against low-ranking officials. As of August all cases remained open pending additional investigation.

Efforts continued to reform and professionalize the PNP through improved training, expanded community outreach, and salary increases. Human rights modules were included in all PNP career courses, and the PNP Human Rights Affairs Office conducted routine training nationwide on human rights

responsibilities in policing. Several NGOs suggested that PNP training courses should have a follow-up mechanism to determine the effectiveness of each session.

The AFP Human Rights Office monitored and reviewed alleged human rights abuses involving members of the military. From January through July, no extrajudicial killings or murders, or forced disappearances were identified and investigated by the office.

The military routinely provided human rights training to its members, augmented by training from the CHR. Successful completion of these courses is required to complete basic training and for induction, promotion, reassignment, and selection for foreign schooling opportunities. According to AFP's human rights office, internal human rights training is conducted from the general headquarters level down to battalion units, totaling hundreds of training exercise annually. From January to August, various AFP service units conducted five human rights-related training programs, seminars, or workshops with the CHR. CHR representatives noted that participants were highly engaged. In addition, the International Committee of the Red Cross and NGOs provided training throughout the year.

The Congressional Commission on Appointments determines whether senior military officers selected for promotion have a history of human rights violations and solicits input from the CHR and other agencies through background investigations. The commission may withhold a promotion indefinitely if it uncovers a record of abuses. Violations, however, do not preclude promotion.

Government mechanisms to investigate and punish abuse and corruption in the security forces were poorly resourced and remained largely ineffective. Potential witnesses often were unable to obtain protection. The CHR operated a small witness protection program that was overburdened by witnesses to killings in the antidrug campaign. The loss of family income due to the relocation of a family member was also, in some cases, a barrier to witnesses' testimony. The Office of the Ombudsman also reported that witnesses often failed to come forward or to cooperate in police abuse or corruption cases. This problem sometimes followed pressure on witnesses and their families or arose from an expectation of compensation for their cooperation.

Corruption: To combat corruption, the constitution establishes the independent Office of the Ombudsman, an appellate level anticorruption court, and the Commission on Audit. All three organizations were underresourced, but they actively collaborated with the public and civil society and appeared to operate

independently and use their limited resources effectively. Despite government efforts to file charges and obtain convictions in a number of cases, officials continued to engage in corrupt practices with relative impunity.

Between January and July, the Office of the Ombudsman won 334 convictions in 528 corruption cases. While the total number of cases in this period was down only a little over 10 percent, the conviction rate fell from just over 75 percent in the same period in 2018 to just over 63 percent during the year.

In July a former mayor of Tabuk, Kalinga, and his wife were convicted and sentenced to between 16 years and 10 months to up to 34 years in prison for two counts of direct bribery. In March the governor of Samar and two other former provincial staff members were convicted of graft and collectively sentenced to 115 years in prison for the “anomalous purchase” of emergency supplies worth 16.1 million pesos (\$301,000) following a typhoon in 2001.

Financial Disclosure: The law requires all public officials and employees to file, under oath, a statement of assets, liabilities, and net worth (SALN) and to disclose their personal business interests and financial connections as well as those of their spouses and unmarried children living in their households. Nondisclosure is punishable by imprisonment not exceeding five years, a fine not exceeding 5,000 pesos (\$93.50), or both, and, at the discretion of the court, disqualification from holding public office. The Civil Service Commission implements and enforces the law, forwarding nondisclosure cases to the Office of the Ombudsman for prosecution.

A former BOC deputy commissioner was charged with making false statements and with three counts of failing to make certain disclosures in his SALN; the falsification charge was withdrawn, he pled guilty to the other charges and was removed from office.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A number of domestic and international human rights groups operated in the country, investigating and publishing their findings on human rights cases. Government officials were under pressure not to cooperate or respond to the views of international human rights organizations. Local human rights activists continued to encounter occasional harassment, mainly from security forces or local officials from areas in which incidents under investigation occurred.



The United Nations or Other International Bodies: In March the country's withdrawal from the International Criminal Court came into effect. This step followed the February 2018 announcement by the prosecutor of the International Criminal Court (ICC) of a preliminary examination of potential crimes, including extrajudicial and other killings, allegedly committed since July 1, 2016, in the government's antidrug campaign. In a March 2018 speech, President Duterte ordered security forces not to respond to any probe or investigation requests on human rights abuses in the country, and later that month the country submitted a formal notification of withdrawal from the ICC.

