



# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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## Committee against Torture

### List of issues prepared by the Committee prior to the submission of the third periodic report of the Philippines (CAT/C/PHL/3)\*, adopted by the Committee at its forty-eighth session, 7 May–1 June 2012

#### Specific information on the implementation of articles 1–16 of the Convention, including with regard to the Committee's previous recommendations

##### Articles 1 and 4

1. In the light of the Committee's previous recommendations (para. 10),<sup>1</sup> please provide the Committee with the full text of the definition of torture contained in the State party's legislation. Has the definition of torture as found in article 1 of the Convention been incorporated into domestic law, in particular into the Penal Code or the Anti-Torture Act (RA 9745)? Please provide the Committee with information on any cases of direct application of the Convention by domestic courts?

2. Are all acts of torture classified as criminal offences with corresponding penalties under the Anti-Torture Act? Please provide detailed information on the contents of the Act as well as the steps taken to ensure its implementation in practice. Please provide information regarding any case in which individuals have been charged with violating the act, including a summary of the allegations in the case, the outcome of any trials, the status of any ongoing trials, and details regarding any penalties imposed.<sup>2</sup> Please indicate whether the Act provides for liability for individuals in positions of command responsibility and specifically indicate whether any individual has been convicted on this basis.

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\* The present list of issues was adopted by the Committee at its forty-eighth session according to the new optional procedure established by the Committee at its thirty-eighth session, which consists in the preparation and adoption of lists of issues to be transmitted to States parties prior to the submission of their respective periodic reports. The replies of the State party to this list of issues will constitute its report under article 19 of the Convention.

<sup>1</sup> Paragraph numbers in brackets refer to the previous concluding observations adopted by the Committee, published under symbol CAT/C/PHL/CO/2.

<sup>2</sup> CAT/C/PHL/CO/2, para. 10; CAT/C/PHL/CO/2/Add.1, para. 8; CRC/C/PHL/CO/3-4, para. 41.

**Article 2<sup>3</sup>**

3. In the light of the Committee's previous concluding observations (paras. 10 and 11) and the letter sent by the Committee's Rapporteur for follow-up on 1 December 2011, please provide updated information on the measures taken to prevent acts of torture during police or remand detention and during military operations, and to ensure that detainees are brought before a judge promptly and that all detainees are systematically registered. Please clarify whether detainees are guaranteed the right to contact a lawyer of their choice and a family member at the time of their detention, and whether inmates have the right to an examination by an independent doctor upon request at the time of their detention and thereafter? Please indicate where these rights are provided in law, how the State party ensures they are afforded in practice, and how detainees are made aware of them.

4. According to information before the Committee,<sup>4</sup> in many cases, persons brought to police stations by Philippine National Police (PNP) officials are not formally arrested before they are brought in, and therefore are not afforded the protections provided by article 125 of the Penal Code. Please comment on these allegations and indicate what measures the State party has taken, other than inspections of police station lock-ups and prison visits by judges, to ensure that detainees are not held longer than the period allowed by law. Please describe the measures taken to investigate the allegations noted by the Committee's Rapporteur for follow-up concerning 43 individuals arrested by PNP and Armed Forces of the Philippines (AFP) forces in Morong, Rizal, on 6 February 2010, who were reportedly subjected to physical and psychological abuse during interrogation by AFP personnel and were not informed of their right to counsel.

5. What safeguards are in place to ensure that medical personnel are not subject to police intimidation and are able to examine victims independently of the police and to maintain the confidentiality of medical reports, and how does the State party monitor the implementation of such safeguards to ensure they are afforded in practice? Please comment on the cases of Jedil Esmael Mestiri, who was allegedly tortured by military intelligence personnel on 26 June 2011; and Rahman Totoh, who was allegedly tortured following his detention on 28 July 2011 by members of the Special Action Force (SAF). Please comment on reports that no investigation has been opened into these claims on the grounds that the medical examinations they received do not meet the standards required by the Anti-Torture Act to initiate a prosecution.

