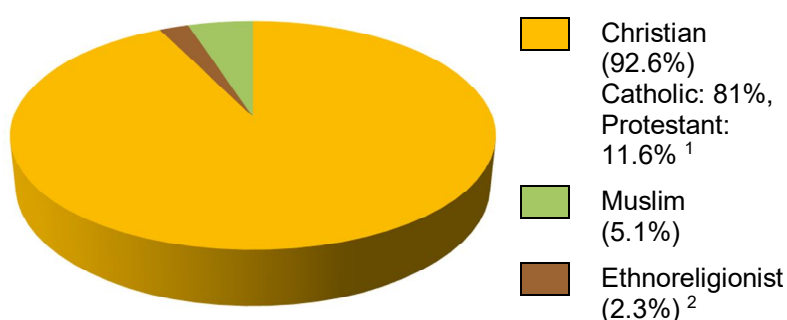


PHILIPPINES



Area: 300,000 km ²	Population: 107 million	Political system: Democracy	Major Language(s): Filipino, English
---	-----------------------------------	---------------------------------------	--

Legal framework on freedom of religion and actual application

According to the most recent census available from 2010 (a census was conducted in 2015 but the results are not yet published), the Philippines is an overwhelmingly Christian (more than 90 percent, all denominations included) and Catholic country.

An overwhelmingly Catholic country

In recent years, a number of Catholics have abandoned the Catholic Church and joined various Protestant denominations, but it is very difficult to obtain reliable statistics regarding this phenomenon. In any event, the Catholic Church is still a strong presence with regard to the religious, social and political make-up of the country.

Other Christian communities native to the Philippines, such as the Iglesia ni Cristo (Church of Christ) and the Philippine Independent Church, are also conspicuous in the religious sphere. Their importance grows at election time because they promise that their followers will vote “as one man”.³

The Muslim community, known as “Moros”, is ethnically diverse, but the majority live in southern islands, notably Mindanao. The majority are Sunni Muslims, with a few Shi’a communities in the provinces of Lanao del Sur and Zamboanga del Sur on Mindanao. Poverty among Muslims is twice the national average, and there is a noticeable migration of Muslims towards the major urban conurbations, notably towards the regions of Manila and Cebu. According to some studies, the size of the Muslim population has been underestimated and the accurate figure is not five percent but closer to 10 percent.⁴

The country has high levels of emigration. It is estimated that almost 10 percent of Filipinos, or around 10 million people, have chosen to move abroad to find work. With almost a quarter of the population living below the poverty threshold, emigration remains a popular means of escape from poverty or unemployment. Massive emigration to almost every country in the world (to work as domestic staff, sailors, building workers, as well as more highly qualified jobs) has had grave social consequences for families which have been torn apart.⁵ In 2014, Filipino expatriates sent almost US\$27 billion back to their country – 8.5 percent of the GNP.

Ever since 1899, when the Philippines became the first Democratic Republic in Asia, freedom of religion has always been upheld as a pillar of the various constitutions the country has had. This was true even when the country was in the throes of war or under dictatorship. The current 1987 constitution is no exception, and freedom of religion is enshrined in Article 3 (Section 5): “No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed. No religious test shall be required for the exercise of civil or political rights.”⁶

Moreover, the country has no state religion – even though the Catholic Church holds a recognised place in the national political life – and the constitution is based on the principle of separation of Church and State. The penal code severely sanctions any intentional attack against places of worship or buildings of a religious character, and such attacks are punished in the same way as war crimes or crimes against humanity.

There has been no reported case of state violation of freedom of religion during the period under review. However, although political and religious leaders are united in saying that relations between religious groups are generally peaceful, several points of tension persist.

As far as relations between the Catholic Church and the state are concerned – apart from the success of the visit by Pope Francis to the country in January 2016 – two facts are worthy of mention.

Firstly, under the presidency of Benigno Aquino (2010-2016), the Church, and notably the Catholic Bishops, vigorously expressed their opposition to the proposed Reproductive Health (RH) Bill, but in vain. Finally adopted after 17 years of debate in Congress and validated in April 2014 by the Supreme Court, the RH Law provides for free contraception (condoms, contraceptive pill) for the poorest, and sexual education in schools. The law also makes it compulsory to train social workers in family planning. Nonetheless, in January 2016, acting on their Catholic convictions, MPs succeeded in cutting the proposed budget for funding the RH Law by one billion pesos (US\$21,253,081) out of the 3.3 billion pesos initially planned. Monsignor Ramon Arguelles, the president of the public affairs commission of the Catholic Bishops’ Conference of the Philippines (CBCP), declared at the time: “I hope that this billion pesos will now be spent on the construction of schools, on a more effective moral education and formation of the young and more opportunities of employment for adults.”⁷

