

# “Broaden and make safe civic spaces” – Former Commissioner Karen S. Gomez Dumpit, Commission on Human Rights of the Philippines

23.08.22 - Philippines - [Perfecto Caparas](#)



Former CHR commissioner Karen Gomez Dumpit (center in purple shirt) during the Commission on Human Rights' #Right the Ride campaign.

In this second part of her interview with **Pressenza**, former commissioner Karen S. Gomez Dumpit of the Commission on Human Rights of the Philippines stresses the need for government to refrain from red-tagging political dissenters. She urges the administration of Ferdinand Marcos Jr. to allow the International Criminal Court to investigate the targeted killing of 12,000-30,000 civilians during former president Rodrigo Duterte's so-called “drug war”.

*A Career Executive Service Officer IV since 1998, former commissioner Karen Gomez Dumpit's last post before her appointment as Commissioner was as Director of Government Linkages Office (GovLink now renamed Policy Advisory Office) for 13 years, implementing programs that carry out the constitutional mandate to monitor government compliance with human rights treaty obligations; harmonizing domestic laws in accordance with standards and principles set by core international human rights instruments; monitoring Philippine jurisprudence that affirms human rights treaties; and advising the executive and other relevant state branches and mechanisms on its implementation of obligations to respect, protect and fulfill human rights. Under Gomez Dumpit's leadership, CHR formally launched the Human Rights Institute to better fulfill the CHR's constitutional mandate to establish a culture of human rights in the country through the following components: the Online Human Rights Academy (offering basic and executive courses on various human rights topics), Human Rights Online Teaching Spot (virtual learning museum on the history of human rights in the Philippines), and the Centers for Human Rights Education (university/school-based centers that serve as learning hubs at the community level).*

**Perfecto Caparas:** *The Philippines has ratified numerous human rights treaties, particularly the International Covenant on Civil and Political Rights, as well as promulgated the 1987 Constitution which is quite notable for its Bill of Rights. Despite these inroads, how come red-tagging and assassination of human rights and environmental defenders persist? What factors trigger the perpetration of such human rights violations? What are the institutional weaknesses that give rise to the practice of red-tagging and assassination by alleged state forces of human rights defenders? How can these be addressed? How has CHR sought to address those?*

**Karen Gomez Dumpit:** In 2020, we received numerous reports of attacks against human rights defenders so we conducted a Public Inquiry on the Situation of Human Rights Defenders in the country. This was led by Commissioner Roberto Cadiz and I sat as a panel member in this national inquiry.

National Inquiry is a methodology used by National Human Rights Institutions to take a closer look at the incidence of human rights violations that are seen as widespread and systematic. It involves a process of field investigations, research, calls for submissions, and public hearings.

In this inquiry, the CHR found that human rights defenders are “greatly at risk due to inimical acts, practices and omissions that threaten their life, liberty, and security.” Public vilification and red-tagging were employed “to make it easy for military and paramilitary units to silence or cause untold human rights abuses on vocal dissenters.” There was also the weaponization of the laws against critics of the administration. No case is as emblematic as the case of Senator Leila M. de Lima who just marked 2000 days in detention — deprived of participating as a duly elected Senator in the past 17th and 18th Congress. Before her arrest, Senator de Lima was the Chairperson of the Senate's Justice and Human Rights Committee investigating the EJKs in the country. She was charged in relation to the National Prison drug trafficking scandal which is widely believed to be a false, trumped-up charge.

Our National Inquiry Report on Human Rights Defenders can be found at this link:

<https://chr.gov.ph/wp-content/uploads/2020/07/CHRP-2020-Report-on-the-Situation-of-Human-Rights-Defenders.pdf>

**PC:** *How should the succeeding government address the issues of red-tagging, the assassination of human rights and environmental defenders, and the thousands of alleged “drug war” killings?*

**KGD:** In the words of the new National Security Adviser, Secretary Clarita Carlos, “let us stop doing that”. Red is “lazy thinking” — “when you run out of arguments, you label. It's not a productive thing and it's antithetical to the presumption of innocence”.

The National Security Council's recent announcement of an amnesty proposal is also a step in the right direction. Secretary Carlos said that the national government should address the root causes of the communist insurgency by looking at problems on the ground. “The roots are there... address the lack of justice, the lack of opportunities for our youth.”

“And you're killing their future; they can't aspire to be journalists, scientists, engineers, architects... If you kill them, they'll take up arms.”

However, whether the amnesty also includes peace talks with the armed communist movement, Secretary Carlos responded that it is up to President Ferdinand Marcos Jr. to consider.

(<https://www.philstar.com/headlines/2022/06/24/2190635/incoming-nsa-chief-unproductive-practice-red-tagging-lets-stop-doing-that> and

<https://www.manilatimes.net/2022/07/16/news/national/ntf-elcac-offers-amnesty-to-insurgents/1851110>)

The tired tactic of militarization, red-tagging, labeling easy but wrong targets, and weaponizing laws against legitimate dissenters should be curbed. There is a platform to converge and talk about constructive responses to address the human rights situation in the country; the UN Joint Programme born out of the UN Human Rights Council. It holds promise in 6 areas with civic engagement as a key process to ensure accountability in addressing the human rights situation in the country.

## National security stakeholders

Through the joint program, the United Nations in the Philippines will engage in capacity-building and technical cooperation with the government in six areas, namely, strengthening domestic investigation and accountability mechanisms; data gathering on alleged police violations; civic space and engagement with civil society and the Commission on Human Rights (CHR); a national mechanism for reporting and follow-up; counter-terrorism legislation; and human rights-based approaches to drug control.

