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Philippines: Over 1700 killings by unknown assassins and police indicate lawlessness, not crime control

The disclosure by Philippine's Police Chief Ronald dela Rosa that there have been at least 1067 killings by unidentified people and over 712 killings by police in the Philippines since 1 July 2016, is a terrifying indication that the authorities are grossly failing in their obligations to respect and protect the right to life. This risks the further breakdown of the rule of law in the country.

The State has a duty to protect people from all forms of violence, including an obligation of due diligence to prevent killings and to promptly, independently and impartially investigate such killings and bring perpetrators to justice. Recent statements by high-level authorities and police directives have further endangered the right to life.

On 22 August 2016, in a Senate inquiry into allegations of extrajudicial executions, PNP Police Chief dela Rosa revealed that 712 people had been killed in police operations against drug users and drug sellers, and 1067 had been killed by unknown vigilantes since 1 July 2016, the day after Philippine President Rodrigo Duterte entered office. He also stated that police were conducting investigations into at least 1067 killings, thought to have been committed by various groups associated with drug syndicates.

During his statement at the inquiry, Chief dela Rosa pledged that all allegations of murder and extrajudicial executions by police will be investigated. However, it is unclear if there will be independent oversight of investigations into such killings.

Amnesty International is therefore calling on the Philippine authorities to ensure the establishment of an independent police complaints commission to be set up which is fully independent of and free from the influence of the Philippine National Police. The commission should have the mandate to receive complaints and other reports of human rights violations committed by the police, be required to report publicly on its activities, and have the mandate and resources to provide any necessary protection to complainants, victims and witnesses.

The Philippine authorities should further ensure the rights to life and health of people who use drugs are respected and protected by guaranteeing their access to health-related information and services on a non-discriminatory basis. Instead of inciting violence against people who have developed a dependency to drugs, the authorities should ensure they have access to medical care. Furthermore, this issue should be treated as a public health matter.

Laws and policies that inhibit the access of people who use drugs to essential health services, including law enforcement initiatives, should be repealed or amended.

The heavy reliance on repressive policies and the use of force to control drug use and addiction across differing countries has not led to a decreased use of drugs over the years, as found by the United Nations Office on Drugs and Crime.¹ On the contrary, counter-narcotic operations and other law enforcement practices based on the use of force and militarization have had a counterproductive effect, heightening the associated risks and harms of using drugs, and increasing the levels of violence, human rights violations and abuses.

People responsible for drug-trafficking offences should be brought to justice through prosecution in a court of law, in proceedings which meet international standards of fairness and comply with the rule of law. Safeguards on the right to liberty and security of person, including fair trial guarantees, must apply equally for drug-related cases.

Incitement to violence and discrimination are prohibited under international law and risk escalating a cycle of violence in the country. The unlawful and deliberate killing carried out by order of a state actor, or with the state's complicity or acquiescence, is an extrajudicial execution. This is a crime under international law. States have an obligation to investigate and prosecute credible allegations of murder and extrajudicial executions and bring those suspected of criminal responsibility before justice in fair trials.

Background

Since 30 June 2016, the day President Duterte took office, there have been reports that hundreds of individuals across the country have been unlawfully killed by police and vigilantes. Some of these killings, as reported, clearly amounted to extrajudicial executions. The killings follow a campaign in which the President identified the sale and use of illegal drugs as one of the main problems of the country.

During his leadership campaign and since his inauguration, President Duterte has repeatedly and publicly made commitments to stamp out drug crime, calling on law enforcement agencies "to double your efforts...triple them if need be...we will not stop until the last drug lord, last financier and last pusher have surrendered or put behind bars or below the ground if they so wish".

¹ United Nations Office on Drugs and Crime, "World Drug Report 2015", May 2015