

116TH CONGRESS
2D SESSION

H. R. 8313

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

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2020

Ms. WILD (for herself, Mr. COSTA, Ms. LOFGREN, Ms. HAALAND, Ms. SCHAKOWSKY, Mr. KHANNA, Mr. MCGOVERN, Mr. RUSH, Mr. JOHNSON of Georgia, Mr. LEVIN of Michigan, Ms. LEE of California, Ms. NORTON, Mr. RASKIN, Mr. LOWENTHAL, Mr. POCAN, Ms. OMAR, Ms. JAYAPAL, Mr. GOMEZ, Ms. OCASIO-CORTEZ, Mr. DANNY K. DAVIS of Illinois, and Ms. BONAMICI) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Philippine Human
3 Rights Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) The U.S. State Department’s 2019 Human
7 Rights Report on the Philippines states “There were
8 numerous reports of government security agencies
9 and their informal allies committed arbitrary or un-
10 lawful killings in connection with the government di-
11 rected campaign against illegal drugs.”. The Report
12 goes on to state, “Government mechanisms to inves-
13 tigate and punish abuse and corruption in the secu-
14 rity forces were poorly resourced and remained
15 largely ineffective”. The United Nations Office of
16 the High Commissioner on Human Rights in its an-
17 nual report for the 44th Session of the Human
18 Rights Council concluded that there is “long-stand-
19 ing overemphasis on public order and national secu-
20 rity at the expense of human rights has become
21 more acute in recent years, and there are concerns
22 that the vilification of dissent is being increasingly
23 institutionalized and normalized in ways that will be
24 very difficult to reverse;”.

25 (2) The United States continues to provide sup-
26 port via security assistance to the administration of

1 Philippines President Duterte, whose brutal Drug
2 War and other campaigns have taken the lives of
3 over 30,000 urban poor, peasants, workers, indige-
4 nous and environmental activists as well as human
5 rights defenders, religious leaders, and peace advo-
6 cates.

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

15 (4) As of April 2020, the Alliance for Advance-
16 ment of People’s Rights (“Karapatan”) has docu-
17 mented 308 extrajudicial political killings, 439 vic-
18 tims of attempted politically motivated killings, 214
19 victims of torture, around 2,500 victims of illegal ar-
20 rests, over 100,000 victims of threats and harass-
21 ments, and nearly half a million internal refugees
22 under the Duterte administration.

23 (5) More than 16 mayors and vice mayors have
24 been killed since President Duterte took office, and
25 Duterte has personally spoke blatantly in press con-

1 ferences advocating for the killing of Catholic
2 bishops during a period where three Catholic priests
3 were assassinated.

4 (6) Labor leaders and legislators have also been
5 amongst those attacked by the administration, with
6 30 labor leaders killed, 3 labor leaders being held as
7 political prisoners, and Senator Leila De Lima who
8 has been a staunch critic of the drug war killings
9 having been detained for over 2 years.

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

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

3 (8) It is widely recognized that the Duterte ad-
4 ministration silences dissent and the press. The
5 State Department’s 2019 Report states, “Govern-
6 ment harassment of some media outlets occurred,
7 however, and polls suggested many Filipinos con-
8 sider it dangerous to publish information critical of
9 the administration.” In May 2020, ABS-CBN, one
10 of the Philippines’ two major sources of news, and
11 an occasional critic of Duterte’s policies, was forced
12 off air due to the denial of a franchise license by the
13 Congress of the Philippines, at the behest of the
14 Duterte administration. Similarly, Maria Ressa, a
15 vocal critic of the Duterte administration, Times
16 Magazine’s Person of the Year 2018 recipient, and
17 founder of the digital news site Rappler was con-
18 victed of cyber libel in June 2020. In July 2020, the
19 Duterte administration signed the “Anti-Terrorism
20 Act of 2020” into law. Countless Filipino and inter-
21 national commentators, including fifty U.S. Rep-
22 resentatives have warned that the law will be used
23 to further target critics and silence dissent.

24 (9) The United States continues to arm state
25 security forces of the Philippines. Despite clear doc-

1 umentation of abuses and international condemna-
2 tion, in April 2020, the United States announced a
3 pair of arms sales totaling \$2,000,000,000 for items
4 including hellfire missiles and attack helicopters. In
5 July 2020, the United States announced an addi-
6 tional sale of \$126,000,000 worth of assault boats
7 and armaments.

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

9 (a) **SUSPENSION OF SECURITY ASSISTANCE.**—No
10 Federal funds are authorized to be appropriated or other-
11 wise made available to provide assistance for the police
12 or military of the Philippines, including assistance in the
13 form of equipment or training until the date described in
14 subsection (d).

15 (b) **LOANS FROM MULTILATERAL DEVELOPMENT**
16 **BANKS.**—The President shall instruct United States rep-
17 resentatives at multilateral development banks to vote
18 against providing any loans to the police or military of
19 the Philippines.

20 (c) **REPORT REQUIRED.**—Not later than 180 days
21 after the date of the enactment of this Act, the Inspectors
22 General of the Department of State and Department of
23 Defense shall jointly submit to the Committee on Foreign
24 Affairs of the House of Representatives and the Com-
25 mittee on Foreign Relations of the Senate a report that—

1 (1) specifies all forms of security assistance or
2 loans made available to the Philippine National Po-
3 lice or the armed forces of the Philippines, including
4 any organizations or individuals operating with the
5 authority of the Philippine National Police or the
6 armed forces of the Philippines, by the United
7 States or by multilateral development banks during
8 the period beginning January 1, 2016, and ending
9 on the date of the submission of the report;

10 (2) contains all reports generated by recipients
11 of United States security assistance or loans from
12 multilateral development banks to the Philippines
13 with respect to the use, investment, or transfer of
14 such assistance or loans; and

15 (3) details any and all misuses of security as-
16 sistance and loans during the period beginning Jan-
17 uary 1, 2016, and ending on the date of the submis-
18 sion of the report by the Philippine National Police,
19 the armed forces of the Philippines, or any affiliated
20 groups or individuals, such as extrajudicial killings,
21 intimidation of political opponents, illegal sales
22 under Philippine or international law, or misappro-
23 priation.

24 (d) CONDITIONS FOR LIFTING SUSPENSION OF AS-
25 SISTANCE.—The suspension of security assistance under

1 subsection (a) shall terminate on the date on which the
2 Secretary of State certifies to the Committee on Foreign
3 Affairs of the House of Representatives and the Com-
4 mittee on Foreign Relations of the Senate that the Gov-
5 ernment of the Philippines has—

6 (1)) investigated and successfully prosecuted
7 members of military and police forces who have vio-
8 lated human rights, ensured that the military and
9 police cooperated in such cases, and affirmed that
10 such violations have ceased;

11 (2) withdrawn the military from involvement in
12 domestic policing activities, in accordance with the
13 Philippine Constitution and ensured that all domes-
14 tic police functions are separated from the military
15 chain of command and are instead directly respon-
16 sible to civilian authorities;

17 (3) established that it effectively protects the
18 rights of trade unionists, journalists, human rights
19 defenders, critics of the government, and other civil
20 society activists to operate without interference;

21 (4) taken effective steps to guarantee a judicial
22 system that is capable of investigating, prosecuting,
23 and bringing to justice members of the police and
24 military who have committed human rights abuses;
25 and

1 (5) fully complied with domestic and United
2 States audits and investigations regarding the im-
3 proper use of prior security assistance.

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