

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## **Philippines: Ensure Accountability for Police Use of Excessive Force against Demonstrators**

One week after the Kidapawan City protests in Mindanao, southern Philippines, the authorities must ensure accountability for the excessive use of force, including lethal force, by police during the violent dispersal of demonstrators.

On the morning on 1 April, police used excessive force, including firearms, to disperse a group of over 5,000 farmers, mostly from indigenous and poor communities, who had blockaded a national highway in Kidapawan City. The farmers had been demanding food relief from the government to mitigate the effects of severe crop losses due to drought. They also demanded for the suspension of military operations in the area and investigations into abuses by paramilitary groups.

Police were reported to have brought firearms into the dispersal operations, and at least two protesters died during the incident and dozens injured. In addition, some among the protesters reportedly threw stones, causing injury to police personnel.

Under international law and standards, even if police are faced with a demonstration where protesters are using violence against them, police should use only such force as is necessary and proportionate for the purpose of containing the violence or dispersing the demonstration, and should exercise restraint and take steps to minimize harm and damage. They must never resort to torture or other ill-treatment of protesters, and must not use firearms unless no lesser means are sufficient to defend themselves or others against an imminent threat of death or serious injury. If the deaths of protesters resulted from the excessive use of force and firearms by police, it is a violation of the right to life guaranteed in the International Covenant on Civil and Political Rights.

Further, at the level of national law, the Philippines Public Assembly Act 1985 explicitly stipulates that security forces must observe the policy of “maximum tolerance” and highest restraint during a public assembly. Clear guidelines on the use of force and firearms during police operations are also outlined in the National Police Operational Procedures, 2013.

Amnesty International is encouraged to note reports that an investigation has been initiated by the Philippines Commission on Human Rights (CHR). Any such investigation must include a thorough review of police tactics during policing of demonstrations. The findings of the investigation must be made public, and any police suspected of being

responsible for unlawful killings or arbitrary or abusive use of force or torture or other ill-treatment, including those with command responsibility, must be prosecuted in proceedings which comply with international law and standards for fair trial. The victims of police excessive use of force, including families of those who were killed, must be provided with adequate reparations, including compensation.

The organisation is also concerned about the arrest and charge of at least 80 men and women among the protesters for various offences including economic sabotage, harassment, obstruction of traffic flow, and illegal assembly. Authorities must ensure that all people arrested have prompt access to lawyers of their choosing as well as medical attention where required, and be able to contact their families. Any of those arrested who are held solely for exercising their rights to freedom of expression and peaceful assembly must be immediately and unconditionally released and the charges against them dropped.

### **Background**

The Philippines has been gripped by a strong El Niño phenomenon with a dry spell since December which has hit food production, particularly in the Mindanao. This region is home to the country's poorest people and more than half of the population is reliant on rain fed agriculture. The farmers who had blockaded the national highway were demanding the release of 15,000 sacks of rice subsidy.