

RANDY HULTGREN, Illinois
Co-Chairman



JAMES P. MCGOVERN, Massachusetts
Co-Chairman

One Hundred and Fifteenth Congress

Tom Lantos Human Rights Commission

January 3, 2018

The Honorable Jim Mattis
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Mattis:

We write to you to share our deepest concerns with the human rights record of the government of the Republic of the Philippines and to register our objections to the transfer of the Bells of Balangiga under current circumstances.

Sec. 2864 of the Conference Report that accompanies the National Defense Authorization Act of 2018 would allow you to transfer the Bells of Balangiga to the Republic of the Philippines if certain criteria are met, including “that the transfer is in the national security interests of the United States.” We recognize and appreciate that the intent of the provision is to resolve in an appropriate way a long-standing, highly symbolic dispute between the United States and the Philippines. However, as the Co-Chairs of the Tom Lantos Human Rights Commission (TLHRC), we ask that as you determine the national security interests of the United States in this situation, you consider as part of that equation the major human rights violations now facing the Philippines’ government. We urge that you do not provide certification for the returning of the bells until the Philippines’s government makes clear, measurable efforts to stop extra-judicial killings in their “war on drugs.” It is precisely because the Philippines is such a strong and vital American ally that we must consider how their recent human rights record could negatively affect U.S. security.

The State Department has documented a significant increase in the number of extra-judicial killings in the Philippines. In July of this year the TLHRC held a hearing on the human rights consequences of the “war on drugs” in the Philippines. We were distressed to learn that:

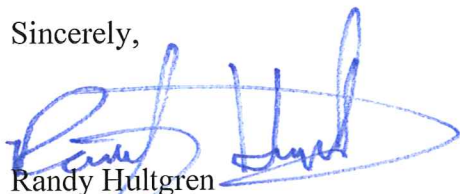
- More than 7,000 alleged drug dealers and users have been killed without charges or trial since the start of President Duterte’s war on drugs. Killings are perpetrated by police and vigilantes incited by Duterte’s rhetoric. Innocent bystanders, including children, are often killed in these operations.

- Police and vigilantes alike act with virtual impunity. Taking advantage of this license, corrupt police have engaged in extortion and murder against innocent people, falsely alleging their victims were connected to drugs.
- Quotas are set and bounties are offered for these killings, creating an “economy of murder” that largely targets the poorest and most helpless in Filipino society. Police even strike deals with funeral homes to generate business for the funeral homes through murder.

President Duterte has proven hostile to any criticism, but he has also quietly shown some responsiveness to international pressure - however, his half-hearted measures have been inadequate so far. There are some constructive moves President Duterte could take that, in our opinion, would demonstrate that he has abandoned his lawless campaign. These include a thorough and impartial probe of the killings followed by prosecutions that demonstrate an end to impunity for police officers who have committed or overseen unlawful killings; an end to the intimidation and arrests (under false charges) of critics of the drug war, including the release of those in custody; and the creation of voluntary, community-based drug dependence treatment services that comport with international best practice standards and human rights principles. Progress can be measured by monitoring statements from impartial and dedicated human rights defenders on the ground in the Philippines, including faith-based communities and the Roman Catholic Church.

We believe that human rights are inextricably linked to the national security interests of the United States: as Ambassador Nikki Haley said earlier this year, “the fact is, peace and security cannot be achieved in isolation from human rights. In case after case, human rights abuses are not the byproduct of conflict; they are the cause of conflict, or they are the fuel that feeds the conflict.” We only ask that when you consider Congress’ intent in determining whether such a return meets the United States’ national security interests, you recognize that these extra-judicial killings are a detriment to our security interests. President Duterte initiated this “drug war,” and he has the power to end the extrajudicial killings associated with it. Your refusal to certify the return of these bells until he takes meaningful measures towards that end would be in the interest of our national security and our role as an internationally recognized leader in the promotion of human rights.

Sincerely,



Randy Hultgren
Member of Congress
Co-Chairman, TLHRC



James P. McGovern
Member of Congress
Co-Chairman, TLHRC