



**21st Regular Session of the UN Human Rights Council
Item 6: Universal Periodic Review (UPR) Plenary on the Philippines**

**Oral Statement Delivered by Ms. Giyouon Kim on Behalf of
Asian Forum for Human Rights and Development (FORUM-ASIA)**

Thursday, 20 September 2012

Thank you, Madam President. FORUM-ASIA makes this statement in association with its member organization, Philippine Alliance of Human Rights Advocates (PAHRA)¹. While we appreciate that the Philippine government accepted 53 recommendations at the outset, we regret that their positions on the 35 pending recommendations were available before this Council only yesterday (A/HRC/21/12/Add.1), which deterred us from making substantive reflections on the UPR outcomes.

Madam President, we highlight the recommendation to address cases of past incidents of extrajudicial executions, torture and enforced disappearances in the country (129.28). We welcome that the government accepted this recommendation and urge that justice is brought to the human rights abuses committed during the martial law years imposed on 21 September 1972, particularly by enacting legislation for comprehensive reparations to the victims. Furthermore, the government must expedite steps to set up a National Monitoring Mechanism (NMM) which ensures the perpetrators of human rights violations are held accountable and institutionalises the participation of all victims. In this regard, we echo the recommendation to allocate adequate resources to the NMM (129.27).

Madam President, we are deeply concerned that the government did not make its position clear with time-bound plans for the ratification of the Convention on the Protection of All Persons from Enforced Disappearances (131.1). Furthermore, we are dismayed that the government has not committed to ratifying the Optional Protocols to core human rights treaties on communication procedures (131.2, 6 and 7). A concrete plan must be presented on how the government intends to make its consideration for the ratification of such treaties.

Finally, we note that the Philippine government has committed to taking necessary measures to provide adequate protection to journalists and human rights defenders (129.35) though it did not elaborate any further measures by stating that “attacks against journalists are effectively investigated and perpetrators are penalized in accordance with existing domestic legislations”. The repeated call for prompt, impartial and independent investigations into killings of defenders was again echoed by the Special Rapporteurs on human rights defenders and extrajudicial executions in light of the killings and threats against defenders working on issues of land, mining and environment in Mindanao and Eastern Visayas in May 2012.² We urge that the government respond to the visit request by the Special Rapporteur on human rights defenders as a key step towards addressing these concerns. Furthermore, we are alarmed that the last visit to the country by the Special Procedures was in 2007 and that there are outstanding requests from 13 mandate holders, thus we urge the Philippine government as a member of this Council to demonstrate its genuine cooperation with the Special Procedures by extending standing invitations (131.14-15). Thank you, Madam President.

¹ 13th Session of the UPR Working Group, Joint Submission by PHARA, 28 November 2011

http://lib.ohchr.org/HRBodies/UPR/Documents/session13/PH/JS11_UPR_PHL_S13_2012_JointSubmission11_E.pdf

² OHCHR Press Release, “UN Experts Urge Philippines to Protect Rights Defenders from a Growing Wave of Attacks and Killings”, 9 July 2012