

PARTS III & IV

ANATOMY OF A FAILED PANDEMIC RESPONSE

A Series of Critical Papers on Duterte Administration's COVID-19 Interventions

Senator Leila M. de Lima



Photo by KJ Rosales/Philippines Star

PART III

**DUTERTE ADMINISTRATION'S MEDICAL RESPONSE
AND HEALTH SECTOR SUPPORT**

PART IV

**HUMAN RIGHTS REPRESSION IN THE NAME OF
PEACE AND ORDER**



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On Monday, 27 July 2020, President Rodrigo R. Duterte will deliver his penultimate State of the Nation Address (SONA). At front and center of today's public discussion is his administration's response to the COVID-19 pandemic. As the effectivity of Republic Act No. 11469, or the "Bayanihan to Heal as One Act" had lapsed last June 25, Sen. Leila M. de Lima embarked on an analysis of key areas of the government's response, particularly: (a) budget interventions; (b) welfare and social protection; (c) medical response and health sector support; and (d) human rights and peace & order.

Regularly submitting her comments to the Joint Congressional Oversight Committee with respect to all 14 weekly reports from President Duterte, pursuant to Section 5 of RA No. 11469, Senator De Lima has optimally used her lenses as human rights and social justice champion, being the Chairperson of the Senate Committee on Social Justice, Welfare and Rural Development.

These weekly comments, along with additional research inputs from her office's Legislative Affairs Unit, have provided the bases for a series of analysis reports on the Duterte administration's implementation of the Bayanihan Act, which the Senator has dubbed as the "*Anatomy of a Failed Pandemic Response*".

This is the second and last half of the series, with Part III focusing on medical response, and Part IV discussing human rights at the time of pandemic.

Parts I and Part II, which delve on budget interventions and welfare system for marginalized and vulnerable groups, respectively, were published yesterday, 22 July 2020.

DUTERTE ADMINISTRATION'S MEDICAL RESPONSE AND HEALTH SECTOR SUPPORT

By Senator Leila M. de Lima

The origins

On the last day of 2019, a brewing crisis – that was, according to whispers, deliberately hidden from the public^[1] until it could no longer be contained^[2] – finally emerged. On 31 December 2019, the Wuhan Municipal Health Commission in China finally reported a cluster of cases of pneumonia in Wuhan, Hubei Province.^[3] The revelation came weeks after the first^[4] reported cases surfaced in the province – prompting speculations about the actual figures and the real threat that was about to hit the world. It was a medical mystery that was unfolding before the eyes of the world, waiting for the seeds that it has silently planted to germinate, hatch and wreak havoc.

Four days later, on 4 January 2020,^[5] the World Health Organization (WHO) revealed on social media what was then only the subject of speculations among colleagues in the medical field about a new virus spreading around and causing a hurried diaspora from amongst the populace in the Chinese province first and most affected. A week later, China reported its first known death from the illness.^[6] It was the earliest days of the virus – medical experts and scientists traced the disease to a newly discovered zoonotic coronavirus. They initially dubbed it as the 2019 novel coronavirus or 2019-nCoV, a new virus whose origins remained unknown, and whose virulence the world was yet to shockingly discover.

On 12 January 2020,^[7] China finally publicly

shared the genetic sequence of the virus that was sending thousands to seek medical assistance, and hundreds to their unexpected demise. A day later, officials confirmed a case in Thailand – the first recorded case outside China.^[8]

On 23 January, weeks after the virus was made known to the world, Wuhan was finally placed on a lockdown.^[9] Some observed that it was a belated response,^[10] with five million residents having already left and travelled to neighboring countries to seek refuge.^[11] Despite the pleas from the Filipinos to shut the country's borders while it still was ahead of the game,^[12] 600 Chinese tourists arriving on different flights from Wuhan were able to enter the country^[13] – before our airports and seaports were even equipped with health and safety protocols that the medical emergency demanded. It was the cataclysmic event that triggered the nation's catastrophic battle against the virus that would later infect millions and kill by the hundreds of thousands globally.

The ties that bind, the ties that break us

While the stories from neighboring countries should have sounded the alarm, the Philippines failed – by acquiescence, by neglect, by tolerance – to heed the warnings. It did not immediately close our borders to the virus which could have been contained had health protocols been immediately set in place in our ports.

It was the earliest days of the crisis, and the Filipinos were filled with fear after having seen in news articles how the virus quickly debilitated the health systems even of the

[1] <https://www.washingtonpost.com/politics/2020/03/10/wuhan-officials-tried-cover-up-covid-19-sent-it-careening-outward/>

[2] <https://asiatimes.com/2020/04/how-china-hid-tens-of-thousands-of-virus-deaths/>

[3] <https://www.who.int/news-room/detail/29-06-2020-covid-timeline>

[4] <https://www.ndtv.com/world-news/coronavirus-pandemic-started-between-october-6-and-december-11-last-year-says-report-2224751>

[5] <https://www.who.int/news-room/detail/27-04-2020-who-timeline---covid-19>

[6] <https://www.nytimes.com/2020/01/10/world/asia/china-virus-wuhan-death.html>

[7] Supra Note 4

[8] <https://www.who.int/csr/don/14-january-2020-novel-coronavirus-thailand-ex-china/en/>

[9] <https://www.theguardian.com/world/2020/jan/23/coronavirus-panic-and-anger-in-wuhan-as-china-orders-city-into-lockdown>

[10] <https://www.thejakartapost.com/news/2020/01/24/this-time-im-scared-experts-fear-too-late-for-china-virus-lockdown.html>

[11] <https://www.businessinsider.com/5-million-left-wuhan-before-coronavirus-quarantine-2020-1>

[12] <https://www.rappler.com/nation/250603-netizens-reaction-philippines-coronavirus-case-china-travel-ban>

[13] <https://newsinfo.inquirer.net/1220319/doh-should-watch-kalibo-after-departure-of-500-wuhan-tourists>

most developed countries. Having witnessed several countries shutting their doors,^{[14][15]} the people begged the government to shut our borders and to stop issuing visas on arrival. They demanded that their safety and health be made top priority – as good governance entails. But it was the very Department of Health (DOH) Secretary, who should have been most apprised of the risks that our country and our people are being exposed to, that declared before the members of the House of Representatives^[16] how our ties with China weigh more heavily than the threat of virus.^[17] It was the most eloquent declaration of Secretary Francisco Duque’s true priorities – it was a reflection of how he led our country’s fight with the virus to a defeat.

