



**Strengthening Human Rights in the Philippines Program**

**QUARTERLY REPORT FROM THE ASIA FOUNDATION  
TO THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT  
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## The Asia Foundation

### Strengthening Human Rights in the Philippines Program (Cooperative Agreement No. 492-A-00-07-00016-00) January 1, 2009 – March 31, 2009

#### SUMMARY

This quarterly report covers activities from January 1, 2009 to March 31, 2009 under The Asia Foundation's Strengthening Human Rights in the Philippines Program. The program is funded through a Cooperative Agreement with the United States Agency for International Development (USAID) and runs from October 1, 2007 to September 30, 2010. The program aims to introduce substantial and durable measures that will strengthen enforcement of human rights and rule of law in the Philippines through a three-pronged strategy to:

- (1) Promote respect for human rights and freedoms and progressively secure their effective recognition and observance;
- (2) Protect human rights of citizens in law and in reality through improved monitoring of violations; and
- (3) Prosecute human rights violations through capacity-building for better investigation, prosecution, and adjudication of cases.

During this reporting period, The Asia Foundation intensified project implementation by shoring up follow-through activities and embarking on key human rights initiatives. Close coordination with partner institutions and organizations remained a priority to ensure successful and timely completion of projects in accordance with program objectives.

To **promote respect for human rights**, the University of the Philippines Institute of Human Rights began mobilizing local government and civil society representatives to formulate local human rights action plans. The Public Trust Media Group, Inc., in collaboration with the Philippine Center for Investigative Journalism, organized a human rights orientation seminar for media practitioners in Southern Luzon.

For the **protection of human rights** component, the Commission on Human Rights proudly launched the Martus-based Executive Information System for documenting and reporting human rights violations. The Center for Media Freedom and Responsibility's online database of media killings regularly received updates, providing researchers and the general public easy access to relevant information about slain journalists.

Efforts toward the effective **prosecution of human rights violations** proved promising as the first Multi-Sectoral Quick Reaction Team (MSQRT) was established in Leyte province. More prosecutors and judges learned about human rights through trainings

conducted in partnership with the Department of Justice and the Philippine Judicial Academy, respectively. With the Commission on Human Rights (CHR) and the Equipo Peruano de Antropología Forense (EPAF or the Peruvian Forensic Anthropology Team), the Foundation firmed up plans to build the capacity of CHR investigators in the area of forensics. Preparations for the final editing, layout, and printing of the Manual on Civil and Administrative Remedies for Human Rights Abuses as well as Human Rights Manual for Private Lawyers and Public Attorneys also commenced this period.

## **HIGHLIGHTS AND OUTCOMES OF SIGNIFICANT ACTIVITIES**

### ***I. Promoting respect for human rights***

**Development of Local Human Rights Action Plans.** The University of the Philippines Law Center's Institute of Human Rights (UP IHR), the Foundation's implementing partner for this project, prepared the groundwork for the formulation of human rights action plans in two pilot areas: the province of Mindoro Oriental and Naga City (province of Camarines Sur). After preliminary meetings with local government officials and civil society members in Mindoro Oriental, a core group of 14 representatives from both sectors was formed to spearhead the drafting of the plan. The UP IHR tapped a community organizer from Calapan City (capital of Mindoro Oriental) to act as point person for upcoming activities. The local government manifested its support and commitment to develop and implement a community-based human rights platform through a Memorandum of Agreement with the UP IHR. With these mechanisms in place, the UP IHR will be conducting extensive consultations with a broader range of local government (local officials, including representatives from the police, military, and other agencies) and civil society (human rights organizations, academe, church, media, among others) stakeholders to assess the human rights situation and craft strategies to address identified issues in the province.

In Naga City, the Mayor welcomed the UP IHR's partnership to develop a human rights action plan. Upon the local chief executive's suggestion, the UP IHR reviewed the city's existing development plan to determine if it employs a rights-based approach. The results of the review will guide both the city government and non-governmental organizations (NGOs) in the area in drafting a shared framework for addressing human rights. Naga City pledged to earmark funds for the implementation of the local human rights action plan once developed. A Memorandum of Agreement embodying such commitment is also in the works. Consultations with government and civil society representatives from the city will be held in the next reporting period.