6. With regard to the follow up responses provided by the State party (CAT/C/PHL/CO/2/Add.1, paras. 2 ff.) please indicate:<sup>5</sup>

(a) Whether PNP and AFP have compiled a list of all detention centres and facilities under their respective jurisdictions. If so, please provide this list to the Committee. If not, please indicate when such a central register will be established. If it has been established, please indicate whether it is updated on at least a monthly basis, as provided for in RA 9475. Please provide added information on the procedure whereby members of the

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<sup>3</sup> The issues raised under article 2 could also involve other articles of the Convention, including but not limited to article 16. General comment No. 2 (2007) on implementation of article 2 by States parties, paragraph 3, sets out: "The obligation to prevent torture in article 2 is wide ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment (hereinafter "ill-treatment") under article 16, paragraph 1, are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture ... In practice, the definitional threshold between ill-treatment and torture is often not clear." See further chapter V of the same general comment.

<sup>4</sup> See the letter sent by the Committee's Rapporteur for follow-up on 1 December 2011.

<sup>5</sup> Ibid.

public can access this register and on what measures are in place to ensure that the register is accurate;

(b) Which entity carries out random inspections of police station lock-up cells? Are all detention facilities monitored by unannounced inspection visits? Do the individuals conducting the inspections meet with and speak privately with detained persons? What steps have been taken to ensure implementation of the Memorandum-Directive of 4 November 2008 concerning inspections of lock-up cells?<sup>6</sup>

(c) Has any inspections of police lock-ups found that a person in detention was denied fundamental safeguards or was subjected to torture or ill-treatment, and if so, what action was taken in response? Please provide total number of police lock-ups in the country and data indicating the date of all visits to police stations and the location of the station;

(d) How many prison visits have been conducted by judges during the reporting period? Please disaggregate this information by location. Have any such visits resulted in an investigation into alleged torture or ill-treatment? Please provide details, and indicate whether judges have ordered other urgent measures as a result of such visits;

(e) Please describe any measures taken to ensure the accuracy of the information recorded in the mandatory police blotters maintained by all PNP units, and the procedure according to which members of the public may access information contained in the blotters.

7. Further to the Committee's previous concluding observations (para. 8) and the State party's acceptance of recommendations made in the universal periodic review (A/HRC/8/28/Add.1, para. 2 (e) and (f)), please provide updated information on measures taken to address extrajudicial killings and enforced disappearances, and particularly:

(a) Measures taken or envisaged to address unresolved cases of extrajudicial executions and enforced disappearances from the last decade, including 621 outstanding cases reported by the Working Group on Enforced or Involuntary Disappearances (A/HRC/19/58 and Rev.1, para. 468); and to address allegations sent by the Working Group on Enforced or Involuntary Disappearances, in December 2008, concerning dismissal by the Court of Appeals of amparo petitions on the grounds of the supposed failure of the petitioners to prove that their rights to life, liberty or security were violated or under threat (A/HRC/13/31 and Corr.1, paras. 416 ff.; A/HRC/16/48, para. 395);

(b) The text of any legislation that specifically criminalizes extrajudicial executions and enforced disappearances, and the measures taken to ensure the effective implementation of such legislation in practice. Please provide the Committee with data on any investigations, prosecutions, or convictions regarding extrajudicial executions or enforced disappearances during the reporting period;

(c) Whether the Enforced or Involuntary Disappearance Act, which was passed by the Senate in June 2011, has been enacted into law;

(d) The mandate and activities of the Truth Commission established by presidential executive order in July 2010 in addressing human rights violations and investigating cases of extrajudicial killings and enforced disappearances;

(e) What measures have been taken in response to the alleged disappearance of more than 70 people in the Central Luzon region, reported by the Working Group on Enforced or Involuntary Disappearances (A/HRC/13/42, para. 194; A/HRC/10/9, para. 323);

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<sup>6</sup> CAT/C/PHL/CO/2/Add.1, para.2; see the letter sent by the Committee's Rapporteur for follow-up on 1 December 2011.

