

AMNESTY INTERNATIONAL PUBLIC STATEMENT

2 April 2019 ASA 35/0156/2018

PHILIPPINES: INVESTIGATE KILLING OF 14 PEOPLE IN POLICE OPERATIONS

Amnesty International is alarmed at the killing of 14 people in Negros Oriental province, in southern Philippines, on 30 March. The victims, many of whom were identified by their families and by local groups as farmers and community leaders, were killed in three separate locations during police operations supposedly targeting “communist rebels” accused of illegal weapons possession. Several other people, including some known to be members of local political organizations, were arrested and detained in the operations.

Amnesty International calls on the Philippine government to ensure an immediate and effective investigation into the killings, with a view to clarifying the circumstances of the incidents, and assessing whether there were legitimate grounds for the use of lethal force. If it is determined that unlawful lethal force was used, those reasonably suspected of criminal responsibility must be brought to justice in fair trials. The government must also respect the rights of those arrested and currently detained.

The victims’ families have made statements that point to human rights violations in the conduct of these police operations. According to their accounts, soldiers and heavily-armed police officers – some of whom were in uniform but wearing masks or sunglasses, or with their nameplates covered – knocked once, and then barged into houses and forced family members to go outside. The targets of the operations were reportedly told to remain inside, and were beaten and then shot dead. At least two were brought to the hospital via an ambulance several hours later and declared dead on arrival. Many of them reportedly suffered multiple gunshot wounds, including one who sustained as many as eight wounds, in the neck, chest and stomach. The families said that the victims were unarmed. In several cases, the police reportedly failed to present a search or arrest warrant.

If the families’ accounts are accurate, the officers who carried out these operations may have extrajudicially executed the suspects, in violation of the non-derogable right to life protected under article 6 of the International Covenant on Civil and Political Rights (ICCPR), to which the Philippines is a party. Whenever the unlawful use of force is suspected, in particular by state officials, and where such force has led to injury or death, prompt, impartial and effective investigations must take place. In addition, under Article 2(3) of the ICCPR, states parties undertake to ensure an effective remedy for persons whose rights have been violated, which must include both reparations and accountability for those responsible.

The UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials are also instructive in assessing the officers’ recourse to lethal force. They provide that in carrying out their duties, law enforcement officials “shall, as far as possible, apply non-violent means before resorting to the use of force and firearms. They may use force and firearms only if other means remain ineffective or without any promise of achieving the intended result.” They further state that: “whenever the lawful use of force and firearms is unavoidable, law enforcement officials shall exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved; minimize damage and injury, and respect and preserve human life; ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment; [and] ensure that relatives or close friends of the injured or affected person are notified at the earliest possible moment.”

Amnesty International calls on the Philippine government to expeditiously carry out a thorough and impartial investigation into the killings. If sufficient evidence indicating extrajudicial executions is found, any officers reasonably suspected of criminal responsibility, including those with command responsibility, should be prosecuted in fair proceedings. We also urge the government to reiterate to members of its security forces the need for full respect for international and domestic laws and standards on policing, law enforcement, and the use of force and firearms. Further, we ask the government to respect the rights of those arrested and currently detained, in accordance with the relevant provisions of the ICCPR against arbitrary detention, as well as on their right to be informed of the

charges against them, their entitlement to trial, and their right to compensation if their arrest or detention is found unlawful.

BACKGROUND

According to media reports, simultaneous police operations were carried out after midnight on 30 March in three areas of Negros Oriental province: in Canlaon City, and in the towns of Manjuyod and Santa Catalina. Police said the operations were aimed at serving search and arrest warrants for illegal possession of firearms and explosives against suspected members and supporters of New People's Army, the armed wing of the Communist party of the Philippines. By the end of the operations, eight people were killed in Canlaon, four in Manjuyod, and two in Santa Catalina. All of them, according to the police, were suspected members of the New People's Army and were killed because they resisted arrest. At least 12 other suspects were arrested and detained, including some who were identified as members or leaders of local organizations.