### **Violence Against Media Project – Human Rights Orientation Seminars.**

The Public Trust Media Group, Inc. (Public Trust), in collaboration with the Philippine Center for Investigative Journalism (PCIJ), conducted an orientation seminar for journalists on March 12 to 15, 2009 in Tagaytay City. Fourteen participants consisting of

reporters from leading dailies, community, online, and school-based newspapers (Philippine Daily Inquirer, The Manila Times, Philippine Star, College Editors' Guild of the Philippines, et al.); radio broadcasters; and a blogger attended. The seminar was based on the module developed by PCIJ which included discussions on the history, theory, and laws pertaining to extrajudicial killings, as well as challenges and strategies in reporting human rights violations from seasoned investigative journalists, human rights workers and lawyers. Practical matters such as safety measures in cases of threats and attacks were also imparted. Among the highlights of the seminar was the drafting of a Reporters' Protocol on covering extrajudicial killings and other human rights violations. Participants' inputs to the protocol underscored the vigilance and sensitivity required in presenting human rights issues to the public.

## **II. Protecting human rights of citizens**

### **Expansion and Interactivity of the CMFR Database on the Killings of Journalists.**

The Center for Media Freedom and Responsibility (CMFR) continued to update its online database by posting reports of media killings in the alerts section of its website.<sup>1</sup> From January 1 to March 31, 2008, CMFR recorded two deaths of journalists. Badrocin Abas, block-time host of a radio program supported by a network of Muslim civil society organizations, was gunned down by a motorcycle-riding man on January 21, 2009 in Cotabato City. On February 23, 2009, radio anchor Ernesto "Ka Ernie" Rollin was shot to death while on his way to work in Oroquieta City. The police have not yet ascertained if these murders are work-related. If Abas and Rollin were killed in the line of duty, the total number of journalists killed in the line of duty since 1986 will be pegged at 79.

CMFR's presentation of information through an interactive map<sup>2</sup> is a trailblazing initiative to address media killings. In fact, media groups such as the Southeast Asian Press Alliance, Malaysia's Center for Independent Journalism, and Burmese news organization, *Mizzima News*, have requested CMFR for assistance in developing similar web-based platforms. Further, the visually-appealing and user-friendly features of the online database have invited local and international media organizations (TV station UNTV-37 and Associated Press), and researchers to access and use the posted information. Along with the map, CMFR likewise uploaded an email link for reporting attacks and threats against journalists.

It was also during this reporting period that CMFR organized the Seminar Workshop on Human Rights Reporting. Held on February 12 to 15, 2009 in Cebu City, the seminar catered to 30 mid-career journalists from tri-media outfits throughout the country. The

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<sup>1</sup> <http://www.cmfr-phil.org/flagship-programs/freedom-watch/alerts/>

<sup>2</sup> [http://www.cmfr-phil.org/map/index\\_inline.html](http://www.cmfr-phil.org/map/index_inline.html) Data are presented in a map that provides an up-to-date list of journalists killed since 1986. Information can be viewed by administration (from President Corazon Aquino to President Gloria Macapagal-Arroyo), gender, region, medium (media, print, or television), and based on whether journalists were killed in the line of duty or not -- all in just one mouse click.

seminar included discussions on the meaning of human rights and related concepts; the role of the Commission on Human Rights; the state of human rights reporting in the Philippines; how to write fair, meaningful, and interesting human rights stories; as well as ethical principles and issues in human rights reporting. The session was capped by a workshop on news writing. The participants' outputs (news reports about a human rights violation) were seriously critiqued by veteran journalists, including CMFR's executive and deputy directors. The Canadian Embassy provided additional funds for the participation of two journalists in the seminar.

The Foundation and CMFR are finalizing discussions to continue their partnership to monitor media killings and conduct two additional trainings on human rights reporting for community journalists from Visayas and Mindanao.