(f) What measures have been taken in response to the enforced disappearances of Sherlyn Cadapan, Karen Empeño, Manuel Merino, and Jonas Burgos in 2006–2007 following the publication of a report by the Commission on Human Rights and decision of the Supreme Court in 2011 suggesting that military personnel were responsible.<sup>7</sup> Please provide the Committee with updated information on any ongoing investigation or prosecution, and the outcome of any trial, including the rank of those prosecuted, the charges against them, and any sentences handed down;

(g) Whether the State party intends to make public the results of the task force investigations into summary killings in Davao City in 2009 and, if so, when;

(h) The status of any investigation into the alleged enforced disappearance of Ambrosio Derejeno, who was last seen in the custody of members of a State-sponsored militia, in Samar province in January 2011. Please indicate if the State party intends to repeal Executive Order No. 5446, which directs the police to support the military in counter-insurgency operations, including through the use of militias.

8. Further to the Committee's previous concluding observations (para. 9), please describe measures taken to fight impunity for disappearances, torture and other cruel, inhuman or degrading treatment or punishment committed by law enforcement or military personnel. Please provide detailed data on investigations, prosecutions and convictions for torture and ill-treatment and on the penal or disciplinary sanctions applied, if any.

9. In the light of the Committee's previous concluding observations (para. 12), please provide updated information on measures taken to address the practice of arrests without warrants and lengthy pretrial detention by PNP and AFP, especially by reducing the duration of detention before charges are brought, reducing the duration of pretrial detention and developing alternatives to deprivation of liberty.

10. Pursuant to the Committee's previous concluding observations (para. 25), please provide updated information on:<sup>8</sup>

(a) The measures taken to prevent, combat and punish violence against women, including domestic violence. In this respect, please indicate if such violence is criminalized;

(b) The measures taken to ensure effective implementation of the Magna Carta of Women (Republic Act No. 9710);<sup>9</sup>

(c) Statistical data on complaints relating to violence against women, including rape and sexual harassment, and on the related investigations, prosecutions and penal sanctions, as well as on any compensation provided to victims;

(d) Data on the number of victims of such acts who have received protection, including access to medical, social and legal services and temporary accommodation, and the specific form of protection they received.

11. In the light of the Committee's previous concluding observations (para. 18) and the letter sent by the Committee's Rapporteur for follow-up, please provide updated information on the measures taken to prevent sexual violence in detention, particularly:

(a) The number of complaints of sexual abuse in custody received, whether any resulted in prosecution, the title of any official prosecuted, the sentence in any prosecution that resulted in conviction and any redress provided to victims;<sup>10</sup>

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<sup>7</sup> See the letter sent by the Committee's Rapporteur for follow-up on 1 December 2011.

<sup>8</sup> CEDAW/C/PHI/CO/6, paras. 15 and 16; CRC/C/PHL/CO/3-4, para. 82.

<sup>9</sup> CAT/C/PHL/CO/2/Add.1, paras. 59 and 60.

(b) Measures taken to inform the public, and particularly women and children, of the function of Women's and Children's Protection Desks (WCPDs, CAT/C/PHL/CO/2/Add.1, para. 57) and to expand the number of WCPDs and increase the number of police officers assigned to them. Please provide the number of claims of abuse received, disaggregated by geographic location and nature of abuse, and indicate whether WCPD personnel are permitted to receive and investigate complaints;

(c) The current status of the Prison Rape Elimination Act (para. 18).

12. In the light of the Committee's previous concluding observations (para. 26), please provide information on the measures taken to implement the current laws combating trafficking, in particular the Anti-Trafficking in Persons Act (RA 9208), and provide protection for victims and their access to medical, social rehabilitative and legal services, as appropriate. This information should include the number of trafficking cases reported to the police and other authorities, the number of resulting investigations and the status and findings of all such investigations, including any resulting penalties.<sup>11</sup>

### Article 3

13. With reference to the Committee's previous concluding observations (para. 14), please provide information on the measures taken to ensure that the State party fully implements article 3 of the Convention and, in particular, provides all procedural guarantees to and considers all elements of the case of non-citizens who claim they will face a risk of torture if expelled, returned or extradited to another State. Has article 3 of the Convention been directly applied by the courts in any such cases?