In the midst of a health crisis of epic proportions, the man who should have been at the top of his game, feared shutting our borders would hurt the feelings of our Chinese neighbors. Our people’s right to health and safety sidelined in order to uphold our diplomatic ties with China. He underestimated its virulence as he raised our ties with China to a pedestal. Before the scientific and medical experts could even begin to dissect the virus for its capacity to bring countries down to their knees, Secretary Duque said that as in the cases of seasonal viruses, keeping throats moist would be very helpful in fighting against the virus^[18] – a claim which was later rebutted by no less than World Health Organization.^[19] It was his series of blunders at the start of this war that has pushed our fight into a quicksand. When he said that we have a low infection rate – deliberately omitting the fact that it was only because of our low testing rate^[20] – when he failed to realize how it amounted to an invitation to spread the virus when he said that there is no evidence of asymptomatic transmissions.^[21] How devastatingly wrong he was – and how unfortunately so for the Filipinos.

Nonchalance albeit the warnings

It was this government’s lack of foresight^[22]

that ultimately exacerbated the crisis. Ignoring the tell-tale signs of a brewing storm, it refused to accept the prudent response that any health crisis of this magnitude entailed.

The chaos escalated when the world’s first COVID-19 death outside China was recorded here in the Philippines.^[23] This, after Secretary Duque turned a blind eye as the residents from Wuhan continued to arrive in the Philippines against the behest of the Filipinos to shut our borders. It was a foreboding warning of what would later become the longest lockdown in the world that entailed trillions in spending and debt.

It was only on 16 March 2020 that the entire Luzon with all of its 57 million inhabitants was placed under an Enhanced Community Quarantine (ECQ),^[24] and our ports were shut down.^[25] A thousand cases too late. The virus has already found its way across the archipelago by this time, and putting the Filipinos’ lives on a grinding halt was no longer sufficient to shelter us from the storm.

The DOH and Inter-Agency Task Force on Emerging Infectious Diseases (IATF-EID) should have exercised the highest degree of diligence in stemming the spread of the virus. These agencies should have listened to the scientific and medical experts when they said that there is an urgent need to “trace, test and treat.” They have ignored our neighbors’ lessons in tackling the virus.^[26] Our government

[14] <https://www.scmp.com/news/hong-kong/health-environment/article/3076348/coronavirus-after-singapore-and-taiwan-close>

[15] <https://www.scmp.com/news/hong-kong/politics/article/3076426/hong-kong-ban-all-tourists-battle-coronavirus-spread>

[16] <https://news.mb.com.ph/2020/01/29/duque-rejects-ban-on-chinese-tourists-cites-diplomatic-political-repercussions/>

[17] <https://www.rappler.com/nation/250506-coronavirus-scare-travel-ban-mainland-chinese-not-for-now-duque>

[18] <https://pcoo.gov.ph/wp-content/uploads/2020/01/20200127-LACING-HANDA-PRESS-BRIEFING-WITH-PCOO-SECRETARY-MARTIN-ANDANAR-DEPED-SECRETARY-LEONOR-BRIONES-AND-DOH-SECRETARY-FRANCISCO-DUQUE.pdf>

[19] <https://www.rappler.com/newsbreak/fact-check/256359-drinking-water-washes-coronavirus-stomach-prevents-entering-lungs>

[20] <https://www.rappler.com/newsbreak/fact-check/257462-fact-check-duque-claims-philippines-low-coronavirus-infection>

[21] <https://www.gmanetwork.com/news/news/nation/739088/no-evidence-yet-that-asymptomatic-covid-19-patients-can-infect-others-says-duque/story/>

[22] <https://www.msn.com/en-ph/news/national/extended-quarantine-shows-lack-of-foresight-in-govt-response-%E2%80%9393bayan/ar-BB12qss2>

[23] <https://www.bbc.com/news/world-asia-51345855>

[24] <https://www.aljazeera.com/news/2020/03/coronavirus-philippines-quarantines-island-57-million-people-200316161225532.html>

[25] <https://www.ctvnews.ca/health/coronavirus/manila-sealed-off-to-fight-coronavirus-outbreak-1.4853781>

[26] <https://asia.nikkei.com/Opinion/Philippines-ignored-neighbors-lessons-on-how-to-tackle-coronavirus>

should have adopted the best practices on contact-tracing and isolating patients that our neighboring countries implemented to help them keep their numbers at bay.^[27] Instead, these agencies focused their attention, efforts and resources on clamping down quarantine violators and locking them up in holding facilities that were too cramped to allow the exercise of physical distancing.^[28] It fought against the poor and the homeless, those who only tried to make a living; it declared those who violated curfews and the leftists as the enemy.

As the rest of the world focused on interventions that have solid scientific and medical basis, our officials remained oblivious of the policies that had to be implemented. It empowered the uniformed men as if the enemy is not the unseen force.^[29] – the very men who would later breach quarantine rules to stage a party to celebrate a birthday,^[30] while families had to painfully say goodbye to their loved ones and grieve at a distance;^[31] the very men who had the audacity to shoot a war veteran^[32] in broad daylight.^[33] As Japan and Korea doubled their efforts in contact-tracing,^[34] Secretary Duque, in February, has declared that the government would instead focus its efforts on strengthening the capacities of health facilities nationwide.^{[35][36]}

With billions already at the disposal of the DOH, the country has not yet reached its daily target of testing. Contact-tracing also lags behind.

Despite trillions in spending and debt, the country has now become one of the worst hit in Southeast Asia. While most of our neighboring countries have kept their numbers at manageable levels, we have found ourselves in the middle of a debate between our government officials on whether we are already in the second wave of the global pandemic. While most of Southeast Asia have overcome the worst of the wave, the Philippines is found caught between

conflicting statements of those who are tasked to stir the nation to survival.

Frontliners flatliners

Perhaps the most articulate image that symbolized how ill-prepared and ill-equipped our country is to survive this crisis, is the fact the healthcare workers were the first to fall to the virus.^[37] But it was only after they begged for support.^{[38][39]} that the country started procuring Personal Protective Equipment (PPEs) – at a questionably exorbitant price.^[40]

However, not long after the government has spent billions^[41] for the procurement of the necessary medical supplies and equipment to protect the medical frontliners, employees of the Philippine General Hospital (PGH), one of the designated COVID-19 facilities, exposed the command given to them to reuse masks because the rations will be fewer – at 3 per week.^[42] Unbelievable how quickly we have ran out of supplies despite the amounts disbursed. They were left to their own devices – to dry out and reuse PPEs and masks, to reach out to the public for donations,^[43] to ride bicycles for hours under the scorching heat of the summer sun to hospitals^[44] because the government did not have them in mind when it suspended transportation operations, and to pull out of their own pockets their hard-earned money to pay for a ticket after having been flagged down for back-riding in a bicycle as they travel to work

[27] <https://news.cgtn.com/news/2020-04-10/COVID-19-Global-Roundup-How-Southeast-Asian-countries-acted-PzGgCpHjHi/index.html>