**Martus-based Executive Information System (MAREIS).** This reporting period saw the formal launch of the MAREIS on January 26, 2009. The Commission on Human Rights (CHR) proudly shared to human rights organizations, the diplomatic community, and other stakeholders the enhancement and integration of the Martus Human Rights Bulletin System<sup>3</sup> and the CHR's own internal information system into the MAREIS. During the launch, the CHR demonstrated how incidents of human rights violations may be reported to its office through the web-based system. Procedures for tracking the status of each case were also presented. U.S. Ambassador Kristie Kenney graced the event and lauded the CHR for its efforts to harness the benefits of technology to promptly and systematically respond to human rights abuses.

Weeks before the launch, the CHR rolled out the use of MAREIS to its regional offices. During this quarter, eight out of its 19 regional offices have begun transmitting reports through the MAREIS. The rest of the regional offices will be using the system as soon as echo trainings on the use of MAREIS for field staff have been completed.<sup>4</sup> The CHR envisions to open the use of MAREIS to human rights NGOs, especially the Martus partners,<sup>5</sup> so that they too may directly file complaints online. Parameters for this

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<sup>3</sup> Martus is Greek for "witness". Martus is an open-source software that provides the benefits of encryption technology, and is customized for use by human rights organizations to capture, store, and disseminate information on human rights abuses. The Martus Project was initially funded by the Department of State through the *Human Rights Monitoring in the Philippines - Strengthening Human Rights Documentation Program* implemented by The Asia Foundation from August 2002 to December 2004. From September 2005 to January 2007, The Asia Foundation extended subsequent support from its core funding for the *Initial Integration of Martus with the CHR Database System Project*. To include more Martus users from Mindanao, the Department of State again provided resources through The Asia Foundation under the program entitled *Advancing Human Rights in the Philippines: Increased Protection in Muslim Mindanao* which ran from March 2006 to May 2008.

<sup>4</sup> With support from the U.S. Department of State through The Asia Foundation, selected personnel from CHR Regional Offices attended Trainers' Trainings on the use of MAREIS in 2008. Trained personnel have been conducting echo seminars to share the skills they learned to their colleagues on the field.

<sup>5</sup> Philippine Alliance of Human Rights Advocates (PAHRA), Task Force Detainees of the Philippines (TFDP), Center for Trade Union and Human Rights (CTUHR), Mindanao Tulong Bakwet (Help for Mindanao Evacuees), Institute of Bangsamoro Studies (IBS), Bangsamoro Lawyers' Network (BLN), and Foundation for Media Alternatives (FMA).

(accreditation, requirements and levels of access) are still to be discussed by the Commission.

To equip CHR personnel to troubleshoot, properly maintain, manage, and further enhance MAREIS, the CHR's Information System Management Office will undergo a trainers' training on the installation, configuration, maintenance, and core and advance functionalities of the Pentaho Business Intelligence Platform,<sup>6</sup> the application system installed in MAREIS. This will equip them to develop trend and analysis reports, and other data management capabilities using the Pentaho platform. During this quarter, the CHR commenced discussions about the training design with the foreign consultant from the Pentaho project development team.

### ***III. Prosecuting human rights violations***

**Multi-Sectoral and Skills-Building Seminar Workshops on Human Rights Issues: Extralegal Killings and Enforced Disappearances.** Three seminars were conducted during this period in partnership with the Philippine Judicial Academy (PhilJA). The first two were held on January 29 to 30 and February 19 to 20, 2009 in Davao City for the Eleventh and Twelfth Judicial Regions.<sup>7</sup> The third training was held on March 26 to 27, 2009 in Laoag City to cover the First Judicial Region.<sup>8</sup> A total of 189 regional trial court judges, public prosecutors, public attorneys, members of the Integrated Bar of the Philippines, Commission on Human Rights, Philippine National Police, Armed Forces of the Philippines, and human rights organizations attended the three sessions.<sup>9</sup>

