

**The Philippines Risk: High**

The Philippines remains at high risk for atrocities as drug war related killings continue and the average number of killings stood at about 5 people per week over the last two months. Meanwhile, politically motivated extra-judicial killings (EJKs) in the country are apparently on the rise since the start of the year, prompting the national government and the legislature to conduct investigations on the use of private armies and local police officers by some local politicians.

In March 2023, 26 people died in relation to the government's anti-drug war campaign, while another 17 were killed as of 22 April. For the months of January and February, there were a total of 45 people killed.<sup>1</sup> The National Capital Region (NCR) of Metro Manila stood as the top hotspot in drug-related killings, which were undertaken mostly by unknown assailants. Davao Del Sur and Davao City were in the second spot where the killings were all done by cops.<sup>2</sup> Davao City is the hometown of former President Duterte. In March, a local court found a police officer guilty of murdering two teens in relation to the drug war under President Duterte's term. The trial took over five years and the officer were sentenced to 40 years in prison without eligibility for parole.<sup>3</sup>

Corruption continues to plague the Philippines anti-drug war campaign as 'ninja cops' are involved in criminal activities during operations. Some 49 police officers are facing criminal and administrative charges in connection with drug raid cover-up and pilferage try in October 2022 following a fact-finding investigation by the Department of Interior and Local Governments (DILG) and the Philippine National Police Commission (NAPOLCOM). The cover-up involved 990 kgs of crystal meth worth P6.7 billion (US\$120.4 million) with two drug enforcement officers taking 42 kgs before the 990 kgs were inventoried.<sup>4</sup>

Meanwhile, President Marcos Jr on 28 March said that the Philippines will 'disengage' with the International Criminal Court (ICC) after the court rejected the government's appeal to suspend its drug war probe while its separate appeal is being heard in the Court's pre-trial chamber for the resumption of the investigation. The Appeals Chamber of the ICC did not find the reasons behind the request of the Philippine government to be persuasive even as the pre-trial chamber has yet to rule on its request to reverse its decision for a full investigation of the drug war killings.<sup>5</sup> For his part, the head of the Department of Justice (DOJ) also thumbed down a suggestion to create an independent commission to investigate the drug war killings under the Duterte administration. He asserted that the DOJ is transparent in its ongoing probe of police officers allegedly involved in the drug war killings and in providing documents to the ICC to demonstrate that it is not failing to prosecute cops accused of arbitrary killing drug suspects.<sup>6</sup>

The risk of atrocities in the country is also exacerbated by the rise of politically motivated killings in the country since the start of the year. In February, four separate ambushes were carried out in Lanao Del Sur and Maguindanao Del Sur in Mindanao and in Aparri, Cagayan province and in Batangas province in Luzon, which resulted in four and six people killed, respectively. The governor of Lanao Del Sur survived the ambush, while the vice mayor of Aparri was killed. On 3 March, the governor of Negros Oriental in the Visayas was killed inside his family compound while distributing cash relief to his constituents, along with eight other people.<sup>7</sup> The alleged mastermind behind the killing were political rivals of the governor who are siblings (a suspended congressman now in hiding abroad and his brother, the ousted governor of the province who had to vacate his position following a ruling by the Supreme Court that he lost in the last elections in May 2022).<sup>8</sup> Both denied that they were behind the assassination of Governor Degamo.

The Commission on Human Rights (CHR) launched its probe on the assassination of Governor Roel Degamo along with other local government officials who were targeted in the spate of killings in the country.<sup>9</sup> A Senate committee also started its own investigation of Degamo's murder which so far revealed the alleged involvement of some cops and a private army composed of dishonourably discharged army men under the payroll of the rival political clan. Between 2016 and 2021, there were a total of 927 elected local officials killed in the country, with most of these cases remaining unsolved.<sup>10</sup> Apart from local politicians, EJKs under the Marcos administration targeted political activists and suspected communist sympathisers who fell victim to the government's counter-insurgency operations.<sup>11</sup>

### Recommendations

The government of The Philippines should:

- Uphold the state's primary responsibility to protect by complying with international norms on human rights protection.
- Hold members of the security sector legally accountable for violations of human rights in relation to the war on illegal drugs during the Duterte administration and after.
- Amend Republic Act 6891 on Witness Protection Program (WPP) to include members of the security section.
- Permit the Office of the Prosecutor of the ICC to resume its investigation of drug war related killings during the term of President Duterte and cooperate fully with the probe and abide by the Supreme Court's 2021 resolution that the ICC has jurisdiction.
- Dismantle private armies that serve politicians, warlords, and drug lords and file criminal charges against them.
- Strengthen efforts to curb illegal gambling operations, proliferation of small arms and light weapons, and other criminal activities involving local politicians and warlords.

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<sup>1</sup> UP Third World Studies Centre Dahas infographic, 1-31 March and 1-22 April 2023, from <https://www.facebook.com/up.twsc>, accessed on 26 April 2023.

<sup>2</sup> Ibid.

<sup>3</sup> Krtistine Joy Patag, 'More than 5 years later, cop found guilty of murdering teens Carl-Kulot in 'drug war' op,' Philstar online, 13 March 2023, from <https://www.philstar.com/headlines/2023/03/13/2251384/more-5-years-later-cop-found-guilty-murdering-teens-carl-kulot-drug-war-case>, accessed on 14 March 2023.

<sup>4</sup> Dexter Cabalza, '49 cops face raps for drug raid cover-up, pilferage try,' Inquirer News, 16 April 2023, from <https://newsinfo.inquirer.net/1756963/49-cops-face-raps-for-drug-raid-cover-up-pilferage-try>, accessed on 27 April 2023.

<sup>5</sup> Krixia Subingsubing and Nestor Corrales, 'PH to "disengage" as ICC junks appeal on probe,' Inquirer.net, 29 March 2023, from <https://newsinfo.inquirer.net/1749553/ph-to-disengage-as-icc-junks-appeal-on-probe>, accessed on 26 April 2023.

<sup>6</sup> Marc Jason Cayabyab, 'Remulla thumbs down independent probe on drug war deaths,' Philstar, 19 March 2023, from <https://qa.philstar.com/headlines/2023/03/19/2252685/remulla-thumbs-down-independent-probe-body-drug-war-deaths>, accessed on 26 April 2023.

<sup>7</sup> Mong Palatino, 'Alarming Pattern of Killings Continues in the Philippines,' The Diplomat, 15 March 2023, from <https://thediplomat.com/2023/03/alarming-pattern-of-killings-continues-in-the-philippines/>, 26 April 2023.

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<sup>8</sup> Ryan Macasero, 'Victims detail Negros Oriental "reign of terror" on 2<sup>nd</sup> day of Degamo inquiry,' Rappler online, 18 April 2023, from <https://www.rappler.com/nation/senate-probes-reign-terror-negros-oriental/>, accessed on 26 April 2023.

<sup>9</sup> Llanesca T. Panti, 'CHR launches probe on killings targeting gov't officials,' GMA News online, 10 March 2023, from <https://www.gmanetwork.com/news/topstories/nation/863429/launches-probe-on-killings-targeting-gov-t-officials/story/>, accessed on 26 April 2023.

<sup>10</sup> Billy Begas, '927 city, municipal, barangay officials killed from 2016 to 2021,' Politiko News, 5 March 2023, from <https://politics.com.ph/2023/03/05/927-city-municipal-barangay-officials-killed-from-2016-to-2021/>, accessed on 26 April 2023.

<sup>11</sup> Mong Palatino, 'Alarming Pattern of Killings Continues in the Philippines,' *ibid.*