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August 26, 2015

Dir. Gen. Ricardo Marquez  
Chief  
Philippine National Police  
Camp Crame, 1110 Quezon City  
Republic of the Philippines  
Fax: +63-721-6620

### Re: Philippine National Police and Human Rights

Dear Director General Marquez,

Congratulations on your recent appointment as chief of the Philippine National Police (PNP).

Human Rights Watch is an independent, nongovernmental organization that investigates and reports on violations of international human rights and humanitarian law by governments and non-state armed groups in more than 90 countries around the world.

Since the late 1980s, Human Rights Watch has worked on human rights issues in the Philippines and provided input to the Philippine government. With your appointment, you have an opportunity – and the responsibility – to address continuing human rights concerns in the country. As the Philippines is a party to the major human rights and humanitarian law treaties, we urge you to ensure that the PNP meets the Philippines' international legal obligations.

We recognize that the PNP is facing tremendous challenges as it seeks to improve the professionalism of its men and women. We are heartened that the organization remains committed to the PNP modernization program, which is seen to address many of these challenges. Human Rights Watch notes the PNP's participation in the government's multi-pronged efforts to address its chronic problems of inefficiency, corruption, and lack of discipline, such as the European Union - Philippines Justice Support Programme (EPJUST II) and similar projects.

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However, as many United Nations experts, governments, and nongovernmental organizations have found over the years, the PNP remains responsible for a vast number of human rights violations in the Philippines. Its officers have been implicated in multiple incidents of torture and extrajudicial killings of criminal suspects, political activists, and journalists over several decades. We urge you to take all necessary action to prevent abuses by PNP personnel; to ensure prompt, transparent, and impartial investigations of incidents in which PNP personnel are implicated; and to appropriately hold to account personnel who commit abuses, regardless of rank.

The following human rights issues should be a priority:

### **Political and Media Killings**

The PNP has empowered Task Force Usig, formed in 2006 within the Criminal Investigation and Detection Group of the PNP, with investigating the extrajudicial killings of activists and journalists. The task force's record in achieving these ends has been dismal.

Task Force Usig records released to Human Rights Watch in May 2015 indicate that the government has secured only one conviction out of the 130 cases of killings of activists it has documented since 2001. Nor do the records take into account the hundreds more alleged extrajudicial killings reported by domestic human rights organizations since President Benigno Aquino III came to office in 2010, let alone those during the administration of Gloria Macapagal Arroyo.

Task Force Usig has also documented 51 killings of journalists from 2001 to May 2015 of which only eight cases have resulted in convictions.

We urge you to direct Task Force Usig to improve its investigation and documentation of cases of alleged extrajudicial killings, and to submit a regular – preferably monthly – progress report on the status of these cases.

### **“Death Squad” Killings**

Human Rights Watch's May 2014 report on summary killings in Tagum City in the southern Philippines identified specific police officers assigned to the Tagum City Police Office with complicity in the operation and control of the so-called “Tagum Death Squad.” To our knowledge, the PNP has not initiated an investigation and prosecution of officers allegedly involved in unlawful killings there. We urge you to act on the report's recommendations and ensure a thorough and transparent probe of police complicity with the Tagum Death Squad.

The Philippines is currently beset with an epidemic of summary killings in many other urban areas around the country. These killings, often referred to as “riding in tandem” executions, bear strong similarities to the modus operandi and victim profile of the Tagum Death Squad and its precursor, the Davao Death Squad. Those victims include street children, suspected drug dealers, petty criminals, businessmen, and local politicians. We urge you to publicly disavow the use of “death squads” as a legitimate crime-control strategy and to investigate any police officer involved in these killings. We also urge you to pursue work with the Department of Justice in the investigation and prosecution of the alleged perpetrators to help ensure thorough and transparent probes into possible police complicity with these killings.

### **Torture and Ill-Treatment**

In January 2014, the official Commission on Human Rights revealed the existence of a torture chamber operated by PNP personnel in Laguna province. The PNP has suspended several police officers in connection with that case, but to date there have been no successful prosecutions or even administrative punishment of the alleged perpetrators. Following the September 2013 attack by Islamist militants on the southern city of Zamboanga, there were multiple media reports of abusive treatment by PNP personnel of civilians in custody, including near-suffocation and the stapling of nipples and genitals of suspects in detention. Human Rights Watch, Amnesty International, the UN Committee Against Torture, and several domestic human rights organizations have documented numerous allegations of torture by the security forces in recent years. We urge you to ensure the thorough, impartial, and transparent investigation and appropriate prosecution of PNP police forces implicated in torture and ill-treatment.

### **Reform PNP Human Rights Office**

The PNP’s Human Rights Affairs Office (HRAO) operates as the PNP’s public relations wing rather than as an independent agency actively investigating allegations of human rights abuses by police officers. While we note the HRAO’s efforts in conducting human rights training for PNP personnel, the HRAO has failed in its role as a monitor for police human rights violations.

Transforming the HRAO into an agency with a clear mandate to investigate PNP personnel implicated in human rights abuses and recommend cases for prosecution requires your strong political backing as well as the necessary resources. This requires ensuring that the HRAO has the resources, manpower, and full support of PNP senior commanders to conduct independent and impartial investigations. There is also a strong need for a reliable witness protection program as well as improved record-keeping and monitoring mechanisms of cases involving alleged rights abuses by PNP personnel. The HRAO should

also make regular and active engagement with civil society organizations a standard component of its operations in order to ensure that it has a full range of sources on alleged PNP abuses.

### **Investigating the Police**

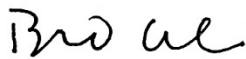
The Internal Affairs Service (IAS) of the Philippine National Police plays a key role in holding abusive PNP elements accountable. Unfortunately, the operations and investigations of the IAS are not transparent and thus there is little public knowledge or evidence of the utility of the IAS in addressing abuses by the Philippines National Police. We urge you to make public the results of IAS investigations of human rights cases and what recommendations it has made.

The failure of the PNP to investigate its own necessitates the engagement of the National Bureau of Investigation (NBI) from the Department of Justice. In the case of the Tagum Death Squad, it was the NBI that took action by looking into the specific allegations and making their own inquiry into other cases. We urge you to engage the NBI more proactively in pursuing the investigation of human rights cases involving the police.

It is also important that the PNP assist the Commission on Human Rights both at the national and local levels. We urge you to direct all police officials to cooperate fully with the commission at all times, especially when it is exercising its power to inspect detention facilities and investigate alleged human rights abuses.

Thank you for your consideration. We would appreciate the opportunity to discuss these and other human rights issues with you. Please feel free to contact me via my New York-based colleague Shayna Bauchner by email [bauchns@hrw.org](mailto:bauchns@hrw.org) or by fax +1-212-736-1300.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Adams".

Brad Adams  
Executive Director, Asia Division  
Human Rights Watch