

## **Eighth session of the UN Human Rights Council, 2-20 June 2008**

### **Review of the Philippines under the Universal Periodic Review: Amnesty International's reflections on the outcome**

Amnesty International welcomes the important recommendations made to the Philippines by several states during its review under the UPR to eliminate torture and extrajudicial executions, to carry out investigations into such violations and to punish those responsible. The organization urges that the government acts immediately on these recommendations, which are echoed by the Special Rapporteur on extrajudicial, summary or arbitrary executions. Crucially, the government should strengthen its witness protection programme, particularly by ensuring that all those at risk are provided security, adequate housing and other benefits for as long as their lives are at risk.

Amnesty International welcomes the Philippine government's stated commitment to continue to decrease 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 is concerned, however, that impunity for such violations remains pervasive. The numerous initiatives undertaken by the government have rarely resulted in thorough and independent investigations and convictions. The challenge for the government continues to be the effective implementation of initiatives and programmes. These include reform of the witness protection programme and the enforcement of relevant laws leading to the imposition of harsher penalties on perpetrators of political killings, particularly those from the security sector, as stated in its report for the UPR.

Amnesty International urges the Philippine government to implement the institutional reforms necessary to prevent a resurgence of political killings. In particular, the organization calls on the government:

To create a body, which is independent of the Task Force *Usig*, to monitor investigations into political killings and ensure that these are independent, prompt and effective. Prosecutors should guide investigators with regard to the type of evidence needed to achieve convictions in cases of political killings, in order to avoid cases being dismissed on the basis of insufficient evidence;

To create a specialised unit in the Witness Protection Programme to provide social and financial support for witnesses and families of victims of political killings and enforced disappearances for as long as they are at risk. The penalty for intimidation and harassment of witnesses should be increased;

To reform the Revised Penal Code to define extrajudicial killing as a crime different from murder, to prohibit enforced disappearances and torture, and to institutionalise command responsibility;

To review its counter-insurgency policy to emphasize the distinction between civilians and combatants, including by prohibiting the labelling of legal left-oriented political parties, groups and organisations as 'front organisations' for armed groups or as 'enemies of the state';

To ratify the Optional Protocol to the Convention against Torture, which was signed by the President shortly after the UPR in April, and the Convention against Enforced Disappearances, as the government has already pledged to do.