Government Human Rights Bodies: The CHR's constitutional mandate is to protect and promote human rights; investigate all human rights violations, including those reported by NGOs; and monitor government compliance with international human rights treaty obligations. Approximately three-quarters of the country's 42,000 villages had human rights action centers that coordinated with CHR regional offices. Although the legislature has doubled the CHR's budget in the last two to three years, despite the executive's efforts to reduce it, the CHR nonetheless lacked sufficient resources to investigate and follow up on all cases presented to its regional and subregional offices.

The Office of the Ombudsman is an independent agency that responds to complaints about public officials and employees. It has the authority to make administrative rulings and seek prosecutions.

The Presidential Human Rights Committee serves as a multiagency coordinating body on human rights problems. The committee's responsibilities include compiling the government's submission for the UN Universal Periodic Review. Many NGOs considered it independent but with limited ability to influence human rights policy. The committee also chairs the Inter-Agency Committee on Extra-Legal Killings, Enforced Disappearances, Torture and Other Grave Violations of the Right to Life, Liberty and Security of Persons, also known as the AO35 committee. This body determines the appropriate mechanisms to resolve cases of political violence. It inventories all cases of extrajudicial killings, enforced disappearances, torture and other grave violations and classifies cases as unresolved, under investigation, under preliminary investigation, or under trial.

The Regional Human Rights Commission is a constitutionally mandated body tasked with monitoring alleged human rights violations in the BARMM.

## Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

### Women

Rape and Domestic Violence: Rape, including spousal rape, is illegal, with penalties ranging from 12 to 40 years' imprisonment with pardon or parole possible only after 30 years' imprisonment. Conviction can also result in a lifetime ban from political office. Penalties for forcible sexual assault range from six to 12 years' imprisonment. The law criminalizes physical, sexual, and psychological harm or abuse to women and children committed by spouses, partners, or parents. Penalties depend on the severity of the crime and may include imprisonment or fines.

Authorities generally took reports of rape seriously. NGOs noted that in smaller localities perpetrators of abuse sometimes used personal relationships with local authorities to avoid prosecution.

Statistics were unavailable on prosecutions, convictions, and punishments for cases filed by the PNP. Likewise, difficulty in obtaining rape convictions remained a challenge to effective enforcement. In the year to August, the PNP's Women and Children Protection Center recorded 944 cases of rape involving female victims, of which 463 were filed in courts and 320 referred to prosecutors. The rest were either dropped, settled out of court, or dismissed. Additionally, BuCor reported 9,737 inmates in its facilities were convicted of rape, 213 of these were remanded in custody during the year to June.

NGOs reported that because of cultural and social stigmatization, many women did not report rape or domestic violence. Reports of rape and sexual abuse of women in police or protective custody continued; the Center for Women's Resources stated that 56 police officers were involved in 33 rape cases from July 2016 to October 2018.

Domestic violence against women remained a serious and widespread problem. According to the PNP, reported acts of domestic violence against women slightly decreased slightly from 11,012 in January to July 2018 versus 10,976 for the same period during the year.

The PNP and the Social Welfare Department (DSWD) both maintained help desks to assist survivors of violence against women and to encourage reporting. In addition, the DSWD operated residential centers and community-based programs

to assist women and children who were victims of rape, domestic violence, and other abuse. By the end of the second quarter, the DSWD reported it had assisted 194 women and girls who were, specifically victims of rape. With the assistance of NGOs, the CHR, and the Philippine Commission on Women, law enforcement officers continued to receive gender sensitivity training to deal with victims of sexual crimes and domestic violence. The PNP maintained a women and children's unit in 1,802 police stations throughout the country with 2,009 help desks to deal with abuse cases. The PNP assigned 5,482 officers to the desks nationwide, almost 98 percent of them women. The law provides 10 days of paid leave for domestic violence victims.

Sexual Harassment: The law prohibits sexual harassment, and violations are punishable by imprisonment from one to six months, a fine of from 10,000 to 20,000 pesos (\$187-\$374), or both.

Sexual harassment remained widespread and underreported, including in the workplace due to victims' fear of losing their jobs. A 2016 Social Weather Stations study showed that 60 percent of women in Metro Manila were harassed at least once in their lifetime.

In July, President Duterte signed the Safe Streets and Public Spaces Act to prevent and punish acts of sexual harassment in public places, online workplaces, and educational institutions. For example, in October a passenger complained of harassment by a driver for an application-based ride service. Senator Risa Hontiveros, author of the law in the Senate, urged the ride service to investigate and resolve the case using the newly signed law. Despite the president's support for the new law, the CHR observed that on multiple occasions his rhetoric promoted violence against women. For example, speaking at commencement ceremonies at the Philippine Military Academy in May, President Duterte joked about students raping local women, asked those guilty to identify themselves, and then proclaimed a presidential pardon for their crimes.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: In law but not always in practice, women have most of the rights and protections accorded to men, and the law seeks to eliminate discrimination against women. The law accords women the same property rights as men. In Muslim and indigenous communities, however, property ownership law or tradition grants men more property rights than women.