14. Has the State party relied on diplomatic assurances against torture in any case of expulsion, return or extradition during the reporting period, in particular under section 57 of the 2007 Human Security Act? If so, please provide detailed information on:

(a) The procedures in place for obtaining diplomatic assurances;

(b) Steps taken to establish a judicial mechanism for reviewing the sufficiency and appropriateness of diplomatic assurances in all relevant cases;

(c) Steps taken to guarantee effective post-return monitoring arrangements;

(d) Details on all cases where diplomatic assurances have been provided, since the consideration of the previous report;

(e) Any cases in which the State party had reason to believe that a returned individual suffered torture or ill-treatment in a receiving State, and information about actions taken by the State party in response.

15. Please provide statistics, disaggregated by age, sex, and country of origin, on the number of:

(a) Asylum applications registered;

(b) Applicants in detention;

(c) Applicants whose application for asylum was accepted on grounds that they faced a risk of torture if returned to their country of origin; and

(d) Asylum applicants rejected and the countries to which the individuals concerned were returned or extradited.

<sup>10</sup> See the letter sent by the Committee's rapporteur for follow-up on 1 December 2011.

<sup>11</sup> CEDAW/C/PHI/CO/6, paras. 19 and 20; CRC/C/PHL/CO/3-4, para. 82.

### **Articles 5 and 7**

16. Please indicate whether the State party has rejected, for any reason, any request for extradition by another State of an individual suspected of having committed torture, and has started prosecution proceedings as a result, since the consideration of the previous report. Please provide information on the status and outcome of any such proceedings.

17. Please provide information on any domestic legislation establishing universal jurisdiction over the offence of torture and examples of its application.

### **Article 10**

18. In the light of the Committee's previous concluding observations (para. 20) and the State party's acceptance of the recommendations made in the course of the universal periodic review (A/HRC/8/28/Add.1, para. 2 (b)), please provide detailed information on the human rights instruction and training provided for (CAT/C/PHL/CO/2/Add.1, paras. 40–42, 65–69):

(a) Persons involved in the custody, interrogation or treatment of persons under State or official control, including law enforcement and military personnel, with respect to the treatment of detainees, the absolute prohibition of torture, non-coercive investigatory techniques and gender-sensitivity;

(b) Judges and prosecutors, particularly training on the specific obligations under the Convention;

(c) Medical personnel involved with detainees, on the guidelines to detect signs of torture and ill-treatment in accordance with international standards, such as those outlined in the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).

19. Please indicate measures taken to address the reported lack of forensic investigation capacity in the Philippines, rendering prosecution highly dependent on witness testimony.

### **Article 11**

20. Please provide information on any new interrogation rules, instructions, methods and practices, as well as arrangements for the custody of persons subject to any form of arrest, detention or imprisonment, that may have been introduced since the consideration of the last periodic report in 2009, and the frequency with which they are reviewed with a view to preventing any cases of torture or ill-treatment.

21. Please provide information on the measures taken to establish consistent and comprehensive standards for independent monitoring mechanisms for all places of detention at the local or the national level, with a strong and impartial mandate and adequate resources.

### **Articles 12 and 13**

22. In the light of the Committee's previous concluding observations (paras. 16 and 27) and the letter sent by the Committee's Rapporteur for follow-up, please provide updated information on steps taken to enhance the independence, resources, and free access to all detention facilities of the Commission on Human Rights of the Philippines and its members. Please provide updated information on:

(a) The status of the Commission's Charter, Senate Bills No. 106 and 297 (CAT/C/PHL/CO/2/Add.1, paras. 54 and 55);

(b) The investigatory function of the Commission and the conditions under which it has primary jurisdiction to investigate alleged human rights violations;

(c) The process by which a victim of torture or ill-treatment may bring a complaint to the Commission, and how their right to do so is made known to the public. Please provide the Committee with further information on the number of cases of torture or ill-treatment, that the Commission has investigated and prosecuted since 2008 and their outcomes, including information on the number of convictions and associated punishments, and the number of victims who obtained redress and in what forms and amounts;

(d) The outcome of the investigation, if any, into complaints submitted by the Asian Human Rights Commission to the Commission in February 2010 alleging that military personnel of the 730th Combat Group, in Palico, Batangas, had tortured three community organizers, Charity Diño, Billy Batrina and Sonny Rogelio, in November 2009.

