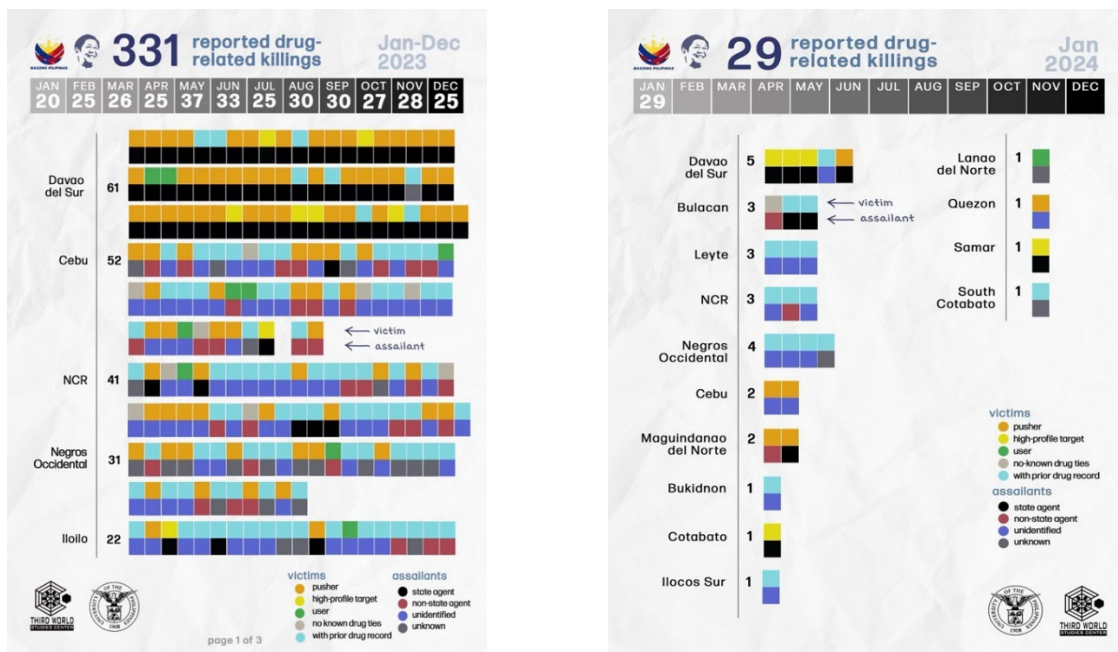


The Philippines Risk: High

The Philippines remains at high risk of atrocity crimes as drug war-related killings continue in the country. Throughout 2023, there were a total of 331 persons deaths reported, including 21 people composed of state agents, police informants, a village official, a witness, and 9 “collateral damage” killed during operations.¹ Accordingly, among those killed included 17 drug users and 37 high value individuals involved in drug crime operations.²

Davao del Sur accounted for 18.4 percent (or 61 people) who were killed, followed by Cebu (15.7 percent or 52 people), and the National Capital Region or NCR (12.3 percent or 41 people).³ Davao del Sur is the home province of former President Rodrigo Duterte, where he currently resides and where his son is the incumbent mayor of Davao City. As of 31 January 2024, there were a total of 29 people killed in drug related operations, with Davao del Sur accounting for the highest number of deaths (5), followed by Bulacan, Leyte, and NCR with 3 deaths each.⁴ (See infographic below.)



(Source: UP Third World Studies Centre Facebook Page)

Amidst continued insistence of the Marcos Jr administration that it will not cooperate with the International Criminal Court (ICC) in the investigation of drug related killings under the Duterte administration, three separate resolutions were filed in the lower chamber of the Philippine legislature to cooperate with the international court’s probe.⁵ These resolutions were adopted on 29 November 2023 by the House Committee on Human Rights and Justice.⁶

In response to these resolutions, President Marcos Jr said that the government will review the Philippines’ withdrawal from the ICC but insisted that currently the international court has no jurisdiction over the Philippines.⁷ On 23 January, Marcos reiterated that the Philippines will not cooperate with the ICC investigation as its probe is a “threat to national sovereignty”. He also said that ICC investigators may visit the country as private individuals, but the Philippine government will not cooperate or assist them while in the country.⁸ For their part, Duterte supporters, including Vice President Sara Duterte, argued that allowing ICC investigators in the country is a violation of the Philippine constitution.⁹

Recommendations:

The Government of the Philippines should:

- Comply with international norms on human rights protection by holding accountable law enforcers and other members of the security sector for violations of human rights in relation to the war on illegal drugs during the Duterte administration and after.
- Vigorously push for the amendment of Republic Act 6891 on Witness Protection Program (WPP) to cover law enforcers as part of encouraging them to turn state witness in the drug war related killings and other EJKs
- Reconsider its position on membership of the International Criminal Court (ICC)
- Support the House resolutions in the Philippine Congress urging the Marcos Jr administration to cooperate with the ICC.
- Pursue its own credible and transparent probe into the drug war killings both under the administrations of President Duterte and Marcos Jr.
- Encourage PNP and Department of Justice to pursue vigorous investigation of killings involving policemen and other law enforcement agents in relation to the past and ongoing drug war operations and file appropriate criminal charges against them.

¹ Joel F. Ariate Jr. and Lara Vinda Del Mundo, “The 2023 Dahas Report: The casualties of Marcos’s “bloodless” drug war,” Vera Files, 11 January 2024, from https://verafiles.org/articles/the-2023-dahas-report-the-casualties-of-marcoss-bloodless-drug-war?fbclid=IwAR3wNe3T5VeITIsJobElw_X0-iyN8fiwqYr6gyIOFdYZ7vTaQjMHWKEJZYw, accessed on 13 February 2024.

² Ibid.

³ UP Third World Studies Centre Facebook infographic, 9 January 2024, from <https://www.facebook.com/up.twsc>, accessed on 13 February 2024.

⁴ UP Third World Studies Centre Facebook infographic, 12 February 2024, from <https://www.facebook.com/up.twsc>, accessed on 13 February 2024.

⁵ Kurt dela Peña, “Rejoining ICC: Letting light shine on darkness of Duterte’s anti-drug killings,” Inquirer.net, 11 December 2023, from <https://newsinfo.inquirer.net/1873672/rejoining-icc-letting-light-shine-on-darkness-of-dutertes-anti-drug-killings>, accessed on 11 December 2023.

⁶ Ibid.

⁷ Jairo Bolledo, “Marcos says Philippines’ return to ICC ‘under study’,” Rappler, 24 November 2023, from <https://www.rappler.com/philippines/marcos-government-return-icc-under-study/>, accessed on 24 November 2024.

⁸ Neill Jerome Morales and Mikhail Flores, “Philippines will not ‘lift a finger’ to assist ICC’s drug war probe,” Reuters, 23 January 2024, from <https://www.reuters.com/world/asia-pacific/philippines-will-not-cooperate-with-icc-probe-into-drugs-war-president-2024-01-23/>, accessed on 13 February 2024.

⁹ Ibid.