Like the previous seminars, the trainings included lectures on what constitutes an extrajudicial killing and an enforced disappearance; state and command responsibility; protective writs that may be issued by courts; and human rights and international humanitarian law. A Filipino forensic pathologist oriented participants on the use and appreciation of forensic evidence in human rights cases. To facilitate interaction among participants, thematic problem solving workshops and multi-sectoral dialogues were incorporated in the program. The dialogues served as a venue for a candid exchange of experiences and views in handling cases of human rights violations. Specific questions on the application of the Rules on the Writ of Amparo and the Writ of Habeas Data were raised. The seminar also provided a venue for discussing actual cases such as the murder

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<sup>6</sup> The Pentaho BI Platform is an enterprise-class business intelligence platform that supports Pentaho's end-user reporting, analysis, and dashboard capabilities with back-end security, integration, scheduling, auditing, and more. See [http://www.pentaho.com/products/bi\\_platform/](http://www.pentaho.com/products/bi_platform/)

<sup>7</sup> The 11<sup>th</sup> Judicial Region covers Compostela Valley, Davao del Sur, Davao del Norte, and Davao Oriental. The 12<sup>th</sup> Judicial Region includes North Cotabato, Sarangani, South Cotabato, and Sultan Kudarat.

<sup>8</sup> Ilocos Sur, Ilocos Norte, La Union, and Pangasinan.

<sup>9</sup> The January training had 82 participants.; the February training had 49 participants; and the March training had 58 participants. In accordance with USAID rules, the Foundation did not extend funding support to participants from the police and the military.

of Rebelyn Pitao, daughter of a New People's Army commander, in March 2009 in Davao City.

During this quarter, PhilJA also initiated plans for the conduct of another seminar in Baguio City to cover other participants from the First Judicial Region.

**Basic Orientation Seminar-Workshops for New Prosecutors (with emphasis on Human Rights).** In partnership with the Department of Justice (DOJ), the Foundation supported the conduct of the two prosecutors' training. One was held on January 5 to 9, 2009 in Metro Manila for prosecutors from Regions IV and V<sup>10</sup>. Another was held on February 16 to 20, 2009 in Iloilo City for prosecutors from Regions VI and VIII<sup>11</sup>. A total of 59 new prosecutors attended the two sessions. As in the previous trainings, a consultant forensic pathologist delivered a lecture on the use of forensics in prosecuting human rights violations. Apart from general topics on drafting resolutions, information, and other pleadings; inquest, preliminary investigation, and trial, the seminar incorporated a moot court of an extrajudicial killing case.

With these two seminars, seven batches of public prosecutors have been trained under the program. The Foundation and the DOJ are discussing the possibility of holding another seminar for new prosecutors who were not accommodated in the Iloilo training due to the large number of participants. In line with the DOJ's plan to continue the orientation seminars and equip more public prosecutors with the skills and sensitivities needed in handling human rights cases, arrangements for the conduct of a trainers' training will be finalized in the next reporting period.

**Publication of the Manual on the Use of Civil and Administrative Remedies and Manual on Human Rights for Private Lawyers and Public Attorneys.** These manuals were developed by consultant human rights lawyers in the previous quarter. The Manual on the Use of Civil and Administrative Remedies consists of a study entitled *Civil and Administrative Remedies as Instruments of Accountability for Violations of Human Rights* and an accompanying *Paralegal Training Manual*. The study discussed requisites and procedures for seeking monetary and administrative reliefs before domestic and foreign fora, while the training manual is a useful guide for equipping paralegals and lawyers about alternative and supplementary remedies to filing criminal charges. The Manual on Human Rights for Private Lawyers and Public Attorneys, on the other hand, is the redesigned and expanded version of Special Section on Human Rights of the Revised Manual for Prosecutors, which was likewise developed under this program. Preparations for the editing and layout of the two manuals commenced this quarter. Publication is slated in the next reporting period.

