



Christian Conference of Asia

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Statement on Anti-Terrorism Act in the Philippines

The Philippines' new 'Anti-Terrorism Act' which took effect on Saturday, 18 July 2020, and will be implemented later this month, undermines basic freedoms and human rights as it gives overreaching powers to the Philippines government and paves the way for large-scale violations of human rights. The new law will criminalise acts that incite terrorism "by means of speeches, proclamations, writings, emblems, banners, or other representations". It also bestowed the President with the power to create an Anti-Terrorism Council that could tag individuals and groups as terrorists, allow authorities to detain suspected terrorists without charge for up to twenty-four days, and permit the government to conduct ninety days of surveillance and wiretaps.

When President Rodrigo Duterte affixed his signature on the fast-tracked Anti-Terrorism Act of 2020 earlier this month, it was amidst wide criticism for giving the overreaching powers to the Philippines government for human rights violations in the country, and also at a time when the people have been worried about the COVID-19 pandemic. Under the Act's ambiguous definition of terrorism, the government will have sweeping authority to curtail freedoms. Security forces will not be obliged to present suspects before a judge to determine whether physical or psychological torture has been inflicted on them.

Although President Duterte defended the law, stating that law-abiding citizens 'have nothing to fear' as the law only zeroes in on terrorists, past experience makes it evident that human rights defenders, church workers, civil liberties lawyers, environmentalists, workers, the urban poor, peasants, indigenous people, fisher folk, activists of women, students, peace movements, and journalists could fall victim to this draconian law. While the Department of Foreign Affairs (DFA) of the Philippines assured the protection of civil liberties, all those concerned with the situation in the country have denounced the new law as a tool that could be potentially abused for the suppression of political opponents and non-violent dissidents as well as the smothering of the freedom of speech.

Local and international human rights groups have expressed their concern that the legislation could be abused to target the administration's opponents, using the presidentially-appointed Anti-Terrorism Council that could designate anyone suspected a 'terrorist'. The law bestows upon security forces sweeping powers to go after targets (some even without judicial approval). Legal experts in the country have already warned that its overly-broad articles could allow for discriminatory enforcement, privacy infringements, and the suppression of peaceful dissent. This is because the law has been crafted with such imprecise and vague language that there is no certitude as to what acts the law actually proscribes. There are now at least six petitions against the law filed before the Supreme Court. This law only points toward the downward spiral of the human rights situation in the Philippines.

The United Nations Human Rights Council (UNHRC) Report on the 'Human Rights Situation in the Philippines' (UNHRC 44th Session, 30 June–20 July 2020) has expressed concern on the danger posed by the Anti-Terrorism Act. It observed: "Worrying new laws and amendments have been proposed with the stated aim of strengthening public order and countering terrorism, which risk eroding constitutional and other legal protections...The proposed 2020 Anti-Terrorism Act, slated to replace the already-problematic Human Security Act, dilutes human rights safeguards, broadens the definition of terrorism, and expands the period of detention without warrant from three to fourteen days, extendable by another ten days. The vague definitions in the Anti-Terrorism Act may violate the principle of legality."

At the 44th Session, the UN High Commissioner for Human Rights stated, "The recent passage of the new Anti-Terrorism Act heightens our concerns about the blurring of important distinctions between criticism, criminality, and terrorism. The law could have a further chilling effect on human rights and humanitarian work, hindering support to vulnerable and marginalised communities."

The Christian Conference of Asia (CCA) is concerned about how the contentious Anti-Terrorism Act bill was fast-tracked and approved in both Houses of the Philippine Congress while the entire country's attention was focused on the rampant spread of the COVID-19 pandemic. The CCA denounces all human rights violations, decries injustice, and calls upon governments and autonomous institutions to protect the defenceless and safeguard human lives. It is the CCA's firm conviction that the state which terrorises people with extrajudicial killings maligns human rights defenders as terrorists.

The dark days of martial law in the Philippines, during which tens of thousands of innocent people were tortured and summarily killed, as well as the thousands of human rights violations under subsequent administrations in the country can never be forgotten. It is well known that President Duterte is not shy in the expression of his admiration for Ferdinand Marcos, who was notorious for ruling the country under martial law from 1972–1986. In the face of this awareness, CCA expresses its concern about a possible return to the use of repressive force and human rights violations, reminiscent of the dark history of martial law in the country.

Over the decades, different administrations have labelled nuns, pastors, priests, bishops, church workers, trade unionists, and student leaders as 'communist rebels and terrorists', while security and paramilitary forces have tortured and even murdered many of them. Church workers as well as the staff members of the National Council of Churches in the Philippines (NCCP) and regional ecumenical councils have been under surveillance for weeks on end. The CCA denounces the government's dastardly act in a bid to stifle the voices and conscience of the people. The CCA calls for the immediate repeal of the Philippines Anti-Terrorism Act.

The CCA stands in solidarity with the peace-loving and progressive Filipino people in opposing the Anti-Terror Act. The CCA condemns the alarming law as a menace to the fundamental rights of the Filipino people. The CCA calls upon its member churches and councils to pray for the safety of the Filipino people, as they face an uncertain future.

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