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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Franciscans International, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2025]

* Issued as received, in the language of submission only.



Shrinking Civic Space in the Philippines: Attacks against Human Rights Defenders and Civil Society Organisations

1. Despite a vibrant civil society comprising more than 60,000 civil society organisations (1), the operating environment for those critical of state policies and working on issues of grave human rights violations and accountability in the Philippines is very challenging. The Civicus Monitor report described the situation in 2024 as “repressed,” indicating that civic space is severely restricted (2). In 2024, the Philippines ranked ninth in the Global Impunity Index, released by the Committee to Protect Journalists. The Philippines is one of only six countries to have appeared every year in the index since 2008. In 2023, the Philippines was ranked as the deadliest country in Asia for land and environmental defenders (3). The Aktionsbündnis-Menschenrechte-Philippinen (AMP) recorded 305 killed human rights defenders (HRDs) and journalists between July 1, 2016, and March 30, 2024; to date there has been only one known conviction.

2. Environmental rights defenders (ERDs) have also been forcibly disappeared. According to the latest report of Global Witness on land and environmental rights defenders (4), there have been seven disappeared ERDs in the Philippines. The AMP monitored 12 enforced disappearances of HRDs between 2023 and 2024, of which five persons remain missing (as of May 2025) (5). Compared to Duterte administration, most disappearances under President Ferdinand Marcos Jr. are not attributed to the government’s anti-drug campaign but politically motivated measures against HRDs. The cases of enforced disappearances show similar patterns, as the abduction is often preceded by a campaign of vilification and intimidation. This practice is called “red-tagging” or where the victim is publicly accused of being a “terrorist” or a member of the rebel group New People’s Army (NPA), the armed wing of the Communist Party of the Philippines or supporting the NPA financially. The victims are often abducted in broad daylight and brought to a secret detention facility, where they are interrogated, tortured, and even killed. In many instances, the disappeared people never reappear. In 2012, the Philippines became the first country in Asia to pass a law criminalizing the practice of enforced disappearances namely the Anti-Enforced or Involuntary Disappearance Act (Republic Act No. 10353). To date, this law has not been applied. The Philippines has so far also failed to ratify the International Convention for the Protection of All Persons from Enforced Disappearances.

3. During her visit to the Philippines from January 23 to February 2, 2024, the UN Special Rapporteur on Freedom of Opinion and Expression, Irene Khan, sounded the alarm on the widespread practice of “red-tagging” of HRDs, development and humanitarian workers, community media workers, journalists, students, artists, writers, trade unionists, teachers, youth, priests, health workers, and indigenous leaders (6). Such vilification often leads to further intimidation, threats, harassment, unlawful surveillance, disappearance, arbitrary arrests, and even killings. “Red-tagging” has led labour activists to withdraw from unions and individual unions to end their affiliations with labour federations critical of the government. Local officials and members of the police or military repeatedly visit the homes of union leaders and officers and threaten action against them for allegedly being members or sympathizers of the NPA.

4. In her preliminary observations, Ms. Khan recommended the abolishment of the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC), an agency that has been at the forefront of “red-tagging” HRDs, among others, since its creation in 2018. In March 2025, President Ferdinand Marcos Jr. reaffirmed its position not to abolish the NTF-ELCAC (7). The NTF-ELCAC provides funds for development projects to villages or “barangays” (8) where an alleged NPA presence has been identified. The local authorities are required to report any NPA activity or presence to the NTF-ELCAC, an approach which incentivizes the practice of “red-tagging.” On May 2, 2025, the Office of the President released Memorandum Circular No. 83, adopting the National Action Plan for Unity, Peace, and Development 2025-2028 (NAP-UPD). The new plan serves “as the nation’s strategic blueprint to end the Communist Party of the Philippines-New People’s Army-National Democratic

Front insurgency and armed conflict and attain inclusive and sustainable peace.” Civil society organizations are concerned that the NAP-UPD will lead to further “red-tagging” attacks.

5. On May 8, 2024, the Philippine Supreme Court (SC) issued a landmark ruling declaring “red-tagging” as a “threat to a person’s right to life, liberty or security, which may justify the issuance of a writ of amparo.” (9) A writ of amparo allows a person to seek various remedies from the courts, such as protection orders. The Philippine Commission on Human Rights (CHR) emphasized in a statement that the definition of “red-tagging” cited in the SC decision “reaffirms the subjective and arbitrary nature of the practice.” (10) According to CHR, this also recognizes the “real and immediate” danger (11) of “red-tagging.” Special Rapporteur Khan recommended adopting an Executive Order on “red-tagging,” a legislative framework that would help hold those responsible for “red-tagging” accountable.