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<sup>10</sup> Region IV covers the provinces of Batangas, Cavite, Laguna, Quezon, Rizal, Marinduque, Occidental Mindoro, Oriental Mindoro, Palawan, and Romblon. Region V covers the provinces of Albay, Camarines Norte, Camarines Sur, Catanduanes, Masbate, and Sorsogon.

<sup>11</sup> Region VI covers Aklan, Antique, Capiz, Guimaras, Iloilo, and Negros Occidental. Region VIII includes the provinces of Biliran, Leyte, Southern Leyte, Samar, Eastern Samar, and Northern Samar.

**Establishment of Multi-Sectoral Quick Reaction Teams (MSQRTs).** After almost a year of mobilizing human rights stakeholders in various hotspots, the Ateneo Human Rights Center (AHRC) was able to consolidate support of both government and civil society in Leyte Province to collectively respond to extrajudicial killings and enforced disappearances. The first MSQRT was established in Palo, Leyte on February 21, 2009 during a focus group discussion (FGD) among 35 representatives from human rights NGOs; peasant, fisherfolk, and lawyers' groups; the local church diocese; the police, Commission on Human Rights; the City Prosecutors' Office; the Department of Justice's Witness Protection Program; the Philippine National Police; and the Department of Social Welfare and Development.<sup>12</sup> The group agreed on an operational manual that outlines a prompt referral system to facilitate smooth coordination among NGOs on the ground, investigating authorities, and other offices and organizations that can provide assistance to victims within the Leyte province. The group also committed to work on a test-case by identifying a past political killing or disappearance which team members can help resolve or bring to court. The Leyte MSQRT will meet in the next reporting period to identify a test-case and discuss the team's operational and training needs.

During this reporting period, AHRC also convened nine networks of human rights NGOs to a Knowledge-Sharing Forum. The forum, held on March 5, 2009, allowed civil society organizations to exchange information about their past, current, and upcoming initiatives to address extrajudicial killings and enforced disappearances, identify common issues, challenges, gaps, as well as areas of coordination. The activity revealed that NGOs have been engaging in efforts to provide legal, psychological, and financial assistance to victims and their families; monitor and report of human rights violations; extend witness protection; facilitate trust-building dialogues; implement local and international advocacy campaigns for the enactment of human rights legislation; as well as build the capacity of government and civil society stakeholders in different parts of the country. By learning about efforts done in specific geographical areas, AHRC can strategically plan and coordinate activities for the setting-up of MSQRTs. AHRC presented the results of the Knowledge-Sharing Forum to development partners during the Second Human Rights Donors' Meeting organized by the Foundation on March 5, 2009.

In the next reporting period, the AHRC will organize probing visits and FGDs to establish MSQRTs in Nueva Ecija, Oriental Mindoro, Albay, Sorsogon, Davao del Sur, and Northern Samar. Since the UP Institute of Human Rights (UP IHR) has been consulting government and civil society stakeholders in Oriental Mindoro to draft a local human rights action plan, AHRC will coordinate with UP IHR to consolidate and maximize mobilization efforts among these sectors.

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<sup>12</sup> In accordance with USAID rules, the Foundation did not extend funding support to participants from the police and the military.

### **In-depth Analysis of the Results of the Legal Audit of Extrajudicial Killing Cases.**

In 2008, The Asia Foundation, with support from the Australian Agency for International Development, partnered with the Integrated Bar of the Philippines (IBP) for the conduct of a legal audit of cases of extrajudicial killings in the Philippines. The audit involved an inventory of cases filed before courts and other quasi-judicial agencies such as the Commission on Human Rights, the Philippine National Police, and the National Prosecution Service. The project yielded a list of cases and basic information about them such as their status; the names of victims, alleged perpetrators, witnesses; dates of relevant incidents from the filing of the complaint to trial and resolution of the case, including outcomes, admissions, and issues raised, whenever these are readily available.

In order to analyze the rich data that was generated through the audit, an in-depth study of the legal audit results will be undertaken. The study will include close examination of the cases that the IBP identified as pending in courts. Through this exercise, causes of delay and other obstacles to the prosecution of extrajudicial killing cases can be determined. Findings of the in-depth study can provide empirical basis for specific reforms in the investigation, prosecution, and adjudication of cases involving human rights violations.

