

## US-Arroyo Gov't fails to stop killings - MabuhayRadio

Written by Arturo P. Garcia  
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US-Arroyo Gov't fails to stop killings anew--UN report    MANILA, Philippines – The administration of President Gloria Macapagal-Arroyo has failed to institute substantive reforms recommended two years ago by the United Nations' special rapporteur to put a stop to extrajudicial killing in the Philippines.    And the President's statement that the military should end the insurgency "once and for all" by 2010 remained the justification of military officials in tagging political and civil society organizations as fronts of the Communist Party of the Philippines and its armed wing, the New People's Army.    These are some of the observations made by Philip Alston, the UN special rapporteur on extrajudicial killings in a recent report. "Overall, the most important shortcoming has been the Government's failure to institutionalize or implement the many necessary reforms that have been identified. In the absence of such steps, the progress that has been made remains fragile and easily reversed," Alston said in his 16-page report.    Alston said the follow-up report was based on information provided by the government as well as through consultations with domestic and international civil society, and by reference to publicly available reports and materials.    Dated April 29 and submitted to the UN Human Rights Council, Alston's report was a follow up to his findings and recommendations, published in April 2008, following his February 2007 investigation into the killings and abductions of activists and journalists largely blamed on state security forces.    In his follow-up report, Alston took note of the rise in the Davao Death Squad killings and the failure of the local and national government's to end the culture of impunity.    UN's Alton's Report    Alston said the government still "deserves credit" for enacting reforms that partially fulfilled his recommendations.    Specifically, he said, the government has sent a strong albeit informal message to the military "which resulted in a significant decrease in the number of killings" and has issued "strong policy statements" affirming its commitment against extrajudicial killings.    Alston noted that from the 220 reported deaths in 2006, the figures dropped to 94 in 2007 and 64 in 2008.    "While current levels are significantly lower than before, they still remain a cause for great alarm, and reflect the failure to make the recommended structural reforms," Alston said.    Alston observed that most of "the Government's formal actions in response to the Special Rapporteur's recommendations have been symbolic, and lack the substantive and preventive dimensions necessary to end the culture of impunity."    Alston noted that President Arroyo should be more transparent on what "concrete steps have or have not been taken" by her government and the Armed Forces to end measures in its counterinsurgency campaign that have led to the executions of civilians.    "Moreover, forced disappearances and illegal detentions remain all too common, as does the bringing of trumped-up charges against Filipino activists and human rights abuse victims," he said.    The government has not yet abolished the Inter-Agency Legal Action Group (IALAG), as recommended by Alston, because he said its main purpose was to prosecute members of the communist party.    Many of the rebels were not "reachable by legal processes," Alston noted, adding "The temptation to execute such individuals thus remains."    The principle of command responsibility has not been applied in alleged human rights violations by state agents, Alston said, noting that one proof was the report that retired Army Major General Jovito Palparan was to be appointed to the Philippine Drug Enforcement Agency. (Palparan is now a partylist representative in Congress).    The Witness Protection Program has not been improved since 2007, which has been "one of the most significant causes of continued impunity in the Philippines," Alston said.    The government has not even taken the steps to implement policies that would allow congressional oversight of the military and the police, Alston said, arguing that "congressional oversight could be the entry point for much-needed reforms to the AFP and

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PNP, as well as for more generally promoting a human rights based approach within the security sector." No Persecution of Cases There has only been one successful government prosecution of a perpetrator of an extrajudicial killing and no convictions at all of any member of the Armed Forces for the murders of leftist activists even if an enlisted man had been arrested for the 2005 murder of activist Ricardo Ramos, Alston said. Alston noted with curiosity that while the government claimed that a long judicial process prevented it from prosecuting suspects in the killings of the activists, the same did not appear to be an obstacle in the cases of slain journalists. He also said there remained a "great disparity" in the number of extrajudicial cases recorded by civil society groups and those acknowledged by the government. Alston added that the Office of the Ombudsman has done little to respond to the cases of extrajudicial killings while the lack of resources continued to hamper the work of an otherwise "more vocal" Commission on Human Rights. Writ of Amparo Underutilized Alston said that the Supreme Court has been responsive to the recommendations, particularly in issuing the writs of amparo and habeas data. However, the writ of amparo "appears to remain underutilized, and even misunderstood in some courts" while the writ of habeas data has been untested because of the financial costs it entails. "The Supreme Court should be encouraged to further develop the effectiveness of these measures of relief," Alston said. He added that the high court has yet to use its "constitutional powers over the practice of law to impress upon prosecutors their duty to uphold and protect human rights and to provide reasoned decisions for probable-cause determinations." The AJLPP is still following the developments in the violations of human rights in the Philippines and ongoing civil war in Mindanao. # # # [Joomla SEO powered by JoomSEF](#)