[28] <https://www.aljazeera.com/news/2020/04/poverty-punished-philippines-tough-virus-pandemic-200413063921536.html>

[29] <https://www.philstar.com/headlines/2020/04/19/2008330/war-narrative-covid-19-crisis-fails-empower-filipinos-groups-say>

[30] <https://www.interaksyon.com/politics-issues/2020/06/17/170959/from-mananita-despedida-how-some-govt-employees-breached-quarantine-protocols/>

[31] <https://www.bworldonline.com/coronavirus-disrupts-end-of-life-rites-forces-grief-at-a-distance/>

[32] <https://www.rappler.com/nation/258774-winston-ragos-mom-message-duterte-government-coronavirus-the-enemy-not-son>

[33] <https://www.straitstimes.com/asia/se-asia/philippine-army-vet-shot-by-cops-at-quarantine-checkpoint-gets-heros-burial>

[34] <https://asiatimes.com/2020/06/japans-contact-tracing-method-is-old-but-gold/>

[35] <https://www.rappler.com/nation/252762-doh-stops-contact-tracing-coronavirus-shift-effort-preparedness>

[36] <https://www.businessinsider.com/coronavirus-south-korea-tech-contact-tracing-testing-fight-covid-19-2020-5>

[37] <https://www.npr.org/sections/coronavirus-live-updates/2020/04/03/826804519/pandemic-claims-doctors-in-the-philippines-at-startling-rates>

[38] <https://mb.com.ph/news/2020/03/27/hospital-calls-for-donations-in-kind-supplies-running-out/>

[39] <https://www.cnnphilippines.com/news/2020/3/31/17-frontline-COVID-19-doctors-dead-due-to-lack-of-PPE-.html>

[40] <https://www.cnnphilippines.com/news/2020/4/1/Senators-question-probe-PPE-DOH-frontliners-COVID-19.html>

[41] <https://www.cnnphilippines.com/news/2020/3/30/DOH-purchases-P1.8-billion-worth-of-PPE-.html>

[42] <https://www.facebook.com/aupwunational/posts/2899242510131088>

[43] <https://www.gmanetwork.com/news/lifestyle/healthandwellness/730493/lung-center-asks-for-donations-for-healthcare-workers-battling-covid-19-threat/story/>

[44] <https://www.rappler.com/newsbreak/in-depth/254711-little-protection-government-coronavirus-frontliners>

because they have no choice.^[45]

They were made to man the frontlines sans a concrete and comprehensive government plan to stem the spread of the virus.

Data Reporting

On 5 July 2020, the DOH reported 2,434 additional COVID-19 cases. This was the highest day-to-day figure ever reported at the time, and brought the country's total to 44,254. The DOH sought to soften the blow by adding a caveat: that the surge is being caused by the increased contact among the population resulting from the relaxation of quarantine measures.^[46]

Earlier, on 1 June, the total number of cases stood at 18,638.^[47] Barely over a month later on 3 July, the total number of cases was at 40,336.^[48] This upward trend in the data can be partially attributed to the DOH's earlier assertion as this covers the period since Metro Manila and other regional hotspots were placed under General Community Quarantine (GCQ). However, infections still managed a steady rise even when the entire country, particularly the island of Luzon, was placed under various degrees of lockdown.

From 16 March to 31 May 2020, the total number of cases ballooned from a little over a hundred to well over 18,000. From the beginning of the lockdown up to the end of April, the number of positive cases hovered around 200 cases per day, on average. Despite the steady rise in cases, the DOH prematurely (and wrongfully) claimed that the country had begun to "flatten the curve"^[49] on 8 May when it cited that the positivity rate^[50] had met WHO thresholds.

Yet, when the average of positive cases exceeded 300 persons per day around mid-May, the DOH had another excuse (or two) up their sleeves. First, they claimed that this sudden surge in COVID-19 cases were partly attributable to the inclusion of the positive test results of returning Overseas Filipino

Workers (OFWs) which had only just been processed.^[51] Second, they also noted the government's increased testing capacity and its efforts to catch up on the testing backlogs as soon as possible.^[52]

When the WHO noted that we had experienced the highest number of reported cases in the Western Pacific region from 16 to 27 June, Presidential Spokesperson Harry Roque, in typical fashion, went on the defensive and urged the WHO to refrain from "cherry picking" data for comparison.^[53] Efforts to downplay the failures of the government in coming up with an effective public health response to the pandemic are evident in how data is presented to the general public. As the number of daily reported cases have once again begun to reach record-highs, the DOH has also shifted the way by which the data is reported.^[54]

Testing and Tracing

We have been playing catch-up since the very beginning of this outbreak and we have yet to capture its true extent. The DOH has long stood by being able to meet established thresholds for positivity rate and case doubling time^[55] to reassure the public that everything is under control.

Yet, not all is as rosy as they make it out to be. For one, the DOH, per their own framework, considers localities to be at moderate risks for COVID-19 infection and allows them to shift to a lower level of quarantine only if its case doubling time falls between seven and 30 days or it does not meet the outbreak threshold.^[56]

[45] <https://www.rappler.com/nation/256018-health-workers-fined-for-backriding-coronavirus-lockdown>

[46] <https://newsinfo.inquirer.net/1302341/doh-increased-public-contact-causing-surge-in-virus-cases>

[47] <https://www.facebook.com/OfficialDOHgov/photos/a.157979910879936/3369360226408539>

[48] <https://www.facebook.com/OfficialDOHgov/photos/a.157979910879936/3463775596967001>

[49] <https://www.rappler.com/nation/260313-doh-claims-philippines-flattening-curve-coronavirus-positivity-rate>

[50] Positivity rate refers to the percentage of people who test positive for COVID-19 out of the total number of persons tested. The WHO has suggested a positive rate of around 3-12 percent as a general benchmark of adequate testing.

[51] <https://newsinfo.inquirer.net/1281769/doh-sudden-surge-in-new-covid-19-cases-due-to-returning-of-ows-test-results>

[52] <http://outbreaknewstoday.com/philippines-covid-19-cases-rise-as-testing-increased-clearing-of-backlog-93002/>

[53] <https://www.philstar.com/headlines/2020/06/29/2024339/who-philippines-covid-cases-rising-fastest-region>

[54] <https://manilastandard.net/news/top-stories/327770/doh-to-shift-reporting-of-virus-cases.html>

[55] Case doubling time is simply the time it takes for the number of cases to double. The higher the number, the longer it takes for the cases to double, and the more manageable it is, in theory.

