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B7-0333/2012

## MOTION FOR A RESOLUTION

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

pursuant to Rule 122 of the Rules of Procedure

on cases of impunity in the Philippines  
(2012/2681(RSP))

**Marietje Schaake, Robert Rochefort, Annemie Neyts-Uyttebroeck, Marielle de Sarnez, Kristiina Ojuland, Izaskun Bilbao Barandica, Gesine Meissner, Jelko Kacin, Ramon Tremosa i Balcells, Sonia Alfano**  
on behalf of the ALDE Group

**European Parliament resolution on cases of impunity in the Philippines  
(2012/2681(RSP))**

*The European Parliament,*

- having regard to the Commission's Country Strategy Paper 2007-2013 for the Philippines,
  - having regard to the EU-Philippines Justice Support Programme (EPJUST) of 2009-2011, which was aimed to speed up judicial proceedings against the perpetrators of extrajudicial killings,
  - having regard to the ratification of the Rome Statute of the ICC by the Philippines in August 2011,
  - having regard to the statement of 30 August 2011 by the High Representative Catherine Ashton on the ratification by the Philippines of the Rome Statute of the ICC,
  - having regard to the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) by the Philippines on 6 March 2012,
  - having regard to the statement of 24 April 2012 by the Spokesperson of High Representative Catherine Ashton on the ratification by the Philippines of the OPCAT,
  - having regard to the reports submitted and conclusions of the draft report of the Working Group on the Second cycle of Universal Period Review of the United Nations Human Rights Council of 29 May,
  - having regard to its previous resolutions on the Philippines,
  - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas the murder of the third witness of the Maguindanao massacre was reported on 31 May 2012;
- B. whereas four journalists have been killed in 2012 and the Philippines is deemed by the human rights monitor organisations as one of the most dangerous countries for the media;
- C. whereas before the Universal Periodic Review at the UN Human Rights Council meeting of May 2012 some 69 countries questioned the government of the Philippines on its human rights record and 22 countries expressed concerns on the continuing spate of extrajudicial killings, enforced disappearances and torture in particular and impunity in general;
- D. whereas despite the reduced number of extra-judicial killings and enforced

disappearances thanks to the EPJUST programme (in 2011: 3 cases, in 2010 : 9 cases; in 2009: 10 cases, in 2006: over 300 cases) and thereby tangible progress in criminal investigation, challenges remain in the workings of the justice system, as shown by the fact that no of cases brought to prosecution;

- E. whereas after assuming office President Aquino declared that human rights, good governance and the fight against corruption would be a priority, declaring a clear policy against extra-judicial killings and other violations of human rights;
1. Strongly condemns the murder of the third witness of the Maguindanao massacre and assassination of four journalists, and expresses its solidarity with the families of the deceased;
  2. Calls for urgent measures to protect all witnesses, judges, lawyers and prosecutors involved in the investigation and trials;
  3. Calls on the government of the Philippines to end impunity for extrajudicial killings, enforced disappearances and torture and bring those responsible to justice, including Major General Jovito Palparan Jr, former Governor Joel Reyes and the perpetrators of the Maguindanao massacre; urges the government of the Philippines to ratify the UN Convention on Forced Disappearances;
  4. Calls on the government of the Philippines to ensure adequate protection of human rights defenders and journalists and effectively investigate and prosecute attacks against journalists and to introduce into domestic law strong legislation prohibiting these acts and imposing criminal penalties;
  5. In order to further tackle widespread impunity, urges the government of the Philippines to ensure that security forces are subject to the correct institutional chain of command and to the rule of law; in order to do so calls for end of the practise of paramilitary activity supervised by military command or local officials; in addition calls on the government to hold accountable all paramilitary forces responsible for human rights violations and ultimately dismantle and disarm all paramilitary groups and militias;
  6. Recognises the progress made by President Aquino's administration in its anti-corruption campaign and in a number of other areas of the human rights agenda;
  7. Welcomes the ratification by the Philippines of the Rome Statute of the ICC;
  8. Welcomes the important steps taken by the government of the Philippines in its attempt to prevent killings and bringing their perpetrators to justice, these including a new counter-insurgency strategy (December 2010) putting the emphasis on winning the peace through development and respect for human rights and the launch of a new Task Force of dedicated prosecutors to address extra judicial killings and enforced disappearances (December 2010);
  9. Calls on the government of the Philippines to invite UN special rapporteurs to visit the country and to investigate the human rights situation;
  10. Welcomes the new EU-Philippines justice support programme 'Justice for all' which

will be launched soon and which will allocate €10m in 2012-2015 to promote an equitable access to justice and its efficient enforcement for all citizens in general and poor and disadvantaged people, including women, children, minorities, indigenous peoples, and human rights and social activists, in particular;

11. Instructs its President to forward this resolution to the Council, the Commission, the High Representative, the President and Government of the Philippines, the United Nations High Commissioner for Human Rights and the governments of the ASEAN Member States.