No law mandates nondiscrimination based on gender in hiring, although the law prohibits discrimination in employment based on sex. Nonetheless, women continued to face discrimination on the job as well as in hiring (see section 7.d.).

The law does not provide for divorce. Legal annulments and separation are possible, and courts generally recognized divorces obtained in other countries if one of the parties was a foreigner. These options, however, are costly, complex, and not readily available to the poor. The Office of the Solicitor General is required to oppose requests for annulment under the constitution. Informal separation is common but brings with it potential legal and financial problems. Muslims have the right to divorce under Muslim family law.

## **Children**

Birth Registration: Citizenship derives from birth to a citizen parent and, in certain circumstances, from birth within the country's territory to alien parents. The government promoted birth registration, and authorities immediately registered births in health facilities. Births outside of facilities were less likely to be registered promptly, if at all. The Philippine Statistics Authority (PSA) estimated that during the year 40 percent of five million unregistered residents were children younger than age 14, primarily among Muslim and indigenous groups. The DSWD continued working closely with local governments to improve registration; the PSA, with support from local government units, operated mobile birth registration units to reach rural areas. The lack of a birth certificate does not generally result in a denial of education or other services, but it may cause delays in some circumstances, for example if a minor becomes involved in the court system.

Education: Education is free and compulsory through age 18, but the quality of education was often poor and access difficult, especially in rural areas where substandard infrastructure makes traveling to school challenging. Supplemental costs, for supplies or uniforms, can in some cases be a barrier to students from poor families. The Department of Education prioritized improving resources at and access to the most isolated schools, to include increasing the budget during the year for schools in the BARMM, the region with the lowest rate of school attendance.

Child Abuse: Child abuse remained a problem. Through the second quarter of the year, the DSWD served 1,827 children in DSWD centers and residential care

facilities nationwide. Several cities ran crisis centers for abused women and children.

Early and Forced Marriage: The legal minimum age for marriage for both sexes is 18 years; anyone younger than 21 must have parental consent. Under Muslim personal law, Muslim boys may marry at 15 and girls may marry when they reach puberty.

Sexual Exploitation of Children: The law prohibits the commercial exploitation of children and child pornography and defines purchasing commercial sex acts from a child as a trafficking offense. The statutory rape law criminalizes sex with minors under 12 and sex with a child under 18 involving force, threat, or intimidation. The maximum penalty for child rape is 40 years in prison plus a lifetime ban from political office. The production, possession, and distribution of child pornography are illegal, and penalties range from one month to life in prison, plus fines of from 50,000 to five million pesos (\$935 to \$93,500), depending on the gravity of the offense.

While authorities endeavored to enforce the law, inadequate prosecutorial resources and capacity to analyze computer evidence were challenges to effective enforcement. The government made serious efforts to address these crimes and collaborated with foreign law enforcement, NGOs, and international organizations. In October the Department of Justice's Inter-Agency Council Against Trafficking partnered with the International Justice Mission, the Digital Freedom Network, and others to conduct several Prosecuting Online Sexual Exploitation training seminars for prosecutors and law enforcement officers on both prosecuting cases and obtaining and presenting digital evidence. Alumni of this program successfully convicted 33 online sexual exploitation of children cases in the year to October.

Despite the penalties, law enforcement agencies and NGOs reported that criminals and family members continued to use minors in the production of pornography and in cybersex activities. The country remained the top global internet source of online child pornography.

Children continued to be victims of sex trafficking and the country remained a destination for foreign and domestic child sex tourists. Additionally, the live internet broadcast of young Filipino girls, boys, and sibling groups performing sex acts for paying foreigners continued. The government continued to prosecute accused pedophiles and deport those who were foreigners and to stop the entry of identified convicted sex offenders. To reduce retraumatization of child victims and

spare children from having to testify, the government increased its use of plea agreements in online child sexual exploitation cases, which significantly reduced the case disposition time. In February, for example, a woman pled guilty to attempted trafficking in persons, child abuse, and possession of child pornography. Acting on a tip, police caught the woman offering to sell streaming video of her nine-year-old daughter performing sexual acts. The daughter and four other children were removed from the home. Using the aforementioned tools, police closed the case in three months without retraumatizing the children.

The NBI and the PNP worked closely with the labor department to target and close facilities suspected of sex trafficking of minors. From January to June, DSWD data reported 29 cases in which children were victims of sex trafficking and 13 cases of child pornography.

