

# PHILIPPINES' SUBMISSION FOR THE HIGH COMMISSIONER'S ORAL UPDATES ON COVID-19

## THE NATIONAL RESPONSE TO COVID-19

Country Profile	COVID-19 Cases (As of 31 May 2020)
Total population: 110 million Children (18 years and below): 40 million Elderly (60 years and above): 7.5 million	Total confirmed cases: <b>18,086</b> Deaths: <b>957</b> Recovered: <b>3,909</b>

### 1. Full compliance with international laws and standards and national laws

COVID-19 is a novel coronavirus for which diagnostics, therapeutics and vaccines are still being studied and developed. The interventions that have been introduced by the Philippine Government take into account the country's circumstances and capacity as a low tech-high touch society facing a rapidly spreading pathogenic disease that threatens human security.

To leave an open path for a pathogen to ravage people—disproportionately impacting those already made vulnerable by the deprivation of access to resources as enumerated by the World Health Organization (WHO) in its study of the social determinants of health—would indeed be a deprivation of human rights. Cutting the chains of transmission has been the constant advice of the WHO and, in its interventions, the Philippines has consistently acted to do exactly that: to delay, to test, to isolate, to contain—to save lives.

The **national measures put in place to contain the spread of COVID-19 fully integrate the country's compliance with international human rights laws and standards.** These measures correspond to the state of the Philippine health system and pandemic preparedness and response capacities, which is described by the Joint External Evaluation of core capacities for International Health Regulations (IHR) 2005, published by the WHO in 2019, as "in need of strengthening". The Philippines has similarly complied with the reportorial requirements of IHR and has consistently exercised transparency in the management of COVID-19. Following are among the legal bases for the measures put in place:

- The 1987 Philippine Constitution
- International Covenant on Economic, Social, and Cultural Rights
- WHO - International Health Regulations 2005
- Republic Act No. 9271 or the Quarantine Act of 2004
- Domestic laws implementing International Health Regulations of 2005
- Republic Act No. 10121 or the Philippine Disaster Risk Reduction and Management Act of 2010
- Executive Order 168 s. 2014 creating the Inter-Agency Task Force for the Management of Emerging Infectious Diseases in the Philippines (IATF)

### 2. Policies and measures undertaken in response to COVID-19

On 7 March 2020, the country's COVID-19 alert level system was raised to Code Red Sub-level 1 following the first reported localized transmission. A State of Public Health Emergency was declared throughout the Philippines on 8 March 2020 through Proclamation no. 922. On 12 March 2020, the COVID-19 alert level was raised to Code Red Sub-level 2 following the increase in the number of confirmed cases and evidence of sustained community transmission. Following discussions with the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF), Philippine President Rodrigo Roa Duterte approved the imposition of Stringent Social Distancing Measures in the National Capital Region for 30 days.

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On 16 March 2020, the President, through Proclamation no. 929, declared a State of Calamity throughout the Philippines due to COVID-19 for a period of six (6) months unless earlier lifted or extended as circumstances may warrant. With this declaration, the President activated all available government mechanisms to protect the Filipino people from the current health threat this country is facing. All concerned agencies of the national government, and even local government units, shall therefore be able to mobilize the necessary resources to attend to the immediate situation, including the basic needs of their affected constituents, and obtain necessary funding support thereof.

A strengthened **whole-of-nation approach** is undertaken by the Philippine Government to protect the 110 million Filipinos from the COVID-19 pandemic. Officials at the national, regional, provincial and local government units (LGUs) are innovating measures to implement national policies to protect the people and provide assistance to the members of the community.

Following are key updates on efforts and responses as compiled from the President's Weekly Reports under Republic Act No. 11469 or the "**Bayanihan<sup>1</sup> To Heal As One**" Act enacted on 24 March 2020, and information from government agencies:

### 2.1 Social Amelioration Programs (SAPs)

The Philippine Government has launched a **USD 3.9 billion emergency cash and non-cash subsidy program**, considered as the **largest and widest in Philippine history**, to benefit 18 million low-income households. It has also rolled out USD 542 million worth of economic package for affected workers and establishments, farmers and fisherfolks and micro-, small- and medium-scale enterprises (MSMEs). Further measures are being put in place to respond to the pandemic's wide-ranging impact. This has been translated into the following programs:

- **Department of Social Welfare and Development (DSWD)'s Emergency Subsidy Program (ESP).** Pursuant to Republic Act No. 1146, an emergency subsidy ranging from PHP 5,000 to 8,000 (USD 100 to 160), computed based on prevailing regional minimum wage rates, will be provided to 18 million low income households for two months on a 'per family basis'.

The DSWD has consolidated and harmonized all issuances in implementing the SAP to ensure that benefits are given to the rightful beneficiaries. It is also noted that the amount received by beneficiaries has also taken into consideration those who are already part of the Conditional Cash Transfer (CCT) program under *the Pantawid Pamilyang Pilipino Program (4Ps)* and those who are non-4Ps.

