

RECOMMENDATIONS TO THE PHILIPPINE GOVERNMENT
As part of the KARAPATAN Submission Related to the Philippines
For the UPR First Session in April 2008

For the Philippine Government

- Immediate stop to and abandonment of the implementation of the Oplan Bantay Laya and other similar national internal security plans of the government.
- Resume peace negotiations between the parties to the armed conflict to pave the way in addressing and resolving the roots of the conflict and contribute to the achievement of a just and lasting peace.
- Effect special laws, procedures, remedies and courts that would effectively protect human rights including the speedy investigation, arrest, prosecution, trial and conviction of perpetrators without regard to technicalities and eliminating opportunities for various delays at different stages.
- Immediate repeal of the Human Security Act of 2007 and other existing repressive laws and issuances and reversal of jurisprudence engendering or providing sanction or impunity for human rights violations (including those authorizing checkpoints, expanding warrantless searches and sanctioning saturation drives, allowing the filing of common crimes with respect to political offenses, restricting and controlling the right to peaceful assembly, authorizing the demolition of urban poor communities, legalizing paramilitary groups, lengthening the allowable periods of detention without charges, allowing the imposition of food blockades, making political offenses as continuing crimes, expanding allowable warrantless arrests, rendering inutile the remedy of *habeas corpus*). Effectively, seriously and immediately address, prosecute and punish acts of terrorism and human rights violations by agents of the State.
- Immediate inventory, review, recall or non-passage of legislative, administrative, executive and judicial acts that either openly violate human rights, disguise their violations or merely formally recognize protection or promotion of human rights but in practice actually contribute to the engenderment of such violations.
- Discontinue the practice of criminalizing political offenses and actions for acts in pursuit of one's political beliefs at the arrest, investigation, prosecution and trial stages and uphold the political offense doctrine by charging the proper political charges instead of common crimes.
- Unconditionally free all political prisoners, whether those arrested, charged, prosecuted, tried or convicted of political crimes or, as is the practice by the government, common crimes but with clear or convincing evidence that they are politically-motivated.
- Rebuke and discontinue the arbitrary, unfounded and malicious labeling of national liberation movements, progressive nationalist organizations and patriots as "terrorists" both in the national and international forums.
- Encourage the meaningful and full participation of non-governmental organizations (NGOs) in monitoring and documentation of human rights abuses and effective consultations with them.
- Immediate, speedy, meaningful and effective justice to all victims of human rights violations including adequate compensation, indemnification, restitution and rehabilitation and establishing mechanisms for this purpose.