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Philippines: Amnesty International urges authorities to end impunity for grave human rights violations

Human Rights Council adopts Universal Periodic Review outcome

Impunity for torture, enforced disappearances and extrajudicial executions¹ persists in the Philippines, despite the government's commitment in the Universal Periodic Review (UPR) to eliminate these grave human rights violations and bring those responsible to justice.²

Thousands of cases of extrajudicial executions and enforced disappearances remain unresolved, and new cases continue to be reported. Victims of past human rights violations and their relatives, including those who faced serious human rights violations under the Martial Law era over four decades ago, continue to be denied justice, truth and reparations. Almost no perpetrators have been convicted. Impunity persists in part due to inadequate criminal investigations and witness protection schemes, a lack of political will to ensure effective prosecutions, and lengthy delays in court proceedings.

Amnesty International urges the Philippines to rescind Executive Order 546, as recommended in the UPR.³ State-sponsored militias continue to operate despite incidents such as the November 2009 Maguindanao massacre, which illustrates how militias may be used by local politicians as their private armed groups, without any accountability mechanisms in place.

Amnesty International welcomes the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in April 2012. However, despite this and the promulgation of the Anti-Torture Act of 2009, the organization is concerned that members and auxiliaries of both the military and the police continue to practice or be complicit in torture and other ill-treatment, including of under-18 year olds, women, suspected common criminals, and supporters or members of armed groups.

Amnesty International is disappointed that the Philippines has not yet pledged to ratify the International Convention on the Protection of All Persons from Enforced Disappearance despite numerous recommendations to do so.⁴ It is also concerned that the Philippines has been slow at fully implementing the Anti-Torture Act, the Philippine Act on Crimes Against International Humanitarian Law of 2009 and the 2009 Magna Carta of Women. Other laws crucial to protect the right to life of women and men, such as the Anti-Enforced Disappearance⁵ and Reproductive Health Bills,⁶ have yet to be adopted.

Amnesty International calls for the adoption of a national human rights action plan to tackle the lack of accountability for enforced disappearances, torture and extrajudicial executions, and urges the Philippines Congress to pass legislation to protect the rights of women and girls to life and reproductive health.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of the Philippines on 20 September 2012 during its 21st session. Prior to the adoption of the review outcome Amnesty International delivered the oral statement above. Amnesty International had earlier submitted information on the situation of human rights in the Philippines:
<http://www.amnesty.org/en/library/info/ASA35/007/2011/en>

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¹ Referring to expressions of concern on impunity for extrajudicial executions and enforced disappearances from the United States of America (A/HRC/WG.6/13/L.10, paragraph 51), Australia (A/HRC/WG.6/13/L.10, paragraph 57), Austria (A/HRC/WG.6/13/L.10, paragraph 58), Denmark (A/HRC/WG.6/13/L.10, paragraph 70), France (A/HRC/WG.6/13/L.10, paragraph 73), Holy See (A/HRC/WG.6/13/L.10, paragraph 75), and Japan (A/HRC/WG.6/13/L.10, paragraph 104).

² Referring to recommendations to eliminate, tackle, fight against and investigate extrajudicial executions, enforced disappearance and/or torture, as accepted by the Philippines: from Republic of Korea, Singapore, the Holy See, United States of America, France, Trinidad and Tobago, Germany, Spain, Sweden, Egypt, Austria and Turkey (A/HRC/WG.6/13/L.10, paragraphs 129.12-19).

³ Referring to recommendations to revoke Executive Order 546 or disarm and dismantle militias by the Netherlands, Spain and Canada (A/HRC/WG.6/13/L.10, paragraphs 131.24-26).

⁴ Referring to recommendations to ratify the International Convention for the Protection of All Persons from Enforced Disappearance by Argentina, Belgium, Brazil, Chile, France, Japan, Spain, and Iraq (A/HRC/WG.6/13/L.10, paragraphs 131.1-2,6).

⁵ Referring to recommendations to promulgate a law criminalizing enforced disappearance by Brazil, France (A/HRC/WG.6/13/L.10, paragraph 131.1), and Canada (A/HRC/WG.6/13/L.10, paragraph 131.12).

⁶ Referring to expression of concern about the high rates of maternal mortality by Sweden and New Zealand (A/HRC/WG.6/13/L.10, paragraphs 43, 144), and recommendations to enact the Reproductive Health Bill or establish a legal framework to help women and men decide freely and responsibly on matters related to reproductive health by the Netherlands and Norway (A/HRC/WG.6/13/L.10, paragraphs 131.34-35).