As of 29 May 2020,<sup>2</sup> **17,579,395** households (98 percent of the total estimated beneficiaries) have already been served, which includes 4,222,925 beneficiaries under 4Ps and 13,294,442 non-4Ps.

**PHP 18.3 billion (USD 366 million)** has already been received by the beneficiaries under 4Ps, while **PHP 80.5 billion (USD 1.6 billion)** has already been received by beneficiaries not included in the 4Ps program.

- **Department of Labor and Employment (DOLE)'s COVID-19 Adjustment Measures Program (CAMP).** A one-time financial assistance equivalent to PHP 5,000 (USD 100) is provided to affected workers in private establishments that have adopted Flexible Work

<sup>1</sup> "*Bayanihan*" is a Filipino culture that refers to a traditional system of mutual assistance in which members of the community work together to accomplish a difficult task and achieve a common, greater goal. It is a spirit of civic unity and cooperation among Filipinos that promote a culture of collaboration and empowerment of every individual through teamwork, innovation and action.

<sup>2</sup> Tenth weekly report of the President to the Joint Congressional Oversight Committee in compliance with Sec. 5 of Republic Act No. 11469, 1 June 2020.

Arrangements (FWAs) or have gone through temporary closure during the COVID-19 pandemic. The lump sum financial assistance is provided without conditions and regardless of employment status.

As of 31 May 2020, all 657,201 (100 percent) of target beneficiaries have been paid, and the entire **PHP 3.29 billion** (USD 65.8 million) utilized.

- **DOLE's Tulong Panghanapbuhay sa Ating Displaced/Disadvantaged Workers Program (TUPAD) #Barangay Ko, Bahay Ko (TUPAD #BKBK).**

TUPAD #BKBK is a community-based (municipality/barangay) package of assistance that provides temporary wage employment for the displaced workers, underemployed and self-employed workers. The nature of work under the TUPAD Program shall be the disinfection/sanitation of their houses/dwellings and immediate vicinity of their houses. The package of services provided to the TUPAD beneficiaries includes the payment of wages equivalent to 100% of the prevailing highest minimum wage in the region; enrolment to group micro-insurance; and conduct of Basic Orientation on Safety and Health through dissemination of brochures.

As of 31 May 2020, all 337,198 (100 percent) of target workers/beneficiaries have been paid, with the entire allocated amount of PHP 1.264 billion (USD 25.3 million) utilized.

- **Department of Agriculture (DA)'s Financial Subsidy for Rice Farmers**

PHP 3 billion (USD 60 million) has been set aside to benefit 591,246 farmers. As of 26 May 2020, **585,914 have already been served**, and PHP 2.96 billion (USD 59.2 million) has already been transferred to the Land Bank of the Philippines (LBP).

- **Department of Social Welfare and Development (DSWD)'s Assistance to Individuals in Crisis Program (AICS)**

DSWD' regular AICS program, alongside its Food and Non-Food Items (NFI) Distribution Program, has assisted **131,067 clients** for COVID-19-related concerns, e.g transportation assistance, and requests for medical/burial assistance.

- **DSWD, Land Transportation Franchising and Regulatory Board (LTFRB), and the Land Bank of the Philippines (LBP) – Emergency Subsidy for Public Utility Vehicles (PUVs) Drivers**

This will provide emergency subsidy to around 435,000 drivers of public utility vehicles (PUVs) whose operations were suspended due to the Enhanced Community Quarantine (ECQ). These include public utility jeepneys, UV Express, public utility buses, point-to-point buses, taxis, transport network vehicle service (TNVS), school transport services, tourist transport services, and motorcycle taxis.

As of 29 May 2020, **62,028 have been served** with a total of PHP496.2 million disbursed and already received by the beneficiaries.

## 2.2 Specific interventions and programs for vulnerable sectors

### 1. For Migrant Workers<sup>3</sup>

- **Department of Foreign Affairs (DFA)'s Repatriation Program for Overseas Filipinos**

<sup>3</sup> The Philippines has over 10 Million Filipinos living and/or working abroad.

The DFA ensures the safe and successful repatriation of Filipinos in distress through close cooperation with partner agencies – the Department of Health (DOH), Bureau of Immigration (BI), Overseas Workers Welfare Administration (OWWA) and the Department of Transportation (DOTr)—and with support from the private sector.

As of 30 May 2020, the DFA has successfully facilitated the return of **31,352 distressed Overseas Filipinos (OFs)**.

The distressed OFWs undergo mandatory inspection and appropriate protocols supervised by the Bureau of Quarantine (BOQ) as well as quarantine in BOQ-designated facilities. The government also provides transport, food and accommodation assistance to the OFWs.