Displaced Children: While there were no recent, reliable data, involved agencies and organizations agreed there were hundreds of thousands of street children in the country. The problem was endemic nationwide, and encompassed local children and the children of IDPs, asylum seekers, and refugees. Many street children were involved in begging, garbage scavenging, and petty crime.

Service agencies, including the DSWD, provided residential and community-based services to thousands of street children nationwide, including in a limited number of residential facilities and the growing Comprehensive Program for Street Children, Street Families, and Indigenous Peoples. This program included activity centers, education and livelihood aid, and community service programs.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

## **Anti-Semitism**

An estimated 2,000 persons of Jewish heritage, almost all foreign nationals, lived in the country. There were no reports of anti-Semitic acts.

## **Trafficking in Persons**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

The constitution prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The law aims to provide affordable and accessible mental health services and provide for equal access for persons with disabilities to all public buildings and establishments.

The National Council for Disability Affairs formulated policies and coordinated the activities of government agencies for the rehabilitation, self-development, and self-reliance of persons with disabilities and their integration into the mainstream of society.

The law was not effectively enforced, and many barriers remained for persons with disabilities. Advocates for persons with disabilities contended that equal access laws were ineffective due to weak implementing regulations, insufficient funding, and inadequately focused integrative government programs. The great majority of public buildings remained inaccessible to persons with physical disabilities. Many schools had architectural barriers that made attendance difficult for persons with disabilities. Government efforts to improve access to transportation for persons with disabilities were limited.

Persons with disabilities continued to face discrimination and other challenges in finding employment (see section 7.d.).

Some children with disabilities attended schools in mainstream or inclusive educational settings. The Department of Education's 648 separate education centers did not provide nationwide coverage, and the government lacked a clear system for informing parents of children with disabilities of their educational rights and did not have a well-defined procedure for reporting discrimination in education.

From January to August, the DSWD provided services to 1,492 persons with disabilities in assisted living centers and community-based vocational centers nationwide, significantly fewer than reported in 2018. The DSWD attributed the lower figures to its community-based centers providing only partial data to date. If a person with disabilities suffered violence, access to after-care services was available through the DSWD, crisis centers, and NGOs. Of local government

units, 60 percent had a Persons with Disability Office to assist in accessing services including health, rehabilitation, and education.

The constitution provides for the right of persons with physical disabilities to vote. The Commission on Elections determines the capacity of persons with mental disabilities to vote during the registration process, and citizens may appeal exclusions and inclusions in court. A federal act authorizes the commission to establish accessible voting centers exclusively for persons with disabilities and senior citizens.

## **Indigenous People**

Although no specific laws discriminate against indigenous people, the geographical remoteness of the areas many inhabit and cultural bias prevented their full integration into society. Indigenous children often suffered from lack of health care, education, and other basic services. Government officials indicated approximately 80 percent of the country's government units complied with the longstanding legal requirement that indigenous peoples be represented in policy-making bodies and local legislative councils. The National Commission on Indigenous Peoples in September stated that at the barangay level in Cordillera Province only half of the local councils were in compliance with the law.

In October the Department of Education officially ordered the closure of 55 schools for Lumad children operated by the NGO Salugpongan in the Davao region for alleged deviations from the basic curriculum, teaching antigovernment ideologies, and providing instruction in the use of weapons and guerilla tactics. The allegations were formally set out in a report by the Task Force to End Local Communist Armed Conflict, set up by President Duterte in December 2018. Duterte had himself previously leveled the same charges and threatened to bomb the schools. Some Lumad leaders had also previously called for the closure of the schools for serving as recruitment centers for the NPA. Critics argued, however, that the report's findings were based on unsubstantiated testimony from a single witness, a former student. Lumad students were reassigned to local public schools. The Save Our Schools network of civic groups said the step was unjustified and taken at the behest of the AFP, which largely sees the Lumads as allies of the NPA.

The National Commission on Indigenous Peoples, a government agency staffed by tribal members, was responsible for implementing constitutional provisions to protect indigenous peoples. It has authority to award certificates identifying



“ancestral domain lands” based on communal ownership, thereby stopping tribal leaders from selling the land.

Armed groups frequently recruited from indigenous populations. Indigenous peoples’ lands were also often the site of armed encounters related to resource extraction or intertribal disputes, which sometimes resulted in displacement or killings. In an August Senate Cultural Communities Committee hearing, three indigenous persons testified about their involvement with the NPA.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

National laws neither criminalize consensual same-sex sexual conduct among adults nor prohibit discrimination based on sexual orientation and gender identity. Eighteen cities, six provinces, three barangays, and one municipality have enacted a version of an antidiscrimination ordinance that protects lesbian, gay, bisexual, and transgender--but not intersex--rights.

