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Senate  
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SENATE  
P. S. R. No. 661

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Introduced by Senator Miriam Defensor Santiago

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RESOLUTION  
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID  
OF LEGISLATION, ON THE REPORT FROM AMNESTY INTERNATIONAL THAT  
TORTURE AND HUMAN RIGHTS VIOLATIONS IS A SERIOUS PROBLEM IN THE  
PHILIPPINES

WHEREAS, the Constitution, Article 2, Section 11 provides: "The State values the dignity of every human person and guarantees full respect for human rights;"

WHEREAS, the *Manila Bulletin* online posted a news article on 16 May 2014 reporting that Amnesty International (AI), in their "Stop Torture" campaign launched on May 12, sees as a serious problem torture and human rights violations in the Philippines, among other countries like Mexico, Morocco, Nigeria, and Uzbekistan;

WHEREAS, AI reportedly suggested to the Philippine government to solve and end torture cases, given the fact that the country has its own law enshrined in its Constitution that is supposed to prohibit torture, and is party to the ratification of several international anti-torture laws;

WHEREAS, the AI report highlights the loss of public confidence that perpetrators of torture will be brought to justice, including cases where state officials and police officers were accused;

WHEREAS, AI reportedly said that justice is out of reach for the victims, and that failings in the justice system prevent torture cases from being thoroughly investigated or effectively prosecuted;

WHEREAS, AI reportedly said that the investigations relating to torture and other human rights violations in the country fail to progress beyond the preliminary stages, and expressed its concern on the independence, efficiency, effectiveness, and integrity of criminal investigations in the Philippines;

WHEREAS, AI's report showed that common criminal cases, repeat offenders, out-of-favor police informants and political activists are at particular risk of torture, methods of which include electric shock, water boarding, suffocation with a plastic bag, among others

WHEREAS, AI also said that victims of torture live in fear of reprisals, so they do not report their experience to authorities;

WHEREAS, it was reported that the alarming incidences of torture in the Philippines came to light after the Commission on Human Rights (CHR) discovered a secret detention facility in Biñan, Laguna, where police officers tortured suspects to forcibly extract information from them and for their own morbid entertainment; at least 41 detainees were reportedly tortured by officials of the Philippine National Police (PNP) using the "wheel of torture," a device that a detainee was forced to spin to determine what type of torture he or she would be subjected to;

WHEREAS, Marc Titus Cebreros, CHR Chief of Communication and Information Division, reportedly revealed that around 11 or 50 percent of the alleged torture respondents were PNP officers, supported by 24 complainants which are significant numbers for one case;

WHEREAS, according to the news report, Cebreros said the CHR continuously receive complaints of torture every year, with a spike early this year due to the discovery of the Laguna torture facility, and that the CHR has filed the affidavits from the 24 victims, which are now under preliminary investigation at the National Prosecution Service;

WHEREAS, Cebreros also reportedly said the victims and their families were receiving death threats and being bribed by police officials to withdraw the case, adding that the PNP must ensure that such threats and intimidating acts on the side of the police respondents are prevented from influencing the outcome of the cases;

WHEREAS, Cebreros reportedly said that there is a need to reform the entire criminal justice process to achieve three things: witness protection/assistance to victims; more effective case buildup using forensic evidence; and speedier trials leading to more convictions;

WHEREAS, Cebreros reportedly admitted that impunity continues due to weak enforcement of the anti-torture laws, and the "incentives" for committing torture, which he identified as 1) corruption, 2) incompetence of law enforcement officers, and 3) weak accountability and oversight mechanisms;

WHEREAS, AI asked the Philippine government to strengthen the effectiveness of accountability mechanisms to help bring perpetrators of torture behind bars, and that both criminal and administrative cases should be filed against them;

WHEREAS, AI called for urgent action to stop the use of torture and other ill-treatment in the Philippines and to end the culture of impunity; and for the investigation of all complaints of torture and ill-treatment promptly, thoroughly, impartially and effectively, and prosecute perpetrators in fair trials that meet international standards;

WHEREFORE, BE IT RESOLVED IN THE PHILIPPINE SENATE to direct the proper Senate committee to conduct an inquiry, in aid of legislation, on the report from Amnesty International that torture and human rights violations is a serious problem in the Philippines.

Adopted,

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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