Freedom House

FREEDOM IN THE WORLD 2021

Philippines

PARTLY FREE

56 /100

Political Rights	25 /40
Civil Liberties	31 /60

LAST YEAR'S SCORE & STATUS

59 /100 **Partly Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.

Overview

Although the Philippines transitioned from authoritarian rule in 1986, the rule of law and application of justice are haphazard and heavily favor political and economic elites. Long-term violent insurgencies have continued for decades, though their threat to the state has diminished in recent years. Impunity remains the norm for violent crimes against activists and journalists, and President Rodrigo Duterte's war on drugs since 2016 has led to thousands of extrajudicial killings.

Key Developments in 2020

- The Philippine government declared a state of calamity in March in response to the COVID-19 pandemic, and Congress passed an emergency law that contained public health measures but also significantly increased presidential emergency powers, leading to abusive law enforcement actions and freedom of expression restrictions. According to University of Oxford researchers, at the end of 2020 the Philippines had registered approximately 475,000 coronavirus cases and over 9,200 deaths.
- In July, an Anti-Terrorism Act took effect. It established very broad definitions of terrorism, prompting intense criticism and numerous petitions requesting that the Supreme Court rule on the law's constitutionality.
- President Duterte's notorious drug war continued throughout the year, and killings increased by 50 percent during the initial months of pandemic-induced lockdown.
- The press was again the subject of repressive state actions. ABS-CBN, the country's largest and oldest media network, was shut down by the government in May after Congress refused to renew its broadcast license. In June, journalist Maria Ressa was found guilty of cyberlibel and sentenced to up to six years' imprisonment.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?	3/4

The president is both head of state and head of government, and is directly elected to a single six-year term. Rodrigo Duterte won the 2016 presidential election with 39 percent of the vote. While polling was marked by dozens of violent episodes, including a number of killings, there were fewer such incidents compared to previous election years. Vote buying was also reported.

The vice president is directly elected on a separate ticket and may serve up to two successive six-year terms. Maria Leonor Robredo won the closely contested vice presidency in 2016 with 35 percent of the vote.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?	3/4

The 24 members of the Senate are elected on a nationwide ballot and serve six-year terms, with half of the seats up for election every three years. The 299 members of the House of Representatives serve three-year terms, with 241 elected in single-member constituencies and the remainder elected through party-list voting.

Midterm elections for both houses of Congress and local government offices were held in May 2019. Despite a ballot redesign that led to a substantial party-list undervote, along with reports of vote buying and some election-related violence, the polls were generally perceived as successful and credible. No single party won an outright majority in either house, but pro-Duterte parties secured majority alliances in both. The opposition Liberal Party alliance did not win a single seat in the Senate.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	**3**/4

The president appoints the Commission on Elections (Comelec), whose performance was generally praised in 2016 but was criticized for technical glitches and procurement issues that occurred in the 2019 midterm elections. The Comelec performs both election management and adjudication functions; frequent litigation complicates the interpretation of electoral laws and makes the already complex framework even less accessible to the public. The expiration of commissioners' terms presents President Duterte the opportunity to gradually appoint a full Comelec slate in advance of the 2022 elections, and by the end of 2020 four of the seven commissioners were Duterte appointees, all from his home region of Davao.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?	**3**/4

The Philippines has a strong record of open competition among multiple parties, though candidates and political parties typically have weak ideological profiles. Legislative coalitions are exceptionally fluid, and politicians often change party affiliation, typically to join the dominant bloc or the incumbent president's party, a phenomenon that helped boost Duterte's power following the 2016 elections.

In the past three decades, political dynasties have become more prevalent and more powerful, and hold many provincial governorships and a significant number of seats

in Congress.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?	**2**/4

The Philippines has seen regular rotations of power at the national level. However, in recent years opposition politicians have faced increasing harassment, and some have been arrested on charges denounced by the opposition and rights groups as politically motivated.

