

Aktionsbündnis Menschenrechte - Philippinen

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## **Human rights defenders keep disappearing under Philippines' Marcos Jr.**

The Aktionsbündnis Menschenrechte – Philippinen (AMP, German Action Network Human Rights-Philippines) is concerned about the alarmingly high number of disappeared human rights defenders in the Philippines since President Ferdinand Marcos Jr. took office in June 2022.

Enforced disappearance is a particularly frightening means of political repression and a heinous and complex violation of multiple human rights and an international crime. Enforced disappearances are usually applied by authoritarian states to prevent the prosecution of human rights violations and silence government-critical voices. The resurgence of this form of state repression targeting political activists triggers frightening memories of the human rights violations of the Marcos Sr. military dictatorship (1972-1986), where over 900 people disappeared, including many activists.

Amid a global ecological crisis, environmental resources have become even more contested and scarce, also in the Philippines. The country has a long history of land conflicts, especially over agricultural lands, mining concessions and ancestral territories. In Marcos Jr.'s third year in office, the AMP recorded 12 cases of enforced disappearances of human rights defenders, of which five individuals remain missing until today. More than half of AMP's recorded disappearances since Marcos Jr. took office are environmental defenders. The cases of enforced disappearances show similar patterns, as the abduction is often preceded by a campaign of vilification and intimidation against the victim. This practice is called "red-tagging," where the victim is publicly accused of being a member of the armed communist rebel group New People's Army or of being a "terrorist." The victims are often abducted in broad daylight and brought to a secret detention facility, where they are interrogated, tortured, and even killed. In many instances, the disappeared people never reappear.

Obtaining justice as a victim of enforced disappearance in the Philippines has proven to be an uphill battle like in the case of the human rights defenders Dyan Gumanao and Armand Dayoha. On January 10, 2023, Gumanao and Dayoha were forced into a vehicle by men in plainclothes in broad daylight at the Cebu City port. The two activists reappeared six days after their disappearance. Both reportedly gave accounts that the kidnappers identified themselves as police officers. They also said they were blindfolded, detained incommunicado, and separately interrogated.

Taking legal action against the perpetrators has become an extremely challenging and lengthy process for Gumanao and Dayoha. CCTV footage that documented the abduction allowed the Philippine Commission on Human Rights (CHR) in 2024 to identify one person and a motorbike, both belonging to the Intelligence Service of the Armed Forces of the Philippines (ISAFP). So far, the ISAFP has refused any involvement or collaboration with the CHR. A report by the CHR has yet to be published.



Recommendations for a criminal investigation and charges against the identified ISAFP personnel would represent an important turning point in a system that is widely shaped by impunity.

In 2012, the Philippines became the first country in Asia to pass a law criminalizing the practice of enforced disappearances (Anti-Enforced or Involuntary Disappearance Act). Although the Philippines has not yet ratified the International Convention for the Protection of All Persons from Enforced Disappearances, the national law adopts the Convention's definition of enforced or involuntary disappearances in its entirety and provides for a maximum penalty of life imprisonment without amnesty. To date, this law has not been applied. This is contrary to the government's international commitments such as during the EU-Philippines Human Rights Dialogue in 2024 to "address allegations of enforced disappearances through national legislation." The Philippine government has also not yet responded to a request from the United Nations Working Group on Enforced and Involuntary Disappearances in 2023 for a country visit.

The AMP calls upon members of the international community and the European Union to remind the Philippine government under President Ferdinand Marcos Jr. of its obligation to comply with international human rights standards by immediately and impartially investigating the circumstances that led to the enforced disappearance of human rights defenders in the Philippines and to prosecute the perpetrators. We also urge them to pressure the Philippine Government to immediately initiate a thorough and credible criminal investigation into the abduction case of Gumanao and Dayoha and to file criminal charges against the involved ISAFP personnel identified by the CHR.

*The Aktionsbündnis Menschenrechte – Philippinen (AMP – Action Network Human Rights - Philippines) is an initiative of seven major German church-based agencies and human rights organizations to promote advocacy and information work in Germany and the EU regarding the human rights situation in the Philippines. Member Organizations of the AMP are Amnesty International Germany, Brot für die Welt (BfdW), International Peace Observers Network (IPON), Misereor, Missio Munich, philippinenbüro e.V., and the United Evangelical Mission (UEM). The main focus of the network lies on the core human rights issues of extrajudicial killings, enforced disappearances, and fabricated charges against political activists.*