6. In the past five years, the Government of Philippines has filed a substantial number of charges against civil society organizations (CSOs), non-governmental organizations (NGOs), development workers, activists, and human rights defenders for allegedly violating the domestic “Terrorism Financing Prevention and Suppression Act of 2012” (Republic Act No. 10168). These allegations are aimed at intimidating the defendants, damaging their reputation, and hindering their work with marginalized communities. These fabricated charges are a form of “red-tagging,” as defendants are usually accused of having individually or institutionally financed an armed rebel group or terrorist organization. Trials often drag on for years. Usually, the defendants are forced to suspend their operations and activities due to the freezing of organizational and private bank accounts. Moreover, they must spend tremendous amounts of money and time on their defense and are frequently subjected to further harassment, which impedes their NGO work.

7. The Philippine Defend NGOs Alliance monitored cases of alleged terrorism financing charges against 24 NGOs between 2019 and 2024. These fabricated charges piled up at a time when the Philippines was about to undergo its review by the Financial Action Task Force (FATF). The FATF assesses whether countries are complying with international standards to combat terrorism financing and money laundering, among others. In February 2025, after four years on the list, the Philippines was removed from the increased monitoring list or “grey list”. Civil society organizations are concerned that the Government of Philippines filed fabricated charges of alleged terrorism financing against NGOs in view of the FATF compliance review.

8. Vote Report PH monitored (12) a notable number of “red-tagging” incidents, both online and offline. It recorded 1,750 violations during the May 2025 mid-term congressional elections, an eightfold increase from 2022. The CHR emphasized (13) that Resolution No. 11116, which was issued (14) by the Commission on Elections (Comelec) in February 2025, “explicitly prohibits acts of vilification, labeling [or ‘red-tagging’], or guilt by association.” These actions are now classified (15) as election offenses, following the Supreme Court’s ruling on “red-tagging” from May 8, 2024.

9. Center for Media Freedom and Responsibility (CMFR) and the National Union of Journalists of the Philippines (NUJP) reported 184 cases of attacks against media workers between July 1, 2022, and April 30, 2025, which marks a 44% increase compared to the 128 incidents reported in the first 22 months under the former Duterte administration (16). The report states that 42% of these attacks involved state actors as perpetrators. Intimidation through “red-tagging” is the most common form of attack, followed by cases of harassment, which include physical, verbal, or online. While there are fewer journalist killings under the Marcos Jr. administration, media freedom remains constricted due to fear of reprisal. Since 1986, there have been 120 cases of killings of journalists and media workers that remain unresolved (17). In December 2024, journalist Atom Araullo won a civil case against NTF-ELCAC spokespersons Lorraine Badoy and Jeffery Celiz after a “red-tagging” incident against Araullo (18). However, holding perpetrators of “red-tagging” accountable remains an uncommon occurrence.

10. In the past, HRDs and journalists, among others, have been attacked through libel charges. Libel – a criminal offence in the Philippines – and particularly cyber libel, which was criminalized in 2012, once again became a popular tool to oppress the right to freedom of the press and opinion. Special Rapporteur Khan recommended amending the Philippine defamation or libel laws, as it would “send a strong signal nationally and internationally of the Philippines’ commitment to accept criticism and debate (19).”

11. In 2024, the Government of Philippines decided not to continue the UN Joint Programme on Human Rights (UNJP), despite a lack of progress in holding state security forces accountable for extrajudicial killings (EJKs). The UNJP was a three-year technical cooperation between the Philippines and the UN to support the Philippines in conducting adequate investigations into EJKs that occurred during police operations. Instead, the Government of Philippines formed the Special Committee on Human Rights Coordination under Administrative Order No. 22 on May 8, 2024 (20). The new body is supposed to “enhance the accomplishments of the UNJP.” It includes neither a meaningful engagement of civil society groups nor the CHR, which played central roles in the UNJP. On June 7, 2024, Special Rapporteur Khan has explained that the success of the UNJP was characterized by the dialogue it creates between the government and civil society to improve the human rights situation. According to her, it is evident worldwide that civil society is a key player in the promotion and protection of human rights. In the new body, the role of civil society was limited to “coordination and consultation.” More than a year after its creation, the Special Committee on Human Rights Coordination has not had any impact.

Recommendations to the Government of Philippines

12. Immediately stop all forms of “red-tagging,” as well as politically motivated harassment, threats, criminalization, enforced disappearance, and violence against CSOs, NGOs, unionists, journalists, media workers, activists, and HRDs by state security agencies, government employees and officials.

