

**Philippine Senator Leila M. de Lima:  
*The Endangered Parliamentarian*<sup>1</sup>**

By:  
**Vicente M. de Lima II**

My sister, Philippine Senator Leila M. De Lima is the most vocal and staunchest critic of the “drug war” killings and other anti-human rights policies of President Rodrigo Duterte. Starting at the very early days of her term in July 2016, undeterred by the threat of Duterte that he would destroy her and that she will rot in jail, she proceeded to introduce a Senate Resolution to probe the spate of killings, and, as then Chair of the Senate Committee on Justice and Human Rights, she launched the investigation into the rising number of extrajudicial executions of mostly poor Filipinos.

In retaliation, my sister was unseated as Chair of the said Committee and subjected to public vilification and demonization in unprecedented proportions, including slut-shaming by congressmen during kangaroo hearings at the House of Representatives.

Today is my sister’s 938<sup>th</sup> day in unjust detention since her arrest on 24 February 2017. She is facing patently trumped-up drug-related charges based mainly on manufactured testimonies of self-confessed drug felons.

Despite the bogus accusations and the flimsy evidence, the cases, non-bailable ones, have not been dismissed. After more than a year from their filing in court, the prosecutors even altered the indictments from illegal drug trading to conspiracy to trade in drugs, without the benefit of a new or re-opened preliminary investigation. In the meantime, the trial drags, and no less than four (4) judges have inhibited or recused themselves from the cases, while two (2) others have opted for early retirement. President Duterte himself has taken a direct hand in controlling the convict-witnesses by ordering their transfer to a military facility ostensibly to “secure” them, but the real reason, we suspect, is to make sure that they stick to their perjured testimonies against my sister.

Worse, there is no let-up in the orchestrated and simultaneous public attacks against my sister from Duterte himself and his political allies, along with pro-administration bloggers and social media

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<sup>1</sup> Part of the presentation on the situation of parliamentarians at risk by the delegation from the Inter Parliamentary Union (IPU) during the briefing of the Tom Lantos Human Rights Commission at the US Congress on 19 September 2019.

personalities. Oftentimes, these attacks take the character of utterly foul remarks and grave sexist verbal assaults.

Worse even, my sister's ability to discharge her mandate as an incumbent Senator has been severely curtailed, as she is unable to attend plenary sessions even via teleconferencing, and she cannot personally conduct hearings of the committee that she chairs.

My sister's case is emblematic of so many things that are wrong in the Philippines today. There is no institution capable of stopping or even countering Duterte. Supposedly professional prosecutors just went along Duterte's pronouncements that prejudged my sister's guilt, and which formed the bases of evidently politically motivated cases. The courts, unable to withstand political pressure, have failed to put a stop to the repression of my sister's rights.

In the other co-equal department, the legislature, most members of the supermajorities in the House of Representatives and the Senate have made things worse by either actively participating in, or simply tolerating the ganging-up of my sister. Just last week, during the hearing of the Senate Committee on Justice and Human Rights on the anomalies at the Bureau of Corrections (BuCor), my sister's colleagues presented two (2) recycled witnesses, who previously testified thrice (3) against my sister -- once during the House inquiry, also at the preliminary investigation at the DOJ, and then at the ongoing trial in court. Violating the *sub judice* rule in court cases, and disregarding basic parliamentary courtesy and elementary principles of fair play, these Senators tried to deflect the real issue of corruption by Duterte appointees at the BuCor, and shifted the blame to my sister, Duterte's favorite punching bag.

In its Opinion in November 2018, the UN Working Group on Arbitrary Detention (WGAD) of the UN Human Rights Council (UNHRC) has found several categories of arbitrary detention in the situation of my sister. It has called on the Philippine government to implement measures, including her immediate release from detention, and the permission to allow her the full discharge of her role as a parliamentarian.

Many inter-governmental bodies and global organizations have come out with statements sympathetic to my sister. Fellow parliamentarians and parliaments have either introduced or adopted resolutions urging her freedom, noteworthy of which are those at the US Congress, US Senate, Canadian House of Commons, Australian

Parliament, the European Parliament, Philippine House of Representatives, and the Philippine Senate.

Particularly notable among the interventions are the direct actions being taken by the Inter-Parliamentary Union (IPU). For three (3) consecutive years, during its general assemblies in April 2017, October 2018, and April 2019, the IPU has consistently been calling for the immediate release of my sister, and for the dropping of the politically motivated cases. Through its Committee on the Human Rights of Parliamentarians, the IPU even embarked on a mission to Manila in May 2017 to visit my sister and personally assess her situation.

What can the members of US Congress do to help my sister, the first and foremost political prisoner of the Duterte regime, and an undeniably endangered parliamentarian?

1. ***The “Free Leila de Lima” resolutions in both Houses can be adopted.*** We are thankful to Rep. Jackie Spier for introducing House Resolution No. 233, and to the co-sponsors: Reps. James McGovern (Massachusetts), Henry Johnson (Georgia), James Raskin (Maryland), Brad Sherman (California), and Lloyd Doggett (Texas). For Senate Resolution No. 142, we are grateful to Senators Marco Rubio (Republican-Florida) and Edward Markey (Democrat-Massachusetts) for filing a bipartisan resolution, with initial support from Senators Durbin (Illinois), Marsha Blackburn (Tennessee), and Christopher Coons (Delaware)

2 ***A provision in the bill for the budget and operations of the US State Department can be included*** that will restrict entries to the US and its territories of any and all Philippine government officials who are responsible for the arbitrary and indefinite detention of my sister. The State Department may be reminded that both in the years 2017 and 2018, my sister’s case has been prominently mentioned in its World Report.

3. ***Relevant US government agencies may be called upon to enforce the provisions under the Magnitsky Act*** on asset freezing and visa bans upon Philippine government officials who are accountable for gross human rights violations, including the case of my sister. ***Provisions on restriction of entry and other appropriate sanctions under the ARIA Law may be applied*** against those responsible for my sister’s unjust detention and other insufferable injustices.

4. From time to time, ***congressional inquiries may be conducted, like what you have been doing here in the Tom Lantos Congressional Commission on Human Rights*** about the situation of human rights and democracy in the Philippines.

5. ***“Dear Colleague” letters may be sent out*** where your political leaders and executives will write their Filipino counterparts raising serious concerns about the situation of my sister and what they can do to remedy or alleviate it, particularly the need to immediately lift undue restrictions on her work and personal conditions (including reasonable access of media and foreign visitors), and to allow her urgently to fully perform her duties as a Senator.

6. ***The ambassador in Manila, or his representative may be requested***, to visit the Senator, and to issue statements concerning the human rights situation in the country and the case of my sister.

7. ***Occasional statements may be issued*** showing grave concern over the situation of my sister, and the worsening human rights record of the Philippine government. You may please note of the following important dates: this November 20, when my sister will mark her 1,000<sup>th</sup> day in unjust detention; on 10 December, International Human Rights Day; and on 24 February 2018 (God forbidding), the 3<sup>rd</sup> year of my sister’s arbitrary incarceration.

My sister, Senator Leila M. de Lima, is a vanguard of the democratic opposition in our country. She has been called *“the flagbearer of human rights in the Philippines and beyond”*.

It is our hope and prayer that in this “land of the brave and home of the free”, we can all stand by my sister, and come to the aid of the Filipino people in our struggle for dignity and democracy.

*Mabuhay po kayo! Maraming salamat sa inyong lahat.*