

Extra Judicial Killings: Normalizing Criminality Under the Guise of Peace and Order

The **Citizen's Council for Human Rights (CCHR)** strongly condemns the escalating number of killings of suspected drug pushers and drug dependents who said to have died either during so-called legitimate police operations or at the hands of unknown gunmen.

The surge in fatalities is too alarming to be ignored: from January 1 to May 9 this year (129 days), reported deaths from drug-related violence was 39. But the death count suddenly swelled after May 10. In a matter of 64 days, 251 deaths have already been reported. What makes these spate of executions most worrisome is that this was prompted by President Duterte's pronouncements, made even before his assumption into office, that urged the police, ordinary citizens and later, the New Peoples Army to kill all those involved in the illegal drug trade, with the promise that he would shield them against any legal consequences.

Coming from the Chief Executive himself, this declaration legitimizes a system of crime response where the police and regular citizens become prosecutors, judges and executioners. The Criminal Justice System provides safeguards to protect suspected offenders and all citizens against arbitrary acts through transparency, and checks and balances. The arbitrary killing of suspects bypasses this system altogether, infringes on fundamental due process tenets and denies people the right to be presumed innocent until proven guilty.

The social costs and dangers of arbitrary methods should not be underestimated. The disregard of safeguards endangers everyone in Philippine society: anyone can now be accused of any crime or involvement in illegal drugs and be executed before and without having a chance to publicly defend themselves in court. There is no reason why these violations will not extend to law abiding citizens and human rights and environmental defenders, as in the case of Gloria Capitan, grandmother and campaigner for her community's environmental rights.

Human Rights organizations and the CHR have spent over three decades sensitizing security forces on Human Rights values and ideals, but these efforts are about to be for naught.

Besides, Extra Judicial Executions, the Duterte administration's war on drugs has inspired other excesses. At least one woman and a child has been sexually harassed in the course of operations. On many occasions, suspected drug peddlers and drug dependents, before having their day in court, are paraded in public places.

Apart from being an affront to the dignity of persons and their loved ones, shame campaigns and sexual harassment also undermine the well-being of communities and Philippine society in general. Such acts, categorized as psychological torture is prohibited by the Anti-Torture Act of 2009 or RA 9745. By allowing such illegal acts by authorities, we contribute to the culture haphazard, harmful and arbitrary dispensation of justice. Local Executives should treat drug dependents with compassion and facilitate their rehabilitation while ensuring that those involved in the drug trade are brought to justice through legitimate processes.

The Citizen's Council for Human Rights does not believe these methods which deliberately violate the right to life, right to dignity and due process, will solve the country's crime and illegal drugs problem. In fact, the social costs and dangers of employing extra-legal methods are high.

Finally, CCHR calls on the Duterte government to

1. Immediately stop the killings of suspected criminals and drug related offenders

Law enforcement authorities and government officials should abide by our criminal justice system, by securing warrants prior to arrest, strict observance of police rules of engagement and maximum tolerance in the arrest of suspects, filing of appropriate cases and bringing them to the BJMP without harm and allowing them to stand trial. The killing of suspects outside the rule of law is palliative and does not tackle the core of the crime and drug problems.

2. Strictly prohibit LGU Executives and law enforcement units from implementing torture and dehumanizing methods in the fight against crime and drugs.

The listing of and knocking on houses of persons suspected of peddling and using drugs to as well as the "walks of shame" destroy the humanity of persons and their families. These individuals are also deprived of their right to due process and to reintegrate with their communities with dignity.

3. **Professionalize and raise the human rights and respect for the rule of law standards of the PNP, PDEA, NBI and other law enforcement agencies and rid their ranks of those involved in corruption and syndicated crime.**

The most professional and efficient law enforcement agencies in the world are those which have solid human rights foundations and those that strictly adhere to the very laws they are tasked to uphold. Strict adherence to the Rule of Law, institutional safeguards and respect for human rights must be the cornerstones of Philippine law enforcement modernization and professionalization.

4. **Review and reform the criminal justice system and root out corruption in the prosecution service, courts, the BJMP and the Bucor as soon as possible with the view of making the whole system prompt and efficient in dispensing justice and reforming persons.**

5. **Institute mechanisms widely accessible to ordinary Filipinos so that corruption, involvement in crime, violations to the rule of law and due process as well as extra judicial killings and other grave excesses can be promptly reported to relevant institutions.**

6. **Review and reconsider state policy on drug addiction and make available and accessible proper drug rehabilitation programs and facilities to the majority of drug dependents who come from the poor.**

Drug dependents are persons who are ill and are victims of addictive substances. While the manufacture and sale of drugs are crimes, drug addiction is not. Drug abuse is a public health issue and it should be the DOH and its counterpart units at the LGU handling drug rehabilitation programs and facilities, not corrections officials. 60% of those in Philippine jails and penal institutions are incarcerated due to drug offenses under the Dangerous Drugs Act of 2009 or RA 9165; these are people who need proper treatment.

7. **Invest in the realization of a life of dignity for all.**

Essential services such as education, health, housing, food and the commons such as water and electricity and other basic needs which people need to get out of poverty and become productive members of Philippine society, should be democratized. These requirements of a life of dignity provide people with economic and social opportunities, enabling them to pave their way out of often unbearable conditions which engender anti-social values and behavior. We should address the roots of rampant crime and extensive drug trade and abuse as well as many other social problems by stamping out poverty and social idleness. These social levelers include a good public education which exists for the benefit of public order. Currently, we waste human resources because so many in poor communities are unskilled, when they could contribute to nation building. When all in Philippine society enjoy a productive life of dignity, there will be few left who are prone and vulnerable to dysfunctional behavior or predisposed to a life of crime and drugs.

8. **Halt all initiatives toward the reimposition of the Death Penalty and the lowering of the age of discernment.**

9. **Investigate and prosecute the authorities responsible for human rights violations in the course of the drug war implementation. Justice must be served to the families of those killed, tortured and to those who suffered from sexual harassment.**

Stop the killings and shame campaigns! No to vigilantism!

Address the root cause of social problems!

Bring offenders to justice through due process and the rule of law!

CCHR is a broad coalition of non-government organizations (NGOs), people's organizations (POs), human rights lawyers, religious sector and members of the academe that came together to defend and assert human rights for all.