



20.1.2010

B7-0043/2010 }  
B7-0044/2010 }  
B7-0046/2010 }  
B7-0047/2010 }  
B7-0049/2010 }  
B7-0050/2010 } RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 122(5) of the Rules of Procedure

replacing the motions by the following groups:

ALDE (B7-0043/2010)  
EFD (B7-0044/2010)  
PPE, ECR (B7-0046/2010)  
S&D (B7-0047/2010)  
GUE/NGL (B7-0049/2010)  
Verts/ALE (B7-0050/2010)

on the Philippines

**Martin Kastler, Mario Mauro, Cristian Dan Preda, Bernd Posselt, Monica Luisa Macovei, Eija-Riitta Korhola, Tunne Kelam, Jean-Pierre Audy**

on behalf of the PPE Group

**Véronique De Keyser, Marc Tarabella**

on behalf of the S&D Group

**Marielle De Sarnez**

on behalf of the ALDE Group

**Barbara Lochbihler, Christian Engström, Emilie Turunen, Raúl Romeva i Rueda, Gerald Häfner**

on behalf of the Verts/ALE Group

**Charles Tannock, Adam Bielan, Ryszard Czarnecki, Tomasz Piotr Poręba, Ryszard Antoni Legutko**

on behalf of the ECR Group

**Marie-Christine Vergiat, Rui Tavares**

on behalf of the GUE/NGL Group

**Fiorello Provera, Rolandas Paksas, Juozas Imbrasas**

on behalf of the EFD Group

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## European Parliament resolution on the Philippines

### *The European Parliament,*

- having regard to the Declaration of 25 November 2009 by the EU Presidency on the killings in Maguindanao province, Philippines, and to the statement of 2 December 2009 by Philip Alston, UN Special Rapporteur on extrajudicial killings,
  - having regard to the UN Covenant on Civil and Political Rights and the Additional Protocol thereto, to which the Philippines are a signatory,
  - having regard to the Commission's Country Strategy Paper 2007-2013 for the Philippines,
  - having regard to the Financing Agreement for the EU-Philippines Justice Support Programme, which was signed in October 2009 and which is intended to speed up judicial proceedings against the perpetrators of extrajudicial killings,
  - having regard to the presidential, parliamentary and local elections to be held in the Philippines on Monday, May 10 2010,
  - having regard to its previous resolutions on the Philippines,
  - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas political killings and disappearances, especially of members of opposition organisations, journalists, human rights activists and religious leaders, continue to be widespread in the Philippines, and whereas human rights organisations speak of more than 1000 politically motivated murders and disappearances in the past decade,
- B. whereas the virtual impunity of the perpetrators and the government's inability effectively to tackle politically motivated violence in the country makes it very difficult to bring those responsible to justice, despite the undertakings given by the government as part of its Universal Periodic Review in 2008,
- C. whereas hundreds of thousands of people remain internally displaced by the conflict opposing the government and the Moro Islamic Liberation Front and the New People's Army, which remains active throughout the country, and by military operations against criminal groups such as the Abu Sayyaf Group in the island provinces of Sulu and Basilan in Western Mindanao,
- D. whereas on 23 November 2009 100 armed men from a local militia led by the Ampatuan family, including officials of the local police force, tortured and brutally murdered 57 members of a convoy, including female relatives of Esmail Mangudadatu, some of whom were raped, lawyers and 30 journalists, who were on their way to file Mangudadatu's candidacy for the governorship of Maguindanao province in Mindanao,