In 2019, prominent opposition leaders including Vice President Robredo and several sitting senators were charged with sedition as part of an alleged plot to oust Duterte. The charges against them were dropped in February 2020, but former senator Antonio Trillanes and others were indicted. Senator Leila de Lima, one of the most outspoken critics of Duterte's war on drugs, remained in pretrial detention throughout the year. De Lima was arrested in 2017 on charges of accepting money from drug dealers, and is recognized as a prisoner of conscience by international rights groups.

Duterte cracked down on the Communist Party of the Philippines (CPP) and its armed wing, the New People's Army (NPA), after peace talks failed in 2017. The government sought a court petition to declare 649 individuals CPP-NPA members in 2018, effectively designating them as terrorists. The list included actual members of the CPP, critics of the president, a former party-list member of Congress, and the UN special rapporteur on the rights of Indigenous peoples, Victoria Tauli-Corpuz. The list was trimmed to eight alleged CPP members in 2019, and the court dismissed the petition in January 2020 before reversing itself and approving the designation in February.

In November 2020, Duterte labeled the left-wing Makabayan bloc in Congress "legal fronts" of the CPP. The party-list groups that comprise the bloc represent marginalized sectors of society and have often been "red-tagged"—the practice of alleging that targets harbor communist sympathies or connections, resulting in

stigmatization and increased risk of physical attack—by the security forces and other government agencies.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	**2**/4

Distribution of power is heavily affected by patronage and kinship networks. In the past 30 years, political dynasties have expanded. Groups competing for party-list seats are frequently dominated by traditional political families, and recent elections have resulted in an increasing concentration of power in the hands of a few families. Election-related funding also contributes to the concentration of power: there are no limits on campaign contributions, and a significant portion of political donations come from a relatively small number of donors.

The activities of armed rebel and extremist groups and martial law continue to affect politics in the south of the country. Martial law in Mindanao ended at the beginning of 2020, but the military maintained various restrictions in Marawi Province, the site of a 2017 siege by a group identified with the Islamic State.

Social media platforms, especially Facebook, have been weaponized and exploited by Duterte and his supporters. In October 2020, Facebook removed hundreds of accounts for violating its policy against "coordinated inauthentic behavior on behalf of a foreign or government entity." One network originated in China, while another, which was linked to the Philippine police and military, criticized activists and the political opposition. Without challenging the findings, Duterte issued vague threats regarding Facebook's operations in the country.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?	**3**/4

No laws limit the participation of specific groups in the political process, and the constitution guarantees equal access to opportunities for public service. However, the dominance of political dynasties is an obstacle to the exercise of political rights for some groups. While women make up about 28 percent of the legislature following the 2019 elections, political life is dominated by men and few women are elected without following in the footsteps of a male relative. Muslims and Indigenous groups are not well represented; perceptions of relative socioeconomic deprivation and political disenfranchisement, along with resentment toward Christian settlements in traditionally Muslim areas, have played a central role in the Philippines' Muslim separatist movements.

In 2013, the Supreme Court ruled that the party-list portion of the ballot for the House of Representatives, meant to ensure representation for marginalized or underrepresented groups, could also be open to national political parties, provided that they did not stand in the single-member constituency contests. In 2019, a number of party-list groups gained seats not by representing the sectors or interests as intended, but through substantial support from kinship networks in single geographic regions, and links with the Duterte administration.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?	**3**/4

While elected government officials and legislative representatives determine state policies, the president is able to dominate policymaking due to a political system that grants significant powers to the executive branch. A few dozen families continue to hold a disproportionate share of political authority. Several of Duterte's children hold elected office and exert increasing influence, as evidenced by competitors for the House speakership jockeying for the endorsement of Duterte and his children in 2018 and again in 2020.

C2 0-4 pts

Are safeguards against official corruption strong and effective?	**1** / 4

Government corruption and impunity for corruption is a serious problem. The courts and other anticorruption institutions have failed to hold powerful politicians and their associates to account for serious allegations.