- **DOLE-AKAP Financial Assistance Program**

The program assists displaced land-based and sea-based workers, returning workers who were stranded in the Philippines and qualified undocumented OFWs who have experienced job displacement due to the COVID-19 pandemic with a one-time cash assistance amounting to PHP 10,000.00 (USD 200).

As of 31 May 2020, **128,538** OFWs have been paid **PHP 1.32 billion (USD 26.4 million)**. There is a further increase in the number of target beneficiaries under AKAP (150,000 to 250,000), with an additional PHP 1 billion (USD 20 million) budget approved.

## 2. For Women and Children

- **Response to Violence Against Women and Children**

- The Department of Interior and Local Government (DILG), working with the Philippine Commission on Women (PCW), is continuously monitoring and actively responding to inquiries related to violence against women and children.
- PCW issued on 27 April 2020 an advisory<sup>4</sup> to all national and local government units on utilizing their respective Gender and Development Budgets to implement measures to address gender issues and concerns arising from the unequal status of their women and men stakeholders due to the COVID-19 situation, including preventing discrimination against women and gender-based violence.
- DOH hospitals maintain Women and Child Protection Units capable of responding to any act of violence in coordination with the DILG, DSWD, and the Philippine National Police (PNP).
- The PNP-Women and Children Protection Center (WCPC) continues to be proactive in responding to complaints of violence against women and children during the pandemic.
- The Commission on Population and Development (POPCOM) maintains the Responsible Parenthood and Family Planning Hotline that also responds to reports of gender-based violence.

- **DILG and Council for the Welfare of Children (CWC) Joint Memorandum Circular No. 2020-001 on protocols for reaching out to children.** The MC reiterates the protocols to be followed by LGUs in assisting street children, children in need of special protection, children at risk, and children in conflict with the law during the ECQ.

<sup>4</sup> Memorandum Circular 2020-03: Adjustment and/or Implementation of the FY 2020 GAD Plan and Budget in view of the Coronavirus Disease 2019 Situation <https://pcw.gov.ph/memorandum-circular-2020-03-adjustment-and-or-implementation-of-the-fy-2020-gad-plan-and-budget-in-view-of-the-coronavirus-disease-2019-situation/>

- **#FeedPHBabies campaign** initiated by a group of scholars of the Department of Science and Technology (DOST) aims to provide 'baby-friendly' relief goods for babies affected by the ECQ.

### 3. For Older Persons

- **Social Pension for the first semester of 2020.**

As of 31 May 2020, a total of 1,717,584 indigent senior citizens have received their social pension for the first semester of 2020 and/or their unpaid social pension for 2019, in the total amount of PHP 5.15 billion (USD 103 million).

- **Department of Trade and Industry (DTI) Memorandum Circular on “Pagpapahalaga sa mga Senior Citizens”.**

Issued on 28 March 2020, this Circular requires all **supermarkets, pharmacies and drug stores** to give priority to senior citizens as they purchase their needs, such as food and medicine. The Circular also encourages establishments to designate a 'Seniors Only' shopping hour.

- **DOH Administrative Order relaxes the one-month rule to three months with regards the sale of medicine to senior citizens.**

Prior to the COVID-19 pandemic, the general rule is that any single dispensing must be in accordance with the prescription issued by a physician and should not cover more than one (1) month supply of medicine for senior citizens.

### 4. For Persons with Disabilities

- **DILG Memorandum Circular on the Proper Welfare of Persons with Disabilities.**

The MC directs LGUs to prioritize persons with disabilities in the distribution of relief goods, noting its Memorandum Circular No. 2020-066, guidelines on providing proper welfare of persons with disabilities during the enhanced community quarantine due to the COVID-19 pandemic.

### 5. For Indigenous Peoples

- **National Commission on Indigenous Peoples (NCIP) relief operations.**

The NCIP has provided food aid to some **3,000 indigenous people (IP) households in Mindanao** affected by the declaration of ECQ. NCIP is also seeking to work with the Department of Agriculture (DA) to ensure food self-sufficiency in communities to offset the limited movement of goods between provinces.

- **NCIP, in partnership with the DA and AgriNurture Inc. is also implementing the “BigMa” (Bigas-Mais) rice-corn blending initiative** to ensure food self-sufficiency in communities to offset the limited movement of goods between provinces. This includes developing vast tracts of idle land for planting white corn as an alternative to imported rice.

- The **Philippine Government**, which has declared a unilateral ceasefire against the Communist Party of the Philippines (CPP)-New People's Army (NPA) on 16 March 2020 condemns the **attacks and harassment by the NPA of IP communities**, which included snatching of food aid intended for communities and killing of IP tribe members. The ceasefire declared by the Philippine Government is intended to have the Armed Forces of the

Philippines (AFP) aid in the transport operations of medical supplies, food, and essential workforce as strict measures are imposed to address the COVID-19 pandemic.