Officials prohibit transgender individuals from obtaining passports that reflect their gender identity. Authorities print the gender at birth, as reported on the birth certificate, in the individual’s passport, which posed difficulty for transgender persons seeking to travel, including instances of transgender individuals denied boarding.

NGOs reported incidents of discrimination and abuse against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons, including in employment (see section 7.d.), education, health care, housing, and social services. In August custodial staff denied a transgender woman access to the women’s restroom at a mall in Quezon City, the first municipality in the country to adopt an antidiscrimination ordinance. The transgender woman recorded the incident. After public backlash, Quezon City mayor Joy Belmonte condemned the incident and ordered a check of the mall’s compliance with the city’s ordinance requiring “all-gender” toilets in both public and private establishments.

### **HIV and AIDS Social Stigma**

The law prohibits discrimination against persons with HIV/AIDS, including in access to basic health and social services. Nevertheless, there was anecdotal evidence of discrimination against HIV/AIDS patients in the government’s

provision of health care, housing, employment, and insurance services (see section 7.d.).

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the rights of workers, with the exception of the military, police, short-term contract employees, and some foreign workers, to form and join independent unions, bargain collectively, and conduct strikes; it prohibits antiunion discrimination. The law, however, places several restrictions on these rights.

Laws and regulations provide for the right to organize and bargain collectively in both the private sector and corporations owned or controlled by the government. The law prohibits organizing by foreign national or migrant workers unless a reciprocity agreement exists with the workers' countries of origin specifying that migrant workers from the Philippines are permitted to organize unions there. The law also bars temporary or outsourced workers and workers without employment contracts from joining a union. The law requires the participation of 20 percent of the employees in the bargaining unit where the union seeks to operate; the International Labor Organization (ILO) called this requirement excessive. The scope of collective bargaining in the public sector is limited to a list of terms and conditions of employment negotiable between management and public employees. These are items requiring appropriation of funds, including health care and retirement benefits, and those that involve the exercise of management prerogatives, including appointment, promotion, compensation structure, and disciplinary action, are nonnegotiable.

Strikes in the private sector are legal. Unions are required to provide advance strike notice (30 days for issues associated with collective bargaining and 15 days for issues regarding unfair labor practices), respect mandatory cooling-off periods, and obtain approval from a majority of members before calling a strike. The Department of Labor and Employment's (DOLE/labor department) National Conciliation and Mediation Board reported 580 mediation-conciliation cases from January to September. Of these, 398 cases were filed under preventive mediation, 165 under notices of strike or lockout, 13 cases under actual strike or lockout, and four wildcat strikes or strikes without notice. The number of wildcat strikes increased from one to four during the year, mostly dealing with contractualization and regularization issues.

The law subjects all problems affecting labor and employment to mandatory mediation-conciliation for one month. The labor department provides mediation services through a board, which settles most unfair labor practice disputes. Through the National Conciliation and Mediation Board, the department also works to improve the functioning of labor-management councils in companies with unions.

If mediation fails, the union may issue a strike notice. Parties may bring any dispute to mediation, but strikes or lockouts must be related to acts of unfair labor practice, a gross violation of collective bargaining laws, or a collective bargaining deadlock. The law provides for a maximum prison sentence of three years for participation in an illegal strike, although there has never been such a conviction. The law also permits employers to dismiss union officers who knowingly participate in an illegal strike.

The law prohibits government workers from joining strikes under the threat of automatic dismissal. Government workers may file complaints with the Civil Service Commission, which handles administrative cases and arbitrates disputes. Government workers may also assemble and express their grievances on the work premises during nonworking hours.

The secretary of the DOLE, and in certain cases the president, may intervene in labor disputes by assuming jurisdiction and mandating a settlement if either official determines that the strike-affected company is vital to the national interest. Vital sectors include hospitals, the electric power industry, water supply services (excluding small bottle suppliers), air traffic control, and other activities or industries as recommended by the National Tripartite Industrial Peace Council (NTIPC). Labor rights advocates continued to criticize the government for maintaining definitions of vital services that were broader than international standards.

By law antiunion discrimination, especially in hiring, is an unfair labor practice and may carry criminal or civil penalties (although generally civil penalties were favored over criminal penalties).