During this reporting period, the Foundation engaged the services of a consultant public interest lawyer to do the in-depth analysis. The consultant started with an initial examination of the raw data gathered by the IBP to develop the research design/framework for analysis and identify gaps in the data. Thereafter, the consultant will complete the needed information as part of the initial phase of the study. The next phase will entail monitoring the status and analyzing the progress of the cases.

**Forensic Training of Commission on Human Rights investigators.** Although the Commission on Human Rights (CHR) is the constitutionally-mandated body in charge of conducting investigations, reporting, and monitoring of human rights violations and abuses, it has not performed this particular task to its optimum because of the lack of capacity of most of its personnel to conduct proper and quality investigations. At most, they have a modicum of knowledge of investigative techniques, but not to a level where evidence gathered can stand the scrutiny of the prosecutors conducting preliminary investigation or that of judges adjudicating human rights violation cases. Like the police, they usually rely on testimonial evidence such as witness accounts and depositions which are subjective testimonials of individuals who may not wish to be truthful or fear being so. Testimonial evidence is generally less credible than other forms of evidence, particularly scientifically verifiable forensic evidence. Moreover, witnesses are often vulnerable, since the forces accused of killings are those also responsible for their security. Given the threats to witnesses, and the sometimes untrustworthy motives of others, objective forensic evidence is vital to promoting effective prosecutions.

To build the capacity of CHR investigators undertake independent and quality investigations, the program will support the training of selected CHR personnel on forensic investigation. For this purpose, the Foundation will be working with the Equipo

Peruano de Antropologia Forense (EPAF or the Peruvian Forensic Anthropology Team), a leading Latin American forensic team that investigates human rights abuses of former authoritarian regimes. EPAF is led by a forensic anthropologist who has expert witness status in the International Criminal Tribunal for Yugoslavia and Rwanda, and has led investigative missions of the United Nations in Kosovo and in Latin American countries. The Foundation tapped EPAF to provide forensic trainings for members of MSQRTs in May to June 2008.

For the CHR, EPAF will provide a module and conduct four three-day intensive trainings on the application of forensic sciences to the investigation of extrajudicial killings and enforced disappearances. Each training will consist of classroom lectures and field work where participants apply what they learn to actual investigations of simulated crime scenes and exhumation of a grave site. Target participants are investigators, medical doctors, regional directors, and selected lawyers of the CHR. Two trainings will be held in Pampanga for participants from Metro Manila and Luzon. One training will be held in Cebu for participants from the Visayas, while another session in Cagayan de Oro will cater to CHR participants from regional offices in Mindanao. The trainings will be co-funded by the Australian Agency for International Development.

During this reporting period, the Foundation firmed up arrangements with EPAF and the CHR for the design of the training and selection of participants.

**Mid-term program evaluation.** Half-way into the implementation of the program, a mid-term evaluation will be undertaken to know the extent to which the project is meeting its stated objectives; learn lessons; and use the information generated for future project planning and development. During this reporting period, the Foundation held initial discussions with an independent consultant, the Center for Public Resource Management Consultants, Inc., to set the parameters for evaluation and formulate an applicable assessment framework. Based on preliminary discussions, the evaluation will include identification and documentation of best practices; development of a methodology to measure project performance; identification of facilitating and constraining factors; and recommended strategies and mechanisms to improve the program's focus, effectiveness, and efficiency. The evaluation process will commence in the next quarter.

**Participation in other human rights activities.** Networking and coordination is essential to ensure that a broad range of stakeholders can contribute to and benefit from measures to promote and protect human rights. Part of the Foundation's commitment in implementing this program is its participation in related activities to keep itself and USAID abreast with developments in the human rights scene, engage in meaningful discussions with stakeholders, and gain fresh insights about human rights.