#### 6. For Religious Minorities

- In coordination with the National Commission on Muslim Filipinos (NCMF) and the LGUs, Muslim communities are provided **medical assistance and relief operations** which include the rescue of a patient and assisting stranded *tablighs* (missionaries, e.g. those in Manila, Zamboanga city, Zamboanga Sibugay, and Lanao del Sur); Muslim burial assistance in the National Capital Region (NCR); coordination with the DILG regarding the observance of Muslim burial customs by the different LGUs; provision of assistance in the transportation of cadavers; and providing Halal guidelines for the provision of relief goods.

#### 2.3 Economic services and livelihood

- **Department of Finance (DOF), Social Security System (SSS), Bureau of Internal Revenue (BIR) - Small Business Wage Subsidy (SBWS).**

Launched on 16 April 2020, the SBWS program provides up to PHP 51 billion (USD 1 billion) to cover 3.4 million employees in small businesses affected by the ECQ. The subsidy ranges from PHP 5,000 to 8,000 (USD 100 to 160) per eligible worker per month for up to two (2) months, depending on the prevailing regional minimum wage rate. Application period ran from 16 to 30 April 2020, with the payout having started on 1 May 2020. The SBWS as been designed to replace the Department of Labor and Employment (DOLE)'s COVID-19 Adjustment Measures Program (CAMP).

- **Department of Trade and Industry (DTI)'s Livelihood Seeding Program-Negosyo Serbisyo sa Barangay Program.**

This program **expands the Negosyo Center services** to serve barangays, particularly those identified as Local Communist Armed Conflict-affected areas, indigenous peoples' communities, as well as MSMEs affected by the COVID-19 pandemic. The Negosyo Center shall bring the services of the national government to the barangays to facilitate the processing of business registration and provide technical, financial, and business management assistance to MSMEs. The program shall also now include individuals and MSMEs to support their enterprises during this crisis.

- **DTI's 'Pondo sa Pagbabago at Pag-asenso'** provides borrowers an interest rate of 0.5 percent per month. Under the COVID-19 P3-Enterprise Rehabilitation Fund (P3-ERF), MSMEs are provided access to loans, as well as a 30-day grace period for commercial rent in areas under the ECQ.

- **Moratorium on loan payment of borrowers of the Small Business Corporation.**

A total of 7,317 retail borrowers and 205 wholesale borrowers have been given reprieve from their payments. The moratorium extends to and benefits around 134,000 micro enterprises with loans from wholesale borrowers.

- **Technical Education and Skills Development Authority (TESDA)'s Scholarship Programs.**

Programs amounting to PHP 3 billion (USD 61.8 million) will support affected and temporarily displaced workers through **upskilling and reskilling**. It is also offering free

courses for all who would like to acquire new skills in the convenience of their own homes, mobile phones and computers through the TESDA Online Program.

## 2.4 Other programs and interventions

- **Benefit Packages for COVID-19 Patients**

PhilHealth has previously approved the direct reimbursement of patients previously confined for COVID-19, who were unable to avail the benefit for the full cost of treatment as announced, with retroactive application from 01 February 2020, subject to advisories to be issued on the matter.

- **Assistance to Health Workers and Frontliners**

The Department of Budget and Management (DBM) issued Budget Circular No. 2020-02 dated 7 April 2020 providing guidelines on the grant of **Special Risk Allowance to public health workers** (PHWs) for the duration of the ECQ. The DBM also issued Memorandum Circular No. 2020-072 – **Temporary Shelter/accommodation for the safety and protection against discrimination of health workers** in provincial/city hospitals and other public health facilities catering to COVID-19 patients.

The National Transmission Corporation (TransCo) has entered into an agreement with the Lung Center of the Philippines (LCP) for the use of TransCo dormitory facilities to **house LCP health workers or serve as a quarantine area**. It has also offered its vehicles to service frontliners during the crisis, including the provision of **shuttle services** to nearby hospitals.

- **Protection of Persons Under Police Custody (PUPCs)**

Aware of the challenges and implications of possible COVID-19 infection to the Persons Under Police Custody (PUPCs), the Philippine National Police (PNP) issued a memorandum dated 26 March 2020 providing an Advisory to all field offices/units on the protection of PUPCs from possible COVID-19 infection, primarily, through **custodial facility inspections**, monitoring on the health condition of the PUPCs, and implementing appropriate safety measures to devoid any single case of infection that can trigger the spread of the virus around the police stations.

The memorandum aims to actively engage the chiefs of police to ensure that appropriate health interventions to PUPCs are being attended in order to carefully account for their situation amidst COVID-19 and other relevant diseases associated with hot temperature during the period of summer in the country. These efforts are being done in cooperation with the local government health workers and other well-meaning organizations.