[56] <https://newsinfo.inquirer.net/1282119/doh-notes-improvement-in-virus-case-doubling-time#ixzz6NgsSn7Zc>

In DOH's Virtual Presser on 6 July, it was reported that the case doubling time in the COVID-19 hotspots of Cebu City and the National Capital Region (NCR) stands at 7.95 and 8.39 days, respectively, as of July 3. [57] At first glance, seven days appears to be an acceptable lower limit for the case doubling time threshold, especially considering that the figure was reportedly much lower prior to the imposition of the lockdowns. But, when compared to the data for case doubling times around the world as of 5 July, this lower limit is revealed to be much too low as all but four countries manage to clear it. [58] The world average case doubling time is at 39 days as of 5 July [59] which means that even if we manage to push case doubling time to the upper limit prescribed by the DOH, we would still fall woefully short of global standards.

On the other hand, for all the hype the DOH attributes to our low positivity rate [60], it simply tells us if we are doing enough tests to monitor the outbreak. It does not indicate whether infections are trending upward or downward.



Fig. 1. Daily Positivity Rate (As of July 5, 2020).
Retrieved from <https://www.doh.gov.ph/covid19tracker>

A better way to forecast the trajectory of positive cases would be to make use of the daily 7-day moving average of total reported cases. On 1 June, the daily 7-day moving average [61] was at 378.7. Not even 3 weeks later, on 21 June, it nearly doubled to 717.1, and has trended upward in the weeks since.

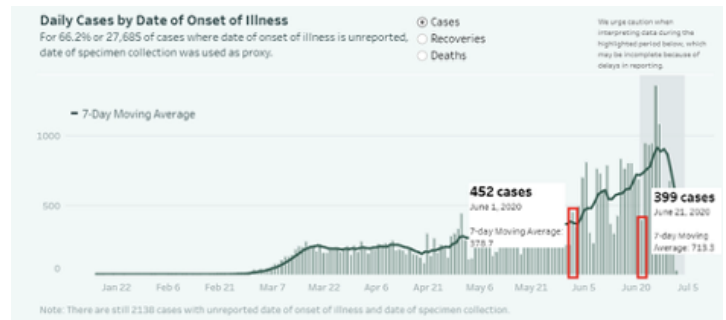


Fig. 2. Nationwide Cases Data (As of July 4, 2020).
Retrieved from <https://www.doh.gov.ph/covid19tracker>

For argument's sake, if we were to take the DOH at its word and buy into the (false) narrative that they are on top of the COVID-19 situation based on positivity rate and case doubling time, we must then look into the next step of the government's public health response: contact tracing. The government has also fared poorly in this endeavor to say the least. For starters, per DOH data as of 4 July, 12,183 out of 29,087, or almost 42 percent of the total active cases in the Philippines are classified under "Unknown Province/City". In other words, 2 in every 5 persons in the country with the COVID-19 virus have yet to be located.

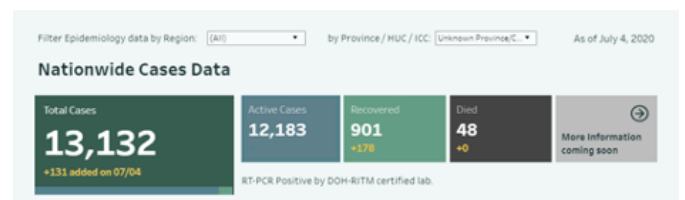


Fig. 3A. Total Active Cases Nationwide in "Unknown Province/City" (As of July 4, 2020). Source: <https://www.doh.gov.ph/covid19tracker>

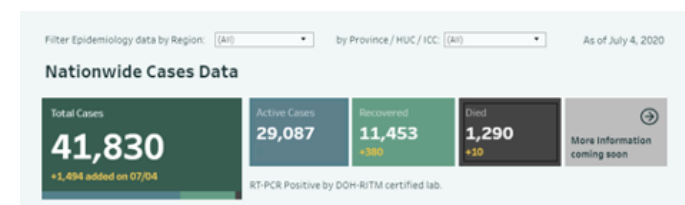


Fig. 3B. Total Active Cases Nationwide (As of July 4, 2020).
Source: <https://www.doh.gov.ph/covid19tracker>

[57] <https://www.facebook.com/156566631021264/videos/3283778784977274>

[58] <https://www.statista.com/statistics/1104809/days-for-covid19-cases-to-double-select-countries-worldwide/>

[59] Ibid.

[60] In the Philippines, the cumulative positivity rate (total positive individuals / total individuals tested) as of July 5, 2020 is 7.4%. Retrieved from <https://www.doh.gov.ph/covid19tracker>

[61] A moving average is a technique to get an overall idea of the trends in a data set; it is an average of any subset of numbers. The moving average is extremely useful for forecasting long-term trends. Retrieved from <https://www.statisticshowto.com/moving-average/>

The ratio of unknown-to-known locations of persons with COVID-19 is essentially the same for the same period in the known hotspot that is the NCR, with 4,723 out of 12,068, or 39 percent of active cases within the region are in unknown locations.



Fig. 4A. Total Active Cases in the NCR in “Unknown Province/City” (As of July 4, 2020). Source: <https://www.doh.gov.ph/covid19tracker>



Fig. 4B. Total Active Cases in the NCR (As of July 4, 2020). Source: <https://www.doh.gov.ph/covid19tracker>

How is it even possible to conduct a COVID-19 test without gathering all pertinent contact information about the patient beforehand? The DOH can test all the people they want but if they cannot even locate two-fifths of all active cases nationwide, then initiating efforts to trace for their immediate contacts is out of the question.

What then can we conclude from this? Simply put, the Duterte administration is deliberately misleading the public on the state of the pandemic and overstating their capability to provide a comprehensive and effective public health response. While they may be monitoring the spread of the COVID-19 virus, they have no idea where a vast portion of the cases are coming from, hence, their trigger-happy tendencies to impose blanket lockdowns across entire regions instead of proper targeted efforts at detecting and isolating positive cases.

Now, as we begin to approach the critical capacity of our health facilities^[62] and as our frontline health workers are pushed to the

point of physical and mental exhaustion, we know there will come a day of reckoning for this tragedy of errors. More and more it is being revealed that there is no plan beyond imposing large-scale quarantines for extended periods as the Duterte administration awaits the COVID-19 vaccine to be generously supplied by our Chinese overlords.^[63]

We have been seeking answers but all we've got so far are excuses. There is only so much the Duterte administration can do to manipulate public perception. Perhaps they will eventually own up to their mistakes and present the situation in a manner that best captures the reality of the pandemic, but we shouldn't hold our collective breath as history has told us that that they would rather protect their own fragile egos rather than the health and well-being of the Filipino people.

