

**AMNESTY INTERNATIONAL NEPAL SECTION**

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To,
His Excellency Benigno Simeon Aquino III
President of the Republic of the Philippines
1000 Jose P Laurel Sr, Maynila,
Philippines

MEMORANDUM CALLING TO STOP THE USE OF TORTURE AND OTHER ILL-TREATMENT IN THE PHILIPPINES AND TO END THE CULTURE OF IMPUNITY

Amnesty International has serious concerns about the widespread use of torture and other cruel, inhuman or degrading treatment or punishment in the Philippines. State security forces including law enforcement officers continue to torture suspects and prisoners.

The Philippines ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1986, and ratified its Optional Protocol in 2012 (albeit with an agreement that the Subcommittee on Prevention would postpone its first visit for three years). It has also been a state party to the International Covenant on Civil and Political Rights since 1986. The country has an extensive legislative framework to stop torture, and the government has pledged to increase its efforts to ensure these laws are implemented. However justice is out of reach for the vast majority of people who are tortured. And perpetrators are almost never held to account.

UN Committee Against Torture expressed “deep concern” in its concluding observations on the Philippines in 2009. It described “numerous, ongoing, credible and consistent allegations, corroborated by a number of Filipino and international sources, of routine and widespread use of torture and ill-treatment”. It also criticised the “culture of impunity for perpetrators of acts of torture”, noting that allegations against police and military personnel are “seldom investigated and prosecuted, and that perpetrators are either rarely convicted or sentenced to lenient penalties.”

The Philippine Government has acknowledged this stark discrepancy between its legislative landscape and everyday reality, but progress towards closing this gap remains slow.

Thus, Amnesty International recommends the government of The Philippines to:

- Ensure that existing legal safeguards to stop torture are implemented in law, policy and practice;
- Investigate all complaints of torture and ill-treatment promptly, thoroughly, impartially and effectively, and prosecute perpetrators in fair trials that meet international standards;
- Provide full reparations to victims of torture;
- Strengthen the effectiveness of accountability mechanisms that exist to help bring perpetrators of torture to justice – such as the Commission on Human Rights, the Civil Service Commission, the Office of the Ombudsman for the Military and Law Enforcement Officers, the National Police Commission and the National Prosecution Service;

Ensure police disciplinary procedures are impartial and credible, and that these procedures do not prevent suspected torturers from facing criminal investigations.

We are hopeful that there will be urgent attention towards translating commitments into reality effectively so that torture would be put to end.

Sincerely Yours,

Indira Kharel
Interim Director