The PNP-Human Rights Affairs Office (HRAO) spearheads the conduct of a series of custodial facility inspections on various police stations. These inspections, which are also being carried out by the police regional/provincial offices, aim to look into and check the current situation, including health conditions, of PUPCs.

- **Protection of Persons Deprived of Liberty (PDLs)**

The Bureau of Jail Management and Penology (BJMP), even prior to the President's declaration of the Enhanced Community Quarantine, already created the BJMP COVID-19 Task Force operating in the national and regional jail units to implement BJMP plans related to COVID-19.

The BJMP has directed all jail units to have a contingency plan that directs sufficient supply of food and food products for jail, as well as maintenance medicines including vitamins, with support from LGUs and other donors/partners. In addition, jail facilities are regularly disinfected to maintain cleanliness and prevent contamination. BJMP also conducts regular monitoring to check the health condition of all personnel and PDLs.

BJMP also provides **telepsychology services** for the psychological support of personnel and PDLs during the declaration of national jail lockdown.

BJMP's Board of Pardons and Parole is formulating interim guidelines for the **expeditious release of PDLs** who are already of old age, sickly or are suffering from terminal illnesses, or with serious disabilities, as well as those eligible for parole or executive clemency, in order to decongest penal facilities.

Further measures undertaken include the temporary suspension of visitations as precautionary measure to prevent the entry of COVID-19 inside the jail facilities. Alternative schemes were utilized such as "**Electronic Dalaw**" (e-Dalaw) or Electronic Visit system where video and telephone calls and other forms of communications are used. Each jail unit conducted information dissemination on the suspension and how to avail of the alternative visitation scheme.

With the assistance of the International Committee of the Red Cross (ICRC) and the Philippine Red Cross, **Regional Isolation Facilities** in three regions were established to serve as isolation for suspected and confirmed cases of COVID-19 where their health conditions will be treated and monitored.

- **Inventory of Pending Criminal Cases**

The Supreme Court (SC) of the Philippines, through Circular 91-2020 dated 20 April 2020, directed the first and second level courts to conduct an inventory of pending criminal cases and determine if any persons deprived of liberty (PDLs) are entitled to be released under existing guidelines of the high court for **speedy trials of accused persons**.

This measure aims to effectively implement existing policies laid down, as provided in earlier resolutions of the court en banc in 2014, taking into consideration the continuing congestion of detention facilities nationwide and the consequent high risk of persons deprived of liberty being affected with COVID-19.

The guidelines cover:

- Instances where the PDL has been detained while the case against him is pending for a period equal to the minimum of the penalty of the offense if he/she had been found guilty; and
- Provisional dismissal of cases when the delays are due to the absence of an essential witness whose whereabouts are unknown or cannot be determined.

The Circular directs the lower courts to "immediately act *motu proprio* (on their own without a motion from a party)" on cases of PDLs who have been detained for a period at least equal to the minimum penalty for the offense charged and if warranted, may release such detainees on their own recognizance, provided the court is assured of where the accused can be located while their cases are ongoing trial. Motions for recognizance and provisional dismissal of cases resulting in the release of the PDLs from detention may be considered urgent and must be immediately set for hearing. To facilitate the process, if release orders are warranted, judges may apply provisions on the electronic transmission of release orders.



On 30 April 2020, the Philippine Supreme Court issued Administrative Circular no. 38-2020 providing guidance on reduced bail and recognizance as modes for releasing indigent persons deprived of liberty during the period of public health emergency, pending resolution of their cases.

As of 29 May 2020, **over 22,000 PDLs** have been released from detention as part of the national efforts to decongest detention facilities amid the pandemic.<sup>5</sup>

