

Philippine Human Rights Digest

October 2007

by the Presidential Human Rights Committee - Philippines

PRESIDENT ARROYO ALLOCATES P10-BILLION FOR POVERTY ALLEVIATION TOWARDS HUMAN RIGHTS

Highlighting the close interconnection between poverty and human rights, President Gloria Macapagal-Arroyo said recently her administration will mobilize P10 billion (more than 200M US\$) in the government's 2008 national budget to eradicate extreme poverty and "keep the cause of human rights alive."

"The world needs us to be compassionate fighters in the war against poverty and terror, to keep the cause of human rights alive, to preserve a universal framework of human decency and social justice," she said.

"We must address the spawning ground of terrorist recruitment – the specter of poverty," the President said in her opening address at the regional workshop on the "Establishment of National Human Rights Institutions (NHRIs) in Asia" in Pasty City on Monday, October 15, 2007. (See related article)

She said the independent Commission on Human Rights of the Philippines (CHRP) was a beacon for the Filipino's dignity, welfare, peace and development. "We respect the Commission's independence, appreciate its human rights advisories and recommendations, and acknowledge its role as a watchdog of government's compliance with human rights treaty obligations," the President added.

The President stressed that "peace there is very much an issue of human rights, just as alleviating poverty is, our top issue."

The President also ordered priority development support for peace initiatives around the country. She said, "I have advanced the cause of peace in Mindanao to a new level of engagement, focused on interfaith dialogue, economic development and mutual security. We have done so with the largest international involvement possible.

She said the government's record on human rights is open to scrutiny. Referring to a current issue in the spotlight, she said, "We deplore any and all killings of political activists and journalists. I have met personally with the journalism community and the same with human rights activists. We share their outrage," the President said.

19 Asian countries have established NHRIs. Invited to the workshop were member states "which do not yet have established NHRIs in accordance with the Paris Principles." These are Bangladesh, Bhutan, Negara Brunei Darussalam, Cambodia, China, Japan, North Korea, Laos, Myanmar, Pakistan, Singapore, Vietnam, and Papua New Guinea. ■

ASIA REGIONAL WORKSHOP RECOGNIZES VALUE OF NATIONAL HUMAN RIGHTS INSTITUTIONS

Participants at the Regional Workshop on Establishing National Human Rights Institutions (NHRIs) in Asia have adopted a statement that emphasizes the relevance of NHRIs as key actors in strengthening human rights promotion and protection and recognizes the importance of taking necessary measures in order to establish NHRIs in compliance with the Paris Principles.

Representatives from 13 countries around Asia gathered for the regional workshop co-hosted by the Commission on Human Rights Philippines (CHRP) and the Philippine Government, and the Office of the High Commissioner on Human Rights (OHCHR). It was held in Manila from October 15 to 17, 2007.

Resource persons from the Philippine government, the CHR Philippines, the Asia-Pacific Forum (APF) Secretariat, as well as experts from existing NHRIs in Asia, including those from India, South Korea and Sri Lanka spoke about various aspects of national institutions. The Office of the High Commissioner on Human Rights (OHCHR) was represented by Gianni Magazzeni, senior human rights officer of the OHCHR's National Institutions Unit.

Speaking on the Philippine Experience, Executive Secretary Eduardo R. Ermita, Chairman of the Presidential Human Rights Committee, told participants examples of cooperation between Government and the independent CHRP. (See related article)

CHRP Chairperson Purificacion C.V. Quisumbing highlighted that the Philippines' Commission was established in 1987 under the new Philippine Constitution – pre-dating by six years the adoption in 1993 of the Paris Principles by the United Nations General Assembly (UNGA). She pointed out that the CHRP works very closely with civil society. While it monitors government compliance, CHRP is also adviser and facilitator for government human rights projects. It has been very active in putting human rights in ASEAN documents, including the draft ASEAN Charter.

Members from the independent National HR Institutions of Southeast Asia, i.e. Indonesia, Malaysia, the Philippines and Thailand (known as the ASEAN-4) underlined their efforts at regional cooperation in the areas of common interest such as human rights education, migrant workers, trafficking of women and children, hr and terrorism, and economic, social and cultural rights.

In their concluding statement, workshop participants agreed that their organizations all: "Acknowledge the comprehensive overview given and discussions held on the establishment of NHRIs, their historical and legal background, the minimum standards NHRIs have to comply with, as well as the core functions, main features and methods of operation of NHRIs, "

"Recognize the importance of taking necessary measures in order to establish NHRIs in compliance with the Paris Principles, "

"Emphasize the importance of sensitizing Governments, Parliaments, and other relevant national stakeholders on the values and benefits of establishing NHRIs, and"

"Recognize the assistance, support and advice from OHCHR, UN Country Teams, and the commitment of support from APF and other NHRIs in Asia in establishing NHRIs that may be made available at the request of Member States." ■

HR INSTRUMENTS UPDATE: The Philippine President has ratified the 2nd Optional Protocol to the International Covenant on Civil and Political Rights. This is consonant with the R.A. 9346 Prohibiting the Imposition of the Death Penalty (2006).

