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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on human rights violation in the Philippines

Marie-Christine Vergiat, Rui Tavares
on behalf of the GUE/NGL Group

European Parliament resolution on human rights violation in the Philippines

The European Parliament,

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- having regard to the Declaration by the EU Presidency of 25th November 2009 on the killings in the Maguindanao, Philippines and to the statement of Philip Alston, UN Special Rapporteur on extrajudicial killings, of 2nd December 2009,
- having regard to the UN Covenant on Civil and Political rights and the Additional Protocol thereto to which the Philippines are signatory,
- having regard to the European Commission's Country Strategy Paper 2007-2013 for the Philippines,
- having regard to the Financing Agreement for the EU-Philippines Justice Support Programme intended to speed up judicial proceedings against the perpetrators of extrajudicial killings, signed in October 2009,
- having regard to its previous resolutions on the Philippines,
- having regard to Rule 122(5) of its Rules of Procedure,

- A. whereas on 23 November a large group people, including the wife and sisters of Esmael Mangudadatu that were on the way to file his candidacy as provincial governor, was abducted, some of them raped and subsequently killed by about 100 armed men ,
- B. whereas the widespread climate of political terror in the Philippines has led to a large number of journalists, human rights activists, members of left-wing political parties, members of peasants' organisations claiming for land and religious leaders being abducted and/or killed since 2001;
- C. whereas the impunity of the perpetrators and the lack of action undertaken by the government to effectively tackle the politically motivated violence in the country by bringing those responsible to justice is encouraging the commission of new crimes;
- D. whereas the elections in the Philippines have been marred by frequent extrajudicial executions of political opponents committed by private armies and militias employed by politically influential families in Mindanao; whereas there is every indication that an increase in killings of political activists will take place in the run-up to the May 2010 elections,
- E. whereas Datu Unsay Mayor Andal Ampatuan Jr is now under arrest for having orchestrated the massacre and could face multiple murder charges; whereas the Ampatuan's family

history of using private militias to maintain their dominance in Maguindanao gives every reason to fear for the safety of witnesses and the protection of evidence,

F. whereas the brutal killings in Maguindanao constitute a major setback for peace and democracy in the Philippines and a clear sign of failure of governance and the rule of law under the present administration,

1. Strongly condemns the brutal killing on 23 November of more than 60 civilians including some 30 journalists and members of a local politician's family preparing to participate in the electoral process in the southern province of Maguindanao;
2. Asks the Philippine government to guarantee a comprehensive and independent investigation of those crimes, followed by effective prosecutions of all those responsible for the murders; calls on the government of the Philippines to accept international assistance in conducting the technical aspects of this investigation;
3. Requests the government's decisive action in order to immediately prohibit and disband paramilitary forces and local militias and to ensure effective protection of human and civil rights, particularly in the election period, to reinforce the independence and the efficiency of justice, and to adopt effective programmes of protection of witnesses and human rights activists;
4. Calls on the authorities responsible in the Philippines to do their utmost to identify the perpetrators including members of security forces and bring them to justice without delay; further requests that the governments ensure an urgent protection of witnesses to the 23 November massacre and protect evidence;
5. Is deeply worried that the declaration of the state of emergency by the President combined with giving greater powers to the armed forces that in the past were implicated in numerous extrajudicial killings will not prevent or mitigate election violence in the Mindanao province but further intimidate witnesses to the 23 November massacre;
6. Is deeply concerned that the administration's personal links with the Ampatuan family could hinder rather than help in an impartial investigation into the killings and requests that the members of Ampatuan family be questioned by the National Bureau of Investigation;
7. Calls on the government to increase efforts to eliminate instances of political violence in order to assure the future of democracy in the Philippines; calls in particular on the authorities to establish a high-level task force with broad political support in order to urgently put in place measures to prevent election-related violence in the months ahead of the May elections and to take steps designed to protect the media and the freedom of expression in general;
8. Instructs its President to forward this resolution to the Council, the Commission, the President and Government of the Philippines, the United Nations High Commissioner for Human Rights and the governments of the ASEAN Member States.