23. In the light of the Committee's previous concluding observations (paras. 15 and 27) and the letter sent by the Committee's Rapporteur for follow-up on 1 December 2011, please provide the following information:

(a) The number of complaints of torture or ill-treatment received by the State party during the reporting period, disaggregated by mechanism that received the complaint, the age and gender of the complainant, and the location of the incident, as well as whether the complaints were investigated, whether they led to a criminal prosecution, whether those prosecuted were convicted, the offence found to have been committed and the punishment handed down by the court or disciplinary body;

(b) Data on investigations conducted by the Internal Affairs Service of the Philippine National Police (PNP-IAS) during the reporting period, disaggregated by geographic location, rank, the misconduct alleged to have been committed, and the outcomes of the investigations, including whether the officers investigated were dismissed from service. Please clarify whether any police officials play a role in hiring or dismissing members of the PNP-IAS and whether any mechanism provides oversight of the PNP-IAS.

(c) The mandate of the PNP Rights-Based Policing Committee (CAT/C/PHL/CO/2/Add.1, para. 43), particularly as to whether it conducts investigations into allegations of torture and ill-treatment.

(d) The composition and mandate of the Task Force Organization (CAT/C/PHL/CO/2/Add.1, para. 44). Please indicate the number of personnel who have been disciplined during the reporting period as a result of its investigations, the violations they were found to have committed and the disciplinary sanction handed down. Please indicate how cases are brought to its attention and how its independence is ensured.

24. Please provide information on the status of any investigation into the following cases in which police or military personnel are alleged to have committed torture:

(a) Darius Evangelista, who was arrested and reportedly tortured in police custody in March 2010 in Tondo, particularly following the publication of video footage that appears to show him being tortured;

(b) Lenin Canada Salas, who, along with three associates, was reportedly tortured in police custody on 3 August 2010. The Committee understands that charges filed against the officials believed to be responsible were later dropped on the grounds that Mr. Salas and his associates were blindfolded during the torture and thus unable to identify the perpetrators. Please indicate whether any investigation into these allegations continues, what steps the State party is taking to ensure that the victims obtain redress and what measures the State party is taking to ensure that public officials are prohibited from blindfolding detainees during interrogation, in law and in practice;

(c) Abdul-Khan Balinting Ajid, who was arrested and allegedly tortured from 23–26 July 2011 by members of the AFP 39th Scout Rangers in Sumisip, and into whose allegations the military reportedly launched an investigation;

(d) Misuari Kamid, who was arrested on 30 April 2010 and reportedly subjected to torture to compel him to confess to a crime and who reportedly remains in detention on charges stemming from his confession.

25. Please provide data on the number of police personnel who have been suspended from duty pending investigations into allegations that they committed torture or ill-treatment. Please comment on the case of John Paul Nerio, who alleged that he was tortured by PNP Special Weapons and Tactics personnel in December 2010, that the alleged perpetrators were not suspended from duty during the investigation and that they subjected him and his family to intimidation.<sup>12</sup>

26. In the light of the Committee's previous concluding observations (para. 21), please provide information on measures taken to strengthen the mechanisms for the protection of the complainants and the witnesses against any kind of intimidation or ill-treatment, in particular the Witness Protection Programme under the Witness Protection, Security and Benefit Act (RA 6981). Please indicate the number of alleged victims and witnesses that have received protection and the nature of protection provided; whether the State party has assessed the effectiveness of the programme; and the financial or other resources allocated for the programme.<sup>13</sup> Is this programme still housed within the National Prosecution Service?<sup>14</sup> Can individuals remain in the witness protection system for as long as they are at risk? Please indicate the progress made and challenges identified in implementing the recommendations of the Special Rapporteur on extrajudicial, summary or arbitrary executions following his visit to the Philippines (A/HRC/11/2/Add.8), particularly on witness protection.