[62] <https://newsinfo.inquirer.net/1302679/11-metro-manila-hospitals-report-100-utilization-of-covid-19-beds>

[63] <https://globalnation.inquirer.net/188507/xi-assures-du30-ph-gets-priority-access-once-china-develops-vaccine>

HUMAN RIGHTS REPRESSION IN THE NAME OF PEACE AND ORDER

By Senator Leila M. de Lima

Instruments of Lawfare

During the period of extended lockdown in the country, there have been incidents of gross and repeated violations of human rights, which are distinctly characterized by the law enforcement agencies' use of the legal framework to go against critics and political opponents of President Rodrigo Duterte. This lawfare against the civil and political rights of the people have been facilitated either or both by the express pronouncements of Duterte himself, and the gaps created by the legislature in our statutes, thus:

- Sec. 6(f) of R.A. 11469, or the Bayanihan to Heal as One Act punishes "Individuals or groups creating, perpetrating, or spreading false information regarding the COVID-19 crisis on social media and other platforms, such information having no valid or beneficial effect on the population, and are clearly geared to promote chaos, panic, anarchy, fear, or confusion; and those participating in cyber incidents that make use or take advantage of the current crisis situation to prey on the public through scams, phishing, fraudulent emails, or other similar acts."
- In a statement, Human Rights Watch (HRW) deputy Asia director Phil Robertson feared that "given the

Duterte administration's well-documented hostility towards freedom of the press and online critics, this [Section 6(f) of Bayanihan Law] could be used to criminalize any online information the government dislikes. Instead of seeking to shut down online information the Duterte administration should respect the rights to freedom of expression and access to information."^[1]

- Article 154 of the Revised Penal Code is being used by the National Bureau of Investigation (NBI) to summon netizens for their posts on social media. The Department of Justice (DOJ) on February 4 issued an order authorizing the NBI to investigate "alleged deliberate spread of misinformation and fake news" related to the coronavirus.^[2]
- The Revised Penal Code punishes "Resistance and Disobedience to Persons in Authority or Agents of Such Persons" under Article 151^[3].
- Section 9 of R.A. 11332, otherwise known as Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act", punishes the following acts-
 - (a) Unauthorized disclosure of private and confidential information pertaining to a patient's medical condition or treatment;
 - (b) Tampering of records or intentionally providing misinformation;

[1] Ramos, Christia Marie. Inquirer.net. Rights group warns 'Bayanihan' law provision may be misused vs critics. 25 March 2020. Retrieved from <https://newsinfo.inquirer.net/1248081/rights-group-warns-bayanihan-law-provision-may-be-misused-vs-critics#ixzz658W7IW9x>

[2] Vitug, Marites Danguilan. Rappler. [ANALYSIS] Duterte crushes free expression amid pandemic. 4 May 2020. Retrieved from <https://www.rappler.com/thought-leaders/259453-duterte-crushes-free-expression-coronavirus-pandemic>

[3] Article 151. Resistance and disobedience to a person in authority or the agents of such person. - The penalty of arresto mayor and a fine not exceeding One Hundred Thousand Pesos (P100,000) pesos shall be imposed upon any person who not being included in the provisions of the preceding articles shall resist or seriously disobey any person in authority, or the agents of such person, while engaged in the performance of official duties. When the disobedience to an agent of a person in authority is not of a serious nature, the penalty of arresto menor or a fine ranging from Two thousand Pesos (P2,000) to Twenty thousand pesos (P20,000) shall be imposed upon the offender. (Underscoring supplied)

(c) Non-operation of the disease surveillance and response systems;

(d) Non-cooperation of persons and entities that should report and/or respond to notifiable diseases or health events of public concern; and

(e) Non-cooperation of the person or entities identified as having the notifiable disease, or affected by the health event of public concern. Disclosure of confidential information will not be considered violation of this Act under this section if the disclosure was made to comply with a legal order issued by a court of law with competent jurisdiction.

- In a report, PNP Chief PGen. Archie Gamboa said that police will immediately arrest without any warning those who will violate the Luzon-wide enhanced community quarantine guidelines. PNP Chief Gamboa cited ECQ Violators will be charged under Bayanihan to Heal as One Act, Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act, and Article 151 of the Revised Penal Code, which penalizes the act of resistance and disobedience to a person in authority.^[4]
- The DOJ seconded this and said that authorities may arrest people even if they “do not seriously resist” police action to abide by the curfew and other restrictions while CHR responded that violations “should not be automatically meted with arrest” and added that such arrests could lead to additional human rights abuses.^[5]
- Last April 1, President Duterte delivered an impromptu national address with a short and clear message: “My orders to the police

and military ... if there is trouble or the situation arises where your life is on the line, shoot them dead,” “Understand? Dead. I’ll send you to the grave. ... Don’t test the government.”^[6]

- PNP Deputy Chief for Operations Lt. Gen. Guillermo Eleazar, who heads the Joint Task Force COVID-19 Shield, said in a report that it is better for local officials to parade quarantine violators in the streets instead of sending them to jails.^[7]

Findings

Quick figures

The number of cases of human rights abuses are simply appalling, thus:

- As of 31 May 2020, there are a total of 193,779 Filipinos arrested for alleged violations during the lockdown among which 58,848 were charged and 15,307 were detained. As of 10 June 2020, 2,637 are still detained in congested jails.^[8]
- The Commission on Human Rights (CHR) has received 368 requests for assistance and complaints, coming mostly from the National Capital Region, Central Luzon, and Calabarzon.

[4] Yumol, David Tristan. CNN Philippines. PNP chief: Quarantine violators face immediate arrest without warning. 21 April 2020. Retrieved from https://cnnphilippines.com/news/2020/4/21/quarantine-violators-face-arrest-without-warning.html?fbclid=IwAR31NuSLjle2SIXY-b8pSlgxBq2aH6DBWm3VCDXalDBKNIBt0fuWBO_bsl

[5] Human Rights Watch. Philippines: Curfew Violators Abused : COVID-19 Response Should Respect Detainee Rights. 26 March 2020. Retrieved <https://www.hrw.org/news/2020/03/26/philippines-curfew-violators-abused>.