The official anticorruption agencies, the Office of the Ombudsman and the Presidential Anti-Graft Commission (PAGC), have mixed records. The PAGC lacks enforcement capabilities. The Ombudsman, which is tasked with acting on complaints filed against government workers and officials, is poorly resourced and relies on the solicitor general—the chief counsel of the government—to launch prosecutions. It has focused on major cases against senior government officials and those involving large sums of money, some of which languish for years in the Sandiganbayan (anticorruption court). In 2019, the deputy ombudsman claimed that the Philippines was losing around 700 billion pesos ($13 billion) annually, or around 20 percent of the country's total budget appropriation, due to corruption.

Duterte has fired numerous officials due to corruption, including the interior minister in 2017, but his anticorruption drive has ultimately led to few convictions. In 2018, the Sandiganbayan acquitted Senator Ramon Revilla, Jr. of charges of embezzling over $4 million in government funds during his last term, and Revilla was again elected to the Senate in 2019.

In 2018, the Sandiganbayan found former first lady Imelda Marcos guilty of corruption as governor of Manila in the 1970s and sentenced her to between 6 and 11 years in prison. She remained free on bail throughout 2020 pending appeal to the Supreme Court. Of the 43 cases filed by the Presidential Commission on Good Government (PCGG) against the Marcos family in 1987, 22 have been dismissed, 1 was indefinitely archived, and 20 remain in process.

The government's response to the COVID-19 pandemic has been dogged by allegations of incompetence, negligence, and corruption at the national and local

levels. In April, a majority of senators called for the secretary of health's resignation for perceived deficiencies in addressing the pandemic; despite an Ombudsman investigation into the secretary regarding alleged procurement anomalies, Duterte refused to replace him. A spotlight also fell on the national health insurance company after a task force exposed numerous instances of fraud, overpriced supplies, and other misdeeds, leading to charges against high-level officers, including the head of the company. In August, hundreds of elected and appointed local officials faced corruption charges related to the distribution of emergency assistance to vulnerable groups during the national lockdown.

C3 0-4 pts

Does the government operate with openness and transparency?	**2** / 4

Government transparency remains limited despite some positive initiatives. Local governments have been required to post procurement and budget data on their websites, and the national government has instituted participatory budgeting at various levels. The country's first freedom of information directive was issued by Duterte in 2016, but it mandates public disclosure only in the executive branch and allows major exemptions.

Duterte has refused to release a filing known as a statement of assets and liabilities and net worth (SALN); all previous presidents made the disclosure, pursuant to a 1989 law. In September 2020, the Ombudsman restricted public access to government officials' SALNs, asserting they were being "weaponized," and announced that the office was no longer conducting "lifestyle checks" that investigate officials' apparent unexplained wealth.

Transparency remains deficient in the security sector. A June 2020 report by the UN Office of the High Commissioner on Human Rights (OHCHR) called attention to conflicting data and opacity that impeded the ability to comprehensively tally drug war killings and evaluate the destination of budgeted security funds.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	**1** / 4

The constitution provides for freedoms of expression and the press. Private media are vibrant and outspoken, although content often lacks fact-based claims or substantive investigative reporting. The country's state-owned television and radio stations cover controversial topics and sometimes criticize the government, but they too lack strict journalistic ethics. While the censorship board has broad powers to edit or ban content, government censorship is generally not a serious problem in practice.

The Philippines remains one of the most dangerous places in the world for journalists, and the president's hostile rhetoric toward members of the media exacerbates an already perilous situation. The Philippine Center for Investigative Journalism found attacks and threats on the media have continued relentlessly throughout the Duterte administration, and that there had been no major efforts by state agencies to investigate serious incidents or otherwise address the problem. A coalition of media groups documented 128 attacks and threats against the press between July 2016 and April 2019, including physical attacks; threats, including death threats and bomb threats; smearing journalists as conspiring against the government; red-tagging; and distributed denial-of-service (DDoS) attacks on alternative media sites.

