



Inter-Parliamentary Union

For democracy. For everyone.

# Philippines

*Decision adopted unanimously by the IPU Governing Council at its 207<sup>th</sup> session (Virtual session, 25 May 2021)*



Ms Elago's official portrait during the 18<sup>th</sup> Congress @ Wikipedia

## PHL-13 – Sarah Jane I. Elago

### Alleged human rights violations

- ✓ Lack of due process at the investigation stage
- ✓ Violation of freedom of opinion and expression
- ✓ Failure to respect parliamentary immunity

### A. Summary of the case

Ms. Sarah Jane I. Elago is a member of the Philippine House of Representatives. The complainants state that Ms. Elago has faced continuous harassment due to her opposition to President Duterte's policies.

Ms. Elago has been directly and indirectly labelled in social media posts by the police and army as a terrorist. She currently has a complaint filed against six senior officials who have allegedly "red-tagged" her on a number of occasions, something which, according to the complainants, has put her life at serious risk. Red-tagging in the Philippines is understood to refer to the malicious blacklisting of individuals or organizations critical or not fully supportive of the actions of a sitting government in the country. These individuals and organizations

### Case PHL-13

**Philippines:** Parliament affiliated to the IPU

**Victim:** Female opposition member of parliament

**Qualified complainant(s):** Section I.(1)(a) of the Committee Procedure (Annex I)

**Submission of complaint:** December 2019

**Recent IPU decision:** January 2020

**Recent IPU mission(s):** - - -

**Recent Committee hearings(s):** - - -

#### Recent follow-up:

- Communications from the authorities: Letters from the Director General of the Office of International Relations and Protocol and the Secretary of the IPU Group of the Philippines (May and April 2021)
- Communication from the complainants: March 2021
- Communication addressed to the authorities: Letter addressed to the President of the Senate (January 2021)
- Communication addressed to the complainants: March 2021

are "tagged" as either communist or terrorist, or both, regardless of their actual political beliefs or affiliations.

As part of the alleged harassment, Ms. Elago was also targeted by an amended complaint, originally submitted on 24 July 2019, to which her name was added as a respondent. It concerns a complaint from a mother against the youth group "the Kabataan Party List" in which she accused the latter of kidnapping and abusing her daughter. On 10 November 2020, the Supreme Court upheld its earlier decision to dismiss the petition submitted by the daughter's parents. In so doing, the Supreme Court concluded that the daughter was reportedly of legal age and that she had denied having been subjected to coercion and had voluntarily chosen to join the youth group. Shortly before, on 15 October 2020, prosecutors at the Department of Justice dismissed two of the five charges in connection with this situation against Ms. Elago for lack of probable cause, while a determination of the three other charges was pending with the Department of Justice.

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Notes* that the complaint concerning Ms. Sarah Jane I. Elago, a member of the Philippine House of Representatives, was declared admissible by the Committee on the Human Rights of Parliamentarians under its procedure at its 161<sup>st</sup> session (January 2020);
2. *Thanks* the parliamentary authorities for the latest information provided and for their spirit of cooperation;
3. *Is deeply concerned* that official communications are published online that contain baseless accusations against Ms. Elago, which not only discredit her but also put her physical integrity at risk; *calls on* the Filipino authorities to prevent such claims from being made and to hold those responsible to account; *wishes* to know what steps are being taken for this purpose, including any progress made with regard to the complaint that Ms. Elago brought against six senior officials;
4. *Strongly believes* that it is in the interests of the Congress of the Philippines to ensure that its members can exercise their parliamentary mandates without fear of reprisal; *calls on* Congress, therefore, to carry out its oversight function so as to ensure that Ms. Elago is not hindered by state entities and officials in fulfilling her parliamentary duties; *wishes* to know what steps, if any, Congress is taking in this regard;
5. *Trusts* that the determination of the pending charges against Ms. Elago will soon be concluded and that such determination will take full account of the conclusions reached by the Supreme Court on the petition pertaining to the same facts; *wishes* to be kept informed in this regard;
6. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainants and any third party likely to be in a position to supply relevant information;
7. *Requests* the Committee to continue examining this case and to report back to it in due course.