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DEPARTMENT OF STATE

AT A HEARING ENTITLED:
“EXTRAJUDICIAL KILLINGS IN THE PHILIPPINES:
STRATEGIES TO END THE VIOLENCE”

SENATE FOREIGN RELATIONS
SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

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Madame Chairman Boxer, Senator Murkowski, and Members of the Subcommittee, thank you for holding this hearing to focus on the problem of extrajudicial killings in the Philippines. This hearing is well-timed to examine the findings of the recently released Melo and Alston Reports, and Secretary Rice's March 6 release of the Department of State *Country Reports on Human Rights Practices for 2006*.

This year's theme of the *2006 Country Reports* is "Defend the Defenders" of human rights, a theme very appropriate to today's hearing. The reports highlighted two initiatives announced by the Secretary last December: the "Guiding Principles on Non-Governmental Organizations" and the Human Rights Defenders Fund.

The ten guiding principles on NGOs concern the treatment by governments of nongovernmental organizations under the relevant international conventions. These core principles were developed in consultation with our own NGOs, and will guide our approach to, and our assessment of, the actions of other governments. The principles complement lengthier, more detailed UN and other international documents addressing human rights defenders. We hope they will rally worldwide support for embattled NGOs by serving as a resource for governments, international

organizations, civil society groups, and journalists. We will look to democracies like the Philippines to embrace these NGO principles.

The Human Rights Defenders Fund will be administered by our bureau and will quickly disburse small grants to help human rights defenders facing extraordinary needs as a result of government repression. This funding could, for example, cover legal defense, medical costs, or the pressing needs of activists' families.

As Secretary Rice said on March 6: "Liberty and human rights require state institutions that function transparently and accountably, a vibrant civil society, an independent judiciary and legislature, a free media, and security forces that can uphold the rule of law and protect the population from violence and extremism."

Let me be clear: there is no tension, and no contradiction, between improving the protection of human rights in the Philippines and assisting the Government of the Philippines to combat terrorist threats.

Turning specifically to the human rights situation in the Philippines, in our *2006 Country Reports* we noted a number of arbitrary, unlawful, and extrajudicial killings apparently by elements of the security services, and

political killings, including killings of journalists, by a variety of actors. Despite intensified government efforts during the year to investigate and prosecute these cases, many of these killings went unsolved and unpunished, contributing to a climate of impunity. Although various sources differ on the numbers, the rise in suspect extrajudicial killings since 2001 is undisputed.

The report notes that members of the security services committed acts of physical and psychological abuse on suspects and detainees, including instances of torture. Arbitrary or warrantless arrests and detentions were common. Trials were delayed and procedures were prolonged. Prisoners awaiting trial and those already convicted were often held under primitive conditions. Corruption remains a problem in the criminal justice system, including police, prosecutorial, and judicial organs. Human rights activists were often subject to harassment by local security forces.

Deputy Assistant Secretary John has described a number of steps the Government of the Philippines has taken to address the serious problem of extrajudicial killings. We commend President Gloria Arroyo for creating Task Force Usig to investigate specific cases, and the Melo Commission to

make policy and legal reform recommendations. These are important initial steps to address this serious issue.

The Melo Commission report describes evidence of abuses by security services, and failure by some NGOs to cooperate responsibly with the commission. Our NGO principles speak to the responsibilities of both governments and NGOs. We were pleased that the Arroyo Administration decided to make the Melo Commission findings public and is taking steps to implement Commission recommendations. We also note that President Arroyo invited the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Mr. Phillip Alston, to conduct a ten-day fact finding mission in February.

Deputy Assistant Secretary John has described a number of steps our embassy in Manila has taken to address these human rights concerns. It is important that we continue to work with the Government of the Philippines to make sure that the initiatives they have pledged to undertake are implemented effectively. We know from experience in other countries that implementation is crucial and often-times difficult, and requires a long-term commitment.

Our bureau meets regularly with a wide spectrum of NGOs, American and Philippine, active on these issues. We also meet with representatives of the Philippine government to address our concerns. I met recently with the Philippine Ambassador, Ambassador Willy Gaa, and his country team during our preparations for the *Country Reports*, and prior to the release of the Melo Commission Report. In this meeting, we urged progress in the investigation and prosecution of cases by Task Force Usig, and prompt release of the then-pending Melo Commission Report. We will continue to follow up.

Last fall our Bureau met with representatives of the U.S. Episcopal Church Peace and Justice Ministries and the Episcopal Asian-American Ministries to hear their concerns about the October murder of Bishop Alberto Ramento, a prominent Philippine national church leader and human rights activist. At the time of Ramento's death, Brian Campbell, a U.S. human rights labor activist and attorney, wrote that, "Bishop Ramento was a staunch human rights advocate who worked tirelessly to support impoverished workers and farmers since the time of the Marcos dictatorship." On December 6th, Mr. Campbell was denied entry to the Philippines under the rationale of tighter security imposed prior to the recent

ASEAN summit. At the time of his denied entry, Mr. Campbell told us that he saw his name on a "black list", along with a number of other international human rights workers, which Philippine immigration officials used to deny his admission into the country. In my meeting with Ambassador Gaa, we expressed our concern over the treatment of Mr. Campbell and the use of such a list.

In addition to the initiatives described by Deputy Assistant Secretary John, we are using the Human Rights and Democracy Fund (HRDF) to support efforts to monitor and promote human rights and democracy, including in the Philippines. DRL administers open grant competitions for HRDF funds in which we solicit proposals from U.S.-based NGOs to implement innovative democracy and human rights projects worldwide.

In the Philippines our programs will help to build capacity within the Philippine Commission on Human Rights and local human rights NGOs in the promotion of human rights, civic education, and responsible independent media. Right now, we are using HRDF to advance human rights protection in the Philippines through the institutionalization and expansion of the Martus software project. This project is designed to help the Philippine

Commission on Human Rights enhance the quality of human rights information it generates by supporting the integration of the Martus software within its organizational systems. In addition, it will expand and enhance usage and the network of Martus users, particularly in Muslim Mindanao where human rights violations are a serious concern. We expect the project to be sustainable over the long term through local ownership of the product and results. This project serves as a model to provide IT assistance to human rights organizations in countries in which freedom of information is suppressed and human rights are abused.

Another HRDF grant is improving the Madrasah system by educating leaders of schools in the Southern Philippines. This assistance supports secular functions for Muslim schools -- some of which are in remote areas where there are no public schools available. It also works to create awareness among Madrasah school leaders regarding U.S. educational systems and curricula.

We have another HRDF grant awaiting Congressional approval that will help Filipino media reduce sensationalist reporting, highlight the human cost of on-going political, economic, and violent conflict and encourage

reconciliation and reasoned debate. This project will contribute to democracy and human rights by working to make the media a more constructive and responsible force for social and political cohesion, and will create a national association of human rights journalists.

We have not yet received our fiscal year 2007 funding, but I can assure you that we will look for opportunities to include the Philippines in some of our upcoming HRDF Requests for Grant Proposals.

The Melo Commission Report concluded its findings by stating that you cannot build democracy or combat terrorism through abuse of human rights. The State Department will continue to help the Philippines -- a free and democratic republic with an elected president, an elected bicameral legislature, and a multiparty system -- to address the serious problem of extrajudicial killings. We look forward to working with Congress on these issues, both in the Philippines and elsewhere.

I would ask that the Philippine section of the *Country Reports on Human Rights Practices for 2006* be entered into the record of this hearing, and would be pleased to take your questions.

