



INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS

CHAUSÉE DE HAECHT 55, 1210, BRUXELLES-BRUSSELS, BELGIQUE-BELGIUM

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June 11, 2020

Dear President Rodrigo Duterte, Justice Secretary Menardo Guevarra, and members of the Congress of the Philippines:

We, the undersigned lawyers and legal organizations from around the world, write to express our deepest concern and consternation about the Anti-Terrorism Bill, also known as House Bill 6875 and Senate Bill 1093, which was apparently passed by a virtual vote in Congress and now transmitted to President Duterte to sign into law. In this crucial moment, we urge the Justice Secretary to reject the bill on Constitutional as well as procedural grounds. Further, we urge President Duterte to veto the bill. For members of the Congress, if you are recorded as voting yes, we urge you to speak up and withdraw your vote. You all still have the opportunity to act to uphold and protect the basic human rights of the Filipino people.

The international community is alarmed by the apparent abuses of power and civil unrest that the law will bring about. It will suppress and criminalize free speech and dissent, label and punish political enemies as terrorists, and unjustly deprive them of basic internationally recognized human rights and due process. The bill greatly expands the powers of the executive by the creation of the Anti-Terrorism Council (ATC), composed of presidential cabinet officials and retired generals who serve under the pleasure of the President, with the power to declare and proscribe organizations and parties as terrorists or terrorist sympathizers without ample and fair opportunity to be fully heard in a court of law. The bill also authorizes police or military to arrest people without a judicial warrant and detain and investigate a suspect without charges for a maximum of 24 days.

The bill contains overbroad and vague definitions of terrorism that not only criminalize virtually all acts of freedom of speech, association, assembly, and the press, but also criminalize intent justified by baseless, politically motivated accusations. The so-called safeguards included in the bill that claim to protect the people's freedoms are weakened by the vague definitions of terrorism and protecting public safety and can actually serve to crush "legitimate" forms of protest, such as striking workers' picket lines and peaceful mass demonstrations.

This bill comes as the attention of the world has been drawn to the War on Drugs carried out by the current administration. These policies have authorized police and armed vigilantes to kill tens of thousands of mostly poor people with impunity. A report mandated by a United Nations Human Rights Council resolution to investigate the Philippines' human rights situation was released recently on June 4th and concluded that extrajudicial killings, arbitrary detention, and barriers to accessing justice were already rampant, even before this bill was introduced.



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The Anti-Terrorism Bill is unnecessary and is a tyrannical upgrade of the Philippines's already existing Human Security Act. The bill largely contravenes the 1987 Constitution which was a democratic victory following the Filipino people's ouster of the Ferdinand Marcos dictatorship and the end of Martial Law. It is abhorrent and immoral to pass this legislation while the global community is still suffering under the COVID-19 pandemic. The Filipino people do not deserve a state-sanctioned attack against their basic rights while they struggle to heal from the pandemic. Instead they deserve for their elected legislators to utilize their power, energy, and resources to fight for mass testing, healthcare, and economic relief.

Further, we are troubled that the Anti-Terrorism Bill was certified in a highly irregular manner. There are over 300 members of the House of Representatives. Only around 20 were present in person during the vote, with the rest voting remotely over Viber, and not a proper virtual platform. Multiple members have expressed that the votes they cast were different from the votes that were recorded. A few have withdrawn their vote since that time, stating that they did not have enough time to study the content of the bill before the vote. Therefore, at minimum, the certification of the bill should be rejected on a procedural basis to preserve the integrity of democracy. We oppose any intent to railroad this legislation when there are other more urgent matters being faced by the Filipino people that its government should act swiftly to address.

The Philippines has ratified the International Covenant on Civil and Political Rights. Among the provisions of the Covenant is Article 19, which states: 1. Everyone shall have the right to hold opinions without interference and 2. Everyone shall have the right to freedom of expression; this right shall include the freedom to seek and receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. The Anti-Terrorism Bill violates all the rights that the Philippines has agreed to guarantee its people.

As legislators and officials of a democratic nation, we ask you to do justice for the Filipino people. The international community remembers the dark period of Philippine history under Ferdinand Marcos' dictatorship and Martial Law. Just as we expressed support for the Filipino people's rights then, we amplify the people's call now to not repeat history. Say no to the Anti-Terrorism Bill. Say yes to honoring the Filipino people's legacy of resisting tyrannical rule and defending democracy through any means.

Organizational Signatories:

- International Association of Democratic Lawyers (IADL)
- Arab Lawyers Association (UK)
- Asociación Americana de Juristas



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- Asociación Nacional de Abogados (ANAD) de México
- Asociación Venezolana de Juristas
- Canadian Association of Labour Lawyers
- Center for Research and Elaboration on Democracy (CRED)
- Central Arizona National Lawyers Guild
- Corporación Solidaridad Jurídica de Colombia
- Democratic Lawyers Association of Bangladesh (DLAB)
- FAI-Rade
- FIDH - International Federation for Human Rights
- Filipinx Law Student Association at UC Davis School of Law
- Foundation Day of the Endangered Lawyer
- Group for International Legal Intervention (GIGI)
- Haldane Society for Socialist Lawyers
- International Commission on Labor Rights (ICLR)
- Maurice & Jane Sugar Law Center for Economic and Social Justice
- National Association of Democratic Lawyers of South Africa (NADEL)
- National Lawyers Guild (United States)
- National Lawyers Guild – NY Chapter
- National Lawyers Guild – International Committee
- People's Law Office-International Office
- PROGRESS Lawyers Network (Belgium)
- Progressive Lawyers Association - Turkey (ÇHD)
- SURES - Venezuela
- Ukrainian Association of Democratic Lawyers

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- John Philo, Maurice & Jane Sugar Law Center for Economic and Social Justice, Detroit
- John Witeck, Hawaii Workers Center, Honolulu
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