13. Adopt a national legislation on “red-tagging” to criminalize the practice of “red-tagging” and hold those responsible accountable.

14. Institute a stringent and independent appeals process for institutions and organizations that have been “red-tagged”, in full respect of the principles of due process and equality before the law.

15. Immediately abolish the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC).

16. Ensure that the Terrorism Financing Prevention and Suppression Act of 2012 (Republic Act No. 10168) is not misused to defame, harass, and criminalize CSOs, NGOs, activists, development workers, and HRDs.

17. Immediately pass the Human Rights Defenders Protection Bill to protect HRDs from harassment, defamation, criminalization, violence, and killing.

18. Ensure that prosecutors and judges do not initiate criminal proceedings against cases of evidently fabricated charges with exculpatory evidence, in accordance with Article 14 of the UN Guiding Principles on the Role of Prosecutors.

19. Re-examine all defamation laws, i.e., Articles 353-355 and 358-362 of the Revised Penal Code of the Philippines and Section 4c(4) of the Cybercrime Prevention Act of 2012, and bring them in line with Article 19 of the UN Covenant on Civil and Political Rights and General Comment No. 34, where necessary, to eliminate any risk of abuse and unjustified political persecution of human rights defenders and journalists.

20. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and implement the national legislation, namely the Anti-Enforced or Involuntary Disappearance Act (Republic Act No. 10353).

Philippine Alliance of Human Rights Advocates (PAHRA) In Defense of Human Rights and Dignity Movement (iDEFEND) Task Force Detainees of the Philippines (TFDP) Families of Victims of Enforced Disappearances (FIND) Human Rights Online Philippines (HRonlinePH) German Action Network Human Rights-Philippines (Aktionsbündnis Menschenrechte-Philippinen/AMP), NGO(s)

without consultative status, also share the views expressed in this statement.

- (1) Preliminary observations by the UN SR on freedom of opinion and expression, Ms Irene Khan, at the end of her visit to the Philippines, see <https://www.ohchr.org/sites/default/files/documents/issues/expression/statements/20240202-eom-philippines-sr-freedex.pdf>
- (2) See https://monitor.civicus.org/globalfindings_2024/
- (3) Philippines still among worst countries for journalists, The Philippine Star, November 3, 2023, <https://www.philstar.com/headlines/2023/11/03/2308527/philippines-still-among-worst-countries-journalists>
- (4) See <https://globalwitness.org/en/campaigns/land-and-environmental-defenders/missing-voices/>
- (5) See <https://amp.ngo/en/project/amp-statement-human-rights-defenders-keep-disappearing-under-philippines-marcos-jr/>
- (6) See <https://www.ohchr.org/sites/default/files/documents/issues/expression/statements/20240202-eom-philippines-sr-freedex.pdf>
- (7) See <https://www.philstar.com/headlines/2025/03/27/2431394/marcos-will-never-abolish-ntf-elcac>
- (8) A “barangay” is the lowest administrative division in the Philippines.
- (9) See <https://sc.judiciary.gov.ph/sc-red-tagging-threatens-right-to-life-liberty-and-security/>
- (10) See <https://chr.gov.ph/statement-of-the-commission-on-human-rights-lauding-the-supreme-court-decision-on-red-tagging-as-a-threat-to-the-right-to-life-liberty-and-security/>
- (11) Ibid.
- (12) See <https://www.inquirer.net/441816/red-tagging-illegal-campaign-persistent-pests-in-the-2025-elections/>
- (13) See <https://chr.gov.ph/statement-of-the-commission-on-human-rights-on-reports-of-red-tagging-and-sexist-remarks-amid-the-eleksyon2025-campaign-season/>
- (14) See <https://businessmirror.com.ph/2025/02/19/discrimination-red-tagging-in-campaigns-now-punishable-offenses-comelec-warns/>
- (15) See <https://chr.gov.ph/statement-of-the-commission-on-human-rights-on-reports-of-red-tagging-and-sexist-remarks-amid-the-eleksyon2025-campaign-season/>
- (16) See <https://pcij.org/2024/05/03/state-media-freedom-philippines-2024-cmfr/>
- (17) See <https://pcij.org/2025/05/03/cmfr-state-of-media-freedom-in-the-philippines-2025/>
- (18) See <https://www.rappler.com/philippines/journalist-atom-araullo-wins-civil-suit-vs-red-tagging/>
- (19) See <https://www.ohchr.org/sites/default/files/documents/issues/expression/statements/20240202-eom-philippines-sr-freedex.pdf>
- (20) See <https://www.officialgazette.gov.ph/downloads/2024/05may/20240508-AO-22-FRM.pdf>