In January 2009, the Foundation participated in the Integrity and Human Rights Conference organized by the Commission on Human Rights, Business for Integrity and Stability of Our Nation (BISYON), and Transparency International Philippines with

funding from the United Nations Development Programme. The gathering of the country's stakeholders involved in integrity practices in business, public service and civil society, in corporate governance and safeguarding human rights aimed to create the value of ethical leadership and human rights-based vision towards sustainable enterprises and communities.

With funding support from the British Embassy, the Foundation partnered with the Commission on Human Rights and the Conflict Resolution Group Foundation to conduct six regional trust-building dialogues in Tacloban City, Lipa City, Davao City, Bulacan, Manila, and Zamboanga City, as well as one consolidation dialogue among government and civil society representatives. The dialogues were held from February to March 2009 to establish openness and rapport among government and civil society stakeholders so that they can start coordinating and cooperating on efforts to address human rights abuses. These face-to-face interactions which enabled people to put a face to the names and organizations they hear about, in a non-adversarial setting such as a dialogue or conversation creates possibilities for suspending if not completely eliminating doubts, suspicions, and biases. This was demonstrated in Tacloban City where the trust-building dialogue facilitated the establishment of the first Multi-Sectoral Quick Reaction Team.

With its own resources, the Foundation organized the Second Human Rights Donor's Meeting on March 5, 2009. Fourteen representatives from the American Bar Association, Australian Embassy, Australian Agency for International Development, Australian National University, Asian Development Bank, British Embassy, Canadian Agency for International Development, European Commission, International Committee of the Red Cross, Netherlands Embassy, Spanish Embassy, United Nations Development Programme, and USAID attended. Like the first donors' meeting which focused on sharing past, ongoing, and future projects, the subsequent gathering provided a venue for development partners to exchange ideas, identify gaps as well as areas of coordination and cooperation, maximize resources, and express commitment and support for initiatives to improve the country's human rights situation. To facilitate a broader exchange of information about projects and activities, the second meeting highlighted civil society's efforts to put an end to summary killings and disappearances based on the Knowledge-Sharing Forum among human rights non-governmental organizations organized by the Ateneo Human Rights Center. To shed light on the issue of media killings, the Center for Media Freedom and Responsibility presented its interactive online database of journalists' killings.

As for regional initiatives, Foundation staff attended two regular meetings of the Philippine Working for an ASEAN Human Rights Mechanism where developments about the establishment of the ASEAN Human Rights Body have been discussed. The Foundation also participated in the Civil Society Consultation with the Philippine Representative to the High Level Panel tasked to draft the Terms of Reference of the ASEAN Human Rights Body.

## PLANS FOR THE NEXT PERIOD

To maintain the momentum of program implementation, the Foundation will strengthen its efforts towards close monitoring and coordination of activities among project partners. The Foundation will remain sensitive and responsive to developments in the local human rights landscape to ensure the relevance and effectiveness of program components. The mid-term evaluation will begin next quarter and is expected to provide an objective assessment and concrete recommendations on how to move the program forward.

To **promote respect for human rights**, the University of the Philippines Institute of Human Rights will proceed with multi-sectoral consultations in Mindoro Oriental and Naga City, Camarines Sur to develop local human rights action plans.

On **protecting human rights**, the Commission on Human Rights will begin trainings to equip its personnel and civil society on the use of the new Martus-based executive Information System (MAREIS) platform. The Center for Media Freedom and Responsibility (CMFR), on the other hand, will continue to update its online database of media killings and conduct two more seminars on human rights reporting for community journalists from Visayas and Mindanao.

Breaking the pattern of impunity and **prosecution of human rights violations** will remain a priority. With the Equipo Peruano de Antropologia de Forense (EPAF or the Peruvian Forensic Anthropology Team), four intensive trainings on the use of forensic evidence will be conducted next quarter for Commission on Human Rights investigators. The Foundation will continue support for the final round of trainings to build the capacity of the justice sector to investigate, prosecute, and adjudicate cases. A final Basic Orientation Seminar-Workshop for New Prosecutors (with emphasis on human rights) and a corresponding trainers' training will be organized with the Department of Justice. Judges will undergo parallel training with public prosecutors, public attorneys, and other human rights advocates in another Multi-Sectoral Seminar-Workshops on Extrajudicial Killings that the Philippine Judicial Academy will conduct in Baguio City. In coordination with the Supreme Court and the Philippine Judicial Academy, the Foundation will support the development of a self-help book for judges on the adjudication of human rights cases.

