

# United States Senate

WASHINGTON, DC 20510

December 22, 2016

Assistant Secretary William R. Brownfield  
Bureau of International Narcotics and Law Enforcement Affairs  
U.S. Department of State  
2201 C Street NW  
Washington DC 20520

Dear Assistant Secretary Brownfield:

We write to express grave concern about the campaign of extrajudicial killings and human rights violations by the government of Philippine President Rodrigo Duterte under the guise of his so-called "*War on Drugs*." Duterte, by his own admission, participated in indiscriminate killings as Mayor of Davao.<sup>1</sup> Since he assumed the Presidency on June 30, there have been reports of at least 2,000 extrajudicial killings. Another 3,800 deaths are reportedly the result of inadequately investigated homicides believed to be connected to the campaign.<sup>2</sup> If substantiated, these actions constitute a gross violation of human rights. Rather than address the systemic problems related to the country's drug crisis, invest in treatment programs, or approach the epidemic with an emphasis on the health and well-being of the Philippine people, President Duterte has instead pledged to kill another 20,000 to 30,000 people, many simply because they suffer from a drug use disorder.<sup>3</sup> The Philippine anti-drug movement known as Project Tokhan in fact appears to be a campaign of mass atrocities thinly disguised as a response to a public health emergency.

Broad scientific analysis and medical research has concluded that drug addiction is not a moral failing, but rather a chronic disease. According to the United Nations World Drug Report,<sup>4</sup> the number of people classified as suffering from drug use disorders has, for the first time in six years, increased significantly with more than 29 million people now living with a drug use disorder. In April 2016, the United Nations identified the need for a balanced approach to drug control that puts the health and well-being of people, families, and communities at the center of all responses.<sup>5</sup> Duterte's anti-drug campaign does just the opposite, and exhibits an abhorrent response to the public health crisis of drug addiction.

During Secretary Kerry's recent visit to Manila, Philippine government officials welcomed his pledge of \$32 million in U.S. funding for training and other law enforcement assistance.<sup>6</sup> While supporting law enforcement in foreign countries can be a key element of advancing U.S. interests overseas, recipients of our financial assistance must align with our values and ideals, including respect for human rights and the rule of law. The Leahy Law was enacted to prohibit assistance to any unit of a foreign country's security forces should credible

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<sup>1</sup> <http://www.cnn.com/2016/12/14/asia/duterte-philippines-davao-killings/index.html>

<sup>2</sup> [http://www.nytimes.com/interactive/2016/12/07/world/asia/rodrigo-duterte-philippines-drugs-killings.html?emc=edit\\_ta\\_20161207&nlid=73053086&ref=cta](http://www.nytimes.com/interactive/2016/12/07/world/asia/rodrigo-duterte-philippines-drugs-killings.html?emc=edit_ta_20161207&nlid=73053086&ref=cta)

<sup>3</sup> <http://www.nytimes.com/interactive/2016/12/07/world/asia/rodrigo-duterte-philippines-drugs-killings.html>

<sup>4</sup> United Nations Office on Drugs and Crime, World Drug Report, New York, 2016.

<sup>5</sup> UN General Assembly special session on the world drug problem, April 2016

<sup>6</sup> <http://www.philstar.com/headlines/2016/07/27/1607298/us-pledges-32m-philippine-law-enforcement>

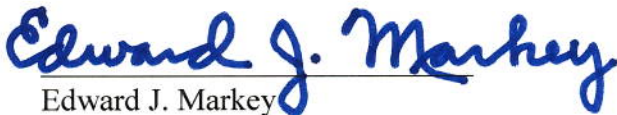
information indicate that members have perpetrated gross human rights violations.<sup>7</sup> The serious allegations of extrajudicial killings that have surfaced in the course of President Duterte's war on drugs raise serious concerns about the legality and appropriateness of the \$32 million in dedicated funds.

We respectfully request a response to the following questions no later than January 13, 2016.

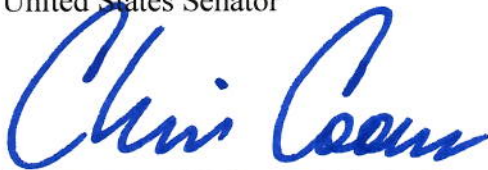
1. What is our process for tracking the use of U.S. funds in the Philippines to ensure that none of our foreign assistance money dedicated to law enforcement activities is being used to support the extrajudicial killings or other human rights violations of Duterte's campaign?
2. What work is the U.S. doing to remedy the drug crisis in the Philippines, help people recover from addiction, and protect the due process rights of persons suspected of crimes? Is the U.S. directly or indirectly supporting access to treatment and other services for those dealing with a substance use disorder? Do Philippine law enforcement services, which we support, work directly with health agencies on these matters?
3. How is the State Department ensuring full compliance with the Leahy Law in relation to the growing reports of Philippine police and vigilante brutality and impunity? How has the amount or direction of U.S. foreign assistance programming in the Philippines been adjusted to ensure that the Leahy Law is enforced in light of Duterte's campaign?

While the use of law enforcement can help monitor and control illegal drug sales and consumption, extrajudicial killings are not a form of justice. Those suffering with a substance use disorder need access to treatment and a pathway to rehabilitation, not a summary execution where the police or vigilantes act as judge, jury, and executioner. We urge the U.S. to denounce these horrific violations of basic human rights, and ensure that no foreign assistance is being provided to support egregious acts against humanity.

Sincerely,



Edward J. Markey  
United States Senator



Christopher A. Coons  
United States Senator



Marco Rubio  
United States Senator

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<sup>7</sup> Section 620 M of the Foreign Assistance Act of 1961, as amended