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Current Challenges:

ADDRESSING KILLINGS OF ACTIVISTS AND MEDIA PROFESSIONALS

No other human rights issue currently receives as much attention as that of killings of activists and media practitioners attention from the press, the public, the international community, and the Philippine Government itself.

H.E. President Gloria Macapagal Arroyo and officials of her Administration have repeatedly condemned such human rights violations in no uncertain terms.

Most recently, this October, she ordered the PNP and AFP to take active steps prevent any such human rights violations by men in uniform. This includes instructions and trainings that all men in uniform understand that these killings are not part of state policy and will not be tolerated.

This is on top of earlier instructions to investigate internal cases of killings, cooperate with the criminal justice system to bring rogue elements through the system, and apply internal disciplinary mechanisms when appropriate.

When the new Director-General of the Philippine National Police Avelino Razon took over the reins on October , the President told him to make measures to solve and prevent such killings his legacy. (related story, New Leadership at Key Agencies)

More than seventy cases have been filed in court against suspected perpetrators of these killings. Six persons have been convicted.

The Department of Justice (DOJ) has intensified its efforts to prosecute these cases

On 10 October 2007, Department Order (DO) No. 841 was issued, directing all prosecutors to expedite and prioritize cases of human rights and extrajudicial killings.

This also directs all handling prosecutors to give utmost priority to said cases by conducting marathon preliminary investigation that all cases must be resolved within the prescribed period of sixty (60) days from date of filing with any prosecution office

Since 2006 the President has given directives to address the issue of political violence and killings. Some of these actions taken are the following: The establishment of Task Force USIG at the Philippine National Police (PNP) to investigate political and media killings; Creation of the Independent Commission to Address Media and Activist Killings (Melo Commission); Strengthening of the Presidential Human Rights Committee; Strengthening of the Witness Protection Program; Focused effort to increase prosecutions and convictions, including the establishment by the DOJ of Task Force of Prosecutors on Human Rights and Extra-Judicial Killings to prosecute political killings; Strengthening of the Commission

the "command responsibility" concept within Armed Forces of the Philippines with the creation of the AFP Human Rights Office; Creation of the PNP Human Rights Affairs Office ; Increased cooperation of government agencies with the CIRR; and Encouraging multi-sectoral dialogue on the political killings issue.

The Presidential Human Rights Committee plays an important role in resolving alleged/suspected extrajudicial killings and enforced disappearances. The PHRC created and maintains a consolidated database of cases, with information from the PNP, DOJ, and Judiciary. This is a tool for the Administration to monitor the progress of individual cases as well as systemic functions.

The President has instructed the creation of a special working group, under the PHRC, to coordinate policies and actions towards the resolution of cases of Alleged/Suspected Extrajudicial Killings, Enforced Disappearances and Torture. Members of the group include the representatives from the Departments of Justice and of National Defense, the military, the police, and the National Bureau of Investigation. Input of valuable organizations such as the judiciary, CHR, Ombudsman, and Integrated Bar of the Philippines and civil society organizations participate as observers.

This special working group continues the work on the strategic work plan that moves the President's directives forward and focuses on inter-agency cooperation and coordination. It is organized according to 6 thematic areas: investigation, witness protection, prosecution, judicial process, capacity-building, and monitoring.

The Witness Protection Program, which was created under Republic Act No. 6981, is currently implementing the following efforts and reforms aimed at addressing the needs of prospective witnesses in media and political killings, human rights violations, among others: Regional State Prosecutor's who are the Program's implementers in the regions have been directed to liberalize admission requirements, particularly when threat level on *bona fide* witnesses in media and political killings is high.

A multi-agency task force on humanitarian assistance to victim's families has been created, led by the Presidential Adviser on the Peace Process. Immediate assistance such as medical and funeral costs are extended, as well as longer-term assistance such as scholarships for children.

The Government looks forward to increased momentum on its efforts soon, thanks generous offers of foreign assistance to reinforce national capabilities to investigate these crimes, strengthen our capacity to protect human rights, and promote human rights education, particularly from Australia, Japan, the US, and the European Union.

As one of the earliest member States of the United Nations, a signatory to eleven Human Rights instruments including all of the seven core instruments, and a member of the Human Rights Council, the Philippines reiterates its deep commitment in protecting and promoting human rights. Under the