[6] Billing, Lynzy. Foreign Policy. Duterte’s Response to the Coronavirus: ‘Shoot Them Dead’: The Philippines president’s order to kill quarantine violators amid coronavirus chaos tests democracy yet again in his country. 16 April 2020. Retrieved from <https://foreignpolicy.com/2020/04/16/duterte-philippines-coronavirus-response-shoot-them-dead/>

[7] Jalea, Glee. CNN Philippines. PNP: Better to parade quarantine violators rather than imprison them. 20 April 2020. Retrieved from <https://cnnphilippines.com/news/2020/4/20/PNP-parade-quarantine-violators-instead-of-imprisoning-them.html>

[8] Buan, Lian. Rappler. Court clears activists in quarantine case, use of ‘broad’ law improper. 10 June 2020. Retrieved from <https://rappler.com/nation/court-clears-activists-quarantine-case-notifiable-disease-law-improper>

Notorious human rights violations

DATE	INCIDENT	SOURCE
20 Mar 2020	Local officials in Santa Cruz, Laguna admitted locking up five youths inside a dog cage. The officials sought to justify their action by saying the youths had violated the curfew and been verbally abusive, and said that they had also been rounding up stray dogs that night.	https://www.hrw.org/news/2020/03/26/philippines-curfew-violators-abused
23 Mar 2020	<p>Stories of alleged harassment surfaced on social media.</p> <p>During a routine check at a checkpoint, a soldier gave his number to a woman, together with her license and quarantine pass.</p> <p>Some women were forced to take their helmets by law enforcers manning the checkpoints. Some were asked where they live.</p>	https://www.interaksyon.com/celebrities/2020/03/26/165098/reports-harassment-women-muslim-checkpoints-pnp-afp-bela-padilla/
24 Mar 2020	A reporter from DZMM Teleradyo shared a video of a police officer in Quiapo, Manila cursing at and slapping a resident with a stick for leaving home quarantine despite presenting a quarantine pass.	https://www.interaksyon.com/celebrities/2020/03/26/165098/reports-harassment-women-muslim-checkpoints-pnp-afp-bela-padilla/
25 Mar 2020	A barangay in Parañaque drew criticism for leaving violators of the city's 24-hour curfew to sit under the heat of the sun.	https://www.philstar.com/headlines/2020/03/25/2003270/paraaque-curfew-violators-tortured
26 Mar 2020	Two children were also locked in a coffin in Cavite as punishment for violating curfew rules.	savethechildren.net/news/covid-19-save-children-calls-philippines-officials-stop-cruel-and-humiliating-treatment

<p>01 Apr 2020</p>	<p>Pasig Mayor Vico Sotto was summoned by the NBI for allegedly violating the Bayanihan to Heal as One Act, particularly that of disobeying national government policies or directives in imposing quarantines. It must be noted that the supposed violation occurred before the Bayanihan Law was passed.</p>	<p>https://www.rappler.com/nation/256680-vico-sotto-response-nbi-summons-april-1-2020</p>
<p>01 Apr 2020</p>	<p>Police violently dispersed a peaceful protest by Quezon City residents who had gathered to demand government aid during the COVID-19 community quarantine. 21 protesters were arrested, detained and released on bail 5 days later.</p> <p>On the same day, President Duterte during his televised address, ordered police and soldiers to “shoot” residents causing “trouble” during the government’s lockdown. He likewise reiterated “not to intimidate government” and to “not challenge the government” because whoever will, will surely lose^[9].</p>	<p>https://www.amnesty.org.uk/urgent-actions/residents-seeking-covid-19-relief-charged</p>
<p>02 Apr 2020</p>	<p>Two journalists based in Cavite – Latigo News TV website editor Mario Batuigas and video blogger and online reporter Amor Virata—were accused of spreading “false information on the Covid-19 crisis” under Section 6(f) of the “Bayanihan to Heal As One Act.</p>	<p>https://rsf.org/en/news/two-philippine-journalists-face-two-months-prison-coronavirus-reporting</p>
<p>05 Apr 2020</p>	<p>Barangay Chairman Christopher Bombing Punzalan of Pandacaqui, Mexico, Pampanga punished curfew violators, who happened to be members of the LGTBQ+ community, by specifically asking them to perform a sexy dance in front of a 15-year-old minor who also went past the curfew time. Two of them were also asked to kiss each other. These activities were all documented in a Facebook live video, which was deleted later on.</p>	<p>https://www.inkbayon.com/trendspotlights/2020/04/08/166041/urgent-probe-sought-into-barangay-captains-sexy-dance-punishment-for-curfew-violators/</p>

[9] Reporters Without Borders. Two Philippine journalists face two months in prison for coronavirus reporting. 6 May 2020. Retrieved from <https://rsf.org/en/news/two-philippine-journalists-face-two-months-prison-coronavirus-reporting>

06 Apr 2020	Junie Dungog Piñar, a 63-year-old farmer, was shot dead by policemen at a checkpoint. He was reportedly enraged when told to wear a face mask at a checkpoint, and tried to attack cops with a scythe.	https://rappler.com/nation/police-shoot-dead-farmer-agusan-del-norte-coronavirus
14 Apr 2020	In Barangay Bagong Nayan, Antipolo, 39 violators were asked to stay inside a detention court for eight to ten hours without giving them food or drink.	https://m.facebook.com/story.php?story_fbid=2459187664392242&id=1760728854238130
19 Apr 2020	Police officers in Norzagaray, Bulacan arrested activists, including former Anakpawis Rep. Ariel Casilao, who were on their way to provide relief assistance for farmers. They were charged with sedition. Found in their vehicle were old issues of a publication for farmers.	https://newsinfo.inquirer.net/1263190/govt-more-interested-in-human-rights-violations-than-solving-covid-19-problems-group-says#ixzz6S3Y6NL6e
19 Apr 2020	Poet and scriptwriter Maria Victoria Beltran based in Cebu City was arrested after allegedly spreading 'fake news' about 9,000 high coronavirus infection rates in the said Sitio Zapatera. Beltran was also said to have taken down the post after Cebu City Mayor Edgar Labella threatened her with an arrest.	https://newsinfo.inquirer.net/1263014/chr-probing-arrest-of-cebu-film-writer-over-social-media-post-on-covid-19#ixzz6S3YTizOd
20 Apr 2020	Four (4) cops stormed the high-end Pacific Plaza Towers (PPT) condominium complex in Bonifacio Global City, Taguig City, threatening guards with arrest if they were not allowed in, and then accosting residents who did not wear face masks and allegedly did not practice physical distancing in common areas. They carried guns without warrants.	https://www.rappler.com/newsbreak/in-depth/259493-policing-coronavirus-pandemic-philippines-still-stuck-drug-war-blueprint
21 Apr 2020	Retired soldier Winston Ragos, who was suffering from post-traumatic stress disorder (PTSD), was fatally shot by police at a quarantine checkpoint following an altercation.	https://www.gmanetwork.com/news/news/metro/735154/cops-shoot-army-vet-dead-kin-say-he-was-unarmed-had-mental-issues/story/

