

**The Philippines's review in the Working Group,**  
**Friday 11 April 2008, Afternoon 2.30 pm– 5.30 am**  
**Overview of the Working Group session**

**The Troika**

The Troika was composed of representatives from Malaysia, Mali and Germany. None of them took the floor during the interactive dialogue.

**Presentation by the Philippines**

*Speaking time:* 38 minutes

**Recognition of problems and/or concerns:** human rights abuses during war times and during the dictatorship; equal distribution of economic growth; security threats and internal active insurgencies.

**Achievements made:** creation of an independent and Paris-principles-compliant Commission on the Human Rights of the Philippines (CHRP); creation of the office of the Ombudsman; human rights education programmes; presence of human rights office within the armed forces and the national police; human rights action centres in the villages; rights-based approach in key development and reform programs; major progress in economic development since 1975; National Strategic Framework for Plan Development for children; establishment of Local Councils for the Protection of Children; Juvenile Justice Act; lowered child mortality; improvements of women's conditions; Indigenous Peoples Rights Act protects indigenous peoples; ancestral domains are respected; measures to address illegal recruitment and trafficking of persons; incorporation of human rights and international humanitarian law provisions in the conduct of security operations; guidelines on treatment of children involved in armed conflict; Human Security Act of 2007 protecting against abuses by police; Task force to investigate and prosecute political violence (November 2007); new laws on witness protection; bills for stiffer penalties for political killings; cooperation with a faith group to provide housing to the poor; repeal of the Anti-Subversion Law in 1992; agreement with the EU on technical assistance to strengthen investigation and prosecution capacities

**Other issues:** migrant workers (Philippines' nationals abroad) and urged other countries to accede to the International Convention on the Protection of the Rights of All Migrant Workers and members of their Families; agreements reached with leftist rebels; extra-judicial killings, recognised as not being a State policy; reference to other insurgent groups; national consultations will be held to formulate the second national human rights action plan;

**Answers to written questions:** *freedom of assembly* (Ireland); *freedom of expression* (Ireland, Romania, Sweden); *children in detention and juvenile justice* (Italy); *violence against children* (Italy, Finland); *Writ of Amparo* (France, Portugal); *witnesses protection* (Canada, Sweden); *human rights defenders* (Ireland).

**Interactive dialogue**

Number of countries that took the floor

**41 States** took the floor during the interactive dialogue; **24 members States of the Human Rights Council** (*Pakistan, India, China, Canada, Slovenia, Cuba, Italy, France, Japan, Guatemala, Egypt, Republic of Korea, Russian Federation, Switzerland, UK, Cameroon, Azerbaijan, Netherlands, Bangladesh, Nigeria, Brazil, Mexico, Indonesia, Sri Lanka*); **17 non-member States** (*New Zealand, Singapore, Democratic People's Republic of Korea, Turkey, Holy See, Norway, Thailand, Algeria, Syrian Arab Republic, Tunisia, Latvia, Sudan, Australia, Belarus, USA, Palestine, Iran*).

## Questions/issues raised

**Violence against women** (New Zealand); **Trafficking of women and children** (China, Belarus, Republic of Korea, Azerbaijan, Iran); **Women's empowerment/women's rights in general** (Democratic People's Republic of Korea, Turkey, Republic of Korea, Tunisia); **Migrant women** (Algeria, Bangladesh); **Migrant children** (Algeria); **National Human Rights Institutions** (Pakistan, France, Russian Federation, Australia, Azerbaijan); **Grassroots human rights bodies** (India); **Cooperation with civil society** (Japan, Egypt); **Poverty reduction strategies** (India, Cuba); **Migration management and effects** (India, Syria, Bangladesh, Sri Lanka); **Protection of migrant workers** (Holy See, Guatemala, Egypt); **Extra-judicial killings and Writ of Amparo** (Canada, France, Norway, Japan, UK, USA, Brazil); **Enforced disappearances** (France, Brazil); **Child soldiers with insurgent groups** (France, UK); **Violence against children** (Cameroon) **Human rights defenders** (France, Norway); **Security forces** (Canada, USA); **Visit by the Special Rapporteur on Human Rights while countering terrorism** (Slovenia); **Visits of Special Rapporteurs/invitations** (Latvia); **Justice system** (Turkey); **Education in human rights** (Italy); **Integration of CEDAW** (Italy); **Human Rights of minorities** (Egypt); **Indigenous peoples** (Republic of Korea, Russian Federation); **Accession to OP CAT and Convention Enforced Disappearances** (Republic of Korea); **Reporting to treaty bodies** (UK, Cameroon); **Corruption** (UK).

## Recommendations

### Women

**New Zealand** recommended the State to continue developing a gender-responsive approach to deal with violence against women and children and to take into account the need for victims' rehabilitation in conflict areas.

**Italy** recommended the establishment of an organic legal framework for eliminating gender-based discrimination and promoting gender equality.

### Trafficking

**Belarus** recommended continuing the State's successful policy in combating trafficking in human beings at the national level and to play a leading role at the international level on this matter.

### Excessive use of police force and Human Rights defenders

**Canada** recommended the Philippines to ensure that members of the security forces are trained on human rights and on their responsibility to protect human rights and human rights defenders.