According to the Committee to Protect Journalists (CPJ), 9 journalists have been killed in the Philippines in connection with their work since 2016, including three in

2020. The vast majority of violent attacks remain unpunished. In December 2019, however, a trial court found dozens of defendants guilty for the brutal massacre of 58 people, including 32 journalists, in Maguindanao in 2009. Datu Andal Ampatuan, Jr., the most prominent defendant, was sentenced to life in prison.

Other obstacles to press freedom include Executive Order 608, which established a National Security Clearance System to protect classified information, and the Human Security Act, which allows journalists to be wiretapped based on suspicion of involvement in terrorism. Libel is a criminal offense, and libel cases have been used frequently to quiet criticism of public officials.

Maria Ressa, the founder of the online news site Rappler, was arrested twice in 2019 on charges including tax evasion, libel, cyberlibel, and violations of securities regulations. In June 2020, Ressa and her codefendant, Reynaldo Santos Jr., were found guilty of cyberlibel and sentenced to a minimum of six years in prison. Ressa remained free on bail pending appeal during the rest of the year. In July, Ressa pleaded not guilty to tax evasion, and in November an arrest warrant was issued for a second cyberlibel charge. Rappler, which has run stories critical of Duterte's war on drugs, had its corporate registration revoked by government regulators in 2018 for violating the prohibition on foreign ownership and control of Philippine media outlets. Rappler reporters were accused by Duterte of being part of a "fake news outlet," and blacklisted from government events and interviews with state officials.

In May 2020, ABS-CBN, the oldest and largest media network in the country, shut down its broadcast operations following the expiration of its operating license. Duterte had accused the network of bias against him and openly threatened to close it down since the 2016 campaign. In July, Congress voted against renewal of the license, and ABS-CBN stations remained off the air the rest of the year. The shutdown was condemned by numerous press freedom and human rights advocacy groups.

Score Change: The score declined from 2 to 1 because the government's shutdown of the country's largest media network drastically reduced public access to independent reporting.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	**4**/ 4

Freedom of religion is guaranteed under the constitution and generally respected in practice. During the COVID-19 lockdown, public religious services were prohibited and all religious centers closed, before gradually reopening at highly reduced capacity.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	**4**/ 4

Academic freedom at the country's many public and private schools is generally respected. However, authorities closed 55 indigenous primary schools in the Davao region in 2019 following allegations that the schools were teaching leftist ideology.

The security forces have increasingly been monitoring Islamic schools and schools attended by indigenous peoples in areas of the southern Philippines where the military conducts counterinsurgency and antiterror missions. In October 2020, the military's top general stated that the armed forces would monitor the estimated 500 Islamic schools in the country as possible recruitment sites for militants, sparking criticism by Muslim religious leaders. A January 2020 proposal by the police chief of Manila to compile lists of all Muslim students in high schools and universities in the city was rescinded following condemnation by citizens and rights groups.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	**3**/ 4

Social media use is very widespread in the Philippines, but rights groups have expressed concern about threats against and censorship of online criticism and the criminalization of allegedly libelous social media posts. In October 2020 a high-

ranking military official was criticized by the government's Commission on Human Rights (CHR) for red-tagging after he issued veiled threats to celebrities who participated in an online forum on issues affecting girls and young women.

The Department of Justice began investigating the spread of coronavirus-related misinformation and fake news in early February 2020. Arrests increased following the March enactment of an emergency law, the Bayanihan to Heal as One Act, which criminalized posting fake news in overly broad language and was immediately criticized by rights advocates. Within weeks, investigators had summoned over a dozen persons for their social media posts. A human rights lawyer who described the arrests as having a chilling effect was publicly attacked and insulted by Duterte, and multiple people were charged with crimes, including cyberlibel, for satirical posts or criticism of Duterte and the government.