In most cases, the government respected freedom of association and collective bargaining and enforced laws protecting these rights. The Department of Labor has general authority to enforce laws on freedom of association and collective bargaining. The National Labor Relations Commission's (NLRC) labor arbiter may also issue orders or writs of execution for reinstatement that go into effect

immediately, requiring employers to reinstate the worker and report compliance to the NLRC. Allegations of intimidation and discrimination in connection with union activities are grounds for review by the quasijudicial NLRC, as they may constitute possible unfair labor practices. If there is a definite preliminary finding that a termination may cause a serious labor dispute or mass layoff, the DOLE secretary may suspend the termination and restore the status quo pending resolution of the case.

Penalties under the law for violations of freedom of association or collective bargaining laws were generally not sufficient to deter violations. Administrative and judicial procedures were subject to lengthy delays and appeals.

The NTIPC serves as the main consultative and advisory mechanism on labor and employment for organized labor, employers, and government on the formulation and implementation of labor and employment policies. It also acts as the central entity for monitoring recommendations and ratifications of ILO conventions. The labor department, through the NTIPC, is responsible for coordinating the investigation, prosecution, and resolution of cases alleging violence and harassment of labor leaders and trade union activists pending before the ILO.

Workers faced several challenges in exercising their rights to freedom of association and collective bargaining. Some employers reportedly chose to employ workers who could not legally organize, such as short-term contract and foreign national workers, to minimize unionization and avoid other rights accorded to “regular” workers. The nongovernmental Center for Trade Union and Human Rights contended that this practice led to a decline in the number of unions and workers covered by collective bargaining agreements. In August the president vetoed a proposed law that would have converted many of these temporary workers into regular workers. Employers also often abused contractual labor provisions by rehiring employees shortly after the expiration of the previous contract. The labor department reported multiple cases of workers alleging employers refused to bargain.

Unions continued to claim that local political leaders and officials who governed the Special Economic Zones (SEZs) explicitly attempted to frustrate union organizing efforts by maintaining union-free or strike-free policies. Unions also claimed the government stationed security forces near industrial areas or SEZs to intimidate workers attempting to organize and alleged that companies in SEZs used frivolous lawsuits to harass union leaders. Local SEZ directors claimed exclusive authority to conduct their own inspections as part of the zones’ privileges intended

by the legislature. Employers controlled hiring through special SEZ labor centers. For these reasons, and in part due to organizers' restricted access to the closely guarded zones and the propensity among zone establishments to adopt fixed term, casual, temporary, or seasonal employment contracts, unions had little success organizing in the SEZs. The DOLE does not have data on compliance with labor standards in SEZs.

In June the ILO noted that numerous cases of trade union murders and other acts of violence remained for which the presumed perpetrators have yet to have been identified and the guilty parties punished, even several years after the incidents.

In February union activists said that Pulido Apparel Company claimed financial difficulties to justify dismissing most of its workforce and then reopened and refused to hire workers with union ties.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor. Legal penalties are sufficient to deter violations. The government did not effectively enforce the law.

Trade unions reported continued poor compliance with the law, due in part to the government's lack of capacity to inspect labor practices in the informal economy. The government continued awareness-raising activities, especially in the provinces, in an effort to prevent forced labor. The DOLE's efforts included an orientation program for recruits for commercial fishing vessels, who were among the workers most vulnerable to forced labor conditions.

Reports of forced labor by adults and children continued, mainly in fishing and other maritime industries, small-scale factories, gold mines, domestic service, agriculture, and other areas of the informal sector (see section 7.c.). Unscrupulous employers subjected women from rural communities and impoverished urban centers to domestic servitude, forced begging, and forced labor in small factories. They also subjected men to forced labor and debt bondage in agriculture, including on sugar cane plantations and in fishing and other maritime industries.

There were reports some persons who voluntarily surrendered to police and local government units in the violent antidrug campaign were forced to do manual labor or other activities that could amount to forced labor without charge, trial, or finding of guilt under law.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits employing children younger than age 15, including for domestic service, except under the direct and sole responsibility of parents or guardians, and sets the maximum number of working hours for them at four hours per day and no more than 20 hours per week. The law also prohibits the worst forms of child labor. Children between 15 and 17 are limited to eight working hours per day, up to a maximum of 40 hours per week. The law forbids the employment of persons younger than 18 in hazardous work. The minimum age for work is lower than the compulsory education age, enticing some children to leave school before the completion of their compulsory education.

Although the government imposed fines and instituted criminal prosecutions for law violations in the formal sector, such as in manufacturing, it did not effectively enforce the law consistently. Fines for child labor law violations were not sufficient to deter violations. From January to July, the DOLE, through its Sagip Batang Manggagawa (Rescue Child Laborers) program (part of the Health, Education, Livelihood, and Prevention, Protection, and Prosecution, Monitoring and Evaluation [H.E.L.P.M.E.] Convergence Program), conducted five operations and removed nine minors from hazardous and exploitative working conditions. As of July, the department closed four establishments for violations of child labor laws.

