



EUROPEAN PARLIAMENT

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Plenary sitting

12.6.2012

B7-0335/2012

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))

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on behalf of the GUE/NGL Group

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

The European Parliament,

- having regard to the Declaration by European Council' and European Commission' Presidents in Seoul of 27th March 2012; having regard to the Statement of High Representative of 24th April 2012 on Philippines,
 - having regard to the initial EU-Philippines Partnership and Cooperation Agreement concluded on 3rd June 2010
 - 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 the UN Covenant on Civil and Political rights and the Additional Protocol thereto to which the Philippines are signatory,
 - having regard to the Report of the Mission to Philippines by Prof. Philip Alston, former UN Special Rapporteur on Extrajudicial, Summary and Arbitrary Executions,
 - having regard the United Nations Human Rights Council (UNHRC) second Universal Periodic Review last May 29th on Philippines
 - having regard to its previous resolutions on the Philippines,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. 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;
- B. whereas between July 2010 and March 2012, 76 extrajudicial killings, 42 frustrated extrajudicial killings, 9 enforced disappearances, 62 cases of tortures, have been documented, among these cases the killings of Aklan Municipal Councilor and Bayan Muna coordinator Fernando Baldomero; internationally renowned botanist Dr. Leonard Co, Italian missionary Fr. Fausto Tentorio and Higaonon leader Jimmy Liguyon;
- C. whereas in the last decade only 7 cases of extrajudicial killings have been successfully prosecuted; whereas none of them has taken place since President Aquino was elected; whereas this impunity is encouraging the commission of new crimes;
- D. whereas retired Maj. Gen Jovito Palparan, who is implicated in the abduction and enforce

disappearance of two activists in 2006, has not been yet arrested although that he was indicted by Philippines prosecutors in late 2011;

- E. whereas killings have dropped since President Aquino took office in 2010, but new cases have been reported; whereas human rights organisations in Philippines consider that the counter-insurgency programme Oplan Bayanihan marks and escalation of military operations and consequent human rights violations;
 - F. whereas paramilitary forces that are under supervision of the Armed Forces of the Philippine (AFP) have been involved in unlawful killings of social activists and alleged insurgents while many of them were civil population, including women and children;
 - G. whereas President Aquino, in spite of his promise in 2010 of abolishing private armies, is using them to protect private corporations, such as mining companies; whereas local population denounce human rights violations by these forces;
 - H. whereas thousands of peasants have been expelled from rural areas to the poorest areas around the cities through forced evacuations, demolitions and harassment and intimidations; whereas the violent demolition of homes in Metro Manila resulted in the death of a 19-year old young in Silverio Compound in Paranaque;
 - I. whereas the European Parliament condemned the Maguindanao massacre of 23rd November 2009 in which 100 armed men from a local militia tortured and brutally murdered 57 people, including 30 journalists; whereas after these facts, 196 people were charged, around 100 arrested but no one has been sentenced;
 - J. whereas the European Union is a major trade and investor in the Philippines, whereas many European companies are based in Philippines;
 - K. whereas the US has nearly tripled Manila's foreign military support in 2011, providing training and support to Philippine troops in their activities;
 - L. whereas 4 trade unionists were killed in 2011, whereas trade union rights are recognised in the Philippines but with many restrictions, whereas in practice there is an environment of violence and intimidation against trade unions, whereas killings of trade unionists have declined since 2009 but continue to take place with impunity;
 - M. whereas many cases of violence against women have been reported, mainly rapes in rural areas under military control, whereas most of these violations have not been investigated; whereas divorce is not legal in Philippines;
1. Strongly condemns all the cases of Extra Judicial Killings (EJK) in Philippines and expresses its solidarity with the families of the deceased; Urges the Philippine government to effectively fight against impunity, to guarantee a comprehensive and independent investigation of those crimes, followed by prosecutions of all those responsible;
 2. Urges the authorities to ratify the convention against enforced disappearances, to take measures to record cases of extrajudicial killings and to arrest fugitive Gen. Jovito Palparan, who is wanted for the abduction of two activists;

3. Condemns the creation and deployment of militias known as Special CAFGU Active Auxiliary Units (SCAA); 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, and to adopt effective programmes of protection of witnesses and human rights activists;
4. Denounces that, even though Phillipines has ratified the Rome Statute on the International Criminal Court in August 2011 and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 17 April 2012, human rights situation manifests no real improvement as there are continuous human rights violations committed by the state security forces and its paramilitary groups including extrajudicial killings and force disappearances, torture, intense militarization in the farmers' and indigenous people communities;
5. Is concerned about the conclusion of the Partnership and Cooperation Agreement EU-Philippines, considers that it opens the path to a possible Free Trade Agreement between the EU and ASEAN that would have implications on farmers' access to and control of seeds, people's access to medicines and health care;
6. Is deeply concerned about a growing militarisation of the Asia-Pacific region, the joint US-Philippines military manoeuvres and the possible installation of a US military base possibly on Palawan Island;
7. 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.