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Joint statement from Amnesty International and Human Rights Watch

Item 6: UPR outcome report of the Philippines

10.06.2008

Mr. President,

Amnesty International and Human Rights Watch welcome the UPR outcome report of the Philippines that includes important recommendations made by several states during the review to eliminate extrajudicial killings, enforced disappearances, and torture and other ill-treatment, and to carry out investigations into such violations and to punish those responsible. Amnesty International and Human Rights Watch encourage the Philippine government to act immediately on these recommendations, which echo those of the Special Rapporteur on extrajudicial, summary or arbitrary executions. Crucially, as recommended in the review, the government should strengthen its witness protection programme particularly by ensuring that all those at risk are provided security, adequate housing and other support as long as their lives are under threat.

Amnesty International and Human Rights Watch welcome the Philippine government's stated commitment to reduce incidents of extrajudicial executions and enforced disappearances and to bring the perpetrators to justice, including through enhanced coordination between its prosecution services and other agencies. Amnesty International and Human Rights Watch believe that in doing so the government must address the pervasive impunity for such violations. Only a very few members of the security forces have ever been convicted of extrajudicial killing or enforced disappearance, and no senior-ranking military officer has ever been held to account.

Implementation of the commitment requires successful prosecutions that send a clear message to the security forces that serious rights abuses will no longer be tolerated, the number of extrajudicial killings and enforced disappearances, which reportedly dropped sharply in 2007, would likely rise again.

The challenge for the Philippine government contained in the outcome report continues to be the effective implementation of its initiatives and programmes. These include reform of the witness protection programme and the prosecution and suitable punishment of persons found to be responsible for political killings and other serious

rights violations, particularly those from the security sector, as stated in its report for the UPR.

Amnesty International and Human Rights Watch encourage the Philippine government to implement its institutional reforms necessary for preventing a resurgence of political killings. In doing this, our organizations encourage the government to:

1. Vigorously investigate and prosecute members of the military implicated in extrajudicial killings or enforced disappearances. This can be done by suspending soldiers implicated in relevant cases from active duty and directing the military to transfer cases of military personnel implicated in the extrajudicial killing of civilians to civilian prosecutorial authorities. Ensure that all state agencies comply with requests by civilian investigative bodies for information and appearances.
2. Provide regular (e.g. monthly) public reporting on the status of all cases of extrajudicial killings being investigated and prosecuted;
3. Create a specialist unit in the Witness Protection Programme to provide social and financial support for witnesses and families of alleged victims of political killings and enforced disappearances for as long as they are at risk. Fully enforce the laws that prohibit intimidating and harassing witnesses and, if necessary, increase the penalties for such offenses;
4. Take all necessary measures to end the practice by the military of labeling legal left-oriented political parties, groups and civil society organizations as “enemies of the state,” which makes their members vulnerable to politically motivated attacks and killings;

Finally, Mr. President, our organizations welcome the signature by the President of the Philippines of the Optional Protocol to the Convention against Torture shortly after the UPR in April, and we encourage early ratification of it as well as of the Convention against Enforced Disappearances, as the government has pledged to do.