The government, in coordination with domestic NGOs and international organizations, continued to implement programs to develop safer options for children, return them to school, and offer families viable economic alternatives to child labor. The labor department continued its efforts to reduce the worst forms of child labor and to remove children from hazardous work under the H.E.L.P.M.E. Convergence Program. Additionally, in September an executive order created the National Council Against Child Labor, mandating it to fully implement existing child protection laws.

Despite these efforts, child labor remained a widespread problem. Previous cases reported to the DOLE centered in the service and agricultural sectors, notably in the fishing, palm oil, and sugar cane industries. Most child labor occurred in the informal economy, often in family settings. Child workers in those sectors and in activities such as gold mining, manufacturing (including of fireworks), domestic

service, drug trafficking, and garbage scavenging faced exposure to hazardous working environments. In 2018 the DOLE issued two administrative orders related to child labor. One order harmonized the process of removing children from child labor, referring them to the appropriate agency, and assisting them with all necessary service(s) and intervention. The other created the Task Force Against Illegal Recruitment, Recruitment of Minor Workers, and Trafficking in Persons.

NGOs and government officials continued to report cases in which family members sold children to employers for domestic labor or sexual exploitation.

Online sexual exploitation of children and child soldiering also continued to be a problem (see sections 6 and 1.g., respectively).

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination with respect to employment and occupation based on age, sex, race, creed, disability, HIV, tuberculosis, hepatitis B, or marital status. The law does not prohibit employment discrimination with respect to color, political opinion, national origin or citizenship, language, sexual orientation, gender identity, age, other communicable disease status, or social origin. While some local antidiscrimination ordinances exist at the municipal or city levels that prohibit employment discrimination against lesbian, gay, bisexual, and transgender--but not intersex--persons, there was no prohibition against such discrimination in national legislation.

The law requires most government agencies and government-owned corporations to reserve 1 percent of their positions for persons with disabilities; government agencies engaged in social development must reserve 5 percent. The law commits the government to providing "sheltered employment" to persons with disabilities, for example in workshops providing separate facilities. The labor department's Bureau of Local Employment maintained registers of persons with disabilities that indicate their skills and abilities and promote the establishment of cooperatives and self-employment projects for such persons.

Persons with disabilities experienced discrimination in hiring and employment. The labor department estimated that only 10 percent of employable persons with disabilities were able to find work.

Between January and July, no cases were filed to enforce the law. The government did not effectively monitor laws prohibiting employment discrimination or regarding the employment of persons with disabilities. The effectiveness of penalties to prevent violations could not be assessed.

The government had limited means to assist persons with disabilities in finding employment, and the cost of filing a lawsuit and lack of effective administrative means of redress limited the recourse of such persons when prospective employers violated their rights. In 2016 an HIV-positive worker won a case against his employer for having been fired because of his HIV-positive diagnosis. The court ordered that the individual be reinstated and receive approximately 600,000 pesos (\$11,200) in damages and back wages.

Discrimination in employment and occupation against LGBTI persons occurred; a number of LGBTI organizations submitted anecdotal reports of discriminatory practices that affected the employment of LGBTI persons. Discrimination cases included the enforcement of rules, policies, and regulations that disadvantaged LGBTI persons in the workplace. For example, in June a transgendered professor at the University of the Philippines disclosed that the reviewing committee denied her tenure application by citing both professional and interpersonal concerns. She believes her denial was due, in part, to her being transgender.

Women faced discrimination both in hiring and on the job. Some labor unions claimed female employees suffered punitive action when they became pregnant. Although women faced workplace discrimination, they continued to occupy positions at all levels of the workforce.

Women and men were subject to systematic age discrimination, most notably in hiring.

The government allowed refugees to work. A DOLE order affirmed refugees' and stateless persons' access to work permits. The Bureau of Immigration provided temporary work permits for persons with pending applications for refugee or stateless status upon endorsement by the RSPPU. The types of employment open to refugees and stateless persons were generally the same as those open to other legal aliens.

#### **e. Acceptable Conditions of Work**



As of May, tripartite regional wage boards of the National Wage and Productivity Commission had not increased the daily minimum wage rates for agricultural and nonagricultural workers. Minimum wages were below the poverty line.

The law did not cover many workers, since wage boards exempted some newly established companies and other employers from the rules because of factors such as business size, industry sector, export intensity, financial distress, and capitalization level.

