AMNESTY INTERNATIONAL

Atty. Vitaliano N. Aguirre II
Department of Justice
Padre Faura Street
Ermita, Manila 1000
Republic of the Philippines

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Dear Secretary of Justice Aguirre,

OPEN LETTER TO PHILIPPINE AUTHORITIES ON HUMAN RIGHTS VIOLATIONS IN THE 'WAR ON DRUGS'

We are writing to urge you to send a clear message that the unlawful killing of alleged drug offenders is never justified, and to ask you to ensure prompt, independent, impartial and effective investigations into all killings by police and unknown armed persons since the start of the government's 'war on drugs'. The findings of these investigations should be made public, and where there is evidence of crimes being committed, criminal prosecutions should follow.

Amnesty International is deeply concerned that the widespread, and continued killing of alleged drug offenders may constitute crimes against humanity. High-ranking government officials, and in particular the Philippines President, have explicitly and repeatedly incited police, as well as private citizens, to kill people they suspect of using or selling drugs, rather than acting in accordance with national laws.

Our concerns are based on our report "*If you are poor, you are killed" Extrajudicial executions in the Philippines "War on Drugs"*, that was published on 31 January 2017. Based on witness statements and corroborating documents – including police reports - and other information, Amnesty International concluded that the vast majority of the killings that we investigated appear to have been extrajudicial executions - that is, unlawful and deliberate killings carried out by government order or with its complicity and acquiescence.

In most cases documented by Amnesty International, there was a link between the killings and the fact that the victims were on a "drugs watch list," said to be prepared by local government officials and shared with the police, with little verification. Amnesty International also found evidence of links between state authorities and armed persons who carry out drug-related killings who are paid by police officers to do so, as well as evidence of unofficial payments to police officers themselves to kill.

Our research has shown that most of those that have been killed are men from urban poor communities, in effect making what is officially portrayed as the "war on drugs" a war on the poor. Moreover, this has had a devastating impact on children, who have been killed, harmed during police operations or experienced severe trauma as a result of losing a parent, sibling or from witnessing a killing.

To date, the Philippine authorities have by and large adopted a violent and lethal approach towards people who use drugs instead of using a public health approach. Anti-drug operations have violated the non-derogable right to life and undermined people's right to the enjoyment of

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the highest attainable standard of physical and mental health, forcing many of those who use drugs and who have not fallen victim to extrajudicial executions into involuntary and inadequate rehabilitation programmes. This has also meant that testing and treatment services are inaccessible to the vast majority of drug users.

Until now, it is unclear how many police, and unknown armed persons, have been investigated, let alone charged for suspected extrajudicial executions, and other serious human rights abuses. Counter-narcotic operations and other law enforcement practices based on the use of force and a militarized approach are not the solution to drug crime, and have instead been shown to increase levels of violence, intimidation and corruption usually associated with drug markets.

In light of the above, and the alarming scale of the human rights violations involved, we are calling on you, as Secretary of Justice to:

- Send a clear public message to all law enforcement officials in the Philippines that extrajudicial executions are unacceptable and strictly prohibited at all times;

- Prioritise prompt, impartial and effective investigations into all drug related killings, particularly by law enforcement officials;

- Press criminal charges in any case where investigations uncover sufficient, admissible evidence of responsibility for offences involving human rights violations, including unlawful police killings.

We express our sincere hope that you will consider and express support for these recommendations.

Yours sincerely,

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