27. Please provide information on any prosecutions, convictions and punishment subsequent to the Government's investigation of the killing of 57 persons, including 21 women, in Maguindanao province on 23 November 2009 and sexual violence against the women victims, referred in the report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on violence against women, its causes and consequences (A/HRC/16/52/Add.1, para. 167). Please also provide information on measures taken to ensure adequate protection of witnesses and family members of the deceased and to investigate and prosecute violence and intimidation against them. Please provide information on the investigation into the murder of witness Suwaid Uphamin in June 2011. Please also comment on reports that the widow and children of deceased journalist Alejandro "Bong" Reblando, have not received protection from the authorities, despite the reports that they are being subjected to harassment.

28. Please provide information on the measures taken to promptly, impartially and effectively investigate the allegations of arbitrary arrest and detention and torture of human rights defenders by public officials and killing of, violence against and intimidation of human rights defenders by private parties in all cases raised with the State party by the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on torture (A/HRC/19/55/Add.2, paras. 285–290; A/HRC/16/52/Add.1, para. 168–170; A/HRC/16/44/Add.1, paras. 1927–1946).

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<sup>12</sup> See letter sent by the Committee's Rapporteur for follow-up, 1 December 2011.

<sup>13</sup> CRC/C/PHL/CO/3-4, para. 82; A/HRC/11/2/Add.8, paras. 14, 15 and 31–34.

<sup>14</sup> *Ibid.*, para. 32.



**Article 14**

29. In the light of the Committee's previous concluding observations (para. 22), please provide information on redress and compensation measures, including the means of rehabilitation, ordered by the courts and actually provided to victims of torture or their families, since the examination of the last periodic report in 2009. This information should include the number of requests made, the number granted, the amounts of compensation ordered and those actually provided in each case. Please also provide information on the accessibility and availability of rehabilitation programmes for victims of torture, ill-treatment, trafficking and domestic and other sexual violence, including medical and psychological assistance. Please indicate the status of implementation of section 19 of the Anti-Torture Law, which mandates the formulation of a rehabilitation programme and specifically indicate whether all relevant agencies have participated in its development and implementation, the amount of resources allocated to it and measures the State party is taking to ensure that it is implemented throughout the territory of the State party.

**Article 15**

30. Pursuant to the Committee's previous concluding observations (para. 23), please provide information on the measures taken to ensure that, in practice, evidence obtained by torture shall not be invoked as evidence in any proceedings. Please provide information on cases in which legal provisions concerning the prohibition of against using a statement obtained under torture as evidence, including section (d) and (e) of Republic Act 7438 and section 25 of the 2007 Human Security Act, have been applied. Please also indicate the number and percentage of criminal cases where the primary evidence of guilt was a confession. Please indicate if the courts have found any cases of wrongful conviction based on evidence obtained through torture and any redress provided to victims.

**Article 16**

31. With regard to the Committee's previous concluding observations (para. 17), please provide information on the measures taken to improve conditions in all detention facilities, including places of detention for asylum seekers and psychiatric institutions, to bring them in line with international minimum standards, in particular to alleviate the overcrowding of penitentiary institutions. Please indicate the status of the Bureau of Jail Management and Penology Modernization Act. Please also provide data on the frequency of use of alternative forms of punishment.

32. In the light of the Committee's previous concluding observations (para. 19) and the letter sent by the Committee's Rapporteur for follow-up, please provide updated information on steps taken to address conditions of detention of children, in particular:<sup>15</sup>

(a) The measures taken to fully segregate detained children from adults. Please comment on reports that despite the protections called for in Juvenile Justice and Welfare Act (RA 9344; CAT/C/PHL/CO/2/Add.1, paras. 70 ff.), children continue to be held with adult inmates in police lock-up cells. Please clarify what oversight mechanisms are in place to ensure that children are separated from adult inmates;

(b) The measures taken to ensure de facto implementation of provisions regarding children in detention, including the Juvenile Justice and Welfare Act and the Revised Rule on Children in Conflict with the Law. The Committee notes the concerns raised by the Committee on the Rights of Child in 2009, in relation to the number of