Score Change: The score declined from 4 to 3 due to the government's aggressive use of emergency powers linked to the pandemic to step up harassment and arrests of ordinary citizens who express dissent on social media.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	**2** / 4

Citizen activism and public discussion are robust, and demonstrations are common. However, permits are required for rallies, and police sometimes use violence to disperse antigovernment protests.

During most of 2020, mass gatherings were prohibited as a preventive measure to stem the spread of the coronavirus. Complaints of insufficient government aid amid the strict lockdown spurred protests that led to dozens of detentions and arrests,

even as Duterte defended and subsequently promoted a top police official photographed having a large birthday party. Additional arrests occurred amid protests led by progressive organizations against the Anti-Terrorism Act signed into law in July; protesters were charged with violating both pandemic-related restrictions and public assembly laws.

Score Change: The score declined from 3 to 2 due to selective and sometimes excessive enforcement of COVID-19 assembly restrictions.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	**2**/4

Civil society has been historically robust in the Philippines, which hosts a range of active human rights, social welfare, environmental, and other groups. However, assassinations of civil society activists and human rights defenders continue, and President Duterte's public threats against those who oppose his policies have exacerbated an already dangerous atmosphere of impunity.

In July 2020 the CHR published a report describing "a systematic attack on HRDs [human rights defenders] across all sectors of civil society." The agency registered 134 HRDs killed under the Duterte administration, and asserted that the climate of impunity for such killings was connected to frequent presidential pronouncements dismissing human rights and stigmatizing HRDs as tools of drug suspects and communists.

The 2020 OHCHR report also highlighted "red-tagging" as a serious threat to civil society and freedom of expression, noting that red-tagging victims are subjected to death threats or sexually charged comments, and sometimes violence. Prominent killings in 2020 included Randy Echanis, an agrarian leader and peace negotiator, who was killed by police in Manila in August; Zara Alvarez, a farmers' rights advocate monitoring the murders of sugar plantation workers on Negros island, who was slain in August; and Mary Rose Sancelan, a public health official in Negros Oriental

province who had been red-tagged by an anticommunist vigilante group before being killed in December.

The OHCHR also noted that police and military intimidation tactics targeting activists continued during the pandemic lockdown. In addition, the COVID-19 emergency law was weaponized against civil society activists during the year. In April, labor advocates attempting to distribute food aid were arrested for violating quarantine rules and then charged with inciting sedition for possessing media content critical of the government.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	**2** / 4

Trade unions are independent, though less than 10 percent of the labor force is unionized. Collective bargaining is common among unionized workers, however, and strikes may be called as long as unions provide notice and obtain majority approval from their members.

In its 2020 assessment, the OHCHR included trade unionists as a sector targeted for stigmatization and violence. Labor and professional groups have experienced increased harassment, including red-tagging, in recent years, particularly those representing farmers and lawyers. Leaders of such groups have been targeted amid the broader increase in extrajudicial killings that has taken place in the Philippines over the past decade.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	**1** / 4

Judicial independence has deteriorated during the Duterte administration. Chief Justice of the Supreme Court Maria Lourdes Sereno, a harsh critic of the president, was ousted in 2018 when the court narrowly voted to grant a petition by the solicitor general to cancel Sereno's 2010 appointment due to allegations that she had failed to disclose some of her assets. The decision was sharply criticized by the opposition as a brazen, politically motivated attack on the independence of the judiciary. In December 2020, associates of Imelda Marcos used the same asset disclosure issue to file an impeachment complaint against another Supreme Court justice, Marvic Leonen, who is generally perceived as a human rights advocate.

Judicial independence is also hampered by inefficiency, low pay, intimidation, corruption, and high vacancy rates.

