

KEEPING UP THE MOMENTUM: HUMAN RIGHTS POLICY IN THE PHILIPPINES

One of my key experiences in my time as Germany's human rights commissioner is that change can never come from the outside. You cannot change the situation of human rights in a country without the people that are concerned by these changes – in other words changes have to come from within a country. A good and maybe successful human rights policy means to support those efforts made by countries in question both politically and technically.

From my perspective, the development that took place in the Philippines in the last year is a good example. When President Aquino came into office in Juli 2010, it was clear that things were about to change: being the son of Cory and Ninoy Aquino and having experienced personally what dictatorship and repression means, expectations were high that he would change the human rights situation in the country.

Since then, the picture is mixed: When I was in Manila in January, the essence of nearly all the political talks I had was that significant changes were taking place and important steps were being made. The former President of the Human Rights Commission Leila de Lima was appointed Minister of Justice. Another important point to mention is that human rights education takes place in the Armed Forces. Human Rights Commissioners were installed in the army and the National Police, human rights desks were founded in every police station in the whole country. The Philippines were one of the first countries in the region to become member of the Rome Statute and thus the International Criminal Court. More than ever the Philippines see themselves as a human rights champion in the region, taking up responsibility also within the ASEAN framework.

On the other hand, human rights activists underlined that President Aquino's efforts did not quite meet their expectations. The ratification of the Rome Statute is still lacking, so does the ratification of the Optional Protocol of the Convention against Torture (OPCAT). The fact that President Aquino told his ambassador not to take part in the Nobel Peace Prize award last December was a deception for all that

work for human rights in the Philippines. It was also a roll back in the Philippine's role in the international arena.

One of the key indicators of the human rights efforts the Aquino administration makes is the fight against impunity in the field of extrajudicial killings. An important number (probably more than 1,000) of journalists and political activists have been killed during the last decade(s). Until today only a few of the perpetrators have been officially charged, in only one of the cases the accused was convicted. Still, it is especially frustrating for many human rights activists to see the involvement of armed forces in those crimes and them not being taken to justice at all. This remains one of the main tasks of the present administration as it also goes to the very heart of the Philippine society: in many regions the fight against terrorist groups is still not over, and the armed forces see themselves as being both: the guarantor of Philippine national integrity and freedom.

To fight impunity one thing is key: an independent but at the same time powerful system that brings perpetrators to court. Apart from the judges, two institution are involved in this fight: the prosecutor's offices but also (of course) the national police. It is about gathering information, interrogating witnesses and being able to take measures even against those who might have plenty of power at first sight. In order to support Philippine authorities in their struggle for justice, the EU established the EU-Philippines Justice Support Programme (EPJUST), which was led by the German Chief Public Prosecutor Detlef Mehlis and which brought together people working on the ground from both

sides: prosecutors as well as policemen and forensic doctors.

One of the aims of my trip to the Philippines was to continue on this successful path. Unfortunately, the EU is not able to sponsor this programme any longer, but parts of it are replaced by some EU member states, amongst them Germany.

Is it worth it? Will this programme or will the visit of a Human Rights Commissioner really change the life of the people on the ground?

The answer is: honestly, I don't know. But: there is hope, and the Philippine Government officially asked Germany to help prolonging the programme. They seem to feel committed to the improvement of the situation of their people – which we certainly cannot take for granted on the international level. This is a situation where the political will to change the situation for better comes from within the country. And we should support them in their efforts and help them keeping up the dynamics that still exist. ■



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