1. **(A) Introduction**

1.1 In this consolidated document,¹ CIVICUS and Karapatan examine the Government of the Philippines’ compliance with its international human rights obligations to protect, promote and fulfill the rights to freedom of association, assembly, and expression and unwarranted restrictions on human rights defenders (HRDs) since its previous UPR examination in May 2012.

1.2 During the 2\textsuperscript{nd} UPR cycle, the Government of the Philippines received four recommendations relating to above mentioned freedoms. Of these recommendations, two were accepted and two were noted. An evaluation of a range of legal sources and human rights documentation addressed in subsequent sections of this submission demonstrate that the Government of the Philippines has not implemented the accepted recommendations relating to civil society space.

¹ TO READ THE FULL SUBMISSION PLEASE SEE HERE:  
While the government has persistently failed to address unwarranted restrictions on civic space since its last UPR examination, acute implementation gaps were found with regard to the right(s) to the protection of human right defenders, journalists and media workers.

1.3 CIVICUS and Karapatan are deeply concerned by the extrajudicial killing, intimidation and harassment of human right defenders, journalists and media workers.

1.4 CIVICUS and Karapatan are further alarmed by legal restrictions on the right to freedom of expression, in particular the criminalisation of libel and overbroad provisions of the 2012 Cybercrime Prevention Act.

2. (B) Freedom of association

2.1 During the Philippines’ examination under the 2nd UPR cycle, the government received no recommendations on the right to freedom of association.

2.2 Recommendations

- Take measures to foster a safe, respectful, enabling environment for civil society, including through removing practical barriers, which unwarrantedly prevent the full realisation of the right to association.

- Immediately stop the harassment and vilification of CSOs in conflict areas.


3. (C) Harassment, intimidation and attacks against human rights defenders, civil society activists and journalists

3.1 Under the Philippines’ previous UPR examination, the government received four recommendations on the protection of human rights defenders, journalists and civil society representatives. However, the government did not implement any of these recommendations.

3.2 Recommendations

- End all extrajudicial killings of human right defenders, journalists and media workers, bring the perpetrators to justice and end the impunity for these killings.
• Stop the criminalisation of the work of human rights defenders, and withdraw any false charges filed against them;

• The Government should systematically apply legal provisions that promote and protect human rights and establish mechanisms that protect human rights activists by adopting a specific law on the protection of human rights activists in accordance with resolution 27.31 of the Human Rights Council. More specifically the Human Rights Defenders Bill, which has been lingering in the Parliament since 2013, should be approved and put into practice to ensure adequate protection of human rights defenders.

4. (D) Freedom of expression, independence of the media and access to information

4.1 Despite ongoing and unwarranted limitations, in policy and practice, on freedom expression under the 2nd UPR cycle, the government received no recommendations relating to on freedom of expression and access to information. Article 19 of the ICCPR guarantees the right to freedom of expression and opinion. Article 3, section 4 of the 1987 Constitution of the Philippines also guarantees this right. Although the Constitution states that “no law shall be passed abridging the freedom of speech, of expression or of the press or the right of the people peaceably to assemble and petition the government for redress of grievances”, provisions of the Cybercrime Prevention Act and the criminalisation of libel restrict freedom of expression in the Philippines.

4.2 Recommendations

• Review the 2012 Cybercrime Prevention Act, and the revised Penal Code in order to ensure that legislation on online and offline defamation is in line with the best practices and international standards in the area of freedom of expression, and in conformity with article 19 of the ICCPR. Defamation, whether online or offline, should be decriminalised.

• Take adequate steps to lift restrictions on freedom of expression and adopt a framework for the protection of journalists from persecution, intimidation and harassment.

• Adopt a comprehensive Freedom of Information law that allows access to public documents that reveal information about the infringement of human rights and ensure access to information in order to fully promote the exercise of the right to freedom of expression and freedom of opinion.
5. (E) Freedom of peaceful assembly

5.1 During the Philippines’ examination under the 2nd UPR cycle, the government received no recommendations on the right to freedom of assembly. Article 21 of the ICCPR guarantees the freedom of peaceful assembly. In addition, article III, section 4 of the 1987 Constitution also guarantees the right to freedom of assembly. However, despite these guarantees, the authorities continue to subvert the right to freedom of assembly through a combination of legislative restrictions and the use of excessive force.

5.2 Recommendations

- Best practices on freedom of peaceful assembly should be adopted, as put forward by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association in his annual report (2012) which calls for simple notification rather than explicit permission to assemble.

- The Public Assembly Act of 1985 should be amended in order to fully guarantee the right to freedom of assembly.

- Review and if necessary update existing human rights training for police and security forces with the assistance of independent nongovernmental organizations to foster more consistent application of international human rights standards, including the UN Basic Principles on the Use of Force and Firearms.