Three judges were assassinated in 2019. In 2020, a Manila prosecutor became the 50th lawyer, judge, or prosecutor killed since 2016, and in October a judge in metro Manila was ambushed but survived.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	**0** / 4

The justice system fails to guarantee due process rights. Arbitrary detention, disappearances, kidnappings, and abuse of suspects are common. The OHCHR catalogued numerous due process violations linked to Duterte's war on drugs, including the use of watch lists compiled by local officials that identify targets for home "visitations" that do not require warrants and often lead to extrajudicial execution.

The police and military have been implicated in corruption, extortion, and involvement in the illegal drug trade, and in 2019, then national police chief Oscar Albayalde and 13 police officers were charged for involvement in the theft and reselling of confiscated methamphetamine.

Martial law and the suspension of habeas corpus in the southern region of Mindanao ended at the beginning of 2020, but the military presence remained, along with checkpoints and a curfew.

The Anti-Terrorism Act that took effect in July 2020 provides the state significant powers, including the warrantless arrest and detention of people designated as terrorists by an Anti-Terrorism Council appointed by the president. Rights advocates sharply criticized the law's broad definition of terrorism as endangering dissent and free speech, and stated that limits incorporated into the law were too vague to offer effective protection. At least 37 petitions challenging the law's constitutionality were filed in the Supreme Court, with arguments expected in early 2021.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	**1** / 4

The Philippines has been afflicted by long-running insurgencies, and more recently, violent extremism in Mindanao. Since his election in 2016, Duterte has waged a violent war on drugs that has led to widespread extrajudicial killing.

Authorities stated in July 2019 that 5,526 people had been killed in Duterte's antidrug campaign as of June 30, 2019. However, human rights groups, drawing in part from a 2017 police report of "deaths under investigation," in 2019 put the number of related deaths at as many as 27,000. The victims include civilians and children who were deliberately targeted. Convictions for extrajudicial killings and other such crimes are rare, and Duterte has appeared to encourage the actions. In September 2020, Human Rights Watch (HRW) reported that official numbers indicated an increase in killings of more than 50 percent since the start of the COVID-19 lockdown.

The OHCHR summarized the overall findings of its 2020 report by stating that "an overarching focus on national security, countering terrorism, and illegal drugs has resulted in numerous systematic human rights violations, including killings and arbitrary detention, persistent impunity and the vilification of dissent."

In December 2020, the Prosecutor of the International Criminal Court (ICC) reported that its preliminary examination found reasonable basis to believe that state actions connected to the drug war constituted crimes against humanity. Duterte withdrew the country's participation in the ICC in 2018 after the announcement of the investigation into the war on drugs.

The police and military routinely torture detainees, and a lack of effective witness protection has been a key obstacle to investigations against members of the security forces.

Conflict in Mindanao has caused severe hardship, more than 120,000 deaths, and the displacement of tens of thousands of people since it erupted in 1972. Both government and rebel forces have committed summary killings and other human rights abuses. In 2017, a group of Islamic State–linked foreign fighters and local militants attacked the city of Marawi; more than 1,200 people were killed in a five-month siege of the city.

In 2018, pursuant to a 2014 peace treaty with the Moro Islamic Liberation (MILF), President Duterte signed the landmark Bangsamoro Organic Law, which created the self-governing Bangsamoro Autonomous Region in Muslim Mindanao (BARMM). In 2019, the Bangsamoro Transition Authority (BTA) was constituted as the governing body until elections scheduled for 2022. However, militant groups that broke away from the MILF continue to carry out attacks. In December 2020, Duterte endorsed a legislative proposal to extend the BTA and postpone the first BARMM regional elections until 2025.