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<sup>15</sup> CAT/C/PHL/CO/2/Add.1, paras. 65–83; CRC/C/PHL/CO/3-4, paras. 40–43, 80 and 81.

detained children and the lack of effective legal safeguards and access to medical care for children in conflict with the law (CRC/C/PHL/CO/3-4, para. 80);

(c) The measures taken to address the high number of reported cases of torture, inhuman and degrading treatment of children in detention and the low number of cases which have resulted in prosecution and conviction (CRC/C/PHL/CO/3-4, paras. 40 and 41).

(d) The total number of child detainees, disaggregated by age, gender, sentence, and type of detention facility in which they are held;

(e) The number of juvenile correctional institutions and juvenile courts and their geographic location.

33. With regard to the Committee's previous concluding observations (para. 24), please provide detailed information about the measures taken to prevent the abduction and military recruitment of children by the non-State armed groups, including the Moro Islamic Liberation Front, the New People's Army and the Abu Sayyaf; the steps taken to reintegrate former child soldiers into society; and the activities of the Inter-Agency Committee on Children Involved in Armed Conflict and the National Commission on Indigenous Peoples.

34. In the light of the Committee's previous concluding observations (para. 11), please provide detailed information on measures taken to ensure that all human rights defenders, including indigenous rights defenders, trade union and peasant activists, journalists and reporters, medical personnel, and religious leaders, are protected from any intimidation or violence as a result of their activities and exercise of human rights guarantees. Please describe any legislation recognizing human rights defenders and their role in human rights. Please indicate how the work of human rights defenders is supported at the provincial and local level as well as in regions with special autonomy.

35. Please clarify the scope of the criminal abortion ban and specify whether there are legal exceptions for abortion in specific circumstances, such as when the pregnancy endangers the life or health of the woman, when it is the result of rape or incest and in cases of fetal impairment. Please indicate the steps that the State party is taking to develop a confidential complaints mechanism for women subjected to discrimination, harassment, or ill-treatment while seeking post-pregnancy treatment or other reproductive health services and provide detailed information on steps taken by the State party to investigate, prevent, and punish any incidents of ill-treatment of women seeking post-pregnancy care in Government hospitals. Please indicate whether steps are being taken to restore access to emergency contraceptives for victims of sexual violence.

#### **Other issues**

36. Please provide updated information on the measures taken by the State party to respond to any threats of terrorism and describe how it has ensured that those measures comply with all its obligations under international law. Please indicate to what extent the 2007 Human Security Act has been reviewed and amended in conformity with international human rights standards. Please describe the number and types of persons convicted under the Human Security Act and the legal safeguards and remedies available to persons subjected to anti-terrorist measures in law and in practice. Please clarify what measures are taken to investigate reports that civilians suspected of supporting insurgents are subject to torture, extrajudicial executions and enforced disappearances.

37. In the light of the Committee's previous concluding observations (para. 28) and the State party's acceptance of the recommendations made in the universal periodic review (A/HRC/8/28/Add.1, para. 2 (c)), please clarify measures taken to ratify the Optional Protocol to the Convention and whether the State party has set up or designated a national

mechanism to conduct periodic visits to places of deprivation of liberty regarding preventing torture or other ill-treatment or punishment?

**General information on the national human rights situation, including new measures and developments relating to the implementation of the Convention**

38. Please provide detailed information on the relevant new developments on the legal and institutional framework within which human rights are promoted and protected at the national level, that have occurred since the previous periodic report, including any relevant jurisprudential decisions.

39. Please provide detailed relevant information on the new political, administrative and other measures taken to promote and protect human rights at the national level since the previous periodic report, including on any national human rights plans or programmes, and the resources allocated thereto, their means, objectives and results.

40. Please provide any other information on new measures and developments undertaken to implement the Convention and the Committee's recommendations, since the consideration of the previous periodic report in 2009, including the necessary statistical data, as well as on any events that occurred in the State party and are relevant under the Convention.

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