Secondly, following the elections of 9th May 2016, which saw Rodrigo Duterte, the former mayor of Davao, elected President of the Republic, relations between the Catholic Church and the state are expected to be somewhat turbulent.⁸ Aged 71 and with 22 years’ service as mayor of Davao, the major city of the Filipino south, Duterte succeeded in winning over the Filipino electorate with his outspoken language and proposals for ridding the country of crime and poverty. In doing so, during the course of the electoral campaign, he was strongly criticised by a number of senior prelates. Archbishop Antonio Ledesma of Cagayan de Oro, the major city of the island of Mindanao, denounced the killing of over 1,400 people (including 132 street children). They were shot dead in Davao by militants who Mr Duterte has admitted were acting under his control.

Priests, religious and Catholic lay organisations warned the Catholic faithful against voting for Mr Duterte. In response, during one of his electoral meetings Mr Duterte stated: “Let this election be a sort of a referendum, a sort of a plebiscite for the Church and me. They say it would be a sin to vote for me. Good. If I lose, I will not die. You should listen to the bishops not to vote for me. That's right. Anyway, I don't believe in the bishops,” he added.⁹

On various subjects crucial to the life of the country, Rodrigo Duterte has not concealed the fact that his programme clashes with the positions defended by the Church. Thus he has promised to apply the RH Law nationally, as he has already done in the city of Davao. He has also declared himself in favour of the legalisation of same sex marriage, knowing well the opposition of the

Church on this subject,¹⁰ in a country where neither abortion nor divorce have been legalised. “I am elected by the people and not by the Church. I will apply laws that have nothing to do with the Catholic ideology,” he claimed during the electoral campaign. At the same time, he presented himself as the anti-establishment candidate in a country where a handful of powerful families have dominated the political and economic life of the country for decades, if not even for centuries.

Incidents:

There have been worrying developments as regards relations between the government and the Muslim community over the latter's demands for autonomy to be granted for the region of Mindanao.

After 17 years of negotiations, the peace process has stalled, especially after the massacre on 25th January 2015 of 44 members of an elite police force, in an ambush close to the municipality of Mamasapano, in the province of Maguindanao.¹¹ Since the killings took place in territory theoretically controlled by the Moro Islamic Liberation Front (MILF), one of the two main wings of the rebel Muslim movement on Mindanao, the negotiations broke down over the establishment of a new province, called Bangsamoro. The consequence of this stalemate has been that the peace accord signed between Manila and the MILF on 27th March 2014, under the title of the Bangsamoro Basic Law, has remained a dead letter.¹² After this, the electoral campaign brought a halt to the entire process, and so it will now be up to the new administration to resume the negotiations.

Meanwhile, the region continues to languish in a state of chronic underdevelopment, which itself is a factor in the recurrent violence. Jihadi Islamists Abu Sayyaf, perhaps more a large-scaled bandit operation than a religious movement, now claims adherence to Daesh (ISIS), and continues its policy of abductions for ransom. On 25th April 2016, John Ridsdel, a Canadian national held by Abu Sayyaf since 21st September 2015, was beheaded. Meanwhile, another Canadian, a Norwegian and a Filipino, also abducted by Abu Sayyaf on the same day, are still being held hostage. In November 2015 the militants demanded a ransom of 60 million dollars in return for the liberation of the hostages. Nor does Abu Sayyaf limit itself to kidnapping Westerners. On 26th March 2016 it claimed to have kidnapped six Indonesian sailors. They were freed on 1st May 2016.

In the south of the Philippines, there is periodic endemic violence of specific relevance to religious freedom. On 8th October 2014, there was a grenade attack on a church of the United Church of Christ in the Philippines,¹³ in the town of Pikit, in the province of Cotabato on Mindanao. The attack left two people dead and three wounded, but no party claimed responsibility. The Reverend Jerry Sanchez, pastor of the community targeted, spoke on local radio, saying he had “no idea of the reasons” behind the attack. He said: “We condemn this action”. He said that his community was actively engaged in the work of promoting peace in the region.¹⁴ Pikit lies in the heart of Mindanao and belongs to the province of North Cotabato, very close to the province of Maguindanao. Both provinces have been the scene of intense activity by Muslim rebels. In 2003, the MILF had a major training camp very close to Pikit, and its presence had been the cause of intense fighting between the rebels and the Filipino army, which has gone down in history as the “Pikit War” of 2003. The situation has never really stabilised since then.