### 2.5 Department of Health (DOH)'s ongoing initiatives

- **Information Access.** The DOH continues to provide timely updates and information on COVID-19 to the public through its *Laging Handa* website (<http://www.doh.gov/covid19tracker>) and its social media sites. The DOH has also introduced the <https://covid19healthypilipinas.ph> which consolidates fact checks, reference materials, and relevant information for a variety of users – families, media, and LGUs.
- As of 31 May 2020, the Philippines has **43 active testing laboratories** in the country capable of conducting Real-Time RT-PCR for COVID-19. The DOH will continue to expand and strengthen the testing capabilities of different laboratories across the country to detect more cases for early and appropriate management.
- **Emergency hiring of health personnel** for COVID-19 Response (as prescribed in DOH Department Memorandum No. 2020-0153). DOH is hiring physicians, nurses, medical technologists, and other support health personnel on a contract of service basis, for a minimum of three (3) months. This aims to augment the current health work force, who are working tirelessly in the country's fight against this pandemic.
- Unified COVID-19 **Algorithms and Guidelines for Hospital Care.** The Guidance is jointly prepared by the DOH, Philippine Society of Microbiology and Infectious Diseases (PSMID), Philippine College of Physicians (PCP), Philippine Society of General Internal Medicine, and the Philippine Society of Public Health Physicians (PSPHP).
- **Official COVID-19 website:** [bit.ly/OfficialHealthyPilipinas](http://bit.ly/OfficialHealthyPilipinas) provides updates, tips, and FAQs on COVID-19.
- **Online COVID-19 tracker** which provides updates on the number of COVID-19 cases in the country (tested positive, recoveries, and deaths).
- **DataCollect application** gathers daily data from hospitals and stakeholders such as essential resources and supplies, availability of hospital beds, isolation rooms, ICU beds and mechanical ventilators, and human resource needs. The application also accurately calculates the projected need of personal protective equipment (PPEs), and link to DOH's logistics offices for delivery of supplies. This also facilitates easier and faster tracking of reports between DOH offices.
- **DOH Survey through its Viber Community** is a platform given to the public to highlight the government's transparency and openness to receive feedback and suggestions on DOH services relating to COVID-19.
- Regular **Virtual Presser** provides the platform for the public to ask questions as well as get informed on latest updates of COVID-19 in the Philippines.
- Continuous strengthening of testing, contact tracing, and isolation protocols
- Continued **public awareness** campaign on:
  - COVID-19 symptoms as well as the individual and collective immediate responses to protect oneself, their loved ones, and the community;
  - importance of maintaining mental wellness and keeping regular physical activities while staying at home; and
  - "Malasakit at Kabutihan" (Empathy and Kindness) to members of the community who need most such as older people, persons with disabilities, ill people, among others

<sup>5</sup> Tetch Torres-Tupas, "Over 22k inmates freed in SC's bid to decongest jails," *Philippine Daily Inquirer*, May 29, 2020, <https://newsinfo.inquirer.net/1283213/over-22k-inmates-freed-to-decongest-jails> (accessed 31 May 2020).

## 2.6 Engagements with the Private Sector

Filipino resilience and solidarity are brought to the fore in so many ways amidst the efforts to address the COVID-19 pandemic situation. The spirit of “Bayanihan” or solidarity is once more proven towards helping each other and the Filipinos’ commitment to being part of the solution.

The Philippine Government acknowledges the sustained efforts and collaboration of the private sector in helping our people cope with the situation. Among others:

- The conversion of the World Trade Center (WTC) into a COVID-19 temporary treatment and monitoring facility with the support of the Ayala Group. The "WTC: We Heal As One Center" will cater to those in need of appropriate health services amid the ongoing health situation;
- Provision of food to frontliners in hospitals by various fast food chains in the country and private individuals;
- Donations of health commodities and personal protective equipment by private companies and individuals;
- Waiving of rental fees for closed shops; and
- Production of alcohol solutions from molasses, a by-product of the sugar-making process, by University of the Philippines Visayas-School of Technology (UPV-SoTech) for distribution to health workers.

## 2.7 International Solidarity

In light of global emergency appeals, the Office of the President has approved the Philippine donation of USD 100,000 to the **International Federation of Red Cross and Red Crescent Societies (IFRC)** for COVID-19.

During the **Special ASEAN Summit on COVID-19** held via video-conferencing on 14 April 2020, the President Rodrigo Duterte emphasized the following points in his intervention: 1) the need to **strengthen healthcare systems** by boosting production and facilitating intra-ASEAN trade to address the shortage of medicine, medical equipment and supplies; 2) the need to attain **food security by ensuring sufficient rice supply**; 3) the need to support **research and development on vaccines and therapeutics** by fast-tracking cooperation with Dialogue Partners; and 4) the need to **strengthen ASEAN’s preparedness for future outbreaks** by improving existing ASEAN mechanisms for public health emergencies and establishing an **early warning system for pandemics** in the region.

President Duterte also supported Thailand’s proposal to establish a **COVID-19 ASEAN Response Fund**. The ASEAN Leaders adopted the **Declaration of the Special ASEAN Summit on COVID-19**, which outlines measures to be taken by Member States individually and ASEAN as a whole for a timely and effective response to COVID-19 in the region.

## 3. Accountability for abuses and violations by state actors

The Philippine Government takes any report of abuses and violations by law enforcers and local authorities seriously. **Hotlines 8888, 911, and the DILG Public Assistance and Complaints Center** are available and the public has been using these and other channels to report abuses and violations. The Filipino public has been cooperative and collectively vigilant under the Enhanced Community Quarantine (ECQ).

