



Extrait du Worldwide Movement for Human Rights

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European Parliament adopts resolution on impunity in the Philippines

- [english] - Region - Asia - Philippines -

Date de mise en ligne : Monday 18 June 2012

Description :

FIDH and PAHRA are disappointed that despite numerous calls by the international community and civil society in the country, serious human rights violations continue to be documented and impunity for these violations persist at various levels in a context of ineffective measures to tackle it.

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The International Federation for Human Rights (FIDH) and its member organization, the Philippine Alliance of Human Rights Advocates (PAHRA), welcome the [resolution](#) adopted by the European Parliament on 14 June 2012 on cases of impunity in the Philippines. FIDH and PAHRA are disappointed that despite numerous calls by the international community and civil society in the country, serious human rights violations continue to be documented and impunity for these violations persist at various levels in a context of ineffective measures to tackle it.

The resolution takes note of the decrease in the number of reported instances of extrajudicial killings and enforced disappearances, but indicates that "the government's ability to effectively combat the widespread impunity of the perpetrators of such acts and tackle the politically motivated violence in the country remains insufficient." The resolution goes on to express "serious concern over judicial independence and slow convictions for human rights violations in the country."

In his first State of the Nation Address in 2010, President Benigno Aquino III said "We are aware that the attainment of true justice does not end in the filing of cases, but in the conviction of criminals." However, not only do extrajudicial killings or enforced disappearances continue to occur since President Aquino took office, but no one has been convicted of these violations under his administration.

The resolution highlighted the Ampatuan massacre in November 2009 as an egregious example of extrajudicial killings and the difficulty in bringing perpetrators to justice, as the trial drags on while witnesses and their relatives have been subjected to intimidation, bribery and even assassination. While this case drew significant international attention, many other cases of political killings go under-reported. Many of these cases also implicate members of state security forces or private militias. Impunity for these violations is compounded by the failure of the authorities to hold senior officers accountable in accordance with the principle of command responsibility, which perpetuates a culture of impunity among the armed forces and the national police, as well as private militias.

Human rights education has been conducted among the security forces in all their institutions. However, if such education is not internalized and if there lacks effective accountability mechanisms, judicial or otherwise, there is unlikely to be a paradigm shift towards a human rights culture but may only serve as a veneer to impunity, said FIDH and PAHRA.

" Donors have supported programmes to build up mechanisms capable of ensuring access to justice, but there is an urgent need to institutionalize and to operationalize key domestic protection mechanisms, including the judiciary, the Commission on Human Rights as well as the multi-stakeholder National Monitoring Mechanism (NMM) being formed through the European Union-Philippines Justice Support Programme (EPJUST) ," said Max de Mesa, Chairperson of PAHRA. **" Nonetheless, without political will to end impunity, these mechanisms will be disjointed from the initiatives of civil society, as well as prove insufficient and ineffective to protect rights and obtain justice ,"** Mr. de Mesa added.

The resolution, however, does not mention the case of retired Maj. Gen. Jovito Palparan, Jr, who was the commanding officer of the 7th Infantry Division of the Philippine Army in Central Luzon between 2005 and 2009, during which the region saw a spike in extrajudicial killings, most of which remain unresolved. In December 2011, the Justice Department of the Philippines filed charges of kidnapping and illegal detention against Palparan and three other military officers for the enforced disappearance of two activists in 2006. To date, Palparan is still at large and reportedly under the protection of military personnel and other private actors close to him.

Since their joint report of 2008, [Terrorism and Human Rights in the Philippines: Fighting Terror or Terrorizing](#), FIDH and PAHRA have called on the Government to stop using civilian auxiliaries of the Armed Forces of the Philippines

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(AFP) or private armed groups which have been implicated in a range of serious abuses in total impunity. This recommendation has not been implemented. During the Philippines' second Universal Periodic Review in May 2012, a number of countries, including Canada, the Netherlands and Spain, recommended the Government to rescind Executive Order 546 that provides a legal basis for private militias to take part in anti-insurgency operations. The Government is currently considering these recommendations and will respond by September 2012.

" The Philippine authorities should not confuse a decrease in extrajudicial killings or enforced disappearances with the absence of impunity. Victims have a right to truth, justice, accountability and guarantee that these violations will not occur again, and the Government would contribute to the protection of this right by taking effective actions to pursue perpetrators, dismantle private armies, and ratify the enforced disappearance convention to be followed by alignment of domestic laws and their effective enforcement ," said Ms. Souhayr Belhassen, FIDH president.