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- E. whereas this massacre, which produced the biggest ever death toll among journalists in one incident anywhere in the world, revealed in a shocking way the extent to which local warlords, the corruption of the security forces and impunity for the most ruthless crimes have taken hold of the Philippines,
- F. whereas the initial inquiry into the incident showed all the hallmarks of the dysfunctional legal system, with the late arrival of the security forces at the site, delayed investigations, inadequate crime-scene analysis, an unwillingness to interview military and police personnel suspected of involvement, and intimidation of witnesses and the prosecution; whereas this resulted in the resignation of the first judge assigned to the case on 16 December 2009,
- G. whereas on 24 November 2009 the Philippines Government declared a state of emergency in the two provinces concerned, thus putting the military in charge of law and order, invited international forensic experts to support the inquiry, and, on 4 December 2009, declared martial law in Maguindanao for one week, the first such decision since 1972,
- H. whereas this move led to the arrest of the leading members of the Ampatuan family and their being charged with multiple murder and the discovery of a staggering arsenal of weapons and thousands of hidden voter-identification cards, hinting at massive vote-rigging in favour of President Arroyo's political party Lakas-Kampi-CMD,
- I. whereas elections in the Philippines have in the past been marred by frequent extrajudicial killings of political opponents committed by private armies and militias, many of them armed with government-issued weapons, employed by politically influential families,
- J. whereas the fact that in the 2007 election campaign some 60 candidates and in the 2004 campaign 41 candidates were murdered is giving rise to fears that killings of political activists will increase in the run-up to the May 2010 elections,
- K. whereas the brutal killings in Maguindanao represent a major setback for peace and democracy in the Philippines and will complicate the peace talks between the Philippines Government and the Moro Islamic Liberation Front which resumed on 8 December 2009 in Kuala Lumpur, facilitated by the Malaysian Government,
  - 1. Strongly condemns the Maguindanao massacre of 23 November 2009 and expresses its solidarity with the families of the deceased;
  - 2. Welcomes the response of the Philippines Government to the massacre, whilst deploring the initial delays, and stresses that the police investigation must be comprehensive and independent and that it must be followed by effective prosecutions, including of the members of the security forces suspected of involvement;
  - 3. Is deeply concerned that the personal links which members of the administration maintain with the Ampatuan family could hinder rather than help an impartial investigation into the killings and calls for the Ampatuan family to be questioned by the National Bureau of Investigation;

4. Calls for urgent measures to protect all witnesses, judges, lawyers and prosecutors involved in the investigation and trials;
5. Calls on donor countries to offer forensic, investigative and legal assistance and support to the Justice Department of the Philippines;
6. Calls on the Philippines Government to take decisive steps in order to end extrajudicial killings and disappearances, to release all disappeared persons who are still in captivity and to shed light on all other unresolved cases, including that of Jonas Burgos, who was disappeared in April 2007; urges the Philippines Government to ratify the UN Convention on Forced Disappearances;
7. Calls on the Philippines Government to take decisive action in order immediately to stop all private and local funding of police and military auxiliary groups and to disband paramilitary forces and local militias; welcomes President Arroyo's declaration on 9 December 2009 concerning this matter and calls on Ms Arroyo to revoke Executive Order 546;
8. Welcomes, in this connection, the gun ban recently issued by the Commission on Elections in preparation for the 10 May 2010 polls;
9. Welcomes the signing in October 2009 of the Financing Agreement for the EU-Philippines Justice Support Programme (EPJUST), which allocates €3.9m in support, assistance and training to strengthen the criminal justice system and support the work of the Commission on Human Rights and of civil society groups; looks forward to the reports on the work of the monitoring system, to be established under EPJUST, that will be responsible for tracking the nation's progress in combating extrajudicial killings and related abuses;
10. Expresses its concern that the declaration of a state of emergency by the President, combined with the conferral of greater powers on the armed forces, which in the past have been implicated in numerous extrajudicial killings, will not prevent or curb election-related violence in Mindanao province;
11. Calls on the Philippines Government to step up efforts to eliminate instances of political violence in order to safeguard 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 urgently to implement measures to prevent election-related violence in the months ahead of the May elections and to take steps designed to protect the media and freedom of expression in general;
12. Welcomes the decision by the Supreme Court to allow the participation of Ang Ladlad in the May elections a decision which overturns the initial refusal on 'moral grounds' by the Commission on Elections (COMLEC);
13. 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.

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