The challenge is to refocus on the essential, core challenges to national security, not to red-tag and weaponize laws against legitimate dissenters, political opponents and critics but how to broaden and make safe civic spaces that can only strengthen national security because it expands participation of national security stakeholders beyond the core security sector of the executive and security forces but to oversight mechanisms that include civil society actors and the Commission on Human Rights as the watchdog of government.

## Appoint credible, independent commissioners

My next advice is for the new government to appoint a credible, independent next batch of Commission members through a transparent and credible process based on the established criteria in accordance with the Paris Principles (<https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-relating-status-national-institutions-paris>). The CHR is said to be a secondary check and balance mechanism of government. It should be well resourced. Support the full institutionalization of the Human Rights Institute. The HRI program had undergone a comprehensive study and review, which entailed consultations within the CHR, the broader human rights community, and other similar educational institutes and offices in government. The Institute will not cause an additional burden to the government as this will be undertaken with the existing resources of the Commission while harnessing its potential for collaboration and partnerships with other institutions and organizations to further support it.

## Accountability

Accountability for the violations brought about by the drug war and the rally to end local communist armed conflict is now on the plate of the new administration under President Marcos. A change of administration will not be accepted as an excuse to not mind the carnage brought about by the drug war. The government of the day must respond and squarely address the violations. They must also reach out and help the families orphaned by the drug war and the families of the human rights violation victims of the past. Allow the International Criminal Court (ICC) to conduct its own investigation while ensuring that all other cases are proceeding in the pillars of the justice system.

**PC:** *What insights and advice can you give to strengthen and entrench the rule of international human rights law?*

**KGD:** We must continue to support and demand for domestic accountability mechanisms to work so that victims and their families will have access to justice.

Communities need to be vigilant and ensure that reporting mechanisms are primed so that when violations occur, monitors are made aware including media as the fourth estate and oversight bodies are put to action, including the CHR.

The business of human rights is not a domestic affair and it is certainly not a concept derived only from the west. It is universal. There are international mechanisms that will keep governments mindful of their human rights record.

## Universal periodic review

The Philippines is about to undergo the 4th cycle of the Universal Periodic Review before the UN Human Rights Council. The UPR is a venue for stakeholders to come together and have an honest dialogue about the human rights situation in our country. It is a collective national self-examination that not only tries to bring to the table violations and other pressing human rights issues but also to spark discussions about solutions that can properly address systemic problems. Recommendations arising from the UPR are ‘advice from peers’ and government must heed by creating safe spaces for civil society and human rights defenders to participate in governance and enable access to justice mechanisms for victims and their families. (<https://www.rappler.com/nation/things-to-know-united-nations-review-philippines-human-rights-record-rodrigo-duterte/>).



Categories: Asia, Human Rights, Interviews  
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**Perfecto Caparas**  
*An award-winning investigative journalist and licensed attorney, Perfecto Caparas took his oath as a member of the newly-formed National Union of Journalists of the Philippines' North America Chapter.*

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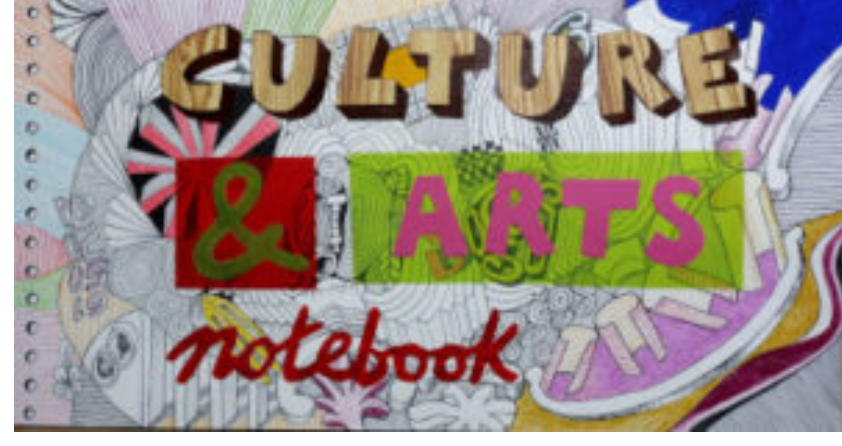
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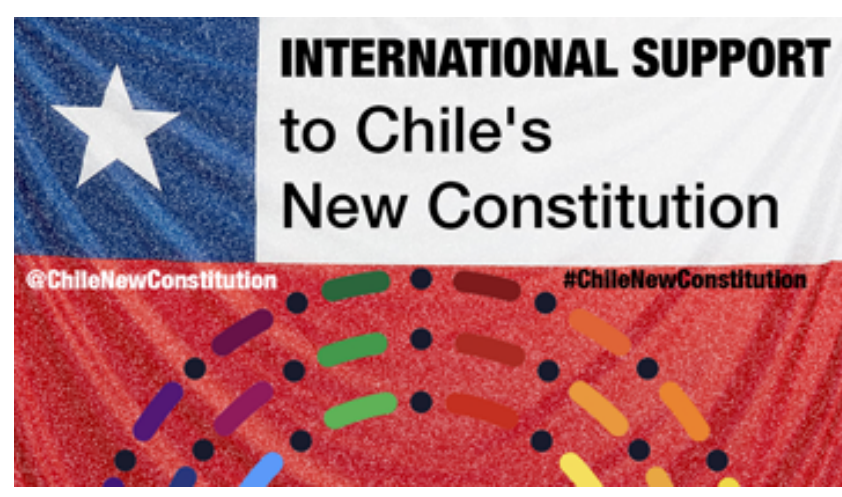
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