The government’s commitment to address reports of violations and hold erring officials to account can be seen in the following:

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- The **barangay (village) official** who placed youth residents in a dog cage for violating the curfew was **charged for violating the Special Protection of Children Act, as well as for grave threat and coercion**;
- The Police Master Sergeant who fatally shot a former army corporal for supposed ECQ violations was **charged with homicide**;
- According to DILG, as of 26 May 2020, **134 barangay (village) officials** are **facing criminal charges** for alleged anomalies in the distribution of cash subsidies. There are at least 86 that are under “case build-up” after receiving a total of 318 complaints nationwide of reported graft and corrupt practices. In addition, at least **43 mayors** will be made to explain for having **poor performance** in the distribution of cash assistance;
- **A police office chief, along with 18 other police officers**, is now **facing criminal charges** for violating ECQ rules; and
- DILG has issued **show cause orders to two governors and two mayors for violating ECQ policies**.

The Philippine National Police (PNP), through a directive issued on 22 April 2020, has reiterated the implementation of **Human Rights-Based Policing during the ECQ**, with the following salient points:

- All ground commanders/team leaders shall ensure that proper briefing/guidance on human rights is provided by designated human rights officers in police stations/units prior the conduct of operations against persons violating the ECQ;
- There shall be no police personnel deliberately committing acts in violation of Republic Act No. 7438 (Custodial Investigation Act); Republic Act No. 9745 (Anti-Torture Act); and Article 125 of the Revised Penal Code and other laws that safeguard the rights of persons against unlawful arrest, among others;
- Strict monitoring and evaluation of the behavior of troops shifting to “arrest” mode. Maximum tolerance policy is exercised;
- Persons arrested shall be referred to a government doctor in the locality for issuance of appropriate medical certification, in accordance with RA 7438; and
- Where numerous violators are apprehended, chiefs of police should seek assistance from local government units for the availment of makeshift detention area/s for these violators, as may be appropriate, in case the custodial facilities are already overcrowded with persons under police custody.

The Filipinos' positive ratings for the government response have only increased from March to April. In a survey by a global polling firm Gallup International Association on 6-8 April 2020, around 80 percent of the Filipinos surveyed viewed the government's handling of the COVID-19 crisis as “well”; only 18 percent expressed dissatisfaction, while two percent were ambivalent on the matter. The Philippines ranked among governments that received the highest confidence ratings from their citizens, even higher than a number of Western countries.

The comprehensive ECQ measures were **carefully considered with the health, safety and well-being of all Filipinos in mind and they were carried out in a lawful, proportionate and non-discriminatory manner**.

#### **4. Allegations of militarization and widespread arrests during the quarantine measures**

Allegations characterizing the country's COVID-19 response as “highly-militarized” with some 120,000 individuals apprehended have unfairly been levelled against the Philippines.

The Philippines reiterates that the government's approach is guided by public health safety and science, compliant with International Health Regulations (IHR), and informed by human rights, highly-mindful of the need to protect the low-income, underprivileged and vulnerable sectors of the Philippine society. **The transparent approach of the Philippine Government has been centrally and fundamentally socio-economic and rights-oriented.**

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In the enforcement of the quarantine measures, the **law has been enforced as reasonably strict as possible for the full protection of the Filipino people**. While such protection measures spell the difference between life and death, **they are implemented well within the rule of law, and are respectful of the human dignity and human rights of everyone**.

On the “120,000 apprehensions” being alleged by some sectors, the Philippine Government clarifies that widespread arrests and detention as being insinuated are not taking place. While this figure cited may be close to the number of apprehensions reported, **majority of the apprehensions as recorded are in fact mostly warnings/reprimand and fines for ECQ infractions and did not involve arrest and detention**. A number of arrests were made for disobedience and resistance to authorities, but many of these were booked but did not lead to detention. The data gathering system of the DILG and the PNP)on curfew violations supports transparency in reporting in line with accountability and public safety considerations. Aside from their presence on the ground, PNP also successfully used social media to persuade the public to stay home.

On the characterization of a “highly-militarized” approach, there is no basis for this description of the national approach of the government. The Armed Forces of the Philippines (AFP) has only performed a complementary role to the executive agencies in the operations. This involved the use of its military assets and logistics, to transport PPEs, medical equipment, testing kits and frontline personnel in the cities and across the more than 7,100 islands of the Philippines. Naval assets were also used to transport Filipino nationals from Iran and PPEs from China and India, and air assets to transport foreign tourists from the islands to Manila to enable them to join evacuation flights organized by their governments and return to Europe and their home countries. AFP engineering teams were also involved in building 29 Emergency Quarantine Facilities (EQF) across the country to support hospitals and health facilities with inadequate rooms. A number of AFP military kitchen trucks were deployed as “mobile kitchens” serving the homeless in the Metro Manila.

The AFP has no police powers. The enforcement of curfews related to Enhanced Community Quarantine (ECQ) has been the responsibility of the PNP and the local government units (LGUs), with the AFP personnel only supporting the PNP in selected checkpoints, public markets, etc., and on the request of the LGUs. This had been necessary to support frontline services in the capital, Metro Manila, which has a population of more than 12 million. LGUs asked AFP teams to assist in delivery of food and cash subsidies in areas in the countryside where these operations had been harassed and prevented by units of the New People’s Army (NPA). It is noted that in Switzerland, France and other European countries, militaries and their assets were deployed as well to carry out national response measures.