There have also been a number of cases of criminal actions conducted with impunity, which have continued to create serious problems for the local communities of Mindanao. The Lumads, a term for the aboriginal animist communities of the island, regularly complain that they are targeted. Thus, on 1st September 2015, two Manobo aboriginal leaders, Dionel Campos and Aurelio Sinzo, from the village of Han-Ayan, in Lianga, in the eastern part of Mindanao, were killed, as was Emerito Samarca, the director of an apprentice school for the Lumads. As a result, almost 3,000 aborigines fled the town to take refuge in Tandag, the capital city of the province of Surigao del Sur. On 28th September 2015 in San Luis, in central-eastern Mindanao, another aboriginal leader was killed by three armed men on motorcycles. Once again, during the weekend of 3rd to 4th October 2015, almost 1,000 Lumads fled the town of Marihatag in the province of Surigao del Sur.

According to the Catholic Bishop Nereo Odchimar of Tandag, it was the paramilitary groups created by the Filipino Armed Forces that were responsible for these killings. According to him, the mining operations of multinational companies in the ancestral lands of the Lumads are “one of the causes” for the attacks on the aborigines. Indeed, these paramilitary groups are regularly accused of working for the interests of the mining and forestry companies. “They want the Lumads to leave their lands, because they are rich in natural and mineral resources”, Bishop Odchimar explained.¹⁵

Ever since 1997, when Parliament approved the Indigenous Peoples’ Rights Act, the right of the Lumads to their ancestral lands has been recognised. But despite this, multinational companies use various forms of “backdoor” payments in order to achieve their ends. “For a mining company or a forestry company to set up operations, it has to obtain official licences. These multinational companies, having massive financial resources at their disposal, offer bribes not only to the local officials, but also the members of the aboriginal communities, and indeed even to the tribal chiefs”, explains Oona Thommes Paredes, an anthropologist at the National University of Singapore.

With regard to the question of impunity, one particular case that has been continuing for years serves to illustrate the difficulties faced by some of the communities in the Philippines. On 3rd October 2015 several dozen peasants and members of the Independent Church of the Philippines (IFI) gathered in Manila, as they have done on 3rd October every year for the past nine years, to commemorate the murder on that day in 2006 of Bishop Alberto Ramento of Tarlac, former Prime Bishop of the IFI.

On 3rd October 2006, in the morning, the lifeless body of Bishop Ramento, aged 69, was found in the presbytery of his parish of San Sebastian in Tarlac, a town 100 km north-west of Manila. The police report established that the victim had been killed by being stabbed seven times with a knife. The murder weapon, a large kitchen knife, was found on the premises. The police decided that the motive for the murder was robbery, since the Bishop’s wallet had been found empty. But those close to him, the leaders of his Church, and local peasant rights defenders, have never accepted these conclusions, believing instead that he was the victim of an “extrajudicial execution” motivated by his commitment to the poorest people, and in particular, the landless peasants. According to the Anglican Communion News Service: “The initial report said that he may have been killed by robbers but others suspect that Ramento, an outspoken critic of the Philippine government, could have been the victim of a political killing, the Manila Times, reported.”¹⁶

Those responsible for the killing of Bishop Ramento have never been brought to trial; indeed they have never been identified. The police quickly arrested three suspects after the killing, concluding that it was a “simple burglary and homicide”, but during the trial the police did not testify, and so the court was obliged to discharge the three accused. Nine years later, human rights organisations remain sceptical about the police enquiry. According to them, both the police investigations and the prosecution case were “botched”, because the murder of the bishop, just like the murders in March 2005 of a municipal councillor, Abelardo Ladera, and a priest of the Aglipayan Church, the Rev. William Tadena – both of whom were also close to the agricultural workers then on strike at the Hacienda Luisita – were all part of the same desire to “systematically stifle” these cases. According to the police, these cases are now “closed”.¹⁷

Prospects for freedom of religion

Extra-judicial killings are of increasing in the Philippines. Meantime, President Rodrigo Duterte’s rise to power can only be a further cause of concern to observers.¹⁸ Part of his eight-point economic agenda involves “vigorously implementing” the RH Law, and his government is expected to clash with the Catholic Church on the restoration of the death penalty and the legalisation of divorce. The implications for religious freedom are concerning, particularly if religious institutions are pressurised into offering services that conflict with their moral values.

¹ Iglesia ni Cristo: 2.3%, the Philippine Independent Church (Aglipayan Church): 2%

² Animist cults of the indigenous peoples of Mindanao (the Lumad) and other religions.

