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Hon. Albert F. Del Rosario
Secretary
Department of Foreign Affairs
2330 Roxas Boulevard, Pasay City
Philippines

**AMNESTY
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Dear Minister,

OPEN LETTER RE: PHILIPPINES' CANDIDACY FOR ELECTION TO THE UN HUMAN RIGHTS COUNCIL

We write on the occasion of Philippines' candidacy for membership of the UN Human Rights Council in the elections scheduled for 20 May 2011. We welcome your submission election pledges to promote and protect human rights at the national and international levels, as indicated in the Annex to the *note verbale* dated 11 February 2011 from the Permanent Mission of the Philippines to the President of the General Assembly.

The Office of the UN High Commissioner for Human Rights has issued guidance in the form of a framework for voluntary pledges and commitments by Member States when presenting candidatures for the Human Rights Council, including that these should be specific, measurable and verifiable commitments.¹ We also recall that, according to General Assembly resolution 60/251, members of the Council shall uphold the highest standards in the promotion and protection of human rights and fully cooperate with the Council.² We take this opportunity to make some comments on Philippines' election pledges and to note some additional opportunities for your government to promote and protect human rights on the occasion of its candidature.

1. Commitments at the international level:

■ *Ratification of international human rights instruments*

We note that the Philippines has not yet ratified the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. In addition, the Philippines has yet to make a declaration under Article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination to allow for individual communications. We take this opportunity to encourage you to include commitment to take these steps in your election pledges.

■ *Cooperation with the Special Procedures*

We welcome your commitment to continue your active engagement with the Special Procedures and other mechanisms of the Council. In this regard, we would encourage you to issue a standing invitation for the Special Procedures to visit the Philippines, and to facilitate without delay the visits requested by the Working Group on enforced or involuntary disappearances (2006), as well as the Special Rapporteurs on freedom of opinion and expression (2004), countering terrorism (2005), human rights defenders (2008), and internally displaced persons (2009), all of whom have requested visits. The Philippines should also

1 *Suggested Elements for Voluntary Pledges and Commitments by Candidates for Election to the Human Rights Council* prepared by the Office of the High Commissioner for Human Rights <http://www2.ohchr.org/english/bodies/hrcouncil/docs/pledges.pdf>

2 Operative paragraph 9.

facilitate the visits agreed in principle by the Special Rapporteur on housing and the Special Rapporteur on the independence of judges and lawyers.

■ *Cooperation with the treaty monitoring bodies*

We welcome your commitment to continue your active engagement with the human rights treaty bodies. We note that periodic reports are due to the Committee against Torture, the Human Rights Committee and the Committee on the Elimination of Discrimination against Women and urge you to submit these without further delay.

■ *Engagement with the Universal Periodic Review*

We welcome your commitment to continue your active engagement with the Universal Periodic Review. We consider of particular importance the recommendations, made to the Philippines during the review, to completely eliminate torture and extrajudicial, and to intensify its efforts to carry out investigations and prosecutions on extrajudicial killings and punish those responsible. In light of the massacre of 57 journalists at Maguidanao in November 2010, we urge the Philippines to take effective action to fulfil the commitment it made in the Universal Periodic Review process “to maintain the momentum on addressing killings of activists and media professionals.”

■ *Participation in the deliberations of the Human Rights Council*

We note your willingness, expressed in your election pledges, to work with all States and stakeholders in a constructive manner, fostering dialogue and cooperation, to make the Council more efficient and effective as the prime body mandated to promote and protect human rights. In this regard, we urge you to work towards better use of the Council’s broad range of working methods and practices to address situations that require its attention and to improve the follow up by the Council of initiatives, including by its expert mechanisms and subsidiary bodies.

2. Commitments at the national level:

■ *National human rights policy*

We note your commitments to continue to focus on bridging national, regional and international human rights goals, standards and strategies; to enhance domestic implementation of all human rights treaty obligations and programmes, especially with regard to the eradication of poverty and fulfilment of the United Nations Millennium Development Goals; to support the important work of national human rights institutions; and to be a voice for vulnerable groups, especially migrants and children, and support human rights-based approaches to address their concerns in a comprehensive, positive and practical way.

We welcome the pledges and commitments already made by the Philippines and encourage your government to use this opportunity to further strengthen its pledges and commitments by including the additional elements listed above. We encourage your government to announce the steps it will take to fulfil its electoral pledges, whether it is successful in gaining a seat on the Council or not, and to regularly inform the Council of progress in implementing these commitments. This could, for example, be done in the form of an oral or written statement to the Council.

We would be pleased to receive your comments and responses to the issues raised in this letter.

A copy of this letter has been sent to your country’s permanent missions in Geneva and New York.

Yours sincerely,



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Amnesty International