

HUMAN RIGHTS ADVISORY ON THE USE OF FORCE AND RIGHT TO SELF-DEFENSE

1. The excessive use of force is strictly prohibited.
2. In the performance of duty, law enforcers must use force that is lawful, reasonable, necessary and commensurate to the threat.
3. Unlawful aggression should be present for self-defense to be considered as justifying circumstance.
4. Based on jurisprudence, the duty to issue a verbal warning to an armed suspect or resisting offender must be carried out when there are still several options available to law enforcers. The purpose of the warning is to give the suspect or offender the opportunity to surrender. Failure to issue the warning is excusable only if there is no other option but to subdue the suspect/offender with the use of force and there is imminent threat to the life of the law enforcer.
5. An immobilized and/or unarmed suspect/offender must not be subjected to Deadly Use of Force. All PNP personnel are enjoined to review the Use of Force Continuum cited in the PNP Guidebook on Human Rights-Based Policing.
6. Immediately after an armed encounter, the police officer involved must cautiously approach the suspect using tactical movements. Wounded persons/suspects must be given first aid and/or brought to the nearest hospital.
7. Any police officer who used his/her firearm against a suspect must submit an After-Encounter Report outlining the circumstances necessitating the use of weapon against the suspect.
8. It is highly recommended that a police officer who was involved in an armed encounter be directed by his/her superiors to undergo a stress debriefing or professional counseling session. The debriefing/counseling may be considered part of the assessments to determine his/her fitness to return to duty.

All police personnel are hereby reminded that as a law enforcement organization, the PNP values the Right to Life of all persons. In suppressing criminal threats, police personnel are often required to make split-second decisions with regard to their right to self-preservation and self-defense, and their defense of people whom they have sworn to serve and protect. Still, as law enforcement professionals, all PNP personnel are expected to demonstrate high levels of skill and self-control especially in cases when suspects have already been immobilized and no longer pose a grave threat to the law enforcer and/or the public.