

Ecumenical Advocacy Network on the Philippines

P.O. Box 51844, Durham, NC 27717

Human Rights Violations by Philippine Security Forces

Testimony Submitted to the Tom Lantos Human Rights Commission

By the Ecumenical Advocacy Network on the Philippines

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Contact: Tim McGloin, timlinmcg@msn.com or Paul Bloom, prb@umn.edu

The Ecumenical Advocacy Network on the Philippines (EANP) was established in 2007 following publication of a report by the UN Special Rapporteur that documented human rights violations by the Philippine Army and security forces under their command. The Special Rapporteur recommended human rights restrictions on military aid to the Armed Forces of the Philippines (AFP). Since 2008, EANP has advocated for human rights restrictions on Foreign Military Financing (FMF) to the Philippine Army, and from then until FY 2016, certain restrictions had been applied to FMF for the Philippines. After the 2008, there was a decrease in extrajudicial killings, false arrests, harassment and displacement of local populations but over the last 3 years human rights violations have increased, as part of the counter insurgency operations of the Philippine Army and paramilitary units under their command. This is especially an issue in remote areas populated by indigenous Filipinos. Among others, environmental activists have been targeted and in the 2017 Global Witness Report, “Defenders of the Earth”, the Philippines is listed as one of the most dangerous countries in the world to be an environmental activist.

Since the initiation of the war on drugs by President Rodrigo Duterte in June 2016, human rights groups in the Philippines report that nearly 12,000 people have been killed by units of the Philippine National Police (PNP) and vigilante groups. This anti-drug campaign by the PNP has been supported by funds from the US State Department International Narcotics Control and Law Enforcement program. There is strong evidence, documented by recent reports from the US State Department, Human Rights Watch and Amnesty International that many of the vigilantes are actually policemen without uniforms. Additional documentary evidence, with horrific photographs and video have appeared in investigative reports by the BBC and the New York Times. One of the reasons given for aggressive police actions against drug dealers and users is to force addicts to surrender and opt for treatment. However, the options for treatment are meager and aid for narcotics control should be focused on treatment and rehabilitation.

Justification for redirection of International Narcotics Control and Law Enforcement funding for the Philippine National Police (PNP)

President Duterte entered office in June 2016 promising to use deadly force to wipe out drug related crime within six months, attacking both drug dealers and drug users. The Philippines has a serious crime problem and some of the crime problem is related to drugs. However, the overall incidence of drug usage is not extremely high. In the January 2017 Amnesty International published a report entitled, *“If You Are Poor You Are Killed”*, which contains data from September 2016, showing that drug use in the Philippines is about half of that reported internationally. A contributor to the drug crime problem is corruption within the PNP, with PNP officers are often complicit in the drug trade.

Of the several reports on the war on drugs in the Philippines we rely mostly on the January 2017 report by Amnesty International in this testimony (the other reports listed at the end of this document corroborate the findings of Amnesty International). In the Amnesty International report the authors quote PNP statistics for July 1, 2016 to January 21, 2017 that indicate police officers and unknown armed persons collectively carried out 7,025 drug-related killings, roughly an average of 34 per day. About 2500 of the killings were what the police characterize as encounters with armed drug dealers or users and the remainder are attributed to killings by vigilantes.

In November and December of 2016 Amnesty field researchers, “interviewed 110 people, including direct witnesses to extrajudicial executions and relatives of those killed; people who currently use drugs; police officers and paid killers involved in anti-drug operations; local authorities; and civil society activists”. This included 33 incidents, resulting in 59 killings, in 20 different cities and towns from Baguio City in the north to central Mindanao in the south. Twenty of the incidents involved police operations and 13 involved unknown armed persons. The Amnesty International team concluded, “Based on corroborating witness statements and other credible information, the vast majority of these killings appear to have been extrajudicial executions—that is, unlawful and deliberate killings carried out by order of the government or with its complicity or acquiescence.” In police raids, the police nearly-universally claim that the suspect pulled a gun and shot at them, which the police say, forces them to return fire and kill the person. In several cases Amnesty International reviewed, the police even alleged the suspect’s gun “malfunctioned” when trying to shoot them”. Some of the police killings have been attributed to police eliminating the dealers who have collaborated with corrupt policemen. The vigilante killings often involve paid hitmen who are sometimes off-duty policemen.

The highest profile killing is that of Mayor Ronaldo Espinosa of Albura, Leyte, and his cellmate in November 2016. In August, Espinosa surrendered to police after a presidential spokesperson stated that there were orders to kill Mr Espinosa on sight because of his alleged links to the drug trade. Police shot and killed him and his cellmate in a provincial jail, in what the officers involved claimed was a shootout. However, the National Bureau of Investigation (NBI) recommended murder and perjury charges against the officers involved stating the killing was a “rub out,” in which the police officers had “criminal intent” to kill Espinosa, who was unarmed. President Duterte responded that he would “not allow these guys to go to prison.” and he has recently advised the indicted officers to plead guilty so he can give them a full pardon.

If drug users surrender and volunteer to get drug treatment, they find themselves held in very crowded jails and if they do get treatment the programs are poorly funded and not comprehensive or evidence-based in what they offer. Some of those who have surrendered have been killed after they return to their homes. The government has started building “mega” rehabilitation centers with financial assistance from private and public funds from China. One of these facilities is inside military base and air photos show new facilities that look more like a concentration camp. Also, the Japanese government has agreed to a \$16 M aid program for drug rehabilitation.

We request that the FY2018 aid normally directed to narcotics control and enforcement by the PNP be instead directed to treatment and rehabilitation and that reporting language include:

There is strong evidence the Philippine National Police are participating in, and encouraging, extrajudicial killings, and any aid to the National Police will only promote more killing. The money appropriated to the Philippines for Narcotics Control and Law Enforcement shall be allocated for a public health approach that consists of integrated and comprehensive treatment and rehabilitation programs in line with international standards, shifting the current anti-drug policy from killing and punishment to treatment and rehabilitation.

Sources:

1. Front Line Defenders (Ireland), www.frontlinedefenders.org
2. Committee to Protect Journalist, www.cpj.org
3. <http://interaksyon.com/article/136401/negros-farm-workers-leader-slain-as-rights-violations-complaints-traded-at-rome-talks>
4. <http://bulatlat.com/main/2017/02/20/war-9-activists-gunned-3-weeks/>
5. <http://interaksyon.com/article/136401/negros-farm-workers-leader-slain-as-rights-violations-complaints-traded-at-rome-talks>
6. www.ucanews.com/news/environmental-activist-killed-in-northern-philippines/7805
7. “Defenders of the Earth: Global Witness, July 13, 2017.
<https://www.globalwitness.org/en/campaigns/environmental-activists/defenders-earth/>