In 2018, President Duterte ended peace talks with the Communist Party of the Philippines–New People's Army–National Democratic Front of the Philippines (CPP-NPA-NDFP), dashing hopes that the 50-year violent insurgency could reach a peaceful end during his administration. Deadly clashes between the NPA and the Philippine military continue to occur throughout the country. Pursuant to the Anti-Terrorism Act of 2020, the Anti-Terror Council designated the CPP-NPA as terrorist groups in December, allowing the Anti-Money Laundering Council to search for and freeze their assets.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	**1** / 4

Provisions mandating equal treatment are upheld inconsistently, and some groups lack legal protection. LGBT+ people face bias in employment, education, and other services, as well as societal discrimination. An antidiscrimination bill that passed the lower house in 2017 has not advanced further, though several cities, including Manila in October 2020, have passed ordinances recognizing LGBT+ rights and prohibiting acts of discrimination. In the absence of national legislation, birth identification documents cannot be altered, although in 2008 the Supreme Court allowed a change in the registration papers of an intersex individual to reflect his preferred name and gender.

In September 2020, Duterte pardoned a US soldier convicted of killing a Filipino transgender woman in 2014, an act the CHR described as "an affront" to LGBT+ Filipinos. During Manila's pride march in June, 20 LGBT+ people were arrested for violations of public health and public assembly laws, while several LGBT+ people were subjected to humiliating treatment after being arrested in April for violating the COVID-19 curfew.

According to the World Economic Forum, the Philippines features one of the smallest measured gender gaps in the world; women's educational attainment outpaces men's, and women are well represented in professional roles. Women still face some credit constraints and employment discrimination, and the political realm remains male-dominated, with women occupying only 23 percent of national and local elective positions.

Indigenous rights are generally upheld, but land disputes and local development projects regularly cause friction and sometimes lead to violence. Indigenous people often live in conflict areas and are targeted by combatants for their perceived loyalties.

The law mandates that at least one percent of public jobs be reserved for people with disabilities, but this is poorly upheld.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	**3**/4

Citizens enjoy freedom of travel and choice of residence, with the exception of areas affected by violent conflict. Although martial law in Mindanao ended at the start of 2020, continuing military counterterrorism measures included checkpoints and a curfew.

The COVID-19 lockdown led to the establishment of several hundred checkpoints manned by the security forces in order to limit intercity travel, with additional localized entry and exit restrictions in villages.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	**2**/4

Private business activity is often dependent on the support of local power brokers in the complex patronage system that extends throughout the country. Outside of conflict zones, individuals are generally able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors, notwithstanding the domination and corruption of the economic dynasties.

The coronavirus-related emergency law empowered the president to direct the operations of privately-owned businesses, including medical facilities and businesses in the transportation and hospitality sectors required for quarantine and temporary housing.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	**3**/4

Most individuals enjoy personal social freedoms. However, divorce is illegal in the Philippines, though annulments are allowed under specified circumstances, and Muslims may divorce via Sharia (Islamic law) courts. In 2019 the Supreme Court denied a petition to recognize same-sex marriages, with a petition to reconsider denied in January 2020. Domestic violence is a significant problem, and while spousal rape is a crime, very few cases are prosecuted. Police data showed an increase in reported domestic violence against women and children during the COVID-19 lockdown. Abortion is illegal in nearly all circumstances, though unregulated abortions are frequent.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?	**2**/4

The Philippines is a source country for human trafficking, with some Filipinos taken abroad and forced to work in the fishing, shipping, construction, or other industries, or forced to engage in sex work. The country's various insurgent groups have been accused of using child soldiers.

The legal minimum wage in the agricultural sector in some regions falls far short of what is necessary for a family to avoid poverty. Violation of minimum-wage standards is fairly common. Children have been reported working as domestic laborers. There is a shortage of labor inspectors; authorities have acknowledged the problem but say

they have limited funds to address it. The Philippines is a global center of online child sexual abuse, and reports indicated an increase during the COVID-19 lockdown.

On Philippines

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Country Facts

Global Freedom Score

56 /100 **Partly Free**

Internet Freedom Score

64 /100 **Partly Free**

Other Years

2020

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1850 M St. NW Floor 11
Washington, DC 20036
(202) 296-5101

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info@freedomhouse.org

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press@freedomhouse.org

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