³ *Reuters*, 28 August 2015 : « Thousands protest in Philippines over religious freedom » <http://uk.reuters.com/article/uk-philippines-protest-idUKKCN0QX24D20150828>

⁴ <http://www.ncmf.gov.ph/>

⁵ *Eglises d'Asie*, 1st October 2008 : « Le président de la Conférence épiscopale reproche au gouvernement de négliger le coût social et humain de l'émigration des Philippins » (<http://eglasie.mepasie.org/asia-du-sud-est/philippines/2008-10-01-le-president-de-la-conference-episcopale-reproche>)

⁶ *Officiel Gazette* : « The Constitution of the Republic of the Philippines » (<http://www.gov.ph/constitutions/1987-constitution>)

⁷ *Eglises d'Asie*, 18th January 2016 : « La loi sur la contraception continue de diviser » (<http://eglasie.mepasie.org/asia-du-sud-est/philippines/2016-01-18-la-loi-sur-la-contraception-continue-de-diviser>)

⁸ *Catholic Herald*, 'Philippine president-elect attacks Catholic Church and bishops', AP 23rd May 2016 <http://www.catholicherald.co.uk/news/2016/05/23/philippine-president-elect-attacks-catholic-church-and-bishops/>

⁹ *Christian Today*, 10th May 2016 : « Rodrigo Duterte, Catholic Church foe, on his way to winning Philippine presidency » (<http://www.christiantoday.com/article/rodrigo.duterte.catholic.church.foe.on.his.way.to.winning.philippine.presidency/85702.htm>)

¹⁰ *Eglises d'Asie*, 1st September 2015 : « Appel de l'épiscopat catholique à s'engager contre le mariage homosexuel » (<http://eglasie.mepasie.org/asia-du-sud-est/philippines/2015-09-01-appel-de-l2019episcopat-catholique-a-s2019engager-contre-le-mariage-homosexuel>)

¹¹ *Maryknoll Office for Global Concerns*, March-April 2015 : « Philippines: Mamasapano clash threatens peace » (<http://maryknollogc.org/article/philippines-mamasapano-clash-threatens-peace>)

¹² *Eglises d'Asie*, 21st December 2015 : « La création d'une région musulmane semi-autonome repoussée *sine die* » (<http://eglasie.mepasie.org/asia-du-sud-est/philippines/2015-12-21-la-creation-d2019une-region-musulmane-semi-autonome-repousse-sine-die>)

¹³ Born in 1948 of the fusion of several Protestant denominations – the Evangelical Church of the Philippines, the Methodist Church of the Philippines, the disciples of Christ, the United Evangelical Church and other Protestant denominations – the United Church of Christ in the Philippines (UCCP) today numbers 1.5 million followers. Present above all in Luzon, it is also well represented in the Visayas and the south of the Philippines. Known for its social commitment and for its appeals for peace and dialogue, it has frequently been targeted by the Army, in the context of the armed struggle against the Communist Party, with which the Protestant Church was often identified on account of its political positions. It also has the painful honour of numbering among its ranks numerous of the disappeared and victims of torture. Between 2001 and 2010, the era of the long presidential mandate of Gloria Macapagal-Arroyo, 25 of its members, both pastors and laity, were assassinated, and in 2011 Mgr Marigza registered a formal complaint, collectively, in the name of all victims, against the former president for violations of human rights.

¹⁴ *Eglises d'Asie*, 9th October 2014 : « Mindanao : un attentat dans une église fait deux morts » (<http://eglasie.mepasie.org/asia-du-sud-est/philippines/2014-10-09-mindanao-un-attentat-dans-une-eglise-fait-deux-morts>)

¹⁵ *Eglises d'Asie*, 7th October 2015 : « Assassinats d'aborigènes à Mindanao : de jeunes Lumads en appellent au pape et à la Conférence épiscopale » (<http://eglasie.mepasie.org/asia-du-sud-est/philippines/2015-10-07-assassinats-d2019aborigenes-a-mindanao-de-jeunes-lumads-en-appellent-au-pape-et-a-la-conference-episcopale>)

¹⁶ *Anglican Communion News Service*, 'Filipino bishop Alberto Ramento found stabbed to death', 4th October 2006 <http://www.anglicannews.org/news/2006/10/filipino-bishop-alberto-ramento-found-stabbed-to-death.aspx>

¹⁷ *Eglises d'Asie*, 6th October 2014 : « La mort de Mgr Alberto Ramento, assassiné il y a huit ans, reste non élucidée » (<http://eglasie.mepasie.org/asia-du-sud-est/philippines/2014-10-06-la-mort-de-mgr-alberto-ramento-assassine-il-y-a-huit-ans-reste-non-elucidee>)