<p>25 Apr 2020</p>	<p>A DOLE Official has asked Taiwan to deport Elanel Egot Ordidor, a Filipino caregiver, for allegedly discrediting and maligning President Duterte on her post stating that it was aimed to “destabilize the government” and “cause hatred amidst the global health crisis”.^[10] Taiwan, however, upheld the worker’s right to free speech and rejected DOLE’s request.</p>	<p>https://rappler.com/nation/dole-asks-taiwan-deport-ofw-facebook-posts-criticize-duterte</p>
<p>26 Apr 2020</p>	<p>Spanish citizen, Javier Salvador Parra, was tackled to the ground by a cop arresting him after his househelp did not wear a face mask while watering their house plants.</p>	<p>https://www.rappler.com/newsbreak/in-depth/259493-policing-coronavirus-pandemic-philippines-still-stuck-drug-war-blueprint</p>
<p>28 Apr 2020</p>	<p>Quezon City local authorities were caught on video dragging and beating fish vendor Michael Rubuia for having failed to wear a face mask and for not carrying a quarantine pass.</p>	<p>https://www.rappler.com/nation/259289-quezon-city-officials-maul-drag-fish-vendor-not-wearing-face-mask</p>
<p>10 May 2020</p>	<p>Reynaldo Orcullo was arrested for his social media post against Senator Bong Go and President Rodrigo Duterte.</p>	<p>https://www.cnnphilippines.com/news/2020/5/14/Duterte-cyberlibel-arrest-Agusan-del-Norte.html</p>
<p>12 May 2020</p>	<p>Ronnel Mas, 25, public school teacher, was arrested in Barangay North Poblacion, Sta. Cruz, Zambales after posting on Twitter that “I will give ₱50 Million reward kung sino makakapatay kay Duterte (to anyone who can kill Duterte).”</p>	<p>https://www.cnn.ph/news/2020/5/12/nbi-arrests-teacher-duterte-bounty.html</p>
<p>13 May 2020</p>	<p>Maria Catherine Ceron, 26, will be charged with inciting to sedition, for allegedly offering online a ₱75-M bounty to anyone who will kill President Rodrigo Duterte.</p>	<p>https://cnnphilippines.com/regional/2020/5/13/woman-arrested-75-million-bounty.html?fbclid=IwAR1LcIYwOd0Ad4RPy01pwOKj3xqGM43GhVWxDWkt0IZEJclwuhZXPg8qoZE</p>

[10] Supra Ibid 2

<p>16 May 2020</p>	<p>Mickaela Manzon was charged with resistance and disobedience to a person in authority, alarm and scandal, unjust vexation and violation of the Bayanihan Heal as One Act for allegedly trying to defy a checkpoint set up to enforce the enhanced community quarantine. Police officers told the woman she was not allowed past the checkpoint because she wore no face mask, had no quarantine pass and the area was under “hard lockdown.”</p>	<p>https://www.philstar.com/nation/2020/05/16/2014321/woman-held-defying-checkpoint-calooocan</p>
<p>2 June 2020</p>	<p>PISTON jeepney drivers were arrested and detained for six days, including a 72-year old man for failing to practice physical distancing during a protest and were allegedly resisting authorities despite the public's clamour for their release. On June 18, two out of the six arrested PISTON Jeepney drivers test positive for COVID-19.</p>	<p>https://cnnphilippines.com/news/2020/6/18/2-of-6-arrested-Piston-jeepney-drivers-positive-COVID-19.html?fbclid=IwAR2KCJkxNjimPX96nUVHkMbp9Fkwz3-Ki7JvI4w6vprbz0kx3wzIANNgJ9k</p>
<p>8 July 2020</p>	<p>Journalist and COVID-19 survivor, Howie Severino, was arrested after he temporarily lowered his face mask for a drink. He was taken to Amoranto Stadium for a brief seminar on proper use of the face mask in public.</p>	<p>https://newsinfo.inquirer.net/1303750/howie-severino-gets-apprehended-for-putting-down-mask-to-sip-water-in-qc</p>

Other forms of violations and suppressions:

- Incidences of rape, domestic violence, and online child exploitation^[11] dramatically increased during the implementation of lockdowns on certain areas in the country. This was tagged as the “silent pandemic”.
- Environmental activists and defenders are not spared from the militaristic “health” approach during the lockdown wherein a number of activists were killed and gunned down. “The repression amidst the militaristic lockdown begs the question of the the sincerity of the government in providing people with much-needed relief,” Lia Alonzo

of the Center for Environmental Concerns – Philippines (CECP) said in a statement.^[12]

- 7 July 2020, days after the Anti-Terrorism bill was signed by Duterte, the Secretary-General of Karapatan, Cristina Palabay, exposed an attempt by authorities to serve her a warrant of arrest. The supposed warrant was rooted from a perjury complaint earlier filed by National Security Adviser Hermogenes Esperon against her and officers of the rights group Karapatan,

[11] Gavilan, Jodesz. Rappler. Child sex abuse material now peddled for as low as P100 on twitter. Retrieved from https://www.rappler.com/newsbreak/investigative/261523-besides-private-sex-videos-child-porn-peddled-twitterphilippines?tm_medium=Social&utm_campaign=Echobox&utm_source=Facebook&fbclid=IwAR1haYi8PAK06sCVMpx4_6-MWsn5ZOSoCY6Yy8fpicPoBYikh_qQJJAo43s#Echobox=1593851268

[12] Mongabay. Deaths, arrests and protests as Philippines re-emerges from lockdown. Retrieved from <https://news.mongabay.com/2020/05/deaths-arrests-and-protests-as-philippines-re-emerges-from-lockdown/>

and two human rights organizations. What is bothersome was the fact that the arrest warrant was served by a “guy who introduced himself as an LBC courier” and a “guy in plainclothes”. It was later discovered that the “LBC guy” was also a cop. Palabay argued the way the warrant of arrest was served was not proper. The cops apologized but averred that they would not be able to arrest anyone that way and “that people being arrested might escape”.^[13]

Analysis

The Bayanihan Law and other existing laws were weaponized and used as shield to systematically curtail all forms of human rights, including freedom of speech and expression amidst a pandemic. It is like witnessing again the dark days of our country combined with a national health crisis. Undoubtedly, the Philippines’ longest lockdown was in fact a “crackdown”^[14]

Government turned a blind eye to the real needs of the Filipino people. The vulnerable sectors faced harsher penalties when they are the hardest hit by the pandemic. Compassion was only given to those in position, who are administration allies.

As the courts were closed during the lockdown, not all had access to legal remedies.

It is evident that the government’s priority during the ECQ was to mobilize the police and military and to acquire emergency powers for the President. Our country is one of the several countries where police and other security forces are using excessive and sometimes deadly force to enforce lockdowns and curfews^[15] but with no laudable national health progress.

Government should have focused on large-scale mass testing, further protection of frontliners, psychosocial interventions, and health system reforms since January 2020. Instead, only VIPs or privileged were prioritized for testing. They were also not consistent with their statements, one day they are saying that there will be mass testing,^[16] the next day there will be none^[17].