Two human rights manuals will be edited and finalized for publication: one on handling human rights cases for private prosecutors and attorneys, and another on training paralegals and lawyers to avail of civil and administrative remedies against human rights abuses. A consultant lawyer will start monitoring cases identified by the Integrated Bar of the Philippines in the legal audit of extrajudicial killing cases for a closer analysis of trends and challenges in the prosecution of these offenses.

Next quarter, the Foundation anticipates the Supreme Court's review of the Rule on the Writ of Amparo which will provide an opportunity for the High Court to properly

consider the proposed rule on witness protection developed under this program in the previous quarter.

At the local level, the Ateneo Human Rights Center will conduct more probing visits and focus group discussions with community stakeholders to organize more Multi-Sectoral Quick Reaction Teams (MSQRT). In Leyte, where the first the MSQRT was established, team members will meet to identify and act on a test case, and discuss their operational and training needs.

## **CHALLENGES IN IMPLEMENTING THE PROGRAM**

Issues of distrust continue to haunt government and civil society interactions when it comes to human rights issues. Human rights organizations are hesitant to participate in activities that will involve partnerships with government authorities. In Bulacan, NGO representatives refused to attend meetings to explore possible mechanisms for coordination like the MSQRT. These same NGOs, however, willingly attended the trust-building dialogue with the security forces knowing that the activity is merely an open discussion that will not entail commitment to work with state agents. Clearly, preliminary activities that will open lines of communication, assuage the animosity, and contribute to building a better relationship between the two sectors are needed. Recognizing this reality, the Foundation and the Ateneo Human Rights Center (AHRC) will undertake follow-on meetings and more probing discussions with government and civil society representatives to thresh out issues and establish buy-in support for setting up MSQRTs, even if such steps takes time.

Killings and disappearances continue<sup>13</sup> and impunity persists. Since the July 18, 2008 conviction of a military member for the disappearance of six Paper Industries Corporation of the Philippines (PICOP) workers in Agusan del Sur, no new decision has been laid down by a court of law convicting a perpetrator of a summary death or disappearance. Controversial cases of the two abducted University of the Philippines students (Sherlyn Cadapan and Karen Empeno), and Jonas Burgos remain unresolved. The situation calls for crafting creative legal and meta-legal strategies to seek justice for the victims. The Foundation intends to gather human rights lawyers in a roundtable discussion to brainstorm on this.

Also alarming are other incidents of human rights violations that demonstrate the complexity of the local human rights scene. Killings perpetrated by the so-called Davao Death Squad caught the attention of international human rights groups like the Human Rights Watch and prompted the Commission on Human Rights (CHR) to conduct a public inquiry into the matter. Police “shoot-outs” grabbed the headlines of dailies and

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<sup>13</sup> Karapatan documented 16 extrajudicial killings from January to March 2009. “Political Killings Up Again; 16 Assassinated in Past 3 Months”, <http://www.pinoypress.net/2009/03/27/political-killings-on-the-rise-again-16-victims-in-past-3-months/>

called for the CHR's intervention. Addressing these issues require additional time and resources from the already burdened CHR and human rights groups. The upcoming elections is also another concern that divides the efforts and resources of civil society stakeholders. In Leyte, for instance, members of the newly established MSQRT could not find a common time to schedule a meeting because its members are busy with activities relating to voters' education. Greater vigilance in monitoring and responding to extrajudicial killings and disappearances is evidently needed. Thus, the Foundation will continue to work towards proper and ample coverage of human rights issues through engaging the media in human rights reporting. The development of local human rights action plans will also ensure that human rights is mainstreamed and institutionalized in local governments and communities despite changes in the socio-political climate.