### Armed forces

**Switzerland** recommended that the strengthening of the witness protection programme and address the root causes of this issue in the context of the reform of the judiciary and the armed forces.

### Visits by Special Rapporteurs

**Slovenia** recommended that the visit by the Special Rapporteur on the promotion and protection of human rights while countering terrorism be enabled as soon as possible.

**Brazil** recommended that the State consider extending a standing invitation to special procedures.

### Ratification of international instruments and reporting to Treaty Bodies

**Slovenia and Mexico** recommended the signature and the ratification of the International Convention on the Protection of All Persons from Enforced Disappearance

**Slovenia, Mexico, the UK and the Netherlands** recommended the signature and the ratification of the Optional Protocol to the Convention against Torture.

**Slovenia** recommended reporting regularly to the Committee against Torture.

**Mexico** recommended that the second National Human Rights Action Plan take into account the recommendations formulated by treaty bodies and special procedures.

### **Torture, extra-judicial killings and enforced disappearances**

**The Holy See** recommended to completely eliminating torture and extrajudicial killings.

**The Netherlands** recommended taking concrete steps in order to criminalize torture.

**Switzerland and the Netherlands** recommended intensifying the State's efforts to carry out investigations and prosecutions on extrajudicial killings and punish those responsible

**The Netherlands** recommended that the Philippines provide a follow-up report on efforts and measures to address extrajudicial killings and enforced disappearances, taking into account the recommendations of the Special Rapporteur on extrajudicial, summary or arbitrary executions.

### **Children**

**The Holy See** recommended steps to be taken to protect children in the womb, notwithstanding undue pressure from certain groups.

**Italy** recommended that legislative gaps in the field of children rights be addressed in order to fully comply with the 2005 recommendations of the Committee on the Rights of the Child.

**Mexico** recommended that national legislation and customs and traditional practices be harmonized with the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.

### **Economic and social rights**

**Sudan** recommended that the delegation share with other countries, especially developing countries, its experience in the area of justiciability of economic and social rights.

### **Civil society**

**The UK** recommended the full involvement of civil society in the follow-up to the review.

### **Poverty**

**Nigeria** recommended that the State step up its efforts to continue to meet the basic needs of the poor and other vulnerable groups.

### ***Issues for follow-up***

The **delegation** undertook to provide with additional information on the questions that were raised before the adoption of the report during the June plenary of the Human Rights Council.

Among other issues, we noted that Slovenia asked for clarifications on the **Special Rapporteur on human rights while countering terrorism**, whose visit to the Philippines, which was scheduled for January 2008, did not take place. Furthermore, some States recommended that the Philippines **sign and ratify the International Convention on Enforced Disappearances** as well as the **Optional Protocol to the Convention against Torture**. Finally, it was also noted that the State has not been regularly **reporting to treaty bodies**, notably to the CAT Committee as the last report submitted dates back to 1989.

### Answers provided by the delegation

**Violence against women** (New Zealand); **Women's empowerment** (Republic of Korea); **Trafficking of women and children** (China, Belarus, Republic of Korea, Azerbaijan, Iran); **Migrant women** (Algeria, Bangladesh); **Poverty reduction strategies** (India, Cuba); **Indigenous peoples** (Republic of Korea, Russian Federation); **Extra-judicial killings and Writ of Amparo** (Canada, France, Norway, Japan, UK, USA, Brazil); **Migration management and effects** (India, Syria, Bangladesh, Sri Lanka); **Protection of migrant workers** (Holy See, Guatemala, Egypt); **Visits of Special Rapporteurs/invitations** (Latvia); **Education in human rights** (Italy); **Cooperation with civil society** (Japan, Egypt); **Corruption** (UK); **National Human Rights Institutions** (Pakistan, France, Russian Federation, Australia, Azerbaijan).

### States that made solely welcoming statements

The following countries took the floor during the interactive dialogue but did not ask questions nor did they make recommendations: **Singapore, Thailand, Palestine and Indonesia**.

### Human Rights mentioned in the NGOs reports but not raised during the review

*Arbitrary arrest and detention, Detention conditions, Environment, Right to food, Right to water, Health, Equal access to justice, Independence of the judiciary, Sexual orientation, Women's reproductive rights, Housing (forced evictions), Transnational corporations, Right of association, Internally displaced persons, Self-determination.*

### Human Rights mentioned during the review but on which the delegation did not give a response

**Migrant children** (Algeria); **Grassroots human rights bodies** (India); **Enforced disappearances** (France, Brazil); **Child soldiers with insurgent groups** (France, UK); **Violence against children** (Cameroon); **Human rights defenders** (France, Norway); **Security forces** (Canada, USA); **Visit by the Special Rapporteur on Human Rights while countering terrorism** (Slovenia); **Justice system** (Turkey); **Integration of CEDAW** (Italy); **Human Rights of minorities** (Egypt); **Accession to OP CAT and Convention Enforced Disappearances** (Republic of Korea); **Reporting to treaty bodies** (UK, Cameroon).

### Speaking times

Overall duration of the review: 2 hours and 30 minutes.

Speaking time of the delegation of the Philippines (overall: 67 minutes circa)

- During its opening statement: 38 minutes
- Overall speaking time employed to respond to other States' questions during the interactive dialogue: 24 minutes
- Concluding remarks: 5 minutes

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