

## **Campaign for Human Rights in the Philippines (CHRP)**

73 Thrayle House, Benedict Road Stockwell London SW9 0XU

Members of the Senate  
GSIS Bldg. Financial Center  
Roxas Blvd., Pasay City Philippines

6th November 2006

Dear Senators,

I am respectfully writing to you on behalf of the UK-based Campaign for Human Rights in the Philippines over our concerns with regard to Senate Bill no.2137 (the Dangerous Provisions of the Anti-Terrorism Bill). As our name suggests we are an organisation that highlights the current human rights situation in the Philippines, and then works to build support for the promotion of said human rights.

As such we are particularly concerned about aspects in the current Senate Bill that I believe is shortly to be debated in the Senate. Although we can understand the global desire to debate legislation to protect a state or its citizens from acts of terrorism, it seems

to us that the Bill as currently written creates a bad precedent with regard to the potential abuse of the civil liberties of individuals. Indeed governments have a duty to take steps to protect citizens from terrorism, but this does not justify side-stepping democratic values, and we fear that this Bill errs too heavily on the side of giving the executive powers that have the potential to be abused.

### **Some of our key concerns include the following:**

There is no clear definition of who a terrorist is. A person may be labelled as a terrorist by reason solely of his religious or political belief; It creates a new set of crimes; Police, military or any government law officer, without incurring any criminal liability may engage in wire tapping for a period of one hundred twenty (120) days. This may be done through an ex parte written application before the Regional Trial Court to be permitted,

based only on reasonable grounds. The written application and the order of the court is declared as "classified information."; Mere membership in an organization, declared as a terrorist organization is punishable by law. And any legitimate exercise of one's right for redress of grievances may be considered as terrorism, by reason solely of his membership in an organization, association or group of persons, labelled as a terrorism group;

A person may be arrested and detained without judicial warrant of arrest for a period of 15 days. The police, military and government law officer will not incur any criminal liability; Bank deposits, accounts and records may be examined through an ex parte written application by the police and military officers before the Regional Trial Court. The written application and order of the court allowing such examination is considered classified information. The bank examination may be undertaken for a period of one hundred twenty (120) days.

We are sure that you appreciate that when such serious issues are legislated upon, that it is a duty to ensure that it is done in a manner that does not sacrifice the human rights of individuals. As written this Bill could potentially make `terrorists' of

those legitimately opposing the incumbent government. Repression and injustice, and the criminalisation of non-violent protest, make us less safe, not more so. They act as a recruiting sergeant to extremism and marginalise those whose engagement is vital to the effective fight against terrorism. They undermine the values that separate us from the terrorist, the very values we should be fighting to protect.

As is well publicised we too have experience of combating terrorism within the United Kingdom. However, since the Prevention of Terrorism Acts of the 1970s, UK terrorism laws have done little to ensure that we are safe from terrorist attack, but have done much to infringe the human rights and civil liberties of those living in the UK. So we can make these points directly from our own experience.

We respectfully request that you consider these points in the forthcoming debates, and will act accordingly.

Yours sincerely,  
Andrew Whitmore  
On behalf of the Campaign for Human Rights in the Philippines (CHRP)