### **5. The Philippine Government’s unilateral ceasefire declaration and the violations by the Communist Party of the Philippines-New People’s Army-National Democratic Front (CPP-NPA-NDF)**

Even before the call by the UN Secretary-General for global ceasefire, President Rodrigo Duterte declared on 18 March 2020 a unilateral ceasefire against the terrorist group Communist Party of the Philippines-New People’s Army (CPP-NPA). It is regrettable that, instead of responding in solidarity and sincerity, the NPA violated the ceasefire and exploited the situation with the brutal killings of indigenous leaders, attacks against government frontliners, and the political agitation of vulnerable sectors.

While the CPP-NPA later declared its own unilateral ceasefire on 26 March 2020, which it ended on 30 April 2020, the realities on the ground demonstrate opportunism, exploitation, and violations even during its declared period of ceasefire. Among the reported abuses and violations include the stealing of food packs and relief goods, armed assault against security officers distributing relief goods resulting in deaths of government frontliners, killing of indigenous people leaders, extortion activities victimizing village residents, among others. Following are a few of the specific incidents:

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- Snatching of food packs by the NPA from village officials in Balangiga, Eastern Samar.
- 15 NPA rebels fired at soldiers of the 2<sup>nd</sup> Infantry Battalion and police officers who were helping distribute relief goods in Aroroy, Masbate on 10 April 2020.
- The killing on 14 April 2020 of a member of the Manobo tribe in Surigao del Sur while he was tending his farm and was unarmed. The killing was witnessed by his children. The NPA also killed a Manobo tribal leader of Magroyong, San Miguel and a civilian on 19 March 2020.
- On 19 April 2020 in Himamaylan City, Negros Occidental, the 94<sup>th</sup> Infantry Battalion was conducting community security patrol in connection with the distribution of Social Amelioration Program (SAP) of the Department of Social Welfare and Development (DSWD) to support the affected families due to COVID-19 in a nearby barangay as they received series of reports regarding the presence of armed group who were conducting extortion activities in the communities forcing the people to give money and rice. An improvised explosive device (IED) and hand grenades were thrown by the NPA inflicting immediate casualties among the soldiers and resulting in injury among four soldiers and the death of three soldiers.
- On 19 April 2020, AFP troops received reports from the locals of planned harassment by the CPP-NPA-NDF against civilians and government troops in San Agustin, Surigao del Sur. The plan was foiled with the government troop intercepting CPP-NPA-NDF personalities as they were laying improvised landmines along farm trails which target both government troops and civilians. The army recovered four International Humanitarian Law (IHL)-banned anti-personnel improvised landmines and an AK-47 magazine with full ammunition.
- On 21 April 2020, the Army's Infantry Battalion received a series of reports/complaints from the locals of Bayog, Zamboaga del Sur about the conduct of extortion activities by the NPA in their communities. This prompted the army to conduct security patrol in the areas. The army was able to recover one M16A1 assault rifle, one IED and other war materials.

CPP-NPA-NDF personalities including affiliated groups and organizations have capitalized on the pandemic situation to further exploit vulnerable groups to advance its political purposes. The group's modus operandi described in earlier chapters refer to the deception of vulnerable sectors, such as indigenous peoples who are used and exploited for political demonstration purposes, as well as of farmers/ peasants who are enticed to forcefully occupy private lands thus putting them on the frontline of disputes.

These political agitation of vulnerable groups by CPP-NPA-NDF personalities and entities have continued during the enforcement of the enhanced community quarantine, where, among others, misleading information were given to communities and individuals about supposed distribution of relief goods in order to instigate individuals to publicly assemble, in violation of the quarantine rules and in disregard of public health and safety, and give the appearance of a public demonstration or protest.

The group has also been found to make deliberate attempts to violate community quarantine rules in wanton disregard for public health protocols for agitation and propaganda activities under the deceptive cover of a relief mission. Government efforts to hold these personalities to account for violating the Enhanced Community Quarantine (ECQ) and attempting to organize a mass gathering are being challenged with allegations of hampering relief operations.

In assessing the human rights situation in the Philippines, including claims and allegations, the Philippine Government underscores the need to scrutinize the sources of information and to also take into account the activities of the CPP-NPA-NDF and its long track record of instrumentalizing and exploiting human rights and democratic spaces.

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The Philippine Government reiterates that its national response to the pandemic will continue to be strongly guided by the consideration for the welfare of the Filipino people, especially of the vulnerable sectors, the rule of law, and the respect for human dignity and human rights of everyone. **END.**