As a result, Philippines has one of the highest infection rates in Southeast Asia with all its neighboring countries gradually progressing in suppressing the virus.^[18]

This approach by the current administration has elicited criticisms worldwide. The United Nations has raised concerns regarding countries’ response to COVID-19, particularly citing the Philippines as repressive. The UN High Commissioner for Human Rights Michelle Bachelet has called out countries where police and security forces have used unnecessary force to make people abide by lockdown and curfew rules. The victims were mostly coming from the poor and vulnerable sectors.^[19] She said force should only be used when strictly necessary and lethal force should only be carried out when there is an imminent risk to life.

In HRW Deputy Asia Director Phil Robertson’s words, “while the Philippines government needs to protect the health and welfare of

[13] Casilao, Joahna Lei. GMA News Online. Karapatan Sec-Gen bares arrest try by cop posing as LBC courier, 7 July 2020. Retrieved from <https://www.gmanetwork.com/news/news/nation/745915/karapatan-sec-gen-bares-police-attempt-to-serve-void-arrest-warrant-via-lbc-courier/story/>

[14] Irvine, John. ITV News. How coronavirus appears to be an enemy of democracy, 27 April 2020. Retrieved from <https://www.itv.com/news/2020-04-26/coronavirus-outbreak-threatens-human-rights-appears-enemy-of-democracy-john-irvine-writes/>

[15] Aspinwall, Nick. The Diplomat. Police Abuses, Prison Deaths Draw Concern as Philippines Tightens Lockdown Measures, 30 April 2020. Retrieved from <https://thediplomat.com/2020/04/police-abuse-prison-deaths-draw-concern-as-philippines-tightens-lockdown-measures/>

[16] CNN Philippines. Duque: Some ‘VIPs’ directly requested for COVID-19 testing, 24 March 2020. Retrieved from <https://www.cnnphilippines.com/news/2020/3/24/Philippines-coronavirus-COVID-19-VIP-test.html>

[17] Mercado, Neil Arwin. Inquirer. No mass testing ever conducted since outbreak, 21 May 2020. Retrieved from <https://newsinfo.inquirer.net/1278855/duque-admits-no-covid-19-mass-testing-ever-conducted-since-outbreak>

[18] Deinla, Imelda. East Asia Forum. COVID-19 tightens Duterte’s iron grip, 18 June 2020. Retrieved from <https://www.eastasiaforum.org/2020/06/18/covid-19-tightens-dutertes-iron-grip/>

[19] CNN Philippines. UN sounds alarm on PH’s ‘highly militarized’ lockdown response, 29 April 2020. Retrieved from <https://www.cnnphilippines.com/news/2020/4/29/Philippines-COVID-19-quarantine-police-military.html>

the people, any interventions must be in line with international human rights standard, including the prohibition against cruel, inhuman, and degrading treatment of people in custody.”

According to National Union of People’s Lawyers (NUPL), the more than 30-days lockdown has demonstrated just how bound and determined this administration is, not in ‘flattening the curve’ of COVID-19 cases, but in committing human rights violations with impunity along the way. It is hell-bent on ‘flattening’ and dismissing criticisms on the glaring ‘double standards’ in the implementation of its own lockdown policies, the real talk of growling stomachs, and the sound proposals of experts to cushion the economic impact of a dominantly militarist approach to the crisis.”^[20]

Clearly, the aggressive and punitive usage of an “iron fist” during a National Health Emergency was pointless, obstructive and utterly ludicrous.

Mental Health

The incident concerning Ragos tackles the lack of attention regarding mental health. Mental health is a human right^[21]. Concerned agencies should also map out a comprehensive mental health strategy or plan for the country taking into consideration the COVID-19 effects on all sectors especially the labor industry, which has been greatly affected due to the need of other companies to retrench some of their workers. We must take in consideration that one-on-one therapies are currently not available due to the observance of physical distancing. The government must therefore incorporate in their health plan various approaches in addressing these gaps and ensure that the Mental Health Act is being upheld even during a pandemic.

Women, Children and Youth

From the beginning, this administration has been silent on any of the status of the

government efforts in cracking down cybercrime activities especially during the ECQ. Moreover, there appears to be no concrete actions from relevant agencies on the matter considering numerous news reports on online child sex abuse in the country despite its very appalling prevalence.

The State and concerned agencies need to do a comprehensive detection of gaps and loopholes in current laws and identify as to why despite numerous legislations aimed to protect children, online sexual exploitation is still widespread, especially now that everyone is required to stay at home. The Filipino youth, particularly those who are trapped and confined in their homes, must not be neglected during these trying times.

A lot of incidents of gender-based violence in certain checkpoints were reported. These include forcing members of the LGBTQA+ to kiss and dance lewdly and airing it on Facebook live. Stories of alleged sexual harassment of women by law enforcers surfaced also on social media.

The International Covenant on Civil and Political Rights (ICCPR), to which the Philippines is a State party, provides for the possibility of limiting certain rights in the interests of public health, and, in the most extreme cases, derogating from certain rights during declared states of emergency, to the extent strictly necessary to meet a threat to the life of the nation...The rights to freedom of movement and freedom of opinion and expression are two of the rights that may be limited under international law, but there are still parameters that must be followed when applying limitations. They must be established by law, are necessary, proportionate and non-discriminatory. This

[19] CNN Philippines. UN sounds alarm on PH’s ‘highly militarized’ lockdown response.” 29 April 2020. Retrieved from <https://www.cnnphilippines.com/news/2020/4/29/Philippines-COVID-19-quarantine-police-military.html>

[20] Lulu. Gabriel Pabico. Inquirer. Gov’t more into rights violations than solving COVID-19 crisis, group says.

[21] United Nations Human Rights. Office of the High Commissioner. Mental health is a human right. Retrieved from <https://www.ohchr.org/EN/NewsEvents/Pages/MentalHealthIsAHumanright.aspx>

means that only the most restrictive measure must be applied. Further, the prohibition against torture or cruel, inhuman or degrading treatment or punishment is absolute and is not subject to limitation or derogation, even in times of emergency.^[22]

Indeed, we are facing a long and grim path in fighting and containing COVID-19 but what is clear, yet always ignored and infringed, is that more human rights violations and “shoot them dead” orders will never help the country triumph this health war against a pandemic—it will only make everything worse.

[22] Gil, Emerlynne. Philippines: upholding human rights during a state of public health emergency. 27 April 2020. Retrieved from <https://www.icj.org/philippines-upholding-human-rights-during-a-state-of-public-health-emergency/>

Senator Leila M. de Lima

A human rights defender and social justice champion, Sen. Leila M. de Lima remains unjustly detained to this day (1246 days and counting) for speaking truth to power. Even as she faces false drug charges filed against her by the government without any material evidence and primarily on the basis of perjured testimonies of convicted criminals, De Lima remains unbowed. With truth on her side and global institutions behind her, De Lima keeps on fighting for her innocence while serving the Filipino people.