Domestic workers worked under a separate wage and benefit system, which lays out minimum wage requirements and payments into social welfare programs, and mandates one day off a week. While there were no reliable recent data, informed observers believed two million or more persons were employed as domestic workers, with nearly 85 percent being women or girls as young as 15 years old.

Penalties for noncompliance with increases or adjustments in the wage rates as prescribed by law are a fine not exceeding 25,000 pesos (\$467), imprisonment of one to two years, or both. In addition to fines, the government used administrative procedures and moral persuasion to encourage employers to rectify violations voluntarily. The penalties were not sufficient to deter violations. The government did not effectively enforce minimum wage or occupational safety and health laws.

By law the standard work week is 48 hours for most categories of industrial workers and 40 hours for government workers, with an eight hour per day limit. The law mandates one day of rest each week. The government mandates an overtime rate of 125 percent of the hourly rate on ordinary days, 130 percent on special nonworking days, and 200 percent on regular holidays. There is no legal limit on the number of overtime hours that an employer may require.

The law provides for a comprehensive set of occupational safety and health standards. Regulations for small-scale mining prohibit certain harmful practices, including the use of mercury and underwater, or compressor, mining. The law provides for the right of workers to remove themselves from situations that endangered health or safety without jeopardy to their employment. Most labor laws apply to foreign workers, who must obtain work permits and may not engage in certain occupations.

The DOLE's Bureau of Working Conditions (BWC) monitors and inspects compliance with labor law in all sectors, including workers in the formal and informal sectors, nontraditional laborers, as well as inspects SEZs and businesses

located there. The number of labor law compliance officers, who monitor and enforce the law, including by inspecting compliance with core labor and occupational safety standards and minimum wages, was insufficient for the workforce of 42 million, particularly in rural areas. ILO standards for developing countries suggest a need for approximately 2,800 labor inspectors--one inspector for every 15,000 workers. The labor department prioritized increasing the number of officers while acknowledging that insufficient inspection funds continued to impede its ability to investigate labor law violations effectively, especially in the informal sector and in small- and medium-size enterprises.

The DOLE continued to implement its Labor Laws Compliance System for the private sector. The system included joint assessments, compliance visits, and occupational safety and health standards investigations. Labor department inspectors conducted joint assessments with employer and worker representatives; inspectors also conducted compliance visits and occupational safety and health standards investigations. The labor department and the ILO also continued to implement an information management system to capture and transmit data from the field in real time using mobile technology. Violations from January to July included 10,950 for general labor standards, 4,480 for violations of minimum wage rates, and 20,585 for occupational safety and health standards. Following a deficiency finding, the labor department may issue compliance orders that can include a fine or, if the deficiency poses a grave and imminent danger to workers, suspend operations. DOLE-BWC closed six establishments, rescuing 13 minors, for child labor violations as of July.

During the year various labor groups criticized the government's enforcement efforts, in particular the DOLE's lax monitoring of occupational safety and health standards in workplaces. Between January and July, the BWC recorded 27 work-related accidents that caused 26 deaths and 35 injuries. Statistics on work-related accidents and illnesses were incomplete, as incidents were underreported, especially in agriculture.

Violations of minimum wage standards were common. Many firms hired employees for less than minimum wage apprentice rates, even if there was no approved training in their work. Complaints about payment under the minimum wage and nonpayment of social security contributions and bonuses were particularly common at companies in the SEZs.

A DOLE order sets guidelines on the use of labor contracting and subcontracting. Some labor unions, however, criticized the order for not ending all forms of

contractual work. On July 26, President Duterte vetoed the Security of Tenure Bill, which would have added limits to the use of contract workers, and requested another version of the bill from the Senate and House of Representatives to be filed. The DOLE is also filing its own version.

There were also gaps and uneven applications of the law. Media reported problems in the implementation and enforcement of the domestic worker's law, including a tedious registration process, an additional financial burden on employers, and difficulty in monitoring employer compliance.

The government and several NGOs worked to protect the rights of the country's overseas citizens, most of whom were Philippine Overseas Employment Agency (POEA) contract or temporary workers. Although the POEA registered and supervised domestic recruiter practices, authorities often lacked sufficient resources to provide complete worker protection overseas. The Overseas Worker Welfare Administration provides support to overseas workers in filing grievances against employers via its Legal Assistance Fund. The fund covers administrative costs that would otherwise prevent overseas workers from filing grievance complaints. Covered costs include fees for court typing and translation, visa cancellation, and contract termination.

The government continued to place financial sanctions on, and bring criminal charges against, domestic recruiting agencies found guilty of unfair labor practices. From January to July, the POEA reported the closure of four unlicensed companies.