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Oral Statement delivered by Ms. Cecilia Jimenez on behalf of
Asian Forum for Human Rights and Development (FORUM-ASIA) in association with
Philippine Alliance of Human Rights Advocates (PAHRA) and
Task Force Detainees of the Philippines (TFDP)

8th Session of the UN Human Rights Council
Item 6: Universal Periodic Review - Philippines

Tuesday, 10 June 2008

Mr. President,

First of all, we would like to commend the member States of the Human Rights Council, particularly the Permanent Missions of the United Kingdom, the Netherlands, Canada, Switzerland, Slovenia, France, Brazil, Mexico, Japan, and the Republic of Korea for the objectivity of the questions and recommendations that they delivered during the interactive dialogue for the UPR working group on the Philippines. We would also like to express our appreciation regarding the statement made by former ambassador Enrique Manalo that the Philippine government pledges and commits to continued engagement with civil society throughout the follow-up process to the UPR, maintaining the momentum in addressing killings of activists and media, ratifying the Optional Protocol to the Convention Against Torture, and implementing measures to address the needs of the poor and vulnerable sectors.

Having said this, we would like to convey the following concerns of Philippine civil society to the head of the Philippine Delegation Executive Secretary Eduardo Ermita:

1. The Government of the Philippines has pledged that it shall strengthen domestic support for the signing and ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (CED) and the Optional Protocol to the Convention Against Torture (OPCAT). What is the current domestic status of these conventions and how far are they from being ratified? We would also like to ask the Philippine government to reconsider its position on the International Criminal Court and to ratify and become a State party to the Rome Statute.
2. According to the Philippine government, in line with its commitment to uphold justice and strengthen efforts to address impunity, special bodies such as the Melo Commission and Task Force Usig were created to undertake comprehensive investigations of cases of extrajudicial killings. The Philippine Supreme Court has even established 99 special courts to preferentially hear and expeditiously decide on such cases. May we ask the representative of the Philippine government why is it, that despite the efforts of Task Force Usig and the 99 special courts, there have been no convictions in the vast majority of cases? What are the concrete measures being taken by the government to address shortcomings and limitations in terms of court personnel, protection of witnesses and victims' families, and upgrading the forensic investigation techniques of our law enforcement agencies?
3. Although we laud the Philippine government's openness during the Philippines UPR review, we would like to note that there are some key issues and recommendations that were raised by member and observer States which the Philippine delegation chose not to reply to. Most of the neglected comments and questions pertain to the conflict between Muslim insurgents and government troops in the Southern province of Mindanao, as well as the question of issuing standing invitations to special procedures, in particular the Special Rapporteur on the promotion and protection of human rights while countering terrorism.

We would also like to take this opportunity to register our reservation to the statement made by Ambassador Erlinda Basillio regarding the report of Philip Alston, the Special Rapporteur on extrajudicial, summary or arbitrary executions. We feel that Ambassador Basillio's strong remarks against Professor Alston do not sit well with the principles espoused by UN General Assembly Resolution 60/251 which established the Human Rights Council and the UPR.

Mr. President, we believe that the UPR can be a positive and effective mechanism for scrutiny and constructive dialogue, so long as States adhere to the principles of openness, transparency, and accountability. We hope that these principles will guide the Philippine government throughout the follow-up